

ORDINANCE NO. 11-307

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING THE LATHROP MUNICIPAL CODE, TITLE 17 ZONING RELATING TO THE LATHROP GATEWAY BUSINESS PARK SPECIFIC PLAN (SP-09-012)

WHEREAS, the City of Lathrop City Council held a duly noticed public hearing meeting on May 16, 2011, to consider the Environmental Impact Report (EIR), CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Measures/Monitoring Reporting Plan (SCH #2009062106) prepared for the Lathrop Gateway Business Park Specific Plan project and associated entitlements, including General Plan Amendment, Specific Plan, and Zoning Amendments, for a 384-acre specific plan area with approximately 57 acres of commercial office uses, 168 acres of limited industrial uses, 83 acres of service commercial uses and the remaining 77 acres in roads and public facility sites; and

WHEREAS, the Lathrop Gateway Business Park Specific Plan will be adopted and become part of the Lathrop General Plan and Municipal Code; and

WHEREAS, the Lathrop Gateway Business Park Specific Plan requires amendment to the Lathrop Municipal Code, Title 17 Zoning in order to be consistent with and implement the Lathrop General Plan; and

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing meeting on April 20, 2011, to consider the Environmental Impact Report (EIR), CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Measures/Monitoring Reporting Plan (SCH #2009062106) prepared for the Lathrop Gateway Business Park Specific Plan project and associated entitlements, including General Plan Amendments, Specific Plan, and Zoning Amendments, and after reviewing and considering all information provided and submitted (including late communications), and after taking and considering all public testimony, adopted resolutions recommending City Council approval and certification of the EIR and associated entitlements; and

WHEREAS, prior to approving Amendments to the Lathrop Municipal Code relating to the Lathrop Gateway Business Park Specific Plan, the City Council adopted a Resolution approving and certifying the Environmental Impact Report prepared for the Lathrop Gateway Business Park Specific Plan project and associated entitlements, subject to the "Mitigation Monitoring Reporting Plan" (MMRP) and based on the "CEQA Findings and Statement of Overriding Considerations", incorporated herein by reference; and

WHEREAS, prior to approving the Amendments to the Lathrop Municipal Code relating to the Lathrop Gateway Business Park Specific Plan, the City Council has independently reviewed and considered all written evidence and oral testimony presented to date, including the Environmental Impact Report (consisting of the DEIR and FEIR) prepared for the Lathrop Gateway Business Park Specific Plan project and associated entitlements, City staff reports and all information received

(including late communications) at the duly noticed public hearings, all of these documents and evidence of which are incorporated herein by reference; and

WHEREAS, the City Council finds the Lathrop Gateway Business Park Specific Plan zoning text and zoning map land use designations to be consistent with the intent and purposes of the Lathrop General Plan; and

WHEREAS, proper notice of this public meeting was given in all respects as required by law; and

WHEREAS, the City Council has utilized its own independent judgment in adopting this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LATHROP DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 17.12 Zone Plans of Title 17 Zoning of the Lathrop Municipal Code is hereby amended to establish zoning designations for properties within the Lathrop Gateway Business Park Specific Plan as follows:

(See attached Exhibit A – Zone Plan Map)

Section 2. Section 17.12.070 of Title 17 Zoning of the Lathrop Municipal Code is hereby added to establish and recognize the adoption of the Lathrop Gateway Business Park Specific Plan as follows:

(See attached Exhibit B – Section 17.12.070)

Section 3. Section 17.52.080 of Title 17 Zoning of the Lathrop Municipal Code is hereby added to establish the zoning combining district for the Lathrop Gateway Business Park Specific Plan as follows:

(See attached Exhibit C –Section 17.52.080)

Section 4. Chapter 17.58 of Title 17 Zoning of the Lathrop Municipal Code is hereby added to establish zoning district standards for the Lathrop Gateway Business Park Specific Plan as follows:

(See attached Exhibit D –Chapter 17.58)

Section 5. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 6. Severability. If any section, subsequent subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 7. Effective Date. This Ordinance shall take legal effect 30 days from and after the date of its passage.

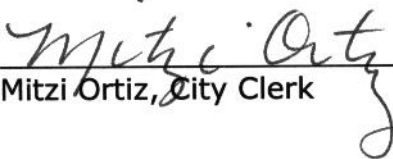
Section 8. Publication. The City Clerk shall certify to the adoption of this ordinance and shall publish a summary thereof and post a certified copy of the full ordinance in the office of the City Clerk at least five days prior to the adoption of the proposed ordinance; and within fifteen days after adoption, the City Clerk shall publish a summary of the ordinance with the names of the members of the City of Lathrop City Council voting for and against the same.

ADOPTED by the City Council of the City of Lathrop on this 6th day of June, 2011.



J. "CHAKA" SANTOS, MAYOR

ATTEST:



Mitzi Ortiz, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

I, Mitzi Ortiz, City Clerk of the City of Lathrop, California, do hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 16th day of May, 2011, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the 6th day of June, 2011, by the following vote, to wit:

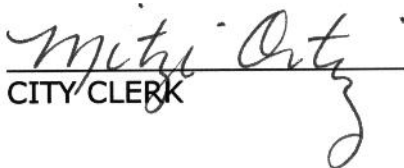
AYES: Dhaliwal, Mateo, Ornelas, Salcedo and Santos.

