

ORDINANCE #2010- 5

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON
APPROVING ZONING ORDINANCE AMENDMENT PL10-0012 TO ALLOW
TEMPORARY OUTDOOR EVENTS WITH AN ADMINISTRATIVE PERMIT**

WHEREAS, pursuant to Section 65300 of the State Planning and Zoning Law, the City of American Canyon adopted a Zoning Ordinance in 1996 to implement the General Plan and regulate the use of land, buildings and structures, the size and use of lots; the intensity of land uses; and to establish other requirements to provide a clear and concise guide for the physical development of the City and to protect and promote the public health, safety, peace, comfort, convenience, aesthetics, prosperity, and general welfare; and

WHEREAS, Zoning Ordinance Chapter 19.48 provides that the City Council may amend the Zoning Ordinance after the amendment is referred to the Planning Commission for review and recommendation to the City Council; and

WHEREAS, Currently the Zoning code requires a Conditional Use Permit for temporary outdoor when many jurisdictions have an administrative process for such activities; and

WHEREAS, establishing an administrative process for temporary outdoor events furthers General Plan Objective 3.3 to expedite the growth of job-generating, quality businesses by streamlining City application procedures; and

WHEREAS, the proposed Zoning Ordinance Amendments are exempt from California Environmental Quality Act (CEQA) in accordance with Section 15060(b)(3) because it will clearly have no effect on the environment; and

WHEREAS, the City of American Canyon Planning Commission unanimously recommended approval of the ordinance on May 27, 2010; and

WHEREAS, the City of American Canyon City Council held a public hearing on June 15, 2010 at which time all those in attendance were given the opportunity to speak on the proposal; and

WHEREAS, the City Council considered all of the written and oral testimony presented at the public hearing in making its decision.

NOW THEREFORE, the City Council of the City of American Canyon does hereby ordain the following:

SECTION 1. Title 19, Division 3, Chapter 5.05 of the Municipal Code is hereby added and Chapter 19 is hereby amended as follows:

Chapter 5.05 Special Events

5.05.010 Intent and Purpose

The intent of this chapter is to provide a regulatory framework for permitting special events and temporary outdoor promotions. The use of private property, City streets or other City-owned or controlled property by large groups causes wear and tear on turf, park equipment and facilities, and requires City staff time to provide support services, such as traffic control. Such uses can also subject neighboring residents and businesses to noise and traffic. The purpose of this chapter is to ensure that special events and temporary outdoor promotions are conducted so as not to violate any other ordinance or regulation of the City, or cause detrimental effects to surrounding properties and the community-at-large. It is the intent of the City to protect the rights of the people to engage in expressive activities in the City's public places, as well as to regulate the time, place and manner of these activities in a reasonable and minimally restrictive fashion.

5.05.020 Definitions

- A. "Air-Medical Operations Permit" means a permit issued by the Fire Chief or his or her designee, allowing the landing and takeoff of EMS air rescue or air ambulance helicopters for the purposes of special event stand-by services.
- B. "Applicant" means the person, corporation, association, partnership or other legal entity submitting the application for a special event or temporary outdoor promotion permit.
- C. "Chief of Police Services" means the Chief of Police Services of the City of American Canyon, or his or her designee.
- D. "City" means the City of American Canyon.
- E. "City Manager" means the City Manager of the City of American Canyon, or his or her designee.
- F. "Departmental Service Charges" means the actual costs which a department of the City incurs in connection with activities for which a special event or temporary outdoor promotion permit is required under this chapter, including, but not limited to, costs associated with fire safety, traffic and/or pedestrian control, water safety, the closure of streets or intersections, the diverting of traffic, the salaries of City personnel involved in administration or coordination of City services for the event, the cost to the City to provide support personnel, equipment, materials and supplies and related City costs, such as fringe benefits or employee overtime. Departmental service charges shall not include costs incurred by the City to provide ordinary levels of police protective services to those engaged in activities or conduct for which a special event or temporary outdoor promotion permit is required pursuant to this chapter.
- G. "Event Organizer" means any person who conducts, manages, promotes, organizes, aids or solicits attendance at a special event or temporary outdoor promotion.

- H. "Expressive Activity" means conduct protected by the First Amendment of the United States Constitution or Article 1, Section 2 of the California Constitution, which is the principal purpose of the event.
- I. "Fire Chief" means the American Canyon Fire Protection District Fire Chief, or his or her designee.
- J. "Indigent Natural Person" means a person eligible for relief and support in the County of Napa as an indigent person under Section 17000 et seq. of the California Welfare and Institutions Code, or as the/those section(s) is/are amended from time to time.
- K. "Medical Operations Permit" means a permit issued pursuant to the California Health and Safety Code, which gives the City the right to require and evaluate, modify, approve or reject the medical operations plan of any applicant wishing to conduct a special event within the city.
- L. "Parade" means a parade, procession, march, demonstration, motorcade, promenade or pageant consisting of persons, animals or vehicles, or any combination thereof, traveling in unison and having a common purpose, design, destination or goal, which is conducted in, on, upon, or along any public street, sidewalk or other property owned or controlled by the city, or any portion thereof, which does not comply with normal and usual traffic regulations or control, or which may impede, obstruct, impair or interfere with the free use of such public street, sidewalk or other public property of the City.
- M. "Person" means any natural person, firm, association, joint venture, joint stock company, partnership, organization, club, company, corporation, business trust or manager, lessee, agent, servant, officer or employee, or any of them, except where the context clearly requires a different meaning.
- N. "Public Assembly" means any group of sixty (60) or more persons participating in an organized activity having a common purpose on or within a City street, City park, parking facility, sidewalk, or other public property or right-of-way.
- O. "Sidewalk" means that portion of a highway, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.
- P. "Special Event" means:
 - 1. Any temporary event not exceeding thirty (30) days, whether indoors or outdoors, involving thirty (30) or more persons, which is inconsistent with the permanent use to which the property may legally be put, or the occupancy levels permitted on property; or
 - 2. Any public assembly as defined in this section; or

3. Any event, regardless of the number of persons involved, requiring full or partial street closure, which occurs on a City street, sidewalk, alley, or other public right-of-way, and/or which is likely to obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic.

The following list of examples is illustrative, but not determinative, of activities that may constitute "special events":

1. Motorized vehicle races or contests.
 2. Carnivals, circuses, fairs, festivals, nondomesticated animal act or exhibition, and similar activities.
 3. Any event with mechanical amusement rides.
 4. Promotional or fundraising activities.
 5. Parades.
 6. Outdoor shows, concerts and exhibitions.
 7. Outdoor craft fairs, soapbox derbies, or other similar events.
- Q. "Special Event Permit" or "Permit" means a special event permit issued pursuant to this chapter.
- R. "Spontaneous Special Event" means a special event that is also an expressive activity, which is precipitated by news, circumstances or events coming into public knowledge fewer than thirty (30) working days before the proposed spontaneous special event.
- S. "Street" means a way or place, of whatever nature, publicly maintained and open to use of the public for purposes of vehicular travel. Streets include highways and alleys.
- T. "Temporary Outdoor Promotion" means an outdoor commercial event of limited duration, such as grand openings, outdoor sales, and seasonal promotions occurring on nonresidential, private property.
- U. "Temporary Outdoor Promotion Permit" means a temporary outdoor promotion permit issued pursuant to this chapter.
- V. "Venue" means the specific property, area or site or which a special event permit has been issued.
- W. "Working Day" shall mean a weekday, e.g., Monday through Friday, in which City Hall is open and conducts business. Saturdays, Sundays and holidays are not working days within the meaning of this chapter.

