

CHAPTER 1
GENERAL PROVISIONS
SECTIONS 800 - 803.19

of

The Ordinance Code of the County of Fresno

Part VII

LAND USE REGULATION AND PLANNING

DIVISION VI

ZONING DIVISION

Last Date Amended: March 2, 2004

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(Amended by Ord. T-005-258 Adopted 1-11-82; Ord. T-034-297 Adopted 9-20-88; Ord. T-036-278 Adopted 3-6-90; Ord. T-053-320 Adopted 6-7-94, Adopted by Ord. T-064-335 adopted on 12-19-00)

CHAPTER 1

GENERAL PROVISIONS

SECTION 800

EFFECT

The addition of this Division VI to Part VII of the Ordinance Code of the County of Fresno shall be deemed a codification with certain changes and modifications of Ordinance 322, as amended, of the County of Fresno, and where necessary to preserve existing rights of either the People acting by and through the County of Fresno or the owners of property within said County, shall, except as herein otherwise specifically provided, be deemed a continuance of said Ordinance 322, as amended.

The Zone Map and the Use District Maps of the County of Fresno heretofore existing as part of said Ordinance 322, as amended, are hereby re-adopted by reference and shall hereafter be in effect and exist pursuant to this Division and shall be known and designated as the Zone Map, but it shall not be physically included in this Code. Such Zone Map and Use District Maps re-adopted as aforesaid shall be deemed to have been re-adopted as hereinafter in Section 811 specifically amended or changed. Not less than three (3) copies of said Zone Map shall be printed and certified by the Clerk of the Board of Supervisors as true copies of said map and shall be filed in the office of said Clerk and shall be kept there for public inspection while said map is in force and effect, provided, that one of these copies may be kept in the office of the Director instead of in the office of the Board of Supervisors. Upon the amendment of said map as hereinafter provided, such maps as filed aforesaid shall be so revised to show such amendment and similarly filed and retained. The Clerk shall maintain a reasonable supply of such maps on hand at all times so that they or parts thereof can be sold to the public at reasonable prices not to exceed the actual cost thereof.

All Variances heretofore granted pursuant to the provisions of said Ordinance 322, as amended, shall be deemed to hereafter exist as Variances pursuant to Chapter 4, Section 877, of this Division and shall be subject to all conditions governing the same upon the effective date of this Division and subject to all provisions relating to Variances as set forth in this Division.

All Conditional and Special Use Permits heretofore issued under said Ordinance 322, as amended, shall continue in effect until otherwise revoked or terminated and shall be deemed Conditional Use Permits under this Division whether otherwise required hereunder or not and shall be subject to all conditions governing the same in effect upon the effective date of this Division and subject to all provisions relating to Conditional Use Permits as set forth in this Division.

All precise plans approved pursuant to Ordinance 322, as amended, relating to any improvements in any zone requiring such precise plans under said Ordinance 322, as amended, shall be deemed to be approved site development plans as specified in this Division whether otherwise required pursuant to this Division or not and shall be subject to all conditions governing the same in effect upon the effective date of this Division and subject to all provisions relating to site development plans as set forth in this Division.

Any use carried on or conducted or any building or improvement existing in violation of said Ordinance 322, as amended, upon the effective date of this Division shall not be deemed to have acquired a nonconforming status by reason of the adoption of this part or any provision hereof superseding said Ordinance 322, as amended, but to the extent that such use, building, or improvement was a violation of said Ordinance 322, as amended, and is also a violation of this Division, it shall be deemed a

continuing violation of this Division.

Except as herein specifically provided or necessarily implied, all other provisions of said Ordinance 322, as amended, are deemed to be superseded by this Division.

All rights conferred by a vesting map shall be deemed to exist pursuant to Chapters 17.30 and 17.72 of the Fresno County Ordinance Code and shall be subject to those provisions of this division in effect at the time the tentative map for said vesting map is determined to be complete, or at such later time as provided for in Government Code Section 66474.2 or 66498.1(b).

(Amended by Ord. T-025-281 adopted 6-25-85)

SECTION 801

INTENT AND PURPOSE

The purpose of this Division is to classify and regulate the highest and best use of buildings, structures, and land located in the unincorporated area of the County of Fresno in a manner consistent with the Fresno County General Plan. This Division incorporates zoning regulations implementing the Fresno County General Plan and all of its elements, including the Fresno County Open Space Plan.

(Amended by Ord. 490.165 adopted 10-23-78)

SECTION 802

TITLE

This comprehensive zoning division shall be known as the "Zoning Division of the County of Fresno."

SECTION 803

CONSTRUCTION AND DEFINITIONS

For the purpose of carrying out the intent of this Division, words, phrases, and terms shall be deemed to have the meaning ascribed to them in the following sections covering definitions. In construing the provisions of this Division, specific provisions shall supersede general provisions relating to the same subject.

SECTION 803.1 - GENERAL TERMINOLOGY

When not inconsistent with the context, words used in the present tense include the future; words in the singular number include the plural, those in the plural number include the singular; "or" includes "and," and "and" includes "or."

- A. The word "Assessor" shall mean the County Assessor of the County of Fresno.
- B. The words "Board" or "Board of Supervisors" shall mean the Board of Supervisors of the County of Fresno.
- C. The word "Building" includes the word "Structure," but shall not include "temporary structures" as defined in Section 803.16.
- D. The word "City" shall mean any city situated in the County of Fresno.
- E. The word "Commission" shall mean the Planning Commission of the County of Fresno.
- F. The word "County" shall mean the County of Fresno.
- G. The words "County Recorder" shall mean the County Recorder of the County of Fresno.
- H. The word "Department" shall mean that Department charged with the responsibility of administering the Zoning Ordinance of the County of Fresno.
(Amended by Ord. T-252 adopted 12-9-80, Amended by Ord. T-061-332 adopted 5-18-99)
- I. The word "Director" shall mean the Director of that Department charged with the responsibility of administering the Zoning Ordinance of the County of Fresno.
(Added by Ord. T-061-332 adopted 5-18-99)
- J. The word "Federal" shall mean the Government of the United States of America.
- K. The word "Shall" is mandatory; and the word "may" is permissive; however, use of the word "shall" in this Division is not intended to, nor shall it be deemed to, create a mandatory duty imposed by an enactment within the meaning of Government Code Section 815.6.
(Amended by Ord. 86-012 (AT 295) adopted 9-30-86)
- L. The word "State" shall mean the State of California.
- M. The word "used" includes the words "arranged for, designed for, occupied or intended to be occupied for."