NOES: None.

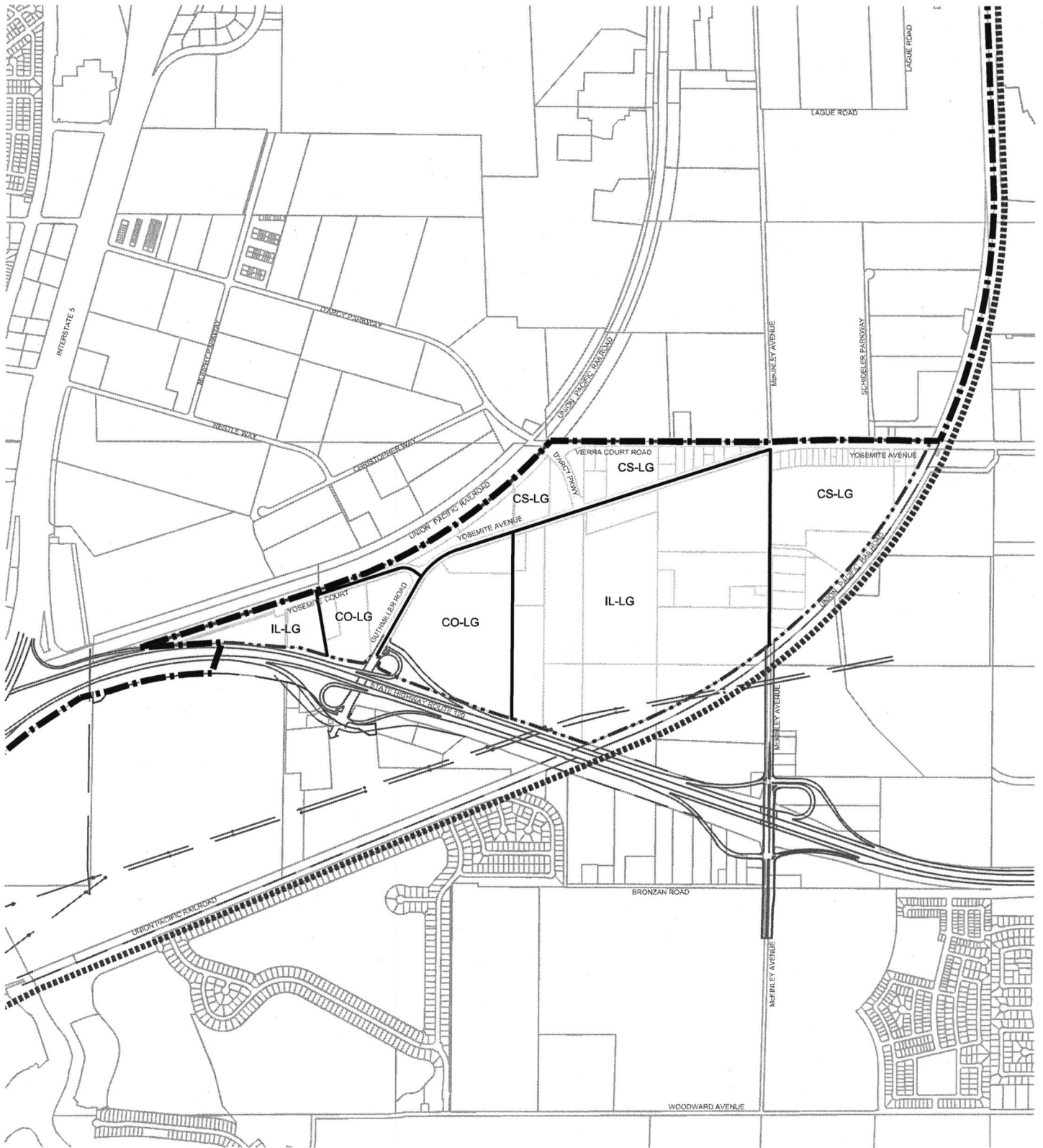
ABSENT: None.

ABSTAIN: None.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Lathrop, California, this 6th day of June, 2011.


CITY CLERK

(SEAL)



Legend

- | | | |
|--------------|--------------------|---------------------------|
| IL-LG | Limited Industrial | --- Project Boundary |
| CO-LG | Commercial Office | - - - City Limits |
| CS-LG | Service Commercial | Sphere of Influence |

Zoning Map

Date: February 2011

Lathrop Gateway Business Park Specific Plan
Lathrop, California

NOT TO SCALE



EXHIBIT A

17.12.070 Adoption of Lathrop Gateway Business Park specific plan.

The Lathrop Gateway Business Park specific plan is approved and incorporated by reference into city codes. The city council declares that this chapter shall take effect and be in full force and effect thirty (30) days after its adoption and it, or a summary thereof, shall be published once in a newspaper of general circulation in San Joaquin County, with the names of the members of city council voting for and against the same.

17.52.080 Lathrop Gateway Business Park combining district (LG).

A. Application. The Lathrop Gateway Business Park combining district (LG) is intended for application to all lands located within the Lathrop Gateway Business Park Specific Plan. The designation of LG after any zoning district indicates that the zoning district so combined is modified by the regulations included in the Lathrop Gateway Business Park Specific Plan and those districts included in Chapter 17.58.