5.05.030 Permit Required

- A. It shall be unlawful for any person to conduct, operate, maintain, organize, advertise, or sell or furnish tickets to any special event or temporary outdoor promotion within the City of American Canyon subject to the provisions of this chapter, and not expressly exempt under Section 5.05.040, without having obtained a valid permit for the event.
- B. Issuance of a permit pursuant to this chapter does not obligate or require the City to provide City services, equipment or personnel in support of an event, although the City Manager may provide such services, equipment or personnel if such are reasonably available and the event organizer makes provisions to reimburse the City for the cost.

5.05.035 Special Event permit.

A special event permit is required for any special event, as defined in Section 5.05.020, having any of the following characteristics:

1. Involves the use of public property or facilities or has a substantial impact on traffic, public property or facilities in a way that may require the provision of City public services in response; and/or
2. Creates noise in excess of the standards set forth in Chapter 8.12 ("Noise Control"); and/or
3. Involves the use of any pyrotechnic device as defined in the California Health and Safety Code; and/or
4. Involves the construction or installation of any temporary or permanent tents, canopies or other structures, if the construction or installation requires a permit from the City's fire and/or community development department; and/or
5. Involves the use of any exotic or nondomesticated animals, or mechanical amusement rides.

5.05.040 Exceptions to the Special Event permit.

A special event permit is not required for any of the following special events:

1. An event conducted in or on residential property in a residential zone so long as the event conforms to other provisions of the Municipal Code.
2. Block parties that conform to the other provisions of the Municipal Code.
3. Funeral processions by a licensed mortuary or funeral home.

4. Any activities or events held or conducted by or on behalf of a public or private school, a college or school district, the State of California or other governmental entity otherwise exempt from the provisions of this chapter under separate provision of law.
5. Events involving expressive activity, including but not limited to, lawful picketing, which takes place on public sidewalks owned or controlled by the City, provided that participants comply with applicable traffic regulations, laws or controls.

5.05.045 Temporary Outdoor Promotion regulations

- A. Temporary outdoor promotions, as defined in Section 5.05.020, require permits issued pursuant to this chapter.
- B. Temporary outdoor promotions are limited to ten (10) consecutive days per event and a maximum of four (4) events per year, unless provided otherwise in an approved design permit under Section 19.41.
- C. Temporary outdoor promotion permits shall be issued only to approved permanent establishments in the City for on-site use. The proposed events and activities shall occur in conjunction with the principal use of the establishment or as an extension thereof.
- D. Signage for temporary outdoor promotions shall comply with the sign ordinance in Chapter 19.23.
- E. All signage and lighting associated with the temporary outdoor promotion shall be included on the plans.
- F. The permit applicant must demonstrate that adequate on-site parking spaces will remain available for customer parking.
- G. All disabled-accessible parking spaces, walkways, ramps, ingress, and egresses must remain available.

5.05.050 Application for permit.

- A. An application for a special event or temporary outdoor promotion required by this chapter shall be filed with the City Manager on a form furnished by, or acceptable to, the City Manager, and signed by the applicant under penalty of perjury. If the application is filed by an organization, the application shall be prepared, signed under penalty of perjury, and filed by an officer of such organization, who is not less than eighteen (18) years of age. An indigent natural person may only apply on his or her own behalf and cannot apply on behalf of another person, corporation, association, partnership or other legal entity.
- B. A completed application for a special event permit shall be filed not less than thirty (30) working days, nor more than six (6) months, prior to the

opening date of the proposed special event. However, it is recommended that a completed application be filed at least ninety (90) calendar days prior to the proposed special event to accommodate unforeseen circumstances or delays.

- C. A completed application for a temporary outdoor promotion permit shall be filed not less than ten (10) working days, nor more than six (6) months, prior to the proposed temporary outdoor promotion. If the City Manager denies the special event or temporary outdoor promotion permit, the event organizer or other affected person may appeal the denial to the City Council under Section 5.05.100. Once any decision of the City Council on appeal becomes final, the event organizer or other affected person may then file a petition for writ of mandate pursuant to California Code of Procedure Section 1094.6 or 1094.8 regarding the validity of the City's decision to grant or deny the application.
- D. An application will be deemed complete unless, within three (3) working days, the applicant is given notice that the application is incomplete and told what information is missing. Notwithstanding the City Manager's acceptance of a completed application, no special event or temporary outdoor promotion permit date shall be considered confirmed until a special event or temporary outdoor promotion permit is issued pursuant to Section 5.05.080.
- E. No application filed for a special event proposed to be scheduled fewer than thirty (30) working days from the filing of an application will be accepted, except for an application for a spontaneous special event.
 - 1. An event organizer must give written notice to the City Manager at least forty-eight (48) hours in advance of any proposed spontaneous special event. Such written notice must contain all of the following information:
 - (i) The name, address and telephone number of the person or persons seeking to conduct the spontaneous special event, which person or persons shall be considered the applicant for purposes of this subsection.
 - (ii) The name, address and telephone of the headquarters of the organization, if any, and of the organizer or responsible head of such organization by whom or on whose behalf the spontaneous special event is proposed to be conducted.
 - (iii) The name, address and telephone number of the person who will chair the spontaneous special event and who will be responsible for the conduct of the participants.
 - (iv) The location and date of the spontaneous special event, including the assembly area, disbanding area, and the route to be traveled, if applicable.

- (v) An estimate of the approximate number of persons who will be participating in the spontaneous special event and an estimate of the approximate number of persons who will be observing the spontaneous special event.
 - (vi) The time at which the spontaneous special event will begin and conclude.
 - (vii) The type of security or other arrangements that will be provided to assure that participants are properly directed.
 - (viii) The application shall be accompanied by a declaration under penalty of perjury demonstrating that the failure to submit a timely application was not within the applicant's control because the precipitating news, circumstances or events did not exist, or could not have been known to the applicant in time to file a timely application under this chapter.
2. The City Manager may impose reasonable time, place and manner restrictions on the spontaneous special event.
 3. The City Manager may deny permission to conduct a spontaneous special event if he or she makes a written finding requiring denial pursuant to Section 5.05.090 within twenty-four (24) hours of receipt of the application. If the City Manager makes a finding pursuant to Section 5.05.090, he or she shall immediately provide notice of the denial, including the reason or reasons for the denial, by telephone and in writing, to the applicant. In lieu of denial, the City Manager may propose to the applicant an alternative time, route, venue or manner of conducting the activity which would be acceptable to the City and would obviate any finding made pursuant to Section 5.05.090. Once the City Manager makes his or her final determination whether to deny or grant the permit, the applicant may file a petition for writ of mandate pursuant to California Code of Civil Procedure Section 1094.6 or 1094.8 challenging the validity of the City Manager's decision.
 4. The applicant will be charged for the actual costs incurred for any increases in the cost of services attributable to the shortened review period. Such costs may include, but are not limited to, any staff overtime.

