

**6.48.020 Permitted uses.**

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A. Premises in zone M-1 may be used for the following principal uses:

Crops, field, tree, bush, berry and row, including nursery stock, the growing of.

Golf courses.

Golf driving range.

The grazing of cattle, goats, sheep or horses on a parcel of land having an area of not less than five acres. Maximum number permitted shall be two per acre. (This subsection shall not be construed to permit any permanent structures except the incidental fencing of the premises.)

Parks and playgrounds.

B. The following principal uses provided all operations and sales are conducted within an enclosed building. All outside storage or display of goods and materials must be in conjunction with the principal and is subject to a conditional use permit pursuant to Chapter 6.64:

Agricultural equipment, sales or rental of.

Animal hospitals.

Antiques, restoration of.

Appliances, assembly of.

Assaying.

Automobile body and fender repair shops, brake repair shops, muffler shops, painting and upholstering shops, parts, assembly of, radiator shops, repair garages, seat covers, manufacturing of.

Awnings, manufacturing of.

Bags, manufacturing of, except burlap bags and sacks.

Banks, savings and loan and credit unions.

Bicycles, manufacturing or repair of.

Blacksmith shops, horseshoeing only.

Blueprinting shops.

Boats, manufacturing of.

Bone products, manufacturing of.

Bookbinderies.

Bottle washing plants.

Bottling plants.

Brushes, manufacturing of.

Buttons, manufacturing of.

Cabinet making.

Candles, manufacturing of.

Carpentry shops.

Casting of rare and precious metals.

Catering services.

Cellophane products, manufacturing of.

Ceramics, manufacturing of; provided that no individual kiln shall exceed a capacity of 16 cubic feet and that no clay is pulverized on the premises.

Cleaning and dyeing, wholesale.

Clocks, manufacturing of.

Cloth products, manufacturing of.

Cold storage plants.

Cork products, manufacturing of.

Cosmetics, manufacturing of.

Dairy products distribution depots.

Egg candling.

Electrical, electronic and electro-mechanical instruments and equipment, manufacturing of.

Emergency shelters\* (See note at end of subsection.)

Feed and grain sales.

Film exchanges.  
Film processing.  
Fire stations.  
First aid stations.  
Food commissaries.  
Food lockers, frozen.  
Food processing.  
Fur products, manufacturing of.  
Furniture, manufacturing of.  
Furniture and household goods, storage and transfer.  
Gas heater testing laboratories.  
Gas meter and control stations.  
Glass, assembly of stained.  
Glass blowing, including only the bench working of glass.  
Glass products, manufacturing of; provided, that no individual crucible shall exceed a capacity of 16 cubic feet.  
Gloves, manufacturing of.  
Golf balls, manufacturing of.  
Gunsmiths.  
Hair products, manufacturing of, but excluding mattresses and furniture.  
Hay barns, commercial.  
Horn products, manufacturing of.  
Ice, manufacturing of.  
Instruments and equipment, scientific, manufacturing of.  
Jewelry, manufacturing of.  
Laboratories, medical and dental.  
Laboratories, research and testing.  
Lapidary shops.  
Laundries, wholesale.  
Lawn mower sharpening.  
Leather products, manufacturing of from prepared materials.  
Linen and towel suppliers.  
Machine shops.  
Medical clinics.  
Metal engraving.  
Metal products, fabrication of.  
Mirrors, manufacturing of.  
Neon signs, manufacturing of.  
Newspapers, printing and publishing.  
Observatories.  
Offices, business and professional.  
Oil well valves, storage and repair of.  
Optical goods, manufacturing of.  
Packaging businesses.  
Paint spray booths.  
Paper products, manufacturing of.  
Parcel delivery terminals.  
Perfumes, manufacturing of.  
Pest control operators and services.  
Pharmaceuticals, manufacturing of.  
Phonograph records, manufacturing of.  
Photoengraving.  
Plastic products, manufacturing of.

Plumbing shops.

Police stations.

Printing and engraving.

Produce markets, wholesale.

Publishers, book and periodical.

Recreational vehicles, manufacturing of.

Refrigeration plants.

Refrigeration repair and service shops.

Rubber products, manufacturing of from previously prepared materials, but not including tire manufacture.

Rubber stamps, manufacturing of.

Rug cleaning plants.

Shell products, manufacturing of.

Sign painting shops.

Silk screens, manufacturing and processing of.

Starch, liquid, mixing and bottling of.

Stencils and stencil materials, manufacturing of.

Taxidermy shops.

Textile products, manufacturing of.

Toiletries, manufacturing of, not including soap.

Toys, manufacturing of.

Trade schools.