B. Applicable Regulations and Procedures. The development of property within the LG combining district shall be subject to the regulations found in the Lathrop Gateway Business Park Specific Plan. In addition, it is anticipated that agricultural use of the land within the LG combining district will continue for many years. Therefore, the following shall be considered conforming uses in any zoning district which is combined with the LG combining district:

1. Field crops, tree crops, row crops, berry or bush crops; provided no additional land shall be planted in cotton, trees or vines;
2. Farms for the keeping or raising of animals, excluding poultry farms, rabbit or other small animal farms, fish or frog farms, dairies, hog farms, feedlots, slaughterhouses and kennels unless otherwise specifically permitted in the zoning district which is combined or if they exist on the day the property annexes. Any new poultry farms, rabbit or other small animal farms, fish or frog farms, dairies, hog farms, feedlots, slaughterhouses and kennels proposed subsequent to annexation are specifically prohibited; and
3. The keeping or raising of animals under existing practice shall be subject to Title 6 of the Lathrop Municipal Code.

It is also anticipated that existing residential, industrial and other uses on property within the LG combining district may continue for a significant period of years. The following existing uses shall be considered conforming uses in any zoning district which is combined with the LG combining district provided that such uses were legally established under county jurisdiction:

4. Trucking facilities and tow yards or storage yards for commercial vehicles;
5. Church/Religious Facilities; and
6. Residential homes.

CHAPTER 17.58 LATHROP GATEWAY BUSINESS PARK ZONING DISTRICTS.

ARTICLE 1. PURPOSES AND APPLICATION.

17.58.010 Lathrop Gateway Zoning Districts, Purposes and Application.

The zoning districts in this chapter are designed to provide the opportunity for a wide variety of office, commercial, industrial and open space uses that are compatible with the Lathrop Gateway Business Park Specific Plan. The following regulations are supplemented by the entire text of the LGBPSP and are always combined with the LG (Lathrop Gateway) combining zone. These zoning districts, ending in “-LG,” are limited to the Lathrop Gateway Business Park Specific Plan area.

ARTICLE 2. CO-LG: COMMERCIAL OFFICE ZONING DISTRICT.

17.58.020 Purposes and Application.

The CO-LG zoning district provides a range of large and small scale commercial development opportunities for the location of professional and commercial offices; retail; financial; governmental; professional, business services and entertainment activities; clean light industrial uses; and other uses to serve the local and regional community. Land requirements for most Commercial Office uses generally dictate their application along main roads of the City which generally have convenient access and/or high visibility.

17.58.021 Permitted Uses.

- A. Off-street parking lots improved in conformity with Chapter 17.76 shall be permitted;
- B. Retail sales uses including, but not limited to:
 - 1. Antique/Collector shop
 - 2. Appliance store, new and used
 - 3. Automobile, truck and tractor parts
 - 4. Automobile and truck sales, service and repair, new and used
 - 5. Bakeries, retail and wholesale
 - 6. Bicycle shops
 - 7. Boat sales, service and repair, new and used
 - 8. Book store
 - 9. Boutique/Gift store
 - 10. Bridal shop
 - 11. Children’s/Teen’s store

12. Clothing store
 13. Convenience-oriented food store
 14. Department Store/General merchandise store
 15. Diaper supply
 16. Dry goods
 17. Electronics/Audio/Video/Computer/Software store
 18. Feed and seed
 19. Furniture stores, new and used
 20. Hardware/Home improvement/Building materials
 21. Hat store/Millinery
 22. Housewares/Tableware/Linen stores
 23. Ice sales and storage
 24. Jewelry store
 25. Leather goods and luggage
 26. Lighting store
 27. Lumber yards, when accessory to retail establishment, in an enclosed building
 28. Machinery/Equipment, including farm equipment sales, service, and rental, in an enclosed building
 29. Medical and orthopedic appliance store
 30. Nursery/Garden supply store/Landscape materials
 31. Office and business supplies
 32. Party supplies
 33. Scientific instrument store
 34. Stamps, coins and collectables
 35. Thrift shop and secondhand store
 36. Tobacconist/Cigarette sales
 37. Toy store
 38. Wholesale business and sales
- C. Regionally oriented, high volume retail uses, including but not limited to:
1. Auto malls
 2. Design/Contractors centers
 3. Discount/Off price/Factory outlet stores and centers

4. Entertainment/Lifestyle centers
 5. Furniture outlets
 6. Malls
 7. Power centers
 8. Promotional centers
- D. Service retail uses including, but not limited to:
1. Appliance repair shops, large and small
 2. Automobile and truck upholstery and top shops
 3. Automobile, truck and trailer rental and service, including incidental sales
 4. Automobile and truck washing, either self-service or involving the use of mechanical conveyors, blowers and steam cleaning
 5. Banks/Credit Unions/Savings and Loans/Financial institutions
 6. Boat/Recreational vehicle storage and parking
 7. Bus depots and transit stations
 8. Cafeterias
 9. Catering
 10. Cleaning, pressing and dyeing establishments, using nonflammable and non explosive cleaning fluid
 11. Day care centers
 12. Medical and dental clinics, and prescribing pharmacies within
 13. Electronics repair
 14. Employment agency
 15. Exterminators
 16. Facial/Massage/Day Spa
 17. Heating, ventilating and air conditioning shops, including incidental sheet metal
 18. Hotel/Motel/Extended-stay hotels
 19. Interior decorating and window coverings
 20. Laundromats
 21. Linen supply service
 22. Lube/Oil change shops
 23. Mattress repair
 24. Mortuary