5.05.060 Permit and application fee

- A. All applications shall be submitted with payment of a nonrefundable application fee established by resolution of the City Council, as may be amended from time to time, unless said special event or temporary outdoor promotion is funded in full or in part by the City as an applicant, or said fee is waived by the City Council. Any application submitted without said application fee shall be deemed incomplete.

- B. Any indigent natural person who cannot apply for a special event permit because of an inability to pay the required application fee due to such indigence shall not be required to pay said application fee set forth in subsection A. Application for indigent status shall be made at the time of submission of the special event permit application and shall be accompanied by such relevant information and documentation as may, in the opinion of the City Manager, be reasonably necessary to verify such status.

5.05.070 Application Contents

- A. Applications for all special event and temporary outdoor promotion permits shall contain the following information, as deemed applicable:
 - 1. The name, address and telephone number of the applicant, the event organizer and an alternative person who may be contacted if the event organizer is unavailable.
 - 2. If located on private property, signed approval from the property owner acknowledging application for a special event or temporary outdoor promotion.
 - 3. If the applicant is an organization or business, the name, address and telephone number of the organization or business and the authorized head of the organization or business shall be provided. The person designated as the applicant by an organization or business shall provide written authorization from the organization or business verifying such designation.
 - 4. The name, address and telephone number of the person who will be present and in charge of the special event or temporary outdoor promotion on the day of the event.
 - 5. A description of the nature or purpose of the special event or temporary outdoor promotion for which the special event or temporary outdoor promotion permit is requested and an estimate of the maximum number of persons who will be attending the event.
 - 6. Date(s) and estimated starting and ending time(s) of the special event or temporary outdoor promotion.
 - 7. Location of the special event or temporary outdoor promotion, including its boundaries, the street or other public property, and the specific area or areas, that will be utilized in connection with the proposed event, or, if on private property, the business name, street address and telephone number at which the event or activity will be conducted.

8. The type and estimated number of vehicles, animals or structures that will be used at the special event or temporary outdoor promotion.
9. The provision and/or operation of first aid or emergency aid stations at the special event or temporary outdoor promotion.
10. The provision and/or operation of sanitary facilities, including handicap accessible sanitary facilities.
11. Whether any food or beverages, including alcoholic beverages, will be sold at the special event or temporary outdoor promotion.
12. The type of security or other arrangements that will be provided: (i) to ensure that participants are properly directed; and (ii) to ensure the prevention of unlawful conduct by participants and attendees.
13. Anticipated parking needed and parking plan for the special event or temporary outdoor promotion.
14. A proposed plan for seating for the special event or temporary outdoor promotion, if applicable, and the maximum legal occupancy of the proposed premises, if applicable.
15. A security plan, including the provision and use of traffic cones or barricades, for control of pedestrian and vehicular traffic.
16. Whether sound amplification equipment will be used and a plan for control of noise, including, but not limited to, the noise generated by amplification equipment, motors and other equipment that may affect nearby premises, with special attention to prevention of noise nuisance to nearby residences, if any, subject to the noise standards set forth in Chapter 12.4.180.
17. A detailed floor plan and site plan of the premises showing the building interior and exterior grounds, including parking spaces, amusement ride location, seating arrangements, dance floor area, bar location, fire exits, and the dimensions of each portion with the layout of the special event or temporary outdoor promotion, when applicable. A trash and litter collection and off-site disposal plan.
18. The manner of providing notice of the special event or temporary outdoor promotion conditions to special event or temporary outdoor promotion participants and those businesses or residents who may be directly affected by the conduct of the special event or temporary outdoor promotion.
19. Such other information pertaining to public health and safety that the applicant may wish to include.

20. The application form shall inform the applicant of his or her right to appeal.
- B. The application for special events, such as parades or public assemblies, which require full or partial street closures, shall, in addition to the above information requirements, contain the following information:
1. The assembly point for the special event and the time at which people and/or units of the special event will begin to assemble and the location of the disbanding area.
 2. The proposed route to be traveled, including the maximum length of the special event in miles or fractions of miles.
 3. Whether the parade or other special event will occupy all or only a portion of the streets proposed to be traveled.
 4. An estimate of the approximate number of persons who will be participating in the special event and an estimate of the approximate number of persons who will be observing the special event.
 5. If the special event assembly or disbanding is to be conducted on private property, the applicant must submit, with the application, proof of the property owner's permission for the property to be used for that purpose.
- C. Medical Operations Permit. A special medical operations permit shall be required for any special event where, in the opinion of the Fire Chief, it is essential for public safety in a place of assembly or any other place where people congregate, due to the number of persons participating in the special event or the projected impact to the emergency medical services system within the City. Where required, the special event applicant shall submit for approval to the Fire Chief a medical operations plan in accordance with the criteria established by the American Canyon Fire Protection District. This plan may require the permit applicant to employ one (1) or more medically qualified persons, including medically trained fire department personnel, as required and approved, to be on duty at such a place. Such individuals shall be subject to the Fire Chief's orders, at all times when so employed and shall be in uniform and remain on duty during times that such places are open to the public, or when such activity is being conducted. Before the special event, such fire authority personnel shall inspect the required medical equipment to see that it is in the proper place and in good working order, and shall keep a diligent watch for medical emergencies during the time such place is open to the public or such activity is being conducted. Events that may require a special medical operations permit include, but are not limited to:
1. Any event in which specialized emergency medical services are provided above the level of Advanced First Aid, such as Emergency

Medical Technician-1, paramedics, nurses, physician assistants, and/or physicians.

2. Any event, by the rules of the event, which requires the need to have contract emergency ambulance service providers or personnel on site in order to conduct such event, e.g., bicycle races or similar high-risk injury activities.
3. Any event utilizing standby air rescue or air ambulance services.
4. Any event the Fire Chief deems may adversely impact the emergency medical services response capability of the City based upon:
 - (i) The location of the event;
 - (ii) Projected event participation; or
 - (iii) Any other applicable criteria.

D. Air-Medical Operations Permit Required. A special air-medical operations permit shall be required for all events utilizing standby air rescue or air ambulance services. The Fire Chief shall direct the landings and takeoffs of all EMS air rescue or air ambulance operations within the City. Standby fire authority and/or Sheriff Department resources may be required during landing or takeoff operations for safety and security reasons. An air-medical operations plan, if required, shall be submitted, subject to the approval of the Fire Chief to include the following information:

1. Name of the air rescue or air ambulance provider.
2. Contact person for air operations.
3. Type and size of aircraft.
4. Patient transport capability.
5. Level of medical staffing.
6. Frequency or list of frequencies available for ground-to-air contact.
7. Landing zone site and alternate landing zone site.
8. Security for landing zone site.

