



DIVISION 2 COMMERCIAL MIXED-USE, OFFICE MIXED-USE, AND MANUFACTURING ZONES (OPMU, NMU, SMU, RMU, M-1)

26-50 Purpose and Intent by Zone

(a) Office-Professional Mixed-Use (OPMU) Zone.

- (1) The purpose of the office-professional mixed-use (OPMU) zone is to classify and set standards for those business, office, administrative or professional land uses which by their nature are of relative low intensity and therefore, when properly located and designed are compatible with adjacent residential zoning and the development therein.
- (2) Office-professional mixed uses should have access to four-lane or wider streets as specified on the master plan of streets and highways; on land that is topographically suited to such uses without major earth movement, resulting in unsafe or unsightly cut or fill slopes; situated to serve several neighborhoods; and capable of serving as a buffer separating residential land uses from the more intense community, regional, service, or highway commercial uses.

(b) Neighborhood-Commercial Mixed-Use (NMU) Zone.

- (1) The purpose of the neighborhood-commercial mixed-use (NMU) zone is to classify and set standards for those retail and service commercial uses which by their nature are of moderate intensity; are necessary in order to provide convenient daily shopping facilities to residential home and apartment dwellers; and are generally adjacent to or within close proximity to residential zoning or development and, therefore, require extraordinary physical treatment in order to guarantee compatibility with and protection to surrounding properties and their values.
- (2) Neighborhood-commercial mixed-use centers should serve several neighborhoods and be located with primary access to a four-lane or wider street, preferably at the intersection of a major and collector street or two (2) four-lane or, wider streets. Land so utilized should be topographically suited to such use without major earth movement, resulting in unsafe or unsightly cut or fill slopes.

(c) Regional-Commercial Mixed-Use (RMU) Zone.

- (1) The purpose of the regional-commercial mixed-use (RMU) zone is to classify and set standards for a regional business center which provides a complete line of shop and store types, eating and entertainment facilities, business and financial services and multi-family residential uses. The dominant establishments are one (1) or more department stores flanked by specialty shops.
- (2) Regional-commercial business and mixed-use centers shall be in a strategic location to serve the general regional area of the East San Gabriel Valley and have direct access on major traffic carriers (i.e., freeways or four-lane or wider streets or highways). Land should be topographically suited for such use.

(d) Service-Commercial Mixed-Use (SMU) Zone.

- (1) The purpose of the service-commercial mixed-use (SMU) is to classify and set standards for those retail and service commercial, recreational, business office and multi-family residential land uses which by their nature are of a relative high intensity; are unique in that their success depends upon direct motorist exposure and excellent access; require special traffic circulation patterns that will not unduly restrict rapid traffic flow and extraordinary physical treatments in order to create compatibility with adjacent zoning and the development thereon.
- (2) Service-commercial uses should have access to a four-lane or wider street or highway as specified on the master plan of streets and highways, on land that is the same grade level as the street or highway without major earth movement, resulting in unsafe or unsightly cut or fill slopes.



(e) Manufacturing (M-1) Zone.

- (1) The purpose of the manufacturing zone is to classify and set standards for those industrial and incidental commercial facilities which are of moderate to heavy intensity and have no objectionable or obnoxious effect on any adjacent property. The developmental and operational standards are intended to provide compatibility with and protection to surrounding properties by minimizing traffic congestion, noise, glare, vibration, emission of odorous, toxic or noxious matter, and to provide adequate off-street parking, landscape buffering, and the proper placement of buildings.
- (2) Manufacturing uses should have primary access to a four-lane or wider street or highway as specified on the master plan of streets and highways. Land so utilized should be topographically suited to such use without major earth movement, resulting in unsafe or unsightly cut or fill slope.

26-51 Land Use Regulations and Allowable Uses

- (a) Permitted uses. Table 2-12 identifies land uses permitted in each commercial, office and industrial zoning districts.