- N. The words "Zone Map" shall mean the Official Zone Map of the County of Fresno which is a part of the comprehensive Zoning Division of the County of Fresno.
- O. The words "Zoning Ordinance" or "Ordinance" shall mean the comprehensive Zoning Ordinance of the County of Fresno, as contained in this Division.

SECTION 803.2 - SPECIFIC DEFINITIONS – GROUP A
(Amended by Ord. 490.133 adopted 6-7-77)

ABUT shall mean as follows: two adjoining parcels of property, with a common property line, are therein considered as one parcel abutting the other, except where two or more lots adjoin only at a corner or corners, they shall not be considered as abutting unless the common property line between the two parcels measures not less than eight (8) feet in a single direction.

ACCESS OR ACCESSWAY shall mean the place, means, or way by which pedestrians and vehicles shall have safe adequate and usable ingress and egress to a property or use as required by this Division.

ACCESSORY BUILDING shall mean a building, part of a building, or structure which is subordinate to, and the use of which is incidental to that of the main building, structure or use on the same lot. The Special Standards of Section 855-N shall apply.

ACCESSORY HOUSING UNIT shall mean a separate (second) dwelling unit as permitted under the provisions of State Government Code 65852.2 (as it may be amended from time to time) subject to the requirements of Section 855.N.1. See "Accessory Building".
(Added by Ord. T-075-351 adopted 9-16-03)

ACCESSORY LIVING QUARTERS shall mean living quarters within an accessory building located on the same premises with the main building, for use by temporary guests of the occupant of the premises, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling unit. See "Accessory Building" above.

ACCESSORY USE shall mean a use incidental, related, appropriate and clearly subordinate to the main use of the lot or building, which accessory use does not alter the principal use of the subject lot or affect other properties in the district.

ACRE shall mean a full acre containing 43,560 square feet of area within the property lines of a lot or parcel.

ADJACENT shall mean near, close, or abutting; for example, an Industrial District across the street or highway from a Residential District shall be considered as "Adjacent."

ADJOIN shall mean the same as "Abut."

ADVERTISING STRUCTURE shall mean any notice or advertisement, pictorial or otherwise, and all such structures used as an outdoor display, regardless of size and shape, for the purposes of making anything known, the origin or place of sale of which is not on the property with such Advertising Structure.

ADVISORY AGENCY - The Commission is herein designated as the Advisory Agency to the Board of Supervisors on all matters related to the planning, zoning and use of land and structures.

AIRCRAFT shall mean any contrivance, now known or hereafter invented, for use or designed for navigation of or flight in the air or outer space, including missiles.

AIRPORT shall mean any area which is used or is intended to be used for the taking off and landing of aircraft, including helicopters, and any appurtenant areas which are used or are intended to be used for airport building or facilities, including open spaces, taxiways and tie-down areas.

AIRPORT, PUBLIC USE shall mean an airport either publicly or privately owned which the general public may use or is invited to use, or where commercial operations are conducted on or served by the airport. Commercial operations are those which offer a service or commodity for sale, hire or profit including but not limited to food sales and lodging, entertainment, real estate, petroleum products, parts and equipment.

(Added by Ord. 490.161 adopted 10-2-78)

AIRPORT, PRIVATELY OWNED, PRIVATE USE shall mean an airport, privately owned, used only by the owner and occasional invited guests.

(Added by Ord. 490.161 adopted 10-2-78)

AIRPORT, PUBLICLY OWNED, PRIVATE USE shall mean an airport that is owned by a government agency and is used only by that agency in the conduct of its governmental functions.

(Added by Ord. 490.161 adopted 10-2-78)

ALLEY shall mean any dedicated way intended for vehicular service to the rear or side of property served by a street. Buildings facing an alley shall not be construed as satisfying the requirements of this Division related to frontage on a dedicated street.

ALTERED shall have the same meaning as "Structural Alteration."

AMBULATORY PERSONS shall mean persons who are able to walk about unassisted, patients who are not bedridden.

AMENDMENT shall mean a change in the wording, context, or substance of this Division, an addition or deletion or a change in the district boundaries or classifications upon the zoning map.

ANIMAL HOSPITAL shall mean a place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use.

AMUSEMENT PARKS are commercially operated facilities with various devices for entertainment and booths for the sale of food and drinks.

(Added by Ord. 490.175 re-adopted 5-29-79)

APARTMENT HOTEL shall mean a multiple dwelling which in addition to dwelling units has one (1) or more guest rooms.

SECTION 803.3: SPECIFIC DEFINITIONS GROUP B.
(Amended by Ord. 490.133 adopted 6-7-77)

AUTO COURT shall mean the same as "Motel."

AUTOMOBILE AND TRAILER SALES LOT shall mean an open area used for the display, sales or rental of new or used automobiles and trailers but where no repair, repainting or remodeling is done. (Amended by Ord. 490.175 re-adopted 5-29-79)

AUTOMOBILE WRECKING YARD shall mean any lot, or the use of any portion of a lot, for the dismantling or wrecking of automobiles or other motor vehicles, or for the storage or keeping for sale of parts and equipment resulting from such dismantling or wrecking.

