

17.12.050 Special purpose land use and permit requirements for open space, park and public facility.

~~Open Space, Park and Public Facilities/Institutional. Site and Architectural Review shall be required for construction of new buildings in the OP, P and PF Zoning Districts unless a Master Architectural, Landscaping, Lighting and Sign program has been approved by the Planning Commission for the property within the last three years and the Development Services Director determines that the submittal substantially conforms with the approved program. Site and Architectural Review shall also be required for major façade improvements to portions of existing buildings that face streets or public use areas including alteration of roof lines or the location of doors or windows. Administrative Permit Review (APR) is required for uses that involve such as rental car parking or changes to the façade of a building that does face a public street or road. APR is also required for the addition or removal of up to two doors or windows where the Director determines that the alteration is harmonious with the defining architectural characteristics of the building in relation to materials, scale, size and color and that the building will comply with applicable codes for health and safety, fire, ingress and egress and standards for commercial development. The City Planner may require the addition of an awning or similar feature to comply with the intent of the Districts.~~

~~Commercial Uses on Open Space, Park and Public Facilities/Institutional Districts. Commercial leases for use of portions or segments of open space or a park or underutilized buildings or areas in the PF district may be allowed with City Council approval. The intent is to enhance the recreation experience in the open space and park districts where practical and feasible and in the public facility/institutional district to provide opportunity for private businesses to utilize underutilized buildings or areas with enhanced cultural and educational programs, business incubators, shared workspaces, or event centers where desirable or feasible. Furthermore, commercial uses may be desirable in certain circumstances to provide revenues to offset maintenance costs of the balance of a park or municipal property.~~

~~Each proposed lease shall be carefully studied and judged on the merits of the location of the property, and the type of property on a case-by-case basis.~~

- ~~A. — Prior to release of a request for proposal for use of a building or property, the City Council shall adopt a resolution pursuant to Section 3.06.060 of the Hollister Municipal Code that the building or segment of property is not necessary for municipal purposes during the term of the lease or any extension authorized by the City Council.~~
- ~~B. — Prior to submitting a lease for City Council approval, a request for proposal shall be issued articulating the scope and purpose of the commercial use in context of the property type and surrounding uses.~~
- ~~C. — Commercial leases at park or open space lands may include commercial concessions, equipment rentals, specialty training or other similar uses that are compatible and incidental and complementary to the primary purpose of the park or open space area.~~
- ~~D. — Commercial leases of buildings or areas in the public facility/institutional zoning district shall be compatible with surrounding land uses and to the extent feasible enhance programing or services in the community and if possible, nearby uses.~~
- ~~E. — Approval of a lease shall require a Conditional Use Permit.
 - ~~1. — A recommendation from the Parks and Recreation Commission shall be required as part of the Conditional Use Permit application for a lease within any municipal park or open space.~~
 - ~~2. — After receipt of the Planning Commission recommendation, a public hearing on the Conditional Use Permit and lease plan shall be scheduled before the City Council. After the hearing, the Council may approve the Conditional Use Permit and Lease, may disapprove the permit or lease, or may adopt the plan and lease with changes, provided that any changes to the plan that were not considered by the Commission shall be referred to the Commission for its recommendation.~~~~

Failure of the Commission to report within 45 days after the referral, or any longer period set by the Council, shall be deemed a recommendation for the approval of the changes.

The following table identifies the uses of land allowed by this Zoning Ordinance in the Open Space, Park and Public Facility Zoning districts.

Table 17.12-3 Open Space, Park and Public Facilities/Institutional Zone Districts Land Use and Permit Requirements

Land Use	OS	P	PF
Agricultural, Resource and Open Space Uses			
Crop production	P	P	P
Manufacturing and Processing Uses			
Recycling— Minor Reverse vending machine	NP	P	P
Recycling—Small collection facility Recycling-	NP	NP	CUP
Recreation, Education and Public Assembly Uses			
Religious Assembly Uses Churches places of worship with schools	NP	CUP NP	CUP
Clubs and Lodges	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>
Community centers	CUP	CUP	P
Commercial Recreation - Indoor Health/fitness clubs	NP	NP	CUP
Cultural Institutions Libraries and museums (public/nonprofit)	NP	CUP	CUP
Membership organization facilities	CUP	P	P
Parks, playgrounds, golf courses	NP CUP	NP P	P
Schools—College and university, secondary, elementary	CUP	CUP	P
Schools—Specialized education and training	CUP	CUP	P
Commercial Recreation – Outdoor Sports facilities and outdoor public assembly	NP	CUP	CUP
Studios for dance, art, music, photography, etc.	P	P	P
Trails, bike paths	NP	CUP	CUP
Theatres and meeting halls	NP	CUP	CUP
Residential			
Agricultural employee housing— 4 or fewer employees	CUP	CUP	CUP
Agricultural employee housing—4 or more employees	CUP	CUP	CUP
Caretaker and employee housing	CUP	CUP	CUP
Organizational houses	NP	NP	CUP
Retail Trade			
Certified farmer's market	MUP	MUP	MUP
Services			
Automatic teller machines (ATMs)	NP	P	P
Cemeteries, columbarium, mortuaries	NP	CUP	<u>CUP</u>
Child day care centers Day Care	NP	CUP	CUP
City government offices and facilities	NP	P	P
Corporation yard	NP	NP	CUP
Animal kennels and animal boarding	CUP	NP	NP
Medical services—Hospitals	NP	NP	P (3)
Public utility Facilities and safety facilities	CUP	CUP	CUP (3)
Public Safety Facilities	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>
Storage accessory	P	P	P
Storage, outdoor	CUP	NP	NP
Warehousing	NP	NP	P
Transportation and Communications			

Airports	NP	NP	CUP
Telecommunication Facilities Antennas, communication facilities	NP	CUP NP (1) (see exception)	CUP (2)
Heliport	NP	NP	CUP
Pipelines and utility lines	P	P	P
Transit stations and terminals	NP	CUP	CUP

Permit Requirement by Zone:	
P	Permitted use in zoning district. It is the responsibility of the building owner, or lessee to secure any permits or complete tenant improvements to assure that the use complies with applicable federal, state and local requirements.
AP	Administrative Permit issued at Development Services Department.
APR	Administrative Permit Review and approval by the Community Development Director with review by the Development Review Committee (DRC) for compliance with standards without a public hearing.
mTUP	Minor Temporary Use Permit.
MTUP	Major Temporary Use Permit.
CUP	Conditional Use Permit required with Planning Commission approval.
S&A	Site and Architectural Review required with Planning Commission approval.
NP	Not permitted.

Additional Use Regulations and Notes:

- (1) A communication facility may be permitted with a conditional use permit in a Public Facility Zoning District where it is located not less than 500 feet from a public school or a residential zoning district or residential general plan land use designation.
- ~~(2) The existing telecommunication monopoles authorized by a Conditional Use Permit prior to the enactment of this Zoning Ordinance shall be considered conforming land uses. Stealth design and co-location shall be required for any replacement poles.~~
- ~~(3) Establishment of the land use is prohibited if the property is located in the Flood Hazard Overlay zone.~~