Table 2-12 Uses and Permit Requirements

Symbol	Permit Requirement	Procedure Section
x	Allowed by Right	—
AP	Administrative Permit	Article VI, Division 6
APH	Administrative Permit w/ Hearing	Article VI, Division 6; Article VI, Division 1
CUP	Conditional Use Permit	Article VI, Division 4; Article VI, Division 1
	Use not permitted	—

Uses and Permit Requirements for Mixed-Use Zones	Zones					Special Regulations
	OPMU	NMU	RMU	SMU	M-1	
Residential Accessory Uses						
Accessory uses and structures	X	X	X	X		
Accessory dwelling units, junior accessory units	X	X	X	X		Article IV, Division 2
Agricultural uses						
Agricultural						Section 26-111
Agricultural uses (on parcels of 10 acres or greater)						Section 26-111
Beekeeping					APH	
Residential uses						
Duplexes	X	X	X	X		
Employee Housing, farmworker (agricultural) Housing	X	X	X	X		Section 26-134
Emergency shelters (Homeless), up to 30 occupants within City	X	X	X	X	X	Section 26-118
Emergency shelters (Homeless), greater than 30 occupants within City					CUP	Section 26-118
Live/work units	X	X	X	X		
Low barrier navigation centers	X	X	X	X		Article IV, Division 7
Mobile home park	X	X	X	X		Section 26-122



Uses and Permit Requirements for Mixed-Use Zones	Zones					Special Regulations
	OPMU	NMU	RMU	SMU	M-1	
Micro-units, efficiency units	X	X	X	X		
Multi-family residence	X	X	X	X		
Orphanages						
Roominghouse						
Short-term rentals						
Supportive housing	X	X	X	X		Section 26-133
Transitional housing	X	X	X	X		Section 26-133
Industrial and Manufacturing uses¹						
Administrative, research, professional or sales office related.					X	
Agricultural, industrial and construction equipment sales and rental.					AP	
Aircraft factories.					AP	
Automobile assembly, body and fender works, dismantling and used parts storage when operated or maintained wholly within a building.					AP	
Automobile painting. All painting, sanding and baking shall be conducted wholly within a building.					AP	
Bakeries, industrial or wholesale.					AP	
Blacksmith shops.					AP	
Body and fender works, including painting.					AP	
Bottling plants.					AP	
Breweries and distilleries, with or without tasting or tap rooms			AP	AP	AP	Section 26-109
Building material storage yard.					AP	
Carpet cleaning plants.					AP	
Cleaning and dyeing plants.					AP	
Contractor's storage yards.					AP	
Creameries.					AP	
Dairy products manufacture.					AP	
Disposal company.					AP	
Draying, freighting or trucking yards or terminals.					CUP	
Dry cleaning, wholesale.					AP	
Dry cleaning or laundry, non-retail (non-flammable and nonexplosive cleaning fluid to be used exclusively)					AP	
Dwelling (one) for caretaker or superintendent and his family on a factory site.					AP	
Fabricating from steel or metals.					AP	
Feed and fuel yards.					AP	