25. Motorcycle and motorsports sales, service and repair, new and used
26. Musical instrument repair and sales
27. Outdoor dining
28. Parking lots and structures, improved, off-street and in conformity with Chapter 17.76
29. Plumbing and sheet metal
30. Real estate/Title office
31. Restaurants
32. Rug and carpet cleaning and dyeing
33. Secretarial services
34. Sign painting shop
35. Storage building, incidental to a permitted use
36. Storage, garages and buildings, including mini-storage facility
37. Taxidermists
38. Tire sales, services, retreading and recapping, automobile and truck
39. Tool or cutlery sharpening or grinding
40. Vending machines, within enclosed areas
41. Veterinarian services and offices, including small animal hospitals or clinics, short-term boarding of animals and incidental care such as bathing and trimming; provided that all operations are conducted entirely within a completely enclosed structure which complies with specifications of soundproof construction as prescribed by the building official

E. Educational and recreational uses including, but not limited to:

1. Auditoriums/Concert Hall
2. Banquet facility
3. Billiards/Pool hall
4. Bowling alley
5. Community/Civic Center
6. Dance hall/studio
7. Health clubs/Fitness centers/Physical therapy/Gymnasium
8. Instruction and training in gymnastics, martial arts, aerobics, yoga
9. Meeting hall
10. Music/Audio recording studio
11. Professional and trade schools and colleges

12. Theater (dinner, movie, live, etc.)
- F. Office uses including, but not limited to:
1. Administrative headquarters
 2. Administrative offices—City, county, state, and federal
 3. Business, consulting, commercial, professional, and administrative services and offices
 4. Business park or regional office centers
 5. Courier offices
 6. Laboratories, research and development services
 7. Medical and dental offices, laboratories and clinics, and prescription pharmacies in conjunction therewith or with a hospital
 8. Offices incidental to another permitted use
 9. Public and private nonprofit charitable institutions
 10. Radio and television broadcasting
 11. Stock brokerage offices
- G. Open space
- H. Incidental and accessory structures and uses on the same site as a permitted use
- I. Electrical transmission and distribution substation, gas regulator station, public service pumping stations and elevated pressure tanks
- J. Other uses which are added to this list according to the procedure in Section 17.16.020

17.58.022 Permitted Uses—Administrative approval required.

The following uses may be permitted in accordance with the provisions of Chapter 17.108:

- A. Retail sales uses including but not limited to:
1. Convention center
 2. Farmer's markets, including indoor and outdoor facilities
 3. Hospital/Medical center
 4. Machinery/Equipment sales, services, and rentals, unenclosed
 5. Newspaper publishing
 6. Park and ride facilities
 7. Public utility service yards
 8. Storage yards for commercial vehicles, unenclosed
 9. Temporary Christmas tree lot

10. Temporary pumpkin patch
- B. Eating, drinking and entertainment establishments, including but not limited to:
1. Amusement arcade
 2. Fast food drive-through/Drive-in facility
 3. Private clubs
 4. Skating rinks, game arcades and other similar commercial recreation facilities, in an enclosed building
- C. Other, including, but not limited to:
1. Communication buildings, sites and facilities, including communication towers
 2. Recycled water storage ponds and sprayfields, not previously identified in previous approvals
 3. Storm drain detention and retention ponds not previously identified in previous approvals
- D. Other uses added to this list by the planning commission according to the procedures in Section 17.16.020 of the Lathrop Municipal Code

17.58.023 Conditional Uses—Commission approval required.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
1. Ambulance stations
 2. Bars, cocktail lounges, and nightclubs
 3. Church/Religious Facility
 4. Communication buildings, sites and facilities, including communication towers
 5. Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined by Section 17.04.080 of the Lathrop Zoning Ordinance
 6. Gas/Service Station/Convenience store, automobile and truck
 7. Gunsmiths/gun shop
 8. Incidental and accessory structures and uses, as defined in Section 17.04.080, located on the same site as a use permitted by administrative approval or conditional use
 9. Liquor store or sales, on/off-premises
 10. Lumber Yards, not including planing mills or saw mills, unenclosed
 11. Modest expansion or remodeling of an existing non-conforming use of a structure or land, up to fifty percent (50%) or less of the value of the structure, or reestablishment of a non-conforming use which has been damaged, except non-conforming signs and outdoor

- advertising structures, non-conforming uses occupying a structure with an assessed valuation of less than two hundred dollars (\$200), and non-conforming fences, walls and hedges
12. Pawnshops
 13. Unenclosed commercial recreation facilities including amusement or theme parks, drive-in theaters, golf driving ranges, pony ride rings, race tracks, riding stables, skating rinks, sports arenas and sports stadiums
 14. Other uses which are added to this list according to the procedure in Section 17.16.020

17.58.024 Required Conditions.

- A. No use shall be permitted, and no process, equipment or materials shall be used which are found by the planning commission to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire, explosion or toxic chemicals.
- B. Temporary sidewalk sales and use of the public right-of-way for the display and sales merchandise shall require approval by the city council. Permanent use for such purposes is strictly prohibited.
- C. The visual interface between commercial and residential areas shall be designed and developed so as to avoid obtrusive visual impacts of commercial activities on nearby residential areas.
- D. Street trees and frontage landscaping with automatic irrigation shall be provided for all commercial sites. Parking area landscaping may also be required under site plan review.