5.05.080 Action by City Manager.

- A. The City Manager is authorized to issue special event and temporary outdoor promotion permits pursuant to the procedures established in this chapter.

- B. Notwithstanding any provision in the American Canyon Municipal Code to the contrary, the City Manager is authorized to close any street, or portion thereof, as part of the issuance of a special event permit or temporary outdoor promotion permit when necessary to further the purpose of the underlying event and protect the health and safety of the public.
- C. Upon the filing of a completed application, the City Manager shall refer the application to such appropriate City departments, as he or she deems necessary from the nature of the application, for review, evaluation, investigation and recommendations by the departments regarding approval or disapproval of the application and the estimated number of hours of service that will be incurred by each department in connection with the special event or temporary outdoor promotion.
- D. In determining whether to approve an application, no consideration may be given to the message of the event, the content of speech, the identity or associational relationships of the applicant, or to any assumptions or predictions as to the level or nature of emotion which may be aroused in the public by the content of speech or message conveyed by the event.
- E. Within ten (10) working days of the filing of a completed application, the investigation shall be completed, and the City Manager shall issue a special event or temporary outdoor promotion, unless denial of the special event or temporary outdoor promotion is mandated under Section 5.05.090. The City Manager shall notify the applicant of his or her action pursuant to Section 5.05.100.
- F. The City Manager shall impose conditions on any special event issued pursuant to this chapter to coordinate multiple uses of public property, assure preservation of public property and public places, prevent dangerous, unlawful or impermissible uses, and protect the safety of persons and property and to control vehicular and pedestrian traffic in and around the venue. The City Manager shall impose conditions on the temporary outdoor promotion permit to prevent negative impacts to surrounding persons and properties and to ensure compliance with provisions of the Municipal Code. The conditions on a special events permit shall be reasonable time, place and manner restrictions only and shall not be imposed in a manner that will unreasonably restrict activities or conduct protected by the California or United States Constitutions. Conditions may include, but are not limited to, the following:
 - 1. The establishment of an alternate assembly or disbanding area for a parade, or similar event, within the predesignated event routes established by the City Council pursuant to Section 5.05.130.
 - 2. The accommodation of a special event's pedestrian and vehicular traffic, including restricting special events to City sidewalks, portions of a City street, or other public right-of-way;
 - 3. Conditions designed to avoid or lessen interference with public safety functions and/or emergency service access;

4. The event shall comply with all applicable accessibility requirements, including, but not limited to, parking, walkways, ingress, egress, restrooms, ramps, seeing and hearing devices, etc.
5. The number and type of vehicles, animals, or structures to be displayed or used in the special event or temporary outdoor promotion;
6. The inspection and approval by City personnel of stages, booths, floats, structures, vehicles or equipment to be used or operated in the special event or temporary outdoor promotion to ensure that such structures or vehicles are safely constructed and can be safely operated, and conform to the requirements of all applicable codes;
7. The provision and use of traffic cones or barricades in a manner and number established by standard conditions adopted by a separate City Council resolution;
8. The provision or operation of first aid stations or sanitary facilities, including handicap accessible sanitary facilities, in a manner and number established by standard conditions adopted by a separate City Council resolution;
9. The provision of a waste management plan, and the clean-up and restoration of the special event or temporary outdoor promotion venue, as established by standard conditions adopted by a separate City Council resolution;
10. Restrictions consistent with the City's noise ordinance on the use of sound amplification equipment, and restrictions on the amount of noise generated by motors and other equipment used in the course of the special event or temporary outdoor promotion;
11. The manner of providing notice of the special event or temporary outdoor promotion conditions to special event or temporary outdoor promotion participants and those businesses or residents who may be directly affected by the conduct of the special event or temporary outdoor promotion;
12. The provision or use of emergency services;
13. The obtaining of all applicable permits and licenses, including, but not limited to, building and electrical permits, American Canyon Fire Protection District approval, Health Department, Department of Alcohol and Beverage Control, etc.;
14. The manner by which alcohol sales and service, if any, shall be conducted at the event.

15. No special event permit or temporary outdoor promotion permit issued under the provisions of this chapter shall be transferable or movable to another venue or another applicant.

5.05.090 Permit denial.

- A. The City Manager shall deny an application for a special event or temporary outdoor promotion or revoke any special event or temporary outdoor promotion if the City Manager finds any of the following:
 1. The application contains materially false or intentionally misleading information;
 2. The event or activity is proposed to be located, or is located, in or upon a premises, building or structure, which is hazardous to the health or safety of the employees or patrons of the premises, business, activity, or event, or the general public, under the standards established by the Uniform Building or Fire Codes, or other applicable codes, as set forth in Title 16 of this Code;
 3. The event or activity is proposed to be located, or is located, in or upon a premises, building or structure, which lacks adequate on-site parking for participants attending the proposed event or activity under the applicable standards set forth in Title 19 of this Code;
 4. The event or activity is in conflict with other applicable provisions of any federal, state and/or local laws;
 5. The event or activity is scheduled to occur at a location and time in conflict with another event or activity scheduled for the same day or weekend, where such conflict would adversely impact the City's ability to provide adequate City services in support of other scheduled events or scheduled government functions;
 6. The event will substantially interrupt public transportation, or other vehicular and pedestrian traffic, in the area of its location;
 7. The event will require the diversion of public safety or other City employees from their normal duties, so as to unreasonably reduce adequate levels of service or municipal functions to any other portion of the City;
 8. The concentration of persons, animals or vehicles will unreasonably interfere with the movement of police, fire, ambulance, and other public safety or emergency vehicles on the streets;
 9. The event or activity: (i) will have a substantial adverse impact on the health and safety of the general public, and/or residents and businesses within a five hundred (500) foot radius of the event; and/or (ii) will violate the City's noise ordinance;

10. The event or activity will take place in an area of the City, or on any public right-of-way scheduled for maintenance, construction or repair prior to the submission of the application for the event and either (i) the conduct of the event would interfere with such maintenance, construction or repair; or (ii) the maintenance, construction or repair would represent a threat to the health or safety of the participants in the event;
 11. The ability of persons to enter and exit residential or business properties impacted by the event will be unreasonably impaired considering factors such as the duration, size and scope of the event;
 12. The proposed use, event or activity will have a significant adverse environmental impact;
 13. The applicant has violated condition(s) of a previous special event or temporary outdoor promotion permit issued for the same or similar event or has more than one (1) documented violation of this chapter within the prior thirty-six (36) months. The City shall notify the applicant in writing of any such violations within sixty (60) days of the violation.
- B. When the grounds for denial of an application are based on any of the circumstances specified in subsections 1. through 13., above, and those circumstances can be corrected by altering the date, time, duration, route, or location of the special event or temporary outdoor promotion, the City Manager shall, instead of denying the application, conditionally approve the application upon the applicant's acceptance of conditions for special event or temporary outdoor promotion permit issuance. The conditions imposed shall provide only for such modification of the applicant's proposed special event or temporary outdoor promotion as are necessary to achieve compliance with subsections 1. through 13., above.