**City of West Covina
Development Code Ordinance Update**

Uses and Permit Requirements for Mixed-Use Zones	Zones					Special Regulations
	OPMU	NMU	RMU	SMU	M-1	
Fence manufacture.					AP	
Food products manufacture.					AP	
Frozen food locker.					AP	
Fruit and vegetable canning, preserving and freezing.					AP	
Fruit packing houses.					AP	
Furniture manufacturing.					AP	
Garages, public.					AP	
Garment manufacture.					AP	
Gas (petrol) distributor.					AP	
Ice and cold storage plants.					AP	
Kennels.					AP	
Laboratories, experimental, motion pictures, testing.					AP	
Landscaping service.					AP	
Laundries.					AP	
Limited manufacturing, assembling testing, and repairing of components, devices, electrical, electronic, or electromechanical equipment, optical devices, and other similar equipment and systems such as but not limited to: television, radio, phonographs, and other audio units and systems, Data processing equipment and systems, and electrical appliances.					AP	
Limited manufacturing, assembling, compounding, or treatment of articles or merchandise from previously prepared materials such as but not limited to: cloth, fiber, glass, metals and plastics					AP	
Lumberyards.					AP	
Machine shops.					AP	
Manufacturing.					AP	
Manufacturing, compounding processing, packaging or treatment of products from previously prepared materials including, but not limited to: bakery goods, cosmetics, food products and pharmaceuticals					AP	
Manufacture of prefabricated buildings.					AP	
Model making for industrial and architectural designing.					AP	
Paint mixing, provided a boiling process is not employed.					AP	
Petroleum distributing stations (wholesale).					AP	
Plastics, fabrication form.					AP	



Uses and Permit Requirements for Mixed-Use Zones	Zones					Special Regulations
	OPMU	NMU	RMU	SMU	M-1	
Poultry slaughter.					AP	
Printing, publishing, blueprinting, photocopying, and other photo reproduction services.					AP	
Rubber, fabrication of products made from finished rubber.					AP	
Shoe manufacturers.					AP	
Sign shop, industrial.					AP	
Soap manufacture, cold mix only.					AP	
Storage space for transit and transportation equipment, except freight classification yards.					AP	
Textile manufacture.					AP	
Tire rebuilding, recapping and retreading.					AP	
Transfer, moving, and storage facilities.					AP	
Truck repairing and overhauling.					CUP	
Vending machine service and repair.					AP	
Wholesale business, storage buildings and warehouses.					AP	
Service, recreational, educational and public assembly uses						
Adult care centers	CUP	CUP	CUP	CUP		
Adult oriented businesses, with or without live entertainment			CUP	CUP		Section 26-108
Aircraft landing facilities, Emergency	X	X	X	X		
Aircraft landing facilities, Nonemergency	CUP	CUP	CUP	CUP		
Artisanal and craft manufacturing ¹			AP	AP	X	
Alcohol off-sale, accessory; No more than 10% of total gsf.	AP	AP	AP	AP		Section 26-109
Alcohol off-sale, service stations, accessory	CUP	CUP	CUP	CUP	CUP	Section 26-109
Alcohol off-sale, instructional tasting, accessory		APH	APH	APH	APH	Section 26-109
Alcohol on-sale; for nonprofit clubs and country clubs, see separate headings)		CUP	CUP	CUP		Section 26-109
Alcohol Sales (off-sale), up to 10,000 sq. ft. in GFA –areas of undue concentration		CUP	CUP	CUP	CUP	Section 26-109
Alcohol Sales (off-sale), up to 10,000 sq. ft. in GFA – not within an area of undue concentration		APH	APH	APH	APH	Section 26-109
Alcohol Sales (off-sale), greater than 10,000 sq. ft. in GFA		APH	APH	APH	APH	Section 26-109
Alcoholic treatment institutions	CUP	CUP	CUP	CUP		
Ambulance service	CUP		CUP	CUP	CUP	
Appliance repair shops			X	X	X	
Art galleries	X	X	X	X		
Art studio	X	X	X	X		