Tree surgeons.

Upholstering shops.

Venetian blinds, manufacturing of.

Veterinary offices.

Vitamin products, manufacturing of.

Warehouses, storage.

Watches, manufacturing and repair of.

Wholesale brokers.

Window shade manufacturing, including the assembly of screens.

Winery, including tasting room.

X-ray laboratories.

Yarn products, manufacturing of but not including the dyeing of yarn.

\* In accordance with California Government Code Sections 65582, 65583(a), and 65589.5 Emergency Shelters are permitted as a matter of right in the M-1 zone. The purpose of regulating the siting of emergency shelters, their use and development, is to ensure the development of emergency shelters do not adversely impact adjacent parcels or the surrounding neighborhood, and shall be developed in a manner that protects the health, safety, and general welfare of nearby residents and businesses while providing for the housing needs of the homeless.

**Emergency Shelters Use Standards.**

1. **Number of Beds.** An emergency shelter shall contain a maximum of 50 beds.
2. **Hours of Operation.** Emergency shelter operations are limited to the evening hours and shall open not earlier than 5:00 p.m. and close not later than 8:00 a.m. daily. All clientele shall vacate the premises upon closing. There shall be no in-and-out privileges for clientele using the shelter between 10:00 p.m. and 6:00 a.m.
3. **Floor Area per Occupant.** The minimum floor area per occupant shall be at least 150 square feet and the maximum number of occupants to be served at any given time shall not exceed 50.
4. **Management.** The shelter shall provide onsite management during hours of operation, at a ratio of one staff member for every 15 beds. Staff members shall be awake and on duty during the operating hours of the shelter.
5. **Use of the Program.** The shelter shall operate on a first come, first served basis. It is preferred that the shelter operate on a voucher system, wherein intake procedures are performed as a separate function from the shelter and results in a referral to the shelter program for a specified period of time.
6. **Objective of the Program.** Services shall be provided to assist clients in obtaining permanent shelter, income, and services.
7. **Length of Stay.** Clients are permitted to return to the shelter for a maximum of 180 days unless their individual management plan provides for longer residency while regularly participating in training or rehabilitation.
8. **Reimbursement.** No individual or household may be denied emergency shelter because of an inability to pay.
9. **Licensing.** The facility shall demonstrate that it is in good standing with county, state and City licensing agencies, if required for the owner, operator and staff.
10. **Shelter Management Plan.** The shelter shall provide a written management plan to the City that includes provisions for staff training and qualifications; neighborhood outreach program and traversing the neighborhood daily for input and reconnaissance; transportation options; security; location of smoking area; volunteer and donation program and procedures; intake screening to ensure compatibility with services provided at the facility, and for the training, counseling and treatment programs for clients; and health, safety and emergency plans.

**Emergency Shelters Development Standards.**

1. The development standards set forth in the M-1 zone shall apply, unless otherwise specified herein.
2. **Interior Waiting Area.** Interior on-site waiting and client intake area shall be a minimum of 200 square feet, including seating for 25 clients at any one time.
3. **Exterior Waiting Area.** A covered exterior onsite waiting area shall be provided, at a minimum of 100 square feet for seating for 50 clients at any one time, to protect clients from the elements.
4. **Separation between Shelters.** An emergency shelter shall be no closer than 300 feet from another emergency shelter, as measured from the nearest property line.

5. **External Lighting.** Adequate external lighting shall be provided for security purposes. The lighting shall be stationary and directed away from adjacent properties and public rights-of-way.
6. **Parking.** Off-street parking requirements shall be provided at a ratio of one space per 1,000 square feet of gross floor area, or one space for each employee on the largest shift plus one space for each agency vehicle plus three visitor spaces, whichever is greater. All parking is required to be off-street and on-site.
7. **ADA Access.** The shelter shall be compliant with the Americans with Disabilities Act.
8. **Amenities.** The facility may include central cooking and dining areas, laundry area, recreation rooms, counseling centers, child care facilities, play areas, bike racks, and other support services for the exclusive use of the residents and staff.
9. **Annual Report.** The operator of the facility shall provide, at the City's request, an annual report of the use of the facility and determination of compliance with the City's development standards for the use.
10. **Deliveries.** Deliveries of goods to the shelter shall only be made between 5:00 p.m. and 10:00 p.m.
11. **Noise or Lighting.** The facility shall not generate noise or lighting at levels adversely affecting surrounding properties.

C. Similar uses - other related uses by resolution of the Planning Commission or City Council; provided, that they are similar in character to those enumerated in this section.