5.05.100 Notice to applicant of action on application, appeals to City Council

Within ten (10) working days of the filing of a completed application, the City Manager shall provide notice to the applicant of the action taken by telephone and by written notice via personal delivery, facsimile, if the applicant provides a fax number, or electronic mail, if the applicant provides an electronic mail address, together with a list of conditions imposed if the application has been granted or, if the application has been denied, the specific factual reason for the denial pursuant to Section 5.05.090. The City Manager shall also provide notice to the City Council. For special event or temporary outdoor promotion permits, the notice shall inform the applicant of his or her right to appeal to the City Council the denial of the application, or any of the conditions imposed on the granting of the application, and shall state the last date on which such an appeal may be filed, which shall be the third working day after the date on which the notice was delivered personally or via facsimile to the applicant. The City Council

shall hear the applicant's appeal no later fourteen (14) days following its filing at a regular meeting, if scheduled, or a special meeting, if necessary. The applicant, by written request, may waive the time limits for the hearing on appeal to the City Council, but may not waive the time within which an appeal may be filed. The notice of the City Manager's decision on a spontaneous special event permit or the City Council's final decision on an appeal of a special event or temporary outdoor promotion permit shall inform the applicant of his or her right to file a petition for writ of mandate pursuant to California Code of Civil Procedure Section 1094.6 or 1094.8.

5.05.110 City Council Action upon Appeal

After a hearing and consideration of the report and decision of the City Manager on a special event or temporary outdoor promotion application, and any written materials submitted by the applicant or other affected person(s), the City Council shall either overturn the denial and grant the special event or temporary outdoor promotion permit, grant the special event or temporary outdoor promotion permit with conditions, or sustain the denial of the special event or temporary outdoor promotion permit upon determining that issuance would result in any one (1) of the circumstances set forth in Section 5.05.090. The decision on appeal by the City Council shall be based on written findings, and shall be final and conclusive on the matter. Upon the decision on appeal by the City Council, the applicant may file a petition for writ of mandate pursuant to California Code of Civil Procedure Section 1094.6 or 1094.8.

5.05.120 Departmental service fees

- A. In addition to the nonrefundable permit application fee, any user fees or other fees prescribed by resolution of the City Council, an applicant shall pay the City for all City department service charges incurred in connection with, or due to, the applicant's activities under the special event or temporary outdoor promotion permit. If City property is destroyed or damaged by reason of the applicant's use, event or activity, the applicant shall reimburse the City for the actual replacement or repair cost of the destroyed or damaged property.
- B. Departmental service fees will be established by a separate City Council resolution, and will reflect the City's full cost of providing personnel on an hourly basis at rates established in accordance with City personnel rules and regulations and conditions contained within memoranda of understanding between the City and employee labor organizations.
- C. At least two (2) days prior to a special event or temporary outdoor promotion permitted under this chapter, the applicant shall pay to the City a deposit in an amount sufficient to cover the total estimated City departmental service charges identified pursuant to this section that will be incurred by the City in connection with the special event or temporary outdoor promotion. The deposit shall be paid in cash or other adequate security, as determined by the City Manager. An applicant may appeal

pursuant to Section 5.05.100 the amount of the deposit determined under this section.

- D. City departments shall submit the final invoices and billings for departmental service charges to the applicant no later than twenty (20) working days after the expiration date of the special event or temporary outdoor promotion permit. If the deposit is less than the final charges, the applicant shall pay the difference to the City within ten (10) working days of being invoiced for such charges from the City. If the deposit is more than such final charges, the City shall refund the difference to the applicant within the sixty (60) days after the event.
- E. Any indigent natural person who cannot apply for a special event permit because of an inability to pay the required departmental service charges due to such indigence shall not be required to pay the departmental service charges set forth in this section. Application for indigent status shall be made at the time of submission of the special event application and shall be accompanied by such relevant information and documentation as may, in the opinion of the City Manager, be reasonably necessary to verify such status.

5.05.130 Event routes

- A. The City Council may, by separate resolution, establish predesignated special event routes within the City for those events requiring either full or partial street closures.
- B. Any special event requiring full or partial street closures shall not be conducted on streets classified by the City as arterial streets between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m. Monday through Friday, excluding holidays.

5.05.140 Insurance and indemnity requirements

- A. For all special events subject to the requirements of this chapter, the City Manager shall require as a condition of the issuance of a permit that the applicant shall obtain, furnish proof of, and maintain, a policy of insurance issued by an insurance company authorized to do business in the State of California. The insurance policy shall be endorsed to name the City of American Canyon and its elected and appointed boards, officers, agents, and employees as an additional insured, and shall provide that any other insurance maintained by the City of American Canyon shall be in excess of, and not contributing to, the insurance coverage provided to the City of American Canyon under the applicant's policy. The minimum limits of liability shall conform to a schedule which shall be adopted by a separate resolution of the City Council; provided, however, that in no case shall the minimum limits of liability be lower than one million dollars (\$1,000,000.00), combined single limits, per occurrence and in the aggregate.

- B. The applicant of special events shall also be required to sign an indemnity agreement in a form approved by the City Attorney, which shall expressly provide that the applicant agrees to defend, protect, indemnify and hold the City, its officers, employees and agents free and harmless from and against any and all claims, damages, expenses, loss or liability of any kind or nature whatsoever arising out of, or resulting from, the alleged acts or omissions of applicant, its officers, agents or employees, in connection with the permitted event or activity; and the special event or temporary outdoor promotion permit shall expressly provide that the applicant shall, at applicant's own cost, risk and expense, defend any and all claims of legal action that may be commenced or filed against the City, its officers, agents or employees, and that the applicant shall pay any settlement entered into and shall satisfy any judgment that may be rendered against the City, its officers, agents or employees as a result of the alleged acts or omissions of applicant or applicant's officers, agents or employees in connection with the uses, events or activities under the special event or temporary outdoor promotion permit. If an applicant provides proof that the insurance obligations, pursuant to subsection A., of this section, provide contractual liability providing coverage for any obligations contemplated by the indemnity provisions herein, the City agrees not to enforce the indemnity agreement against the applicant.
- C. Any indigent natural person who cannot apply for a special event permit because of an inability to pay for the required insurance due to such indigence shall not be required to provide the insurance obligations set forth in subsection A., or to sign an indemnity agreement required by subsection B. Application for indigent status shall be made at the time of submission of the special event permit application and shall be accompanied by such relevant information and documentation as may, in the opinion of the City Manager, be reasonably necessary to verify such status.