Uses and Permit Requirements for Mixed-Use Zones	Zones					Special Regulations
	OPMU	NMU	RMU	SMU	M-1	
Athletic club/Gymnasium	APH	APH	APH	APH	APH	Section 26-119
Automated teller machines (walk-up) on the premises of a financial institution	AP	AP	AP	AP	AP	
Automated teller machines (walk-up) not on the premises of a financial institution	AP	AP	AP	AP	AP	
Automated teller machines (drive-up)	CUP	CUP	CUP	CUP	CUP	
Auto rentals (outdoor display)		CUP	CUP	CUP		
New automobile, motorcycle, auto or truck trailers, truck sales, including accessory used vehicle sales, vehicle sales, accessory servicing, repairs, and incidental auto rental (sales and display areas need not be within buildings, but all other provisions of this code shall apply) (outdoor display)			X	X		
Used automobile, motorcycle, auto or truck trailers, truck sales, including accessory servicing, repairs, and incidental auto rental (sales and display areas need not be within buildings, but all other provisions of this code shall apply) (outdoor display)			CUP	CUP		
Motor vehicle sales, new or used including any accessory services (Outdoor Display) Less than 1-Acre			CUP	CUP		
Auto service stations		CUP	CUP	CUP	CUP	Section 16-128
Auto repair garage (includes major overhaul, paint and body repair, but excludes tire recapping)				CUP	X	
Auto repair garage including public storage of vehicles					AP	
Auto supply stores (w/installation)		CUP	X	X		
Auto supply stores (excludes installation)	CUP	X	X	X	X	
Bail bond service			X	X		
Bakery shops, food manufacturing, less than 5,000 square feet.	X	X	X	X	X	
Bank, savings and loan associations, and similar financial institutions (also see automated teller machines)	X	X	X	X	X	
Bars, cocktail lounges, without incidental food use			CUP	CUP	CUP	Section 26-109
Barber and beauty shops with accessory permanent make-up use	X	X	X	X	X	
Barber, beauty, and jewelry shops with accessory body piercing use			AP		AP	Ear-piercing allowed by-right as accessory use
Billiard parlor and pool halls		CUP	CUP	CUP	CUP	
Boat sales, new or used, including related servicing and repairs (out-door display)			X	X		
Boat sales, new or used, including related servicing and repairs (out-door display) and (adjacent to residential)			CUP	CUP		



Uses and Permit Requirements for Mixed-Use Zones	Zones					Special Regulations
	OPMU	NMU	RMU	SMU	M-1	
Bowling alley			CUP	CUP		
Building material sales (excludes lumberyards) (outdoor display)			X	X	X	
Building material sales (excludes lumberyards) (outdoor display) CUP when adjacent to residential			CUP	CUP	CUP	
Building material sales (outdoor display)				CUP	X	
Business equipment sales (includes repairs)		X	X	X	X	
Cabinet shops				X	X	
Cannabis dispensaries, cultivation, processing manufacturing and dispensing						Section 26-113
Car wash (for accessory use)			CUP	CUP	CUP	
Catering service	X	X	X	X	X	
Cemeteries, columbarium, crematories and mausoleums						
Churches	CUP	CUP	CUP	CUP	CUP	
Club, private non-profit (serving of alcohol allowed only with a club as defined by Section 23428.9 of the California Business and Professions Code;	CUP	CUP	CUP	CUP	CUP	
Cocktail lounge: Serving of alcohol permitted only in conjunction with a bona fide eating place as defined in section 23038 of the California Business and Professions Code		CUP	CUP	CUP	CUP	Section 26-109
Coffee/snack shop	X	X	X	X	X	
Collection agencies	X	X	X	X		
Commercial radio or television stations	CUP	CUP	CUP	CUP	CUP	
Computer game/internet access centers, accessory, up to nine (9) computers		AP	AP	AP	AP	
Computer game/internet access centers, accessory, up to ten (10) or more computers		CUP	CUP	CUP	CUP	
Computer game/internet access centers, main use		CUP	CUP	CUP	CUP	
Contracting services	X	X	X	X	X	
Counseling services	X	X	X	X	X	
Convention hall, trade show, exhibit building	CUP	CUP	CUP	CUP	CUP	
Conversions from apartments to condominiums	CUP	CUP	CUP	CUP		Section 26-364
Country clubs (serving of alcohol allowed only with a club as defined in Section 23428.9 of the California Business and Professions Code						Section 26-109
Community assembly facility (public or private)			CUP	CUP		Section 26-114
Dancing in conjunction with a commercial		CUP	CUP	CUP	CUP	