AUTOMOBILE SERVICE STATION shall mean an occupancy which provides for the servicing of motor vehicles and operations incidental thereto limited to:

1. Retail sale of automobile fuel, oil, tires, batteries and new accessories.
(Amended by Ord. 490.179 adopted 6-26-79)
2. Automobile washing, not including mechanical car wash or steam cleaning.
3. Incidental waxing and polishing.
4. Tire changing and repairing (but not including recapping).
5. Battery service, charging and replacement but not including repair or rebuilding.
6. Radiator cleaning and flushing, but not including repair or steam cleaning.
7. Installation of minor accessories.
8. Lubrication of motor vehicles.
9. Brake adjustment, replacement of brake cylinders, brake fluid lines, and brake shoes.
10. Front end and wheel alignment when located within an enclosed building. This shall not include the straightening of automobile frames.
(Added by Ordinance 490.17 adopted 11-24-64)

(Deletion: "Automobile Trailer or Mobilehome" by Ord. 490.175 re-adopted 5-29-79)

11. The testing, adjustment and replacement of:
 - a. Carburetors
 - b. Coils
 - c. Condensers
 - d. Distributor caps

- e. Fan belts
- f. Filters
- g. Generators
- h. Points
- i. Rotors
- j. Spark plugs
- k. Voltage regulators
- l. Fuel pumps
- m. Water hoses
- n. Wheel balancing

SECTION 803.4: SPECIFIC DEFINITIONS GROUP C.
(Amended by Ord. 490.133 adopted 6-7-77)

BAKERY GOODS, RETAIL SALES ONLY shall mean establishments engaged in the retail sale of bakery products such as bread, cakes and pies, none of which are produced on the premises.

BAKERY RETAIL shall mean establishments primarily engaged in the retail sale of bakery products such as bread, cakes and pies and which produce some or all of the products sold on the premises.

BASEMENT shall mean a space wholly or partly underground, and having more than one-half (1/2) of its height, measuring from its floor to its ceiling, below the average adjoining finished grade if the finished floor level directly above a basement is more than six (6) feet above finished grade at any point, such space shall be considered a story.

BILLBOARD shall mean the same as "Advertising Structure."

BLOCK shall mean all property fronting on one (1) side of a street between intersecting and intercepting streets, or between a street and right-of-way, waterway, end of a cul-de-sac, or city-county boundary. Where the city-county boundary intersects or intercepts a street in a block as described herein, the block shall be considered to end at the city-county boundary.

BLOCK FRONTAGE shall mean all property fronting on one (1) side of a street between a street and right-of-way, waterway, or between intersecting or intercepting streets, the end of a dead-end street, or city or county boundary measured along a street line. An intercepting street shall determine only the boundary of the frontage on the side of the street that it intercepts.

BOARDING OR ROOMING HOUSE shall mean a building containing a single dwelling unit and provisions for five (5) but not more than fifteen (15) guests, where lodging is provided with or without meals for compensation, but not to include rest homes.

BREEZEWAY shall mean a roofed passageway, open on at least two (2) sides, where the roof is structurally integrated with the structure of the main building. A fence or wall not exceeding six (6) feet in height may be permitted on one (1) side of said breezeway.

BUILDING shall mean any structure built and maintained for the support, shelter or enclosure of persons, animals, chattels, or property of any kind, but shall not include temporary buildings as defined in "Structure, Temporary." Trailers, with or without wheels, shall not be considered as a building.

BUILDING, AREA OF shall mean the sum in square feet of the ground areas occupied by all buildings and structures on a lot.

BUILDING, HEIGHT OF shall mean the vertical distance measured from the adjoining curb level to the highest point of the structure, exclusive of chimneys and ventilators; provided, however, that where buildings are set back from the street line, the height shall be measured from the average elevation of the finished grade at the front of the building.

BUILDING, MAIN shall mean a building within which is conducted the principal use permitted on the lot, as provided by this Division.

BUILDING SETBACK LINE shall mean a line at the minimum distance as prescribed by this Division between any property line or easement for road purposes, public or private, recorded on a parcel or subdivision map, and the closest point of the foundation of any building or structure related thereto.

BUILDING SITE shall mean the ground area of a building together with all the open space required by the Division.

BUILDING TEMPORARY shall mean the same as "Structure, Temporary."

BUILDING UNIT GROUP shall mean two (2) or more buildings grouped on a lot.

BULK REFUSE shall have the same definition in this Part as used in Title 8, Chapter 8, Section 8.20.010.A of the Fresno County Ordinance Code.
(Added by Ord. T-062-333 adopted 11-7-00)

BUNGALOW COURT shall mean a group of two (2) or more detached buildings used or intended to be used as one (1) family or two (2) family (duplex) dwellings, located on a single lot, together with all the open spaces required by this Division, but not including tourist courts, motor courts, or motels, or any other commercial uses.

BUSINESS shall mean the same as "Commerce."

(Deletion: Borrow Pit by Ord. 490.55 adopted 6-17-69)

SECTION 803.5: SPECIFIC DEFINITIONS GROUP D.
(Amended by Ord. 490.133 adopted 6-7-77)

CABANA shall mean any portable, demountable, or permanent cabin, small house, room enclosure, or other building or structure erected, constructed or placed on any residential site and used for human habitation, but said structure shall not be used for sleeping purposes.
(Amended by Ord. 490.174 re-adopted 5-8-79)

CAMPING TRAILER shall mean a "Recreational Vehicle" which is to be towed and which is constructed with side and top partially or wholly of flexible materials.
(Added by Ord. 490.175 re-adopted 5-29-79)

CAMPER shall mean the same as "Truck Camper."
(Added by Ord. 490.175 re-adopted 5-29-79)

CAMP PUBLIC shall mean any area or tract of land used or designed to accommodate two (2) or more camping parties including tents or other camping outfits but not including trailer parks. Such camp may be publicly or privately owned and operated.