5.05.150 Revocation or suspension of permit

- A .A special event or temporary outdoor promotion permit issued under this chapter shall be revoked or suspended by the City Manager or Chief of Police Services if he or she finds that one (1) or more of the following conditions exist and have not been corrected by the applicant after timely notice of the condition's existence has been given:
1. The special event or temporary outdoor promotion is being used to conduct an activity different from that for which it was specifically issued;
 2. That one (1) or more of the conditions listed in Section 5.05.090 exists;
 3. That the activity is being conducted in a manner which violates one (1) or more of the conditions imposed upon the issuance of the

special event or temporary outdoor promotion permit or fails to conform to the plans and procedures described in the application;

4. The applicant violates or attempts to violate any federal, state or local laws and regulations;
 5. The special event or temporary outdoor promotion is being conducted in a fraudulent or disorderly manner, or in a manner which endangers the public health or safety.
- B. Such revocation or suspension shall become effective immediately upon order of the City Manager or Chief of Police Services and shall remain in effect until the applicant has corrected the violation or until the special event or temporary outdoor promotion permit has expired by limitation.
- C. In the event a special event or temporary outdoor promotion permit is revoked or suspended pursuant to the provisions of this section, another special event or temporary outdoor promotion permit shall not be granted to the applicant within twelve (12) months after the date of such revocation or suspension.
- D. The City Manager or Chief of Police Services' determination to revoke or suspend a special event or temporary outdoor promotion permit shall be based upon written findings, and shall be subject to appeal to the City Council as set forth in Section 5.05.100. The City Council's determination shall be final and conclusive in the matter, and subject to appeal under California Code of Civil Procedure Section 1094.6 or 1994.8.

5.05.160 interference prohibited.

It is unlawful for any person to obstruct, impede or interfere with any authorized person, vehicle or animal participating in a special event or temporary outdoor promotion for which a permit has been issued.

5.05.170 Penalty for Violation

- A. A violation of this chapter shall be considered a misdemeanor. However, at the discretion of the City Attorney, the violation of any provisions of this chapter may be filed as an infraction. The complaint charging such violation shall specify whether the violation is a misdemeanor or an infraction.
- B. Unless expressly exempt, the holding or conducting of any special event or temporary outdoor promotion subject to the provisions of this chapter without a valid special event or temporary outdoor promotion permit issued pursuant to the provisions of this chapter is hereby declared a public nuisance.

5.05.180 Severability

If any provision or clause of this chapter, or the application thereof to any person or circumstance, is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other chapter provisions, clauses, or application thereof, and to this end, the provisions and clauses of this chapter are declared to be severable.

19.05.110 Temporary use classifications.

Temporary uses are those allowed for a fixed period of time, with the intent of their discontinuance upon the expiration of the time period.

Commercial filming: commercial motion picture or video photography at the same location six or fewer consecutive days per quarter of a calendar year in residential districts or fewer than fifteen days per quarter of a calendar year in nonresidential districts.

Live entertainment: music, comedy, readings, dancing, acting or other entertainment performed on a temporary basis. This classification includes dancing by patrons to live or recorded music.

Mobile structures: temporary mobilehomes, mobile offices, mobile classrooms and recreational vehicles used in connection with new subdivisions, construction sites and existing uses of land.

Personal property sales: the selling or disposition of personal property at a residence by its occupant(s), or at a church or charity bazaar, subject to the provisions of the municipal code.

Public Assembly: any group of thirty (30) or more persons participating in an organized activity having a common purpose on or within a City street, City park, parking facility, sidewalk, or other public property or right-of-way.

Retail sales, outdoor: temporary outdoor retail sales of new merchandise on the site of a legally established retail business which has a direct relationship to existing businesses.

Seasonal sales: outdoor retail sales of seasonal items, such as Christmas trees, pumpkins, and holiday flowers.

Special Event:

1. Any temporary event not exceeding thirty (30) days, whether indoors or outdoors, involving thirty (30) or more persons, which is inconsistent with the permanent use to which the property may legally be put, or the occupancy levels permitted on property; or

2. Any public assembly as defined in this section; or
3. Any event, regardless of the number of persons involved, requiring full or partial street closure, which occurs on a City street, sidewalk, alley, or other public right-of-way, and/or which is likely to obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic.

The following list of examples is illustrative, but not determinative, of activities that may constitute "special events":

1. Motorized vehicle races or contests.
2. Carnivals, circuses, fairs, festivals, nondomesticated animal act or exhibition, and similar activities.
3. Any event with mechanical amusement rides.
4. Promotional or fundraising activities.
5. Parades.
6. Outdoor shows, concerts and exhibitions.
7. Outdoor craft fairs, soapbox derbies, or other similar events.

Tent: a temporary structure having a roof and/or walls of fabric.

(Ord. 2001-2 § 1 (part), 2001)

19.11.040 Permitted uses.

CodeAlert: This item has been affected by 2010-02. Please refer to the CodeAlert Ordinance List for the most current provisions.

Table 1 of this section sets forth the permitted and conditionally permitted uses for each commercial district. A "P" designates a permitted use. A "C" indicates a conditionally permitted use subject to approval of a use permit by the planning commission. An "M" indicates a minor use permit is required pursuant to Chapter 19.42. If no letter is found opposite a particular use, it is not permitted in that district.

Table 1
Permitted and Conditionally-Permitted Uses

Use Classification	Zoning District		Related Provision
	CN	CC	
Residential			
Congregate living facility	-	-	
Farm employees housing	-	C	
Garden apartments	-	-	
Mobilehome	-	-	

Mobilehome park	-	-	
Multifamily residential	P ¹	P ²	¹ GP Policy 1.14.1 ² GP Policy 1.15.1
Residential care home	-	-	
Second residential unit	-	-	
Single-family residential			
- Detached	-	-	
- Semidetached	-	-	
Townhouses	-	-	
Commercial			
Adult-entertainment business	-	P	
Animal sales and services			
- Boarding kennel	-	C	
- Grooming	P	P	
- Medical care	P	P	
- Retail sales	P	P	
Bank, savings and loan	P	P	
Bookstores	P	P	
Building materials and services	-	C	
Catering	P	P	
Commercial printing	-	P	
- Limited printing	P	P	
Communication services	-	P	
Drugstores	P	P	
Eating and drinking establishments	P	P	
- Adjacent to residential use or zoning district	C	C	
Entertainment, indoor	C	P	
- Amusement center	C	C	
- Gaming	-	C	
Food sales	P	P	
Funeral and internment services	-	C	
Gas stations and automobile service facilities	C	C	
Grocery and drug stores	P	P	
Health services	P	P	
Use Classification	Zoning District		Related Provision
	CN	CC	
Household good sales	P	P	
Laboratory	-	P	
Lodging services	-	P	
Long-term care facility	-	P	
Maintenance and repair services	-	P	
Mini-storage/public storage facility	-	-	
Nursery	P	P	
Offices, business and professional	P	P	
On-premise liquor consumption	-	C	
- Tasting room	-	C	
Outdoor sales and displays	-	P	
Overnight accommodations, lodging services	-	P	GP Policy 1.15
Pawnshops	-	P	GP Policy 1.14