17.58.025 Property Development Standards.

All uses shall be consistent with Article 6, Development Standards, in this Zoning Ordinance. Where development standards are not specifically identified in this document, reference the City of Lathrop Zoning Ordinance.

17.58.026 Site Plan and Architectural Design Review.

No use shall be erected on any lot or site in any CO district until a site plan and architectural plans shall have been submitted to and approved by the city pursuant to the provisions of Chapter 17.100 and 17.104 of the Lathrop Municipal Code. Design review is required for all proposed structures, whether residential or nonresidential, together with related site plans, landscaping, and public improvements associated with new development within the Lathrop Gateway Business Park Specific Plan Area.

17.58.027 General Provisions and Exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16 of the Lathrop Municipal Code.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

ARTICLE 3. CS-LG: SERVICE COMMERCIAL ZONING DISTRICT.

17.58.030 Purposes and Application.

The CS-LG district is intended primarily for establishments engaged in servicing equipment, materials and products, but which do not require the manufacturing, assembly, packaging or processing of articles or merchandise for distribution and retail sale. Land requirements for most service commercial uses generally dictate their application along arterial and collector streets of the city which generally lie close to central commercial, highway commercial and industrial districts, in accordance with the General Plan.

17.58.031 Permitted Uses.

- A. Off-street parking lots improved in conformity with Chapter 17.76 shall be permitted;
- B. Service commercial establishments, including, but not limited to, the following:
 - 1. Addressograph services
 - 2. Automobile and truck sales, service and repair, new and used
 - 3. Automobile, truck and trailer rental and service, including incidental sales
 - 4. Automobile, truck and trailer repairing, overhauling, rebuilding and painting
 - 5. Automobile, truck and trailer parts
 - 6. Automobile and truck upholstery and top shops
 - 7. Automobile and truck washing, either self-service or involving the use of mechanical conveyors, blowers and steam cleaning
 - 8. Automobile, truck and trailer parking
 - 9. Bakeries, retail and wholesale
 - 10. Bicycle shops
 - 11. Blacksmith shops
 - 12. Blueprint and photocopy
 - 13. Boat sales, service and repair, new and used
 - 14. Book binding
 - 15. Bottling works
 - 16. Breweries
 - 17. Bus depots and transit stations, including storage and repair
 - 18. Business, professional and trade schools and colleges
 - 19. Carpenters' shops

20. Carpeting and flooring
21. Catering
22. Ceramic and pottery works
23. Cleaning, pressing and dyeing establishments, using nonflammable and nonexplosive cleaning fluid
24. Cold storage
25. Columbariums and crematoriums
26. Contractors' storage yards
27. Convenience-oriented food stores
28. Dairy products plants
29. Diaper supply
30. Electronics repair
31. Exterminators
32. Feed and seed
33. Food lockers
34. Freight forwarding terminals
35. Furniture stores, new and used
36. Furniture warehouses and van services
37. Gas/Service Station/Convenience store, automobile and truck
38. Glass Installation
39. Hardware/Home improvement/Building materials
40. Heating, ventilating and air-conditioning shops, including incidental sheet metal
41. Ice sale and storage
42. Interior decorating and window coverings
43. Kennels and small breeding facilities, located not closer than five hundred (500) feet to an RA, R, RM, Po, CN, CC, CR or CW district
44. Laboratories, research and development services
45. Laundromats
46. Linen supply services
47. Locksmith
48. Lumber yards, not including planing mills or saw mills

49. Machinery/Equipment, including farm equipment, sales, services, and rental, in an enclosed building
50. Mattress repair
51. Mortuaries
52. Motorcycle and motorsports sales, service and repair, new and used
53. Musical instrument repair and sales
54. Nursery/Garden supply stores/Landscape materials
55. Office and business supplies
56. Offices, administrative and professional services
57. Packing and crating
58. Paint and wallpaper
59. Parcel delivery
60. Picture framing
61. Plumbing and sheet metal
62. Pool halls
63. Pressing of wearing apparel
64. Printing, lithographing and engraving
65. Public buildings and grounds
66. Public utility service yards
67. Restaurants
68. Rug and carpet cleaning and dyeing
69. Safe and vault repairing
70. Sheet metal shops
71. Shoe repair shops
72. Sign painting shops
73. Stone and monument yards or mills
74. Storage, garages and buildings, including mini-storage facility
75. Storage yards for commercial vehicles, including trucks and trailers
76. Taxidermists
77. Thrift shops and secondhand stores
78. Tire sales, services, retreading and recapping, automobiles and trucks
79. Tool or cutlery sharpening or grinding

80. Transit terminals
 81. Trucking terminals
 82. Typewriter repair shops
 83. Upholstery shops
 84. Veterinarian services and offices, including small animal hospitals or clinics, short-term boarding of animals and incidental care such as bathing and trimming; provided that all operations are conducted entirely within a completely enclosed structure which complies with specifications of soundproof construction as prescribed by the building official
 85. Warehouses, except for the storage of fuel oil or flammable liquids and explosives
 86. Welding and blacksmithing, excepting drop hammer
 87. Wineries and wine cellars, small, medium and large
 88. Wholesale business and sales
 89. Other uses which are added to this list according to the procedure in Section 17.16.020
- C. Open space
- D. Offices and retail stores incidental to and on the same site with a service commercial establishment
- E. Incidental and accessory uses and structures located on the same site as a permitted use