Uses and Permit Requirements for Mixed-Use Zones	Zones					Special Regulations
	OPMU	NMU	RMU	SMU	M-1	
use						
Data processing	X	X	X	X		
Day care centers	CUP	CUP	CUP	CUP		
Delicatessens	X	X	X	X	X	
Department stores		X	X	X		
Drive-in, drive-through, walk-up commercial uses (pharmacies and bank/atms ONLY)	CUP	CUP	CUP	CUP	CUP	
Drive-through (food establishments)						
Dry cleaning or laundry, retail only, (non-flammable and nonexplosive cleaning fluid to be used exclusively)		X	X	X		
Electronic and TV repair shops	X	X	X	X	X	
Entertainment (live) in conjunction with a commercial use (excludes karaoke and solo musicians, excludes adult oriented businesses)		CUP	CUP	CUP	CUP	
Entertainment (live) solo musicians as background music and Karaoke in conjunction with a commercial use (excludes adult oriented businesses)		AP	AP	AP	AP	
Exterminators				X	X	
Feed and grain stores				X	X	
Florist shops	X	X	X	X		
Fortune-telling			X	X		
Game arcades, escape rooms, laser tag, virtual reality rooms, and other indoor recreation facilities with alcohol service in conjunction with food sales		CUP	CUP	CUP	CUP	Section 26-110
Game arcades, escape rooms, laser tag, virtual reality rooms, and other indoor recreation facilities, no alcohol service		APH	APH	APH	APH	Section 26-110
Glass shops (excludes edging, beveling, silvering and staining)		X	X	X	X	
Glassworks and glass studios, includes edging, etc.				X	X	
Golf course, indoor miniature				APH		
Golf course, outdoor miniature				X		
Golf courses or golf driving ranges	CUP	CUP	CUP	CUP	CUP	
Grocery stores		X	X	X	X	
Gun shops		X	X	X		
Hospitals (human)	CUP	CUP	CUP	CUP		
Hotels (excluding adult hotels/motels)			CUP	CUP		
Ice Cream Stores	X	X	X	X	X	
Institutions of philanthropic nature	CUP	CUP	CUP	CUP		
Jewelry stores		X	X	X	X	
Jewelry stores with accessory body piercing			AP		AP	



Uses and Permit Requirements for Mixed-Use Zones	Zones					Special Regulations
	OPMU	NMU	RMU	SMU	M-1	
use						
Kennel, Accessory			CUP			
Laboratories (medical and dental)	X	X	X	X	X	
Landscaping service (office only)	X	X	X	X		
Locksmith shops		X	X	X		
Massage parlor and health and beauty spa					CUP	Section 26-121
Massage parlor and health and beauty spa, Centers greater than 500,000 sq. ft. in GFA			CUP			Section 26-121
Massage, Accessory	AP	AP	AP	AP		Section 26-121
Meat markets		X	X	X	X	
Medical and dental clinics	X	X	X	X	X	
Medical (Minor non-surgical procedures)	X	X	X	X	X	
Mental health institutions and convalescent homes	CUP	CUP	CUP	CUP		
Mobile services	X	X	X	X	X	Section 26-123
Monument, tombstone, and funeral merchandise				X	X	
Mortuaries		CUP	X	X		
Motels (excluding adult hotels/motels)			CUP	CUP		
Movie/video game rental	X	X	X	X		
Newspaper and printing shops				X	X	
Newsstands (not on public right-of-way)	X	X	X	X	X	
Office (General)	X	X	X	X	X	
Outdoor recreation facility	CUP	CUP	CUP	CUP		
Outdoor amusement devices, vending machines, weighting scales and similar as an incidental, auxiliary or accessory use of those allowed in the zone		X	X	X	X	Section 26-110
Outdoor seating area in conjunction with a commercial use		AP	AP	AP	AP	
Parcel delivery terminals				X	X	
Parks	X	X	X	X	X	
Pawnshops			X	X		
Permanent makeup and/or body piercing use, accessory or primary	X	X	X	X		Section 26-112
Pet grooming shop		X	X	X		
Pet shops		X	X	X	X	
Pharmacies	X	X	X	X		
Pharmaceutical research and development	X				X	
Physical rehabilitation center	X	X	X	X		
Photo engraving and blueprint shop		X	X	X	X	
Photo studios		X	X	X	X	
Picture framing stores		X	X	X		
Plant nurseries and related packaged sales		X	X	X	X	