CARPORT shall mean a permanent roofed structure with not more than two (2) enclosed sides used or intended to be used for automobile shelter and storage.

CEMETERY shall mean land used or intended to be used for the burial of the dead and dedicated for such purposes, including columbariums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundaries of such premises.

CENTER LINE shall have the same meaning as "Street Center Line."

CHURCH shall mean a permanently located building commonly used for religious worship fully enclosed with walls (including windows and doors) and having a roof (canvas or fabric excluded) and conforming to applicable legal requirements affecting design and construction.

CLINIC shall mean a place for group medical services not involving overnight housing of patients.

CLUB shall mean an association of persons (whether or not incorporated), religious or otherwise, for a common purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.

CLUB CIVIC shall mean a non-profit, non-religious organization established for neighborhood and civic improvements.
(Added by Ord. T-254 adopted 4-27-81)

CLUB SOCIAL shall mean a nonprofit organization established primarily for amusement and recreation which is intended to serve people exclusively within the surrounding neighborhood.
(Added by Ord. T-254 adopted 4-27-81)

COAL shall mean carbonaceous mineral fuels which occur naturally in solid form including, but not limited to, anthracite, lignite, or bituminous coal, or from carbonaceous mineral fuels derived from coal, including, but not limited to, coke, coal gas, low-sulfur coal, or coal slurry. For purposes of this Ordinance, the definition of coal shall include petroleum coke.
(Added by Ord T-039-307 adopted 2/26/91)

COLLECTION PERIOD shall mean the period consisting of the twenty-four (24) hour period before the day collection is regularly scheduled to occur for the property and the twenty-four (24) hour period after the solid waste container for that property is emptied.
(Added by Ord. T-062-333 adopted 11-7-00)

COLLEGE shall mean an educational institution, including Universities, offering advanced instruction in any academic field, beyond secondary level, not including trade schools and business colleges.

COLLEGE TRADE shall mean the same as "School, Trade."

COMMERCE shall mean the purchase, sale or other transaction involving the handling or disposition (other than that included in the term "Industry" as defined herein) of any article, substance or commodity for profit or a livelihood, including in addition, operation of automobile or trailer courts, tourist courts and motels, public garages, office buildings, offices of doctors and other professionals, outdoor advertising signs and structures, public stables, recreational and amusement enterprises conducted for profit, shops for the sale of personal services, places where commodities or services are sold or are offered for sale, either by direct handling of merchandise or by agreements to furnish them, but not including dumps and junk yards.

COMMERCIAL CLASSIFICATIONS shall be obtained from the latest edition of the STANDARD INDUSTRIAL CLASSIFICATION MANUAL, Executive Office of the President, Bureau of the Budget, on file at the Planning Department.

COMMERCIAL OFFICE shall mean any administrative or clerical office maintained as a business and any office established by a public service over which this Division has jurisdiction.

COMMUNICATION EQUIPMENT BUILDINGS shall mean buildings housing electrical and mechanical equipment necessary for the conduct of a public communications business with or without necessary personnel.

CONTIGUOUS shall mean the same as "Abut."

CORNER CUT-OFF shall mean the provision for and maintenance of adequate and safe visibility for vehicular and pedestrian traffic at all intersections of streets, alleys, or private driveways.

COURT shall mean an open, unoccupied space, other than a yard, on the same lot with a building or buildings and bounded on two (2) or more sides by such buildings.

COURT APARTMENT shall mean a group of dwellings arranged about two (2) or more sides of a court on a lot which opens onto a dedicated street.

COURT ENCLOSED shall mean a court surrounded on all sides by exterior walls of a building and lot lines on which fences, hedges or walls are permitted.

COURT INNER shall mean a court enclosed on all sides by the exterior walls of a building or buildings.

COURT OUTER shall mean a court enclosed on all but one (1) side by exterior walls of building or buildings or lot lines on which fences, hedges or walls are permitted.

COVERAGE shall mean the same as "Lot Coverage."

CUL-DE-SAC LOT see "Lot, Cul-De-Sac."

CURVE LOT see "Lot, Curve."

SECTION 803.6 SPECIFIC DEFINITIONS GROUP E.
(Amended by Ord. 490.133 adopted 6-7-77)

DAIRY FARM shall mean any place or premises upon which milk is produced for sale or other distribution and where more than two (2) cows or six (6) goats are in lactation.

DAIRY DRIVE-IN shall mean a facility for the selling of dairy products only to the consumer while such consumer is occupying a motor vehicle. The Special Standard of Section 855-N shall apply.

DAIRY FARM, RETAIL shall mean the same as "Dairy Farm," with incidental selling and distribution of only those products produced on the premises.

DAY shall mean calendar day.

DAY NURSERY OR CHILD CARE NURSERY shall mean any group of buildings, building or portion thereof used primarily for the daytime care, protection and supervision of children with or without compensation. The Special Standard of Section 855-N (Day Nursery) shall apply.
(Amended by Ordinance 490.188 adopted 10-29-79)

DISTRICT shall mean a zoning district established by this Division.

DORMITORY shall mean a building intended or used principally for sleeping accommodations, where such building is related to an educational or public institution, including religious institutions and fraternities and sororities.

DRAINAGE CHANNEL shall mean any existing or proposed open ditch, open culvert or open channel, naturally created or designed to transmit water for flood control or irrigation purposes.

DRIVE-IN MOVIE shall mean any lot or portion of a lot used for the parking of automobiles for the purposes of the occupants viewing a motion picture or other entertainment. The Special Standard of Section 855-N shall apply.

DRIVE-IN RESTAURANT shall mean any building or structure in which food and drink are prepared for service to customers within such structure or occupying vehicles outside of such structures and including self-service restaurants for take-out food. The Special Standard of Section 855-N shall apply.