D. Any use permitted in Section 6.44.020 which is not listed as a permitted use in Section 6.48.020, pursuant to the site plan and architectural review process. In considering the application, the Planning Commission shall consider the following facts:

1. That the requested use as proposed will not:
  - a. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
  - b. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
  - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
2. That the proposed site has adequate parking and the surrounding uses will not be adversely impacted with the additional parking requirement of the proposed use.
3. That the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

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**6.48.030 Accessory uses permitted.**

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- A. Premises in zone M-1 may be used for accessory uses; provided, that such uses are established on the same lot or parcel of land, are incidental to and do not substantially alter the character of any permitted principal use including, but not limited to, antennas, towers, telecommunication facilities and their support structures pursuant to Chapter 6.88.
- B. This section does not provide for the storage of by-products or waste.

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**6.48.040 Additional uses by conditional use permit.**

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Premises in zone M-1 may be used for the following purposes, provided a conditional use permit has first been obtained as provided in Chapter 6.64, and while such permit is in full force and effect in conformity with the conditions of such permit:

**Adult entertainment business**

1. "Adult entertainment business" includes the following:
  - a. "Adult book store" means an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" or an establishment with a segment or section devoted to the sale or display of such materials.
  - b. "Adult motion picture theater" means an enclosed building with a capacity of 50 or more persons used for presenting material distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons.
  - c. "Adult mini motion picture theater" means an enclosed building with a capacity for less than 50 persons used for presenting material distinguished or characterized by an emphasis on matter depicting or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.
  - d. "Adult hotel or motel" means a hotel or motel wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."
  - e. "Adult motion picture arcade" means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing "specified sexual activities" or "specified anatomical areas."
  - f. "Cabaret" means a nightclub, theater or other establishment which features live performances by topless and/or bottomless dancers, "go-go" dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
  - g. "Model studio" means any business where, for any form of consideration or gratuity, figure models who display "specified anatomical areas" are provided to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by persons paying such consideration or gratuity.
  - h. "Sexual encounter center" means any business, agency or person who, for any form of consideration or gratuity, provides a place where three or more persons, not all members of the same family, may congregate, assemble or associate for the purpose of engaging in "specified sexual activities" or exposing "specified anatomical areas."
  - i. Any other business or establishment which offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."
  - j. Excluded from the foregoing is any establishment where a medical practitioner, psychologist, psychiatrist or similar professional person licensed by the State engages in the practice of medicine or therapy.
2. For the purpose of this section "specified sexual activities" shall include the following:
  - a. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellations or torture in the context of a sexual relationship, or the use of excretory functions in the context of sexual relationship, and any of the following depicted sexually oriented acts of conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerasty; or
  - b. Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence; or
  - c. Use of human or animal masturbation, sodomy, oral copulation, coitus, ejaculation; or
  - d. Fondling or touching of nude human genitals, pubic region, buttocks or female breast; or
  - e. Masochism, erotic or sexually oriented torture, beating or inflicting of pain; or
  - f. Erotic or lewd touching, fondling or other contact with an animal by a human being; or
  - g. Human excretion, urination, menstruation, vaginal or anal intercourse.

For the purpose of this section "specified anatomical areas" shall include the following:

- h. Less than completely and opaquely covered: (1) human genitals, pubic region; (2) buttock; and (3) female breast below a point immediately above the top of the areola; and
- i. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
3. No conditional use permit shall be issued for adult entertainment businesses in violation of the following:
  - a. Within 500 feet of any areas zoned for residential use.
  - b. Within 1,000 feet of any other adult entertainment business.

- c. Within 1,000 feet of any church, public or private school, or college, park, library, public playground or park, building and facilities owned and maintained by any public entity for the public use, or any noncommercial establishment operated by a bona fide religious organization, or any establishment likely to be used primarily by minors.
  - d. For the purposes of this subsection the distances between uses shall be measured in a straight line from property line to property line.
  - e. Which allow or provide sale or service of alcoholic beverages.
4. In addition to the guidelines for issuing a conditional use permit, the Planning Commission and the City Council shall consider:
- a. Whether the use will adversely affect the use of any place used for religious worship, school, park, playground or similar uses within 1,000 feet.
  - b. Whether the requested use is sufficiently buffered with respect to residential areas so as not to adversely affect such residential areas.
  - c. The exterior appearance of the structure will not be inconsistent with the exterior appearance of other commercial structures in the area; so as not to cause blight, deterioration or substantially diminish or impair property values.
  - d. The proposed use shall not be in substantial conflict with any general plan for the area.