Uses and Permit Requirements for Mixed-Use Zones	Zones					Special Regulations
	OPMU	NMU	RMU	SMU	M-1	
or storage (outdoor display)						
Plant shop		X	X	X		
Plumbing shops		X	X	X	X	
Postal services	X	X	X	X	X	
Professional, business and trade schools	CUP	CUP	CUP	CUP	CUP	
Public administration buildings and civic centers	X	X	X	X	X	
Public utility stations, yards, wells and similar facilities	CUP	CUP	CUP	CUP	CUP	
Public storage facility				CUP	CUP	
Recording studio	AP	AP	AP	AP	AP	
Recycling centers; Small collection facilities not in conjunction with materials recovery facility or solid waste transfer and processing station, reverse vending machine(s)/bulk reverse vending machine, recycling centers Donation; drop boxes (attended); water service facilities (attended)		AP	AP	AP	AP	Section 16-127
Recycling center; Reverse vending machine(s) located within or under the roof line of a commercial structure		X	X	X	X	Section 16-127
Recycling centers; Materials recovery facility					CUP	Section 16-127
Recycling centers; Solid waste transfer and processing stations					CUP	Section 16-127
Religious facility, reading rooms	CUP	CUP	CUP	CUP	CUP	
Rental service as listed in this section as retail providing all storage of rental equipment shall be within an enclosed building unless specifically stated otherwise			X	X	X	
Rental service as listed in this section as retail providing all storage of rental equipment shall be within an enclosed building unless specifically stated otherwise, with outdoor display of rental				CUP	X	
Reprographics	X	X	X	X	X	
Restaurant, with or without seating (e.g. ghost kitchens.		X	X	X	X	Section 26-128
Restaurant, commercial test kitchen	X	X	X	X	X	Section 26-128
Restaurant with Alcohol		AP	AP	AP	AP	
Restaurant with dancing		CUP	CUP	CUP	CUP	
Restaurant with outdoor seating		AP	AP	AP	AP	Section 26-125
Restaurant Self Service Kiosk	X	X	X	X		
Retail (General)	X	X	X	X		
Retail, Kiosk accessory use	AP	AP	AP	AP		
Riding stables and riding schools (7 acres						



Uses and Permit Requirements for Mixed-Use Zones	Zones					Special Regulations
	OPMU	NMU	RMU	SMU	M-1	
minimum site)						
Schools and colleges (private or public)	CUP	CUP	CUP	CUP		
Schools (dancing, martial arts, music, art and similar type schools)	AP	AP	AP	AP	AP	
Studio-art, dance, martial arts, music, etc.	AP	AP	AP	AP		
Secondhand stores		AP	AP	XAP		
Security guard services	X	X	X	X		
Shoeshine stands (as integral part of other building)	X	X	X	X	X	
Senior citizen housing	X	X	X	X		
Skilled nursing facilities, and assisted living facilities	CUP	CUP	CUP	CUP		Section 26-130
Supermarkets		X	X	X		
Storage, new vehicles when in conjunction with an automobile dealership				AP		
Surveying services		X	X	X		
Swimming pool sales and service (outdoor display)			CUP	CUP		
Swimming pool sales and service (indoor display)			X	X		
Swim schools, indoor		AP	AP	AP		
Swim schools, outdoor			CUP	CUP		
Systems, private closed circuit motion picture transmission systems not licensed by the FCC, in any hotel or motel			CUP	CUP		
Tailor shops		X	X	X		
Tanning salon	X	X	X	X		
Tattooing			CUP		CUP	
Tattooing with accessory permanent makeup and/or body piercing use			CUP		CUP	Section 26-112
Taxidermist				X	X	
Theaters, open air	CUP	CUP	CUP	CUP	CUP	
Theaters (not open air)			CUP	CUP		
Trailers, (temporary only) in conjunction with a school, hospital, church or other similar institutional use (not permitted with commercial uses)	AP	AP	AP	AP		
Tutoring facility	AP	AP	AP	AP	CUP	
Unattended businesses as accessory use (see also retail kiosk)	AP	AP	AP	AP	AP	
Upholstering shops			X	X	X	
Urgent care facility	X	X	X	X	X	
Veterinary Hospital	CUP	CUP	CUP	CUP	X	
Transportation, Communications and Utilities						
Electronic Vehicle Charging stations	X	X	X	X	X	Section 26-117