DRIVEWAY shall mean vehicular access to an off-street parking or loading facility. The Special Standard of Section 855-N shall apply.

DRUG STORE shall mean a retail store engaged in the sale of prescription drugs and patent medicines, carrying related items such as cosmetics and toiletries and such unrelated items as tobacco and novelty merchandise. Such use may also include a soda fountain or lunch counter.

DRUG STORE, SUPER shall mean any drug store having a gross floor area of ten thousand (10,000) square feet or more.

DUPLEX shall mean a building designed or used exclusively for the occupancy of two (2) families living independently of each other and having separate kitchen and toilet facilities for each family.
(Amended by Ord. T-254 adopted 4-27-81)

DWELLING shall mean a building or portion thereof designed and used exclusively for residential occupancy and permitted home occupations, including one (1) family, two (2) family, and multiple dwellings, but not including hotels motels, boarding or lodging houses, or trailers (with or without wheels) except in the "T-P" District.

DWELLING, MULTIPLE shall mean a building or buildings designed and used for occupancy by two (2) or more families, all living independently of each other and having separate kitchen and toilet facilities for each family.

DWELLING, ONE (1) FAMILY shall mean a detached building designed or used exclusively for the occupancy of one (1) family, and having kitchen and toilet facilities for only one (1) family.

DWELLING GROUP shall mean two (2) or more dwellings located on a single lot and each having separate kitchen and toilet facilities.

DWELLING UNIT shall mean two (2) or more rooms in a dwelling, apartment house or apartment hotel designed for or occupied by one (1) family for living or sleeping purposes and having only one (1) kitchen and separate toilet facilities. It shall include such accommodations when located in a commercial structure and associated with the commercial activities conducted therein through ownership, management or employment.

(Amended by Ord. 490.170 re-adopted 4-24-79)

(Deletion: Dump by Ord. 490.200 adopted 5-5-80)

SECTION 803.7: SPECIFIC DEFINITIONS GROUP F.
(Amended by Ord. 490.133 adopted 6-7-77)

EASEMENT shall mean a space on a lot or parcel of land reserved for or used for public or private uses. Private or public easements for road or access purposes, that are recorded on a parcel or subdivision map, shall be used in determining building setback lines. The Special Standard of Section 855-N shall apply.

EDUCATIONAL INSTITUTIONS shall mean public and other non-profit institutions conducting regular academic instruction at preschool, kindergarten, elementary, secondary and collegiate levels, and including graduate schools, universities, non-profit research institutions and religious institutions. Such institutions must either (1) offer general academic instruction equivalent to the standards prescribed by the State Board of Education, or (2) confer degrees as a college or university of undergraduate or graduate standing, or (3) conduct research, or (4) give religious instruction. This definition does not include schools, academies or institutes, incorporated or otherwise which operate for a profit, nor does it include commercial or trade schools.

ELECTRIC DISTRIBUTION SUBSTATION shall mean an electric substation with a primary voltage of 110 kV or less, with distribution circuits served therefrom.

ELECTRIC TRANSMISSION SUBSTATION shall mean an electric transformation or switching station with a primary voltage of 60 kV or higher without distribution circuits served therefrom.

ESSENTIAL SERVICE shall mean the erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supplying, or disposal systems including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signal, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions, or for the public health or safety or general welfare.

FAMILY shall mean a reasonable number of persons, constituting a bona fide housekeeping unit, occupying a dwelling which is suitable for their residential use in the best interest of the public.
(Amended by Ord. T-251 adopted 9-16-80)

FARM LABOR CAMP shall mean the same as "Labor Camp, Farm."

FEED LOT OR FEED YARD shall mean a lot, or portion of a lot, used for the enclosing and fattening of livestock for market, and not operated in connection with a bona fide farm.

FENCE shall mean any structural device forming a physical barrier which is so constructed that not less than fifty (50) percent of the vertical surface is open to permit the transmission of light, air and vision through said surface in a horizontal plane. (For board or other solid barriers, see "Wall"). The Special Standard of Section 855-N shall apply.

FILLING STATION shall mean the same as "Automobile Service Station."

FISHERY shall mean any premise upon which breeding, hatching, or fish rearing facilities are situated when such premises are required to have a license by the State Fish and Game Code, including ponds for commercial use.

FLOOD CONTROL CHANNEL shall mean the same as "Drainage Channel."

FLOOR AREA Whenever the term "floor area" is used in this Division as a basis for requiring off-street parking for any structure, it shall be assumed that, unless otherwise stated, said floor area applies not only to the ground floor area but also to any additional stories or basement of said structure. All horizontal dimensions shall be taken from the exterior faces of walls including enclosed porches.

FLOOR SPACE INDEX shall mean the ratio of gross building floor area to total lot area expressed as a fraction. Example: Two (2) square feet of gross floor area for each three (3) square feet of total lot area result in a "Floor Space Index" of 2:3.

FRATERNITY shall mean a building or structure housing a group of men associated for their common interest. Such group may eat, sleep and otherwise use such facilities as provided on the premises.

FREEWAY OR EXPRESSWAY shall mean a highway for through traffic with full or partial control of access and generally with grade separations at intersections.

FREEWAY, LANDSCAPED shall mean a freeway which is landscaped and maintained by a public authority.

FRONTAGE shall mean that portion of a parcel of property which abuts a dedicated public street or highway.

FRONTAGE STREET, SERVICE ROAD OR OUTER HIGHWAY shall mean those roads which parallel freeways, expressways or important highways, providing for access to abutting property or for circulation, and being separated from the highway by a dividing strip.

FRONT WALL shall mean the wall of a building or structure nearest the street which the building fronts, but excluding certain architectural features such as cornices, canopies, eaves or embellishments.