17.58.032 Permitted Uses—Administrative Approval Required.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.108:
1. Eating establishments, drive-through/drive-in facility and alcohol serving
 2. Electrical transmission and distribution substations, gas regulator stations, public service pumping stations and elevated pressure tanks, including gas and electrical transmission lines, in accordance with Section 17.108.080
 3. Incidental and accessory structures and uses located on the same site as a use permitted by administrative approval or conditional use
 4. Hospital/Medical center
 5. Temporary uses such as a circus, carnival, religious revival, Christmas tree lot, promotion and sale in trucks or trailers, animal show or display, and pumpkin patch pursuant to Section 17.108.080
 6. Other uses which are added to this list according to the procedure in Section 17.16.020

17.58.033 Conditional Uses—Commission Approval Required.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
1. Any use listed as a permitted use in the IL, limited industrial district
 2. Bars, cocktail lounges and nightclubs
 3. Communication buildings, sites and facilities, including communication towers
 4. Electroplating shops
 5. Energy production, biomass and steam/electric
 6. Excavations according to the requirements of Chapter 17.88
 7. Expansion or remodeling of an existing non-conforming use of a structure or land, up to fifty percent (50%) or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than two hundred dollars (\$200.00), and nonconforming fences, walls and hedges
 8. Expansion, remodeling or additions to a conditional use that are not considered an incidental or accessory use
 9. Gunsmith/Gun shop
 10. Liquor stores or sales, on/off-premises
 11. Railroad freight and passenger stations
 12. Recreation facility, indoor and outdoor, including but not limited to, golf driving ranges, pony riding rings, race tracks, riding stables, skating rinks, sports arenas and sports stadiums, and other similar open, unenclosed commercial recreation facilities
 13. Recycling services, consumer and scrap operations
 14. Recycled water storage ponds and sprayfields
 15. Other uses which are added to this list according to the procedure in Section 17.16.020

17.58.034 Required Conditions.

- A. No use shall be permitted, and no process, equipment or materials shall be used which are found by the planning commission to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire, explosion or toxic chemicals.
- B. Temporary sidewalk sales and use of the public right-of-way for the display and sales merchandise shall require approval by the city council. Permanent use for such purposes is strictly prohibited.
- C. The visual interface between commercial and residential areas shall be designed and developed so as to avoid obtrusive visual impacts of commercial activities on nearby residential areas.
- D. Street trees and frontage landscaping with automatic irrigation shall be provided for all commercial sites. Parking area landscaping may also be required under site plan review.

17.58.035 Property Development Standards.

All uses shall be consistent with Article 6, Development Standards, in this Zoning Ordinance. Where development standards are not specifically identified in this document, reference the City of Lathrop Zoning Ordinance.

17.58.036 Site Plan and Architectural Design Review

No use shall be erected on any lot or site in any CS district until a site plan and architectural plans shall have been submitted to and approved by the city pursuant to the provisions of Chapter 17.100 and 17.104 of the Lathrop Municipal Code. Design review is required for all proposed structures, whether residential or nonresidential, together with related site plans, landscaping, and public improvements associated with new development within the Lathrop Gateway Business Park Specific Plan Area.

17.58.037 General Provisions and Exceptions.

All uses shall be subject to the general provisions and exceptions in Chapter 17.16 of the Lathrop Municipal Code.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

ARTICLE 4. IL-LG: LIMITED INDUSTRIAL ZONING DISTRICT.

17.58.040 Purposes and Application.

The IL-LG district is intended to provide opportunities for certain types of limited industrial uses to concentrate in mutually beneficial relationships to each other; to provide adequate space to meet the needs of modern industrial development, including off-street parking and truck loading areas; and to provide industrial employment opportunities for residents of the city and region. The IL district is intended to protect areas appropriate for industrial use from intrusion by residences and other inharmonious uses; to protect residential, commercial and nuisance-free, nonhazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation, hazardous chemicals and other hazardous and objectionable influences incidental to certain industrial uses; and to reserve appropriately located areas for various types of industrial plants and related activities. Land requirements for most limited industrial uses generally dictate a location with close access to major transit corridors and highways without the need for high visibility.