**Arcade**, provided that the following mandatory conditions and standards are met and maintained at all times:

1. The use shall be conducted entirely within a building.
2. No use shall be maintained within 500 feet of any church, public or private school below grade 13, park or public playground.
3. Arcades shall provide full-time adult attendants or supervisors, 21 years of age or older, at a ratio of one attendant/supervisor for each 10 machines plus one security guard for each 20 machines or fraction thereof. Additional attendants may be required if it is deemed necessary by the Sheriff's Department.
4. No arcade may have machines available for use except between 10:00 a.m. and 10:00 p.m. on Sunday through Thursday; and between 10:00 a.m. and 12:00 midnight on Friday and Saturday.
5. Hours of operation must be posted in a conspicuous place.
6. Pay business license fees in accordance with Section 4.08.040(A)(4).
7. Establishments with Internet access consisting of 25% or more of the floor area shall provide a waiting area with seating equal to one seat for every four computer stations. No waiting list may be maintained beyond the seating capacity of the waiting area.
8. There shall be no loitering allowed around any arcade business.
9. Each arcade shall provide a minimum of two toilets and lavatory facilities that are accessible to customers and employees.
10. Any arcade operation found in violation of any federal, state or local laws, or any conditions, mandatory or otherwise, related to any part of said operation shall be subject to termination pursuant to Section 6.64.070.
11. Any arcade that is operated in conjunction with alcohol shall require separate approval of a conditional use permit for the alcohol permit.
12. Conditions may be imposed:
  - a. Restricting the operation so as to protect the public health, safety and welfare, and surrounding property uses.
  - b. Pertaining to both the construction of the facility and its maintenance so as to minimize the effect of noise, congregation, parking, and other factors generated by the use which are detrimental to the public health, safety and welfare, or the surrounding community.

Billiard and poolhalls.

Body treatment related business, excluding healing arts practitioners licensed pursuant to California Business and Professions Code Sections 500 through 4998.7.

Bowling alleys.

Carnivals, provided such use is not established within 500 feet of any residential zone.

Contractor's equipment, rental and sales of.

Equipment rental, sales and service.

Escort bureau.

Gymnasiums.

Machinery storage yards, including sales and display.

Mortuaries.

Pawnbroker.

Public utilities or utilities operated by mutual agencies, consisting of water wells, electrical substations, gas or conversion plants with the necessary buildings, apparatus, distribution mains or electric or telephone wires or cables or City-owned public utilities.

Restaurants.

Single room occupancy (SRO).\*

Skating rinks.

Stations, bus, railroad and taxi.

Truck storage.

\* SRO housing opportunities shall be subject to and comply with the following standards and regulations:

**Single Room Occupancy Units Standards and Regulations.**

1. **Development Standards.** Each SRO shall comply with all applicable development standards for the applicable zoning district and minimum standards contained herein below.
2. **SRO Size Requirements.** SRO units shall have a minimum size of 150 square feet and a maximum of 400 square feet.
3. **Occupancy.** Each SRO unit shall accommodate a maximum of two persons.
4. **Lighting.** Exterior lighting shall be provided for the entire outdoor and parking area of the property per the lighting standards of the Walnut Municipal Code.
5. **Laundry Facilities.** Laundry facilities must be provided in a separate enclosed room at the ratio of one washer one dryer for every 20 units of fractional number thereof, with at least one washer and dryer per floor.
6. **Cleaning Supply Room.** A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO unit facility.
7. **Lavatory.** Each unit is required to provide a separate bathroom containing a water closet, lavatory, and bathtub or shower.
8. **Minimum Kitchen Requirements.** Each unit shall be provided with a kitchen sink, functioning cooking appliance, a refrigerator, and each having a clear working space of not less than 30 inches in front.
9. **Building Code Requirements.** SRO units shall comply with all requirements of the California Building Code. All units shall comply with all applicable accessibility and adaptability requirements. All common areas shall be fully accessible.
10. **On-/Off-Site Management.** A SRO unit project with 10 or more units shall provide on-site management. A project with less than 10 units may provide management off-site.
11. **Tenancy.** Tenancy of SRO units shall not be less than 30 days and a maximum period of 12 months.
12. **Parking.** A SRO unit project shall comply with all parking requirements of the Walnut Municipal Code and at a minimum shall have the following:
  - a. One uncovered parking space for every three SRO units.
  - b. Two uncovered parking spaces for an on-site manager unit.
  - c. Each SRO unit shall be provided at least one lockable bicycle parking space in a location that is adjacent to that SRO unit.
13. **Applications.** Applications for SRO projects are subject to a conditional use permit and shall be processed in a manner consistent with procedures for multiple-family residential projects.

Any use permitted in Section 6.44.030 which is not listed as a permitted use in Section 6.48.040, pursuant to the conditional use permit process.

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