SUBJECT: SECOND READING - ORDINANCE NO. 1683, ISSUING AN EXTENSION OF A TEMPORARY USE PERMIT FOR THE CONTINUED OPERATION OF A REMOTE CONTROL RACE TRACK

SOURCE: Administrative Services Department/City Clerk Division

COMMENT: Ordinance No. 1683 considered a request for a one (1) year extension of time for a remote control car track to continue in use at the site located on the south side of Henderson Avenue, east of Fourth Street. The ordinance was given a First Reading on November 1, 2005, and has been printed.

RECOMMENDATION: That Council give Second Reading to Ordinance No. 1683, waive further reading, and adopt said ordinance.

ATTACHMENT: Ordinance No. 1683
ORDINANCE NO. 1683

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
ISSUING AN EXTENSION OF A TEMPORARY USE PERMIT FOR THE
CONTINUED OPERATION OF A REMOTE CONTROL RACE TRACK AS A
HOBBY/RECREATIONAL USE

WHEREAS: The Porterville City Council, on November 1, 2005, conducted a public
meeting to consider a request for a one (1) year extension of time for a remote control car track to
continue in use. The site is located on the south side of Henderson Avenue, east of Fourth Street.

WHEREAS: The letter of request states they would like an extension for the continued use
of the Remote Control Car Track and that they had not received any complaints caused by the use
of the site.

WHEREAS: On October 19, 2004, the City Council of the City of Porterville by City
Council Ordinance 1659 adopted a temporary use permit to allow an existing remote control car
track to allow temporary structures subject to certain conditions; and

WHEREAS: Chapter 7, Section 7-3.3 of the City Code empowers the City Council to
approve temporary structures in conjunction with residential, commercial or industrial development
or in times of stress or emergency; and

NOW, THEREFORE, BE IT ORDAINED:

SECTION 1: That the City Council of the City of Porterville does hereby issue a permit for
the use of Temporary Structures to apply to the Remote Control Vehicle Race Track located on the
south side of Henderson Avenue, east of Fourth Street, subject to the following condition:

1. That all conditions outlined in City Council Ordinance 1659, attached hereto as
   Exhibit “A”, be adhered to.

SECTION 2: This ordinance shall be in full force and effect thirty (30) days from and after
its publication and passage.

SECTION 3: This ordinance continue to be in effect for the period of one year from its
extension date, and shall be subject to review and reconsideration annually, thereafter.

______________________________
Kelly West, Mayor

ATTEST:
John Longley, City Clerk

______________________________
by: Georgia Hawley, Chief Deputy City Clerk
EXHIBIT “A”

ORDINANCE NO. 1659

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE ISSUING A PERMIT FOR TEMPORARY
USE TO PERMIT THE CONTINUED OPERATION OF A
REMOTE CONTROL RACE TRACK AS A
HOBBY/RECREATIONAL USE

WHEREAS: Several members of the community have created and established a track for the
recreational use and racing of remote control vehicles on an otherwise vacant lot located on the
south side of Henderson Avenue, east of Fourth Street; and

WHEREAS: The use of the site is characterized as a hobby style recreational use with no
commercial component; and

WHEREAS: The facility is designed and intended to be a temporary use, easily removed
when permanent development is proposed; and

WHEREAS: On October 5, 2004, the City Council of the City of Porterville considered the
issuance of a permit to allow temporary structures subject to certain conditions; and

NOW, THEREFORE, BE IT ORDAINED:

SECTION 1: That the City Council of the City of Porterville does hereby issue a permit for
the use of Temporary Structures to apply to the Remote Control Vehicle Race Track located on the
south side of Henderson Avenue, east of Fourth Street, subject to the following conditions:

1. The operators shall pay an amount to the City of Porterville to reimburse the City for the
actual cost of processing the permit.

2. The Permit shall expire after one year, unless an extension of time is granted by the City
Council. Any complaints received with regard to the facility shall be considered at the time
of review.

3. Under no circumstances shall any fee be charged related to the use of the site for a Remote
Control Track. Prohibited fees include, but are not limited to; Admissions Fees, Use Fees,
Concessions, etc.

4. The consumption of alcohol on the subject site shall be prohibited.
5. Operation of the facility shall be limited to the hours of 8:00 A.M. to 9:00 P.M.

6. The volume of sound at the property line shall not exceed 65dB.

7. Portable handicapped accessible sanitary facilities shall be provided whenever ten (10) or more persons are present.

8. The site shall be watered sufficiently to prevent the generation of dust prior to and during use.

9. A fire hydrant shall be installed upon the construction of any permanent building on the subject site.

10. Permits shall be secured as necessary to ensure that any structures on the site comply with applicable building codes.

11. Except as permitted herein, the site shall be developed and operated in full compliance with the standards of the Zoning Ordinance, Municipal Code and other laws and regulations.

SECTION 2: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage:

SECTION 3: This ordinance continue to be in effect for the period of one year from its effective date, and shall be subject to review and reconsideration annually, thereafter.

__________________________________
Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

Georgia Hawley, Chief Deputy City Clerk