17.58.041 Permitted Uses.

- A. Off-street parking lots improved in conformity with Chapter 17.76 shall be permitted;
- B. Any use listed as a permitted use in the CS, service commercial district;
- C. Light industrial and related uses, including, but not limited to:
 - 1. Assembly of small electric appliances, such as lighting fixtures, irons, fans, toasters and electric toys, refrigerators, washing machines, dryers, dishwashers and similar home appliances;
 - 2. Assembly of small electrical equipment, such as home motion picture equipment, stereos, video cameras and radio and television receivers, but not including electrical machinery;
 - 3. Manufacture of scientific, medical, dental and drafting instruments, orthopedic and medical appliances, cameras and photographic equipment, except film, electronic equipment, musical instruments, precision instruments, optical goods, watches and clocks;
 - 4. Manufacture of ceramic products, such as pottery, figurines and small glazed tile,
 - 5. Manufacturing, assembling, compounding, packaging and processing of cosmetics, drugs, pharmaceuticals, toilet soap (not including refining or rendering of fats or oils) and toiletries;
 - 6. Manufacture and assembly of electrical supplies, such as coils, condensers, crystal holders, insulation, lamps, switches and wire and cable assembly, provided no noxious or offensive fumes or odors are produced;

7. Manufacture of cutlery, hardware, hand tools and furniture, dye and pattern making, metal stamping and extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils;
 8. Manufacturing, assembling, compounding, packaging, crating and processing of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cellulose, cloth, cork, feathers, felt, fiber and synthetic fiber, fur, glass, hair, horn, leather, paint (not employing a boiling process), paper, plastics, precious or semi-precious metals or stones, rubber and synthetic rubber, shell, straw, textiles, tobacco and wood;
 9. Manufacturing, assembling, compounding, processing, packaging or treatment of such products as bakery goods, candy, dairy products, food products, including fruits and vegetables, but not including fish and meat products, pickles, sauerkraut, vinegar or yeast, or refining or rendering of fats and oils;
 10. Blacksmith shops, boat building, electric motor rebuilding, machine shops and paint shops;
 11. Food lockers and accessory sales;
 12. Gasoline service stations, including dispensing of diesel and liquid petroleum gas fuels and complete truck service;
 13. Lumber yards, including planing mills and saw mills; mattress manufacture; storage yards for commercial vehicles or feed; flour, feed and grain mills; grain elevators;
 14. Manufacture and maintenance of electric and neon signs, billboards and commercial advertising structures;
 15. Offices, retail stores and watchpersons' living quarters incidental to and on the same site with an industrial use;
 16. Public buildings and grounds
 17. Public utility and public service structures and facilities, such as communications equipment buildings, electric distribution substations, electric transmission substations, gas regulator stations, pumping stations, public utility service yards, corporation yards, railroad rights-of-way and stations, reservoirs and storage tanks;
 18. Incidental and accessory structures and uses located on the same site as a permitted use;
 19. Wineries and wine cellars, small, medium and large
 20. Other uses which are added to this list according to the procedure in Section 17.16.020.
- D. Open space

17.58.042 Permitted Uses—Administrative Approval Required.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.108:
1. Gas and electric transmission lines in accordance with Section 17.108.080;
 2. Incidental and accessory structures and uses located on the same site as a use permitted by administrative approval or conditional use;
 3. Mobile or modular offices in accordance with the requirements of mobile or modular offices;
 4. Other uses which have been added to this list according to the procedure in Section 17.16.020;
 5. Temporary uses such as a circus, carnival, religious revival, Christmas tree lot, promotion and sale in trucks or trailers, animal show or display, and pumpkin patch pursuant to Section 17.108.080.

17.58.043 Conditional Uses—Commission Approval Required.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
1. Any of the uses listed in Section 17.48.030(B); provided, that on the basis of the use permit application and the evidence submitted, the planning commission makes the following findings in addition to the findings prescribed in Chapter 17.112:
 - a. That consideration of all the determinable characteristics of the use which is the subject of the application indicates that the use has the same essential characteristics as the uses listed in subsection B above, with respect to methods of operation, type of process, materials, equipment, structures, storage and appearances;
 - b. If the use involves nuisance or hazardous characteristics, that the application include sufficient evidence to indicate that special devices, construction or site design are planned to eliminate the nuisance or hazardous characteristics normally attendant to operation of the use;
 - c. That the use reasonably can be expected to conform with the required conditions prescribed for the district in Section 17.48.060;
 2. Bulk storage and delivery of liquefied petroleum gas;
 3. Excavations according to the requirements of Chapter 17.88;
 4. Expansion or remodeling of an existing nonconforming use of a structure or land, up to fifty percent (50%) or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures,

- nonconforming uses occupying a structure with an assessed valuation of less than one hundred dollars (\$100.00), and nonconforming fences, walls and hedges;
5. Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined in Section 17.04.080;
 6. Outdoor vending stalls for the sale or trade of new and used articles at specified times of the day and week as either a temporary or permanent use of land;
 7. Other uses which are added to this list according to the procedure in Section 17.16.020;
 8. Recycled water storage ponds and sprayfields.

17.58.044 Required Conditions.

- A. In the IL districts, all open and un-landscaped portions of any lot shall be maintained in good condition free from weeds, dust, trash and debris.
- B. No use shall be permitted and no process, equipment or material shall be employed which is found by the commission to be injurious to persons residing or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, noise, vibrations, illumination, glare or heavy truck traffic, or to involve any hazard of fire, explosion or radio activity, or to emit electrical disturbances which adversely affect commercial or electronic equipment outside the boundaries of the site.
- C. No solid or liquid wastes shall be discharged into a natural watercourse, nor into a public or private sewage disposal system except in compliance with applicable regulations of the Central Valley Regional Water Quality Control Board.
- D. In an IL district, no use shall emit particulate matter or other air pollutants in excess of the applicable air pollution emission standards of the County Air Pollution Control District, the state or of the federal government.
- E. Notwithstanding the provisions of subsection D above, no industrial use shall be permitted to utilize coal in any form as a source of fuel for the conduct of any industrial operations within the city.
- F. Street trees and frontage landscaping with automatic irrigation shall be provided for all limited industrial sites. Parking area landscaping may also be required under site plan review.