SECTION 803.8 SPECIFIC DEFINITIONS GROUP G.
(Amended by Ord. 490.133 adopted 6-7-77)

GARAGE, PRIVATE shall mean a detached accessory building or a portion of a main building on the same lot as a dwelling for the housing of vehicles of the occupants of the dwelling, including carports. All parking spaces contained within the garage shall be a minimum of eight and one-half (8 1/2) feet wide by twenty (20) feet long.
(Amended by Ord. T-254 adopted 4-27-81)

GARAGE, PUBLIC shall mean any garage other than a private garage.

GARAGE, REPAIR shall mean a building other than a private garage used for the care, repair, or equipment of automobiles, or where such vehicles are parked or stored for remuneration, hire, or sale.

GARAGE, STORAGE shall mean any premises used exclusively for the storage of vehicles.

GARBAGE shall mean any waste food material of an animal or vegetable nature, including that which may be used for the fattening of livestock.

GOLF COURSE shall mean a lot or portion of a lot used for the playing of golf, including pitch and putt courses, but shall not include driving ranges, miniature golf courses or other similar commercial enterprises.

GRADE shall mean the gradient, the rate of incline or decline expressed as a percent. For example, a rise of twenty-five (25) feet in a horizontal distance of one hundred (100) feet would be expressed as a grade of twenty-five (25) percent. (See also "Slope".)

GREENHOUSE shall mean a building or structure constructed chiefly of glass, glass-like translucent material, cloth or lath, which is devoted to the protection or cultivation of flowers or other tender plants. The Special Standard of Section 855-N shall apply.

GROUP HOUSES shall mean two (2) or more separate buildings, each containing one (1) or more dwelling units.

GUEST shall mean any transient person who occupies a room for sleeping purposes.

GUEST HOUSE shall mean the same as "Accessory Living Quarters."

GUEST RANCH shall mean a building or buildings with open space, for use of transients only, with or without a campground or recreational vehicle park, providing housing and meals and having recreational activities of one or more types, for compensation.
(Amended by Ord. 490.175 adopted 5-29-79)

GUEST ROOM shall mean a room which is designed to be occupied by one (1) or more guests for sleeping purposes, having no kitchen facilities, not including dormitories.

SECTION 803.9: SPECIFIC DEFINITIONS GROUP H.
(Amended by Ord. 490.133 adopted 6-7-77)

HALF-STORY shall mean a story under a gable, hip or gambrel roof, plates of which are not more than three (3) feet above the floor of such story.

HEALTH SPA shall mean a "Guest Ranch" which is developed and constructed primarily to utilize rare, natural features, for health purposes, such as mineral springs.
(Added by Ord. 490.175 re-adopted 5-29-79)

HEDGE shall mean a plant or series of plants, shrubs or other landscape material, so arranged as to form a physical barrier or enclosure.

HEIGHT OF BUILDING shall mean the same as "Building, Height of."

HIGHWAY SETBACK LINE shall mean the future right-of-way or plan lines of any highway as shown on the Official Plan of Streets and Highways for highway use. A yard abutting such a highway shall be measured from this future right-of-way line.

HOG RANCH shall mean any premises where five (5) or more weaned hogs are maintained (See feed lot).

HOME OCCUPATION shall mean any use customarily conducted primarily within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the structure for dwelling purposes and which use does not change the character thereof, as defined in Section 855-N, "Home Occupations"
(Amended by Ord. T-288 adopted 2-25-86; Ord. T-296 adopted 3-24-87)

HOSPITAL shall mean any building or portion thereof used for the accommodation and medical care of sick, injured, or infirm persons including institutions for the cure of chronic drug addicts and mental patients.
(Amended by Ord. T-244 adopted 4-19-83)

HOSPITAL, ANIMAL shall mean the same as "Animal, Hospital."

HOTEL shall mean any building or portion thereof designed or used or containing six or more guest rooms or suites of rooms, but not including any institutions in which human beings are housed or detained under legal restraint.

HOUSE COURT shall mean the same as "Bungalow Court."

HOUSE TRAILER shall mean the same as "Mobilehome."
(Amended by Ord. 490.175 re-adopted 5-29-79)

SECTION 803.10: SPECIFIC DEFINITIONS GROUP I.
(Amended by Ord. 490.133 adopted 6-7-77)

INDUSTRIAL CLASSIFICATIONS shall mean that when a use is listed as permitted, permitted subject to conditions, or is expressly prohibited, that the use shall be as defined in the latest edition of the STANDARD INDUSTRIAL CLASSIFICATION MANUAL, Executive Office of the President, Bureau of the Budget, on file at the Planning Department, if defined therein.

INDUSTRY shall mean the manufacture, fabrication, processing reduction or destruction of any article, substance or commodity, or any other treatment thereof in such a manner as to change the form, character, or appearance thereof, and including storage elevators, truck storage yards, warehouses, wholesale storage and other similar types of enterprise.

INTENT AND PURPOSE shall mean that the Commission and Board of Supervisors, by the adoption of this Division, have made a finding that the health, safety and welfare of the community will be served by the creation of the District and by the regulations prescribed therein.

JUNK shall be any worn out, cast off, or discarded article of material which is ready for destruction or has been collected or stored for salvage or conversion to some use. Any article or material which, unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new, shall not be considered junk.

JUNK YARD shall mean any lot used, or the use of any portion of a lot, for the dismantling of machinery (not including motor vehicles) or for the storage or keeping for sale of parts and equipment resulting from such dismantling or wrecking, or for the storage or keeping of junk, including scrap metals or other scrap materials, with no burning permitted. For motor vehicles, see "Automobile Wrecking Yard."

KENNELS, BOARDING AND TRAINING shall mean any lot or premises on which four (4) or more dogs or cats or any combination thereof, at least four (4) months of age are boarded or trained for a fee.