Uses and Permit Requirements for Mixed-Use Zones	Zones					Special Regulations
	OPMU	NMU	RMU	SMU	M-1	
Solar carports	AP	AP	AP	AP	AP	Section 26-117
Wildlife and botanical preserves						
Wireless telecommunication facilities— Building and/or roof-mounted facilities	AP	AP	AP	AP	AP	Section 26-136
Monopoles and alternative antenna support structures	CUP	CUP	CUP	CUP	CUP	Section 26-136
¹ Service or Industrial and manufacturing type uses are allowed provided they are not obnoxious or offensive by reason of emission of odor, just, smoke, gas noise or hazard, or other similar causes. Such uses may require the submittal of an air quality study.						

(b) Temporary Uses subject to an administrative permit. No temporary use provided for in this section shall be permitted, commenced or engaged in until a written permit therefore has been obtained from the community development director or their designee.

(1) Major Temporary Uses - Submittal requirements and review process.

- (i) An application for a temporary use permit shall be filed with the Planning Division at least thirty-five (35) days prior to the proposed use. Applicants are encouraged to apply earlier for larger events/projects. All fees are collected upon application submittal. Written evidence of waived fees shall be obtained prior to application submittal and shall be submitted with the application. The Planning Division shall route the application to the Engineering Division, Police Department, and Fire Department for comments, conditions of approval, and/or recommendations.
- (ii) The community development director shall render a decision at least twenty (20) days prior to the proposed use.
- (iii) Any applicant may appeal the action or decision of the community development director or their designee to the Planning Commission within ten (10) days after such action or decision in which case the Planning Commission shall grant or deny such permit. The Planning Commission's decision shall be final.
- (iv) To approve the application, the community development director (or their designee), or the Planning Commission shall find that the site is adequate to accommodate such use and that such proposed use, under the conditions imposed, will not have a substantial adverse effect upon the use or enjoyment of property in the neighborhood of the proposed use or upon the public safety, health, or general welfare. Failure to comply with any imposed conditions shall void the permit. No formal public hearings need be conducted, nor any notice given except to the applicant in connection with the granting or denial of such permit.

(2) Events/projects considered as a major temporary use.

- (i) Carnivals, circuses, and rodeos.
 - a) Temporary carnivals, circuses and rodeos may be permitted for a period of ten (10) days in any calendar year, and no such activity shall be conducted for longer than five (5) consecutive days at any one time. Certification of the safety of rides and all pertinent equipment for the carnivals, circuses and rodeos shall be made by a professional engineer, registered in the state, with such certification being given to the building department prior to the commencement of use of the equipment.
- (ii) Christmas tree and pumpkin sales.
 - a) The outdoor sale of Christmas trees, pumpkins, and related ancillary items may be permitted in any zone (residentially zoned property must be vacant and located so as not to be detrimental to nearby residents). Outdoor pumpkin lots may operate during the month of October only.