17.58.045 Property Development Standards.

All uses shall be consistent with Article 6, Development Standards, in this Zoning Ordinance. Where development standards are not specifically identified in this document, reference the City of Lathrop Zoning Ordinance.

17.58.046 Site Plan and Architectural Design Review.

No use shall be erected on any lot or site in any IL district until a site plan and architectural plans shall have been submitted to and approved by the city pursuant to the provisions of Chapter 17.100 and 17.104 of the Lathrop Municipal Code. Design review is required for all proposed structures, whether residential or nonresidential, together with related site plans, landscaping, and public improvements associated with new development within the Lathrop Gateway Business Park Specific Plan Area.

17.58.047 General Provisions and Exceptions.

All uses shall be subject to the general provisions and exceptions in Chapter 17.16 of the Lathrop Municipal Code.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

ARTICLE 5. P/QP-LG: PUBLIC/QUASI-PUBLIC ZONING DISTRICT.

17.58.050 Purposes and Application

The P/QP-LG zoning district is intended to provide for permanent open space areas for well sites, water quality, storm water detention basins, and other necessary slope embankments as called for in the Lathrop Gateway Business Park Specific Plan.

17.58.051 Permitted Uses.

A. Public/Quasi-Public uses including, but not limited to:

1. Drainage, water quality, and other similar facilities, including swales and basins.
2. Incidental and accessory structures and uses on the same site as a permitted use.
3. Levees and other related facility equipment.
4. Parking
5. Private or public infrastructure.
6. Public buildings and grounds
7. Recycled water storage ponds.
8. Recreational—Active.
9. Recreational—Passive.
10. Sprayfields.
11. Storm drain detention and retention ponds.
12. Trails and maintenance roads.
13. Utility services and facilities
14. Well site
15. Other uses added to this list by the planning commission according to the procedures in Section 17.16.020 of the Lathrop Zoning Code.

17.58.052 Conditional Uses—Commission Approval Required.

A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

1. Communication buildings, sites and facilities, including communication towers

17.58.053 Property Development Standards.

All uses shall be consistent with Article 6, Development Standards, in this Zoning Ordinance. Where development standards are not specifically identified in this document, reference the City of Lathrop Zoning Ordinance.

17.58.054 Site Plan and Architectural Design Review.

No use shall be erected on any lot or site in any P/QP district until a site plan and architectural plans shall have been submitted to and approved by the city pursuant to the provisions of Chapter 17.100 and 17.104 of the Lathrop Municipal Code. Design review is required for all proposed structures, whether residential or nonresidential, together with related site plans, landscaping, and public improvements associated with new development within the Lathrop Gateway Business Park Specific Plan Area.

17.58.055 General Provisions and Exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16 of the Lathrop Municipal Code.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

Article 6. Development Standards.**Table 17.58.060 Lathrop Gateway Business Park Specific Plan: Non-Residential Site****Development Standards**

	CO-LG	CS-LG	IL-LG	P/QP-LG (7)
Minimum Parcel Size (sf)	5,000	5,000	5,000	None
Minimum Lot				
Width	50'	50'	50'	None
Depth	100'	100'	100'	None
Minimum Setbacks (1)				
Street Frontage	50' (2)	50' (2)	50' (2)	0
Front yard	15'	15'	15'	0
Side yard	5'	0' (3)	0' (3)	0
Rear yard	5'	0' (3)	0' (3)	0
Distance between structures	10'	10'	10'	10'
Maximum Lot Coverage	70%	70%	70%	70%
Maximum Building/Structural Height	75'	75'	75'	75'
Landscape Requirements (4)				
Landscape coverage (minimum) (5)	15% (6)	10%	10% (6)	10% (6)
Minimum Parking Requirements	Per Lathrop Zoning Ordinance, Chapter 17.76	Per Lathrop Zoning Ordinance, Chapter 17.76	Per Lathrop Zoning Ordinance, Chapter 17.76	Per Lathrop Zoning Ordinance, Chapter 17.76
Signage	Per Master Signage Program, and/or Chapter 17.84	Per Master Signage Program, and/or Chapter 17.84	Per Master Signage Program, and/or Chapter 17.84	Per Master Signage Program, and/or Chapter 17.84

Footnotes to Table 17.58.060:

- (1) Minimum standards may need to be revised based on parcel configuration and proposed land use; Community Development Director to approve minor deviations.
- (2) Those sites with public street frontage on a curve or cul-de-sac may have frontages of not less than 40', provided that the width of the site as measured along the front yard setback line is at least 50'.
- (3) Except where abutting an adjacent structure; see distance between structures standard.
- (4) For landscape standards reference Chapter 17.92 of the Lathrop Municipal Code.
- (5) Measured as a percentage of net lot acreage.
- (6) Landscape coverage is encouraged to include recreation and open space amenities for employees and visitors consistent with Section 5.5.1.1.F, Public Spaces and Pedestrian Amenities, of the Lathrop Gateway Business Park Specific Plan; recreation and open space amenities will count toward the landscape requirement.
- (7) The City of Lathrop may exempt public facilities from the standard, if necessary; Community Development Director to approve deviations.