Personal improvement services	C	C	
- Night use	P	P	
Personal services	P	P	
Professional and medical offices	P	P	
Public safety facility	C	P	
Recycling collection center	P	P	
Restaurant and delicatessens	C	C	
Retail food sales	C	C	
- Convenience store	P	P	
- Liquor store	C	P	
Retail sales	P	P	
- Limited	-	-	
- Visitor oriented	P	P	
Vehicle/equipment sales	-	-	
- Automobile rental	-	C	
- Automobile washing	-	C	
- Service stations	C	C	
Vehicle/equipment repair and service	-	C	GP Policy 1.15
Vehicle/equipment leasing and rental	-	C	GP Policy 1.15
Wholesaling, commercial	-	P	GP Policy 1.15
Video rental	P	P	
Industrial			
Hazardous use	-	-	
Industrial, general	-	-	
Industrial, limited	-	-	
Mineral extraction	-	-	
Recycling center	-	-	
Research and development	-	-	
Vehicle/equipment services	-	-	

Use Classification	Zoning District		Related Provision
	CN	CC	
Vehicle/equipment repair	-	-	
Vehicle storage	-	-	
Wholesaling, distribution and storage			
- Trucking terminals	-	-	
- Small scale	-	-	
Recreational			
Campground	-	-	
Marina	-	-	
Recreational vehicle park	-	-	
Recreational facilities, private	-	-	
Recreational facilities, public	-	-	
Recreational and sports, indoor	C	P	
Recreational and sports, outdoor	-	-	
Recreation, passive	-	-	
Staging area	-	-	
Public and Quasi-Public			
Ambulance shelter	-	C	

Antenna	P	P	
- Exceeding height limitations	C	C	
- Commercial	C	C	
Cemetery	-	-	
Charitable uses	C	C	
Club, lodge	C	C	
Community center	-	C	
Conference center	-	C	
Cultural facility	C	C	
Day care center	M	P	
Government facility	C	C	
Homeless shelter	-	C	
Hospital	-	C	
Maintenance and service facility	-	-	
Public information center	P	P	
Public parking	P	P	
- Structure	C	C	
Public safety facility	-	P	
Religious facility	C	C	GP Policy 1.23.4
School	-	-	
Transportation facility	-	P	
Utilities, major	-	-	
Utilities, minor	P	P	
Agriculture			
Animal husbandry	-	-	

Use Classification	Zoning District		Related Provision
	CN	CC	
Crop production	-	-	
Winery	-	C	
Accessory			
Accessory dwelling unit	C	C	Chapter 19.10
Livestock keeping	-	-	
Cafeteria	-	P	
Caretaker's quarters	-	-	
Day care home, large	-	-	
Day care home, small	-	-	
Guest house	-	-	
Home occupation	-	-	Chapter 19.29
Horticulture, limited	P	P	
Recreational facilities, private	-	-	
Room rentals	-	-	
Temporary			
Commercial filming	C	C	
Live entertainment	C	C	
Mobile structure	C	C	Chapter 19.30
Personal property sales	P	P	
Retail sales, outdoor	C	C	
Seasonal sales	C	C	

Special Event	P	P	Chapter 5.05
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(Ord. 2009-12 § 3, 2009; Ord. 2009-07 § 4, 2009; Ord. 2006-07 § 4, 2006; Ord. 2004-10 Exh. 2 (part), 2004; Ord. 2003-03 (part), 2003; Ord. 2001-02 § 1 (part), 2001)

19.14.050 Permitted uses.

CodeAlert: This item has been affected by 2010-02. Please refer to the CodeAlert Ordinance List for the most current provisions.

Table 19.14.050 of this section sets forth the permitted and conditionally permitted uses for each industrial district. A “P” designates a permitted use. A “C” indicates a conditionally-permitted use subject to approval of a use permit by the planning commission. An “M” indicates a minor use permit is required pursuant to Chapter 19.42. If no letter is found opposite a particular use, it is not permitted in that district.

**Table 19.14.050
PERMITTED AND CONDITIONALLY-PERMITTED USES
INDUSTRIAL DISTRICTS**

Use Classifications	Zoning District		Related Provisions
	LI	GI	
Residential			
Congregate living facility	-	-	
Farm employees housing	-	-	
Garden apartments	-	-	
Mobilehome	-	-	
Mobilehome parks	-	-	
Multifamily residential	-	-	
Residential care home	-	-	
Second residential unit	-	-	
Use Classifications			
	LI	GI	Related Provisions
Single-family residential			
- Detached	-	-	
- Semidetached	-	-	
Townhouses	-	-	
Commercial			
Adult-entertainment business	-	P	
Ambulance services	P	P	
Animal retails sales	-	-	
- Boarding kennel	-	-	
- Grooming	-	-	
- Medical care	-	-	
- Retail sales	-	-	
Bank, savings and loan	C	-	GP Policy 1.22.2

- Drive-up service	C	-	GP Policy 1.22.2
- Walk-up service	C	-	GP Policy 1.22.2
Bookstore	P	P	
Building materials and services	C	P	GP Policy 1.22.6
Catering	P	P	
Commercial printing	P	P	
- Limited printing	C	C	
Communication services	P	P	
Drugstores	P	P	
Eating and drinking establishments	C	C	
Entertainment, indoor	-	-	
- Amusement center	-	-	
- Gaming	-	-	
Food sales	C	C	
Use Classifications	Zoning District	Related Provisions	
	LI	GI	
Laboratory	P	P	
Lodging services	-	-	
- Bed and breakfast inns	-	-	
Long-term care facility	-	-	
Maintenance and repair services	P	P	GP Policy 1.22.6
Nursery	-	-	
Offices, business, and professional	P	C	GP Policy 1.22.1
On-premise liquor consumption	-	-	GP Policy 1.22.2
- Tasting room	C	C	
Outdoor sales and displays	C	-	
Overnight accommodations, lodging services	-	-	
Pawnshops	-	-	
- Adjacent to residential district	-	-	
Personal improvement services	C	C	GP Policy 1.22.2
- Adjacent to residential district	C	-	
Personal services	-	-	
Professional and medical offices	P	P	
Recycling collection center	C	C	GP Policy 1.22.2
Restaurant	C	C	
- Night use	C	-	
Restaurant, take-out	C	-	
- Night use	C	-	
Retail commercial	C	-	
Retail food sales	-	-	
- Convenience store	-	-	
- Liquor store	-	-	
Retail sales	C	C	GP Policy 1.22.2
- Limited	-	-	
- Visitor-oriented	-	-	
Vehicle/equipment sales and service	-	-	
- Automobile rental	C	-	GP Policy 1.22.6
- Automobile washing	-	C	GP Policy 1.22.6

- Service station	-	-	
- Vehicle/equipment repair	-	P	GP Policy 1.22.6
- Vehicle/equipment sales, lease and rentals	C	C	GP Policy 1.22.6
Video rental	-	-	
Wholesale, commercial	C	P	
Industrial			
Hazardous use	-	C	
Industry, general	-	P	
Industry, limited	P	P	
Mineral extraction	-	C	GP Policy 8.15.3—8.17.3
Recycling center	-	C	