(Amended by 490.36 adopted 7-25-67)

KENNEL, BREEDING shall mean any lot or premises on which four (4) or more dogs, or cats, or any combination thereof, at least four (4) months of age, owned by the occupant of the premises are kept for the purpose of breeding or raising and training for sale.

(Amended by Ord. 490.36 adopted 7-25-67; Ord. 490.133 adopted 6-7-77)

KENNEL, PERSONAL shall mean any lot or premises on which four (4) or more dogs, or cats, or any combination thereof, at least four (4) months of age, owned by the occupant of the premises, are kept for the owner's personal needs as pets or for show purposes, with incidental breeding and sales.

(Amended by Ord. 490.36 adopted 7-25-67; Ord. 490.133 adopted 6-7-77)

KITCHEN shall mean any room or area intended or designed to be used or maintained for the cooking, storing and preparation of food.

SECTION 803.11: SPECIFIC DEFINITIONS GROUP J.
(Amended by Ord. 490.133 adopted 6-7-77)

LANDSCAPING shall include the original planting of suitable vegetation in conformity with the requirements of this Division and the continued maintenance thereof.

LABOR CAMP, PERMANENT FARM shall mean living quarters, dwellings, boarding houses, bunkhouses, automobile trailers or other permanent housing accommodations maintained in connection with any farm work or place where farm work is being performed, provided for the housing of five (5) or more farm employees.

LABOR CAMP, TEMPORARY FARM shall mean living quarters such as tents or automobile trailers temporarily maintained in connection with any farm work or place where farm work is being performed on the premises, provided for the camping for five (5) or more temporary farm employees. Such camp shall be occupied or used for a period not to exceed ninety (90) consecutive days.

LOADING shall mean the removal or placement of any commodity in, on, or from a vehicle of any type.

LOADING SPACE shall mean an off-street space or berth on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of commercial vehicles while loading or unloading, and which abuts a street, alley, or other appropriate means of ingress and egress.

LOCAL STREET OR LOCAL HIGHWAY shall mean a street or road primarily for service to abutting property.

LODGING HOUSE shall mean the same as "Boarding House."

LOGGING CAMPS shall mean any living quarters, dwellings, boarding houses, tents, bunkhouses, automobile trailer or other housing accommodations, maintained in connection with any forestry or logging operation.

LOT shall mean:

- A. A parcel of real property with a separate and distinct number or other designations shown on a plat recorded in the office of the County Recorder, or
- B. A parcel of real property delineated on an approved record of survey, lot-split or sub-parceling map as filed in the office of the County Recorder or in the office of the Resources and Development Department and abutting at least one (1) public street or right-of-way or approved private road right-of-way, or
(Amended by Ord. T-252 adopted 12-9-80)
- C. A parcel of real property containing not less area than required by the District in which it is located, abutting at least one (1) public street or right-of-way or approved private road right-of-way and held under separate ownership from abutting property.

LOT, CORNER shall mean a lot located at the intersection or interception of two (2) or more streets at an angle of not more than one hundred twenty (120) degrees. If the angle is greater than one hundred twenty (120) degrees, the lot shall be considered an "interior Lot."

LOT, REVERSED CORNER shall mean a corner lot, the side line of which is substantially a continuation of the front lot lines of the lots to its rear, whether across an alley or not.

LOT, CUL-DE-SAC shall mean a lot fronting on, or with more than one-half (1/2) of its lot width fronting on, the turn-around-end of a cul-de-sac street.

LOT, CURVE shall mean a lot fronting on the outside curve of the right-of-way of a curve street, which street has a centerline radius of two hundred fifty (250) feet or less.

LOT, INTERIOR shall mean a lot other than a corner lot.

LOT, NONCONFORMING shall mean a lot having less area or dimension than that required in the district in which it is located and which was lawfully created prior to the zoning thereof whereby the larger area or dimension requirements were established, or any lot, other than one shown on a plat recorded in the office of the County Recorder, which does not abut a public road or public road right-of-way or approved private road right-of-way and which was lawfully created prior to the effective date of this Division.

LOT, THROUGH shall mean a lot having frontage on two (2) dedicated streets, not including a corner or reversed corner lot. The Special Standards of Section 855-N shall apply.

LOT AREA shall mean the total of the area, measured in a horizontal plane, within the lot lines of a lot.

LOT COVERAGE shall mean portion of a lot or building site which is covered by a building or structure excepting building overhangs, paved areas, walks, and swimming pools, regardless of whether or not said building or structure is intended for human occupancy.
(Amended by Ord. T-245 adopted 4-27-81)

LOT DEPTH shall mean the horizontal distance between the front and the rear lot lines measured in the mean direction of the side lot lines.

LOT LINE shall mean any line bounding a lot as herein defined.

LOT LINE, FRONT shall mean the property line abutting a street. The Special Standard of Section 855-N shall apply.

LOT LINE REAR shall mean a lot line not abutting a street which is opposite and most distant the front lot line. The Special Standard of Section 855-N shall apply.

LOT LINE, SIDE shall mean any lot line not a front lot line or rear lot line. The Special Standard of Section 855-N shall apply.

LOT OF RECORD shall mean a lot held in separate ownership as shown on the records of the County Recorder at the time of the passage of an ordinance or regulation establishing the zoning district in which the lot is located.

LOT WIDTH shall mean the average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot line.

SECTION 803.12: SPECIFIC DEFINITIONS GROUP K.
(Amended by Ord. 490.133 adopted 6-7-77)

MAJOR STREET OR MAJOR HIGHWAY shall mean a highway with intersections at grade and on which partial control of access and geometric design and traffic control measures are used to expedite the safe movement of through traffic. Major streets or major highways shall be designated in the Circulation Element of the General Plan of the County of Fresno.

MARQUEE shall mean a permanent roofed structure attached to and supported by the building and projecting over public property.