Use Classifications	Zoning District		Related Provisions
	LI	GI	
Research and development	P	P	
Vehicle/equipment services			
- Vehicle/equipment repair	-	P	
- Vehicle storage	-	C	
Wholesaling, distribution and storage			
- Small scale	C	P	
- Trucking terminal	-	P	
Recreational			
Campground	-	-	
Marina	-	-	
Recreational facilities, private	-	-	
Recreational facilities, public	-	-	
Recreation and sports, indoor	P	P	
Recreation and sports, outdoor	-	-	
Recreation, passive	-	-	
Recreational vehicle park	-	-	
Staging area	-	-	
Public and Quasi-Public			
Ambulance service	P	P	
Animal shelter	C	C	
Antenna	P	P	
- Commercial	-	-	
Cemetery	-	-	
Charitable uses	-	-	
Club, lodge	-	-	
Community center	-	-	
Conference center	-	-	
Cultural facility	-	-	
Day care center	M	M	
Government facility	P	P	
Homeless shelter	-	-	
Hospital	-	-	
Maintenance and service facility	P	P	
Public information center	-	-	
Public parking	-	-	

- Structure	-	-	
Public safety facility	P	P	
Religious facility	C	C	
School	-	-	
Transportation terminal	P	P	
Utilities, major	C	C	
Utilities, minor	P	P	

Use Classifications	Zoning District	Related Provisions	
	LI	GI	
Crop production	-	-	
Winery	C	P	
Accessory			
Accessory dwelling unit	-	-	
Livestock keeping	-	-	
Cafeteria	P	P	
Caretaker's quarters	C	C	
Day care home, large	-	-	
Day care home, small	-	-	
Guest house	-	-	
Home occupation	-	-	
Horticulture, limited	-	-	
Room rentals	-	-	
Temporary			
Commercial filming	C	C	
Live entertainment	-	-	
Mobile structures	C	C	
Personal property sales	-	-	
Retail sales, outdoor	-	-	
Seasonal sales	-	-	
Special Event	P	P	Chapter 5.05
Tent	-	-	

(Ord. 2009-12 § 3, 2009; Ord. 2001-02 § 1 (part), 2001)

19.13.020 Permitted uses.

Table 19.13.020 of this chapter sets forth the permitted and conditionally-permitted uses for each public district. A “P” designates a permitted use. A “C” indicates a conditionally permitted use subject to approval of a use permit by the planning commission. If no letter is found opposite a particular use, it is not permitted in that district.

Table 19.13.020 PUBLIC DISTRICT

Use Classification	P District	Related Provisions
Commercial		
Recycling collection center	C	
Recreational		

Recreation facilities, public	P	
Recreation and sports, outdoor	P	
Recreation, passive	P	
Public and Quasi-Public		
Ambulance service, public	P	
Animal shelter	C	
Antenna	P	
- Exceeding height limitations	C	
- Commercial	-	
Cemetery	C	
Charitable uses	P	
Club, lodge	C	
Community center	P	
Conference center	P	
Cultural facility	P	
Day care center	C	
Government facility	P	
Hospital	C	
Maintenance and service facility	C	
Public information center	P	
Public parking	P	
Public safety facility	C	
Religious facility	C	GP Policy 1.23.4
School	C	
Transportation terminal	C	
Utilities, major	C	
Utilities, minor	P	
Accessory		
Cafeteria	P	
Caretaker's quarters	C	
Temporary		
Special Event	P	Chapter 5.05
Use Classification	P District	Related Provisions
Commercial filming	C	
Live entertainment	C	
Mobile structure	C	Chapter 19.30
Personal property sales	P	
Seasonal sales	C	
Tent	C	

(Ord. 2007-11 § 2, 2007; Ord. 2001-02 § 1 (part), 2001)

19.15.020 Permitted uses.

Table 19.15.020 of this chapter sets forth the permitted and conditionally-permitted uses for each public district. A “P” designates a permitted use. A “C” indicates a conditionally-permitted use subject to approval of a use permit by the planning commission. If no letter is found opposite a particular use, it is not permitted in that district.

**Table 19.15.020
PERMITTED AND CONDITIONALLY-PERMITTED USES
RECREATION AND OPEN SPACE DISTRICT**

Use Classifications	Zoning District			Related Provision
	OS	OS-CRW	REC	
Agriculture				
Animal husbandry	-	P	P	
Crop production	-	P	P	
Winery	-	-	C	
Commercial				
Boarding kennel	-	C	C	
Lodging services	-	-	-	
On-premises liquor consumption	-	-	-	
Restaurant	-	-	-	
Retail sales, incidental to primary use	-	C	C	
Recreational				
Campground	-	C	C	
Marina	-	-	-	
Recreational facilities, private	-	-	C	
Recreational facilities, public	C	C	C	
Recreation and sports, indoor	-	-	-	
Recreation and sports, outdoor	C	C	C	

Use Classifications	Zoning District			Related Provision
	OS	OS-CRW	REC	
Recreation, passive	P	P	P	
Recreational vehicle park	-	-	-	
Staging area	C	C	C	
Residential				
Single-family residential—Detached	-	-	P	GP Goal 1N
Public and Quasi-Public				
Animal shelter	-	C	C	
Antenna	-	P	P	
Exceeding height limitations	-	C	C	
Cemetery	C	-	-	
Club, lodge	-	C	-	
Community center	-	C	-	
Conference center	-	-	-	
Cultural facility	P	P	-	
Maintenance and service facility	-	-	-	
Public information center	P	P	-	
Public parking	P	P	-	

Public safety facility	-	C	-	
Religious facility	-	-	-	GP Policy 1.23.4
Transportation terminal	-	-	-	
Utilities, major	C	-	-	
Utilities, minor	P	P	P	
Accessory				
Caretaker's quarters		P	P	
Horticulture	-	P	P	
Tent	-	C	C	
Temporary				
Commercial filming	C	P	C	
Mobile structure	C	C	C	Chapter 19.30
Seasonal sales	-	P	P	
Special Event	-	P	P	Chapter 5.05

Note:

"C" denotes Conditional Use Permit

"P" denotes Permitted

"-" denotes Prohibited

(Ord. 2009-15 § 3, 2009; Ord. 2001-02 § 1 (part), 2001)

SECTION 4: Severability

The City Council hereby declares that if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional.

The foregoing ordinance was PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of American Canyon, State of California held on the 20th day of July, 2010 by the following vote:

Mayor Garcia: yes
 Vice Mayor West: yes
 Council Member Bennett: yes
 Council Member Callison: yes
 Council Member Coffey: yes

Leon Garcia
 Leon Garcia, Mayor

ATTEST:
Rebekah Barr
 Rebekah Barr, CMC, City Clerk

APPROVED AS TO FORM:
William D. Ross
 William D. Ross, City Attorney