MEDICAL OFFICE shall mean any building or portion of a building used or intended to be used as an office for the practice of any type of medicine, including chiropractics, dentistry or optometry. It shall also include clinics of a medical or dental nature.

MEDICAL OR DENTAL CLINIC shall mean the same as "Medical Office."

MOBILEHOME shall mean a "Trailer" in excess of eight feet wide or forty feet long designed to be used with or without a permanent foundation, and equipped to contain one (1) "Dwelling Unit".
(Amended by Ord. 490.175 re-adopted 5-29-79)

MOBILEHOME PARK shall mean an area or tract of land developed and operated in accordance with Title 25, California Administrative Code, where two (2) or more mobilehome spaces are rented or leased or held out for rent or lease to accommodate "mobilehomes" used for human habitation.
(Added by Ord. 490.175 re-adopted 5-29-79)

MOBILEHOME PARK SERVICES shall mean commercial services available within the park only to residents, their guests and park employees. The Special Standards of Section 855-N (Mobilehome Park Services) shall apply.
(Added by Ord. 490.188 adopted 10-29-79)

MOTEL shall mean a building or group of buildings used for transient residential purposes containing guest rooms or dwelling units with automobile storage space provided in connection therewith, which building or group is designed, intended, or used primarily for the accommodation of transient automobile travelers, including groups designated as auto cabins, motor courts, motor hotels and similar designation.

MOTORHOME shall mean a "Recreational Vehicle" in which the portions providing motive power and habitable space are constructed as a single unit.
(Added by Ord. 490.175 readopted 5-29-79)

NONCONFORMING BUILDING shall mean a building or portion thereof which was lawful when established but which does not conform to subsequently established zoning or zoning regulations.
(See Section 876 for regulations.)

NONCONFORMING USE shall mean a use which was lawful when established but which does not conform to subsequently established zoning or zoning regulations. (See Section 876 for regulations.)

NURSERY SCHOOL shall mean the same as "Day Nursery."

SECTION 803.13: SPECIFIC DEFINITIONS GROUP L.
(Amended by Ord. 490.133 adopted 6-7-77)

OFFICIAL PLAN LINES shall mean the same as "Highway Setback Lines."

OUTDOOR ADVERTISING shall include the definitions of "Advertising Structure" and "Sign".

PARK STRIP shall mean that portion of a street right-of-way which lies between the property line and the outside edge of a gutter or gutter lip, including a driveway approach. Where no curb exists, park strip shall mean the area of property from the property line to the edge of the pavement.
(Added by Ord. T-062-333 adopted 11-7-00)

PARKING AREA, PRIVATE shall mean an area, other than a street, used for the parking of automotive vehicles capable of moving under their own power and restricted from general public use, but shall not include parking provided for residential uses unless such parking provides spaces for more than four (4) cars.

PARKING AREA, PUBLIC shall mean an area, other than a private parking area or street, used for the parking of vehicles capable of moving under their own power, either free or for remuneration.

PARKING AREA, RESIDENTIAL shall mean an area, other than a street, located on the subject lot for the parking of vehicles owned by the residents of such lot.
(Amended by Ord. T-254 adopted 4-27-81)

PARKING DISTRICT shall mean the same as the "P" District, Section 842, for purposes of this Division. It shall not mean a Government Parking District maintained by the Federal, State, County or City governments.

PARKING SPACE, AUTOMOBILE shall mean an area, other than a street or alley, reserved for the parking of an automobile, such space having a dimension not less than eight and one-half (8 1/2) by eighteen (18) feet, plus such additional area as is necessary to afford adequate ingress and egress. The Special Standard of Section 855-I shall apply.
(Amended by Ord. T-254 adopted 4-27-81)

PARKS shall mean areas with defined limits, generally open in nature, which are maintained for ornamentation, recreation and conservation. Parks may either be public (for the use of anyone whether or not by fee) or private (only for specified persons or groups). The Special Standards of Section 855-N shall apply.
(Added by Ord. 490.175 re-adopted 5-29-79)

PARKWAY shall mean an arterial highway with full or partial control of access, and located within a park or ribbon of park-like development.

PASTURE, DRY shall mean land upon which there is vegetation suitable as food for grazing animals, and which does not otherwise satisfy the meaning of irrigated pasture as defined in this Ordinance.
(Added by Ord. 490.46 adopted 8-13-68)

PASTURE, IRRIGATED shall mean land upon which grass or other vegetation suitable as food for grazing animals is growing and maintained in a living condition, and which has facilities for irrigation. Seasonal vegetation subject to cyclical periods of emergence and complete dormancy shall not be acceptable within the meaning of a living condition. Upon failure to maintain the required conditions,

the pasture shall immediately cease to qualify as an irrigated pasture for the purposes set forth in this Ordinance.

(Added by Ord. 490.46 adopted 8-13-68)

PATIO, COVERED shall mean the same as "Structure. "

PERSON shall mean an individual, firm co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, City, County, special district, or any other group or combination acting as an entity, except that it shall not include the County of Fresno.

PETROLEUM BULK PLANT shall mean a local wholesale distribution facility designed to serve the needs of the immediate surrounding area.

PHARMACY OR PRESCRIPTION PHARMACY shall mean a retail store engaged in, and limited to, the sale of prescription drugs, patent medicines and surgical supplies. The sale of magazines, newspapers, books and tobacco products, household appliances, hardware, other sundry goods or general merchandise, food or drinks shall not be permitted. Liquor and cosmetics shall not be sold except by prescription.

PLACE shall mean an open, unoccupied space other than a street or alley, permanently reserved as the principal means of access to abutting property.

PLANNED DEVELOPMENT shall mean a development in accordance with a plan approved by the Planning Commission or Board of Supervisors under Section 873 procedure, as permitted in specific districts. The Special Standards of Section 855-N shall apply.

(Amended by Ord. 490.94 adopted 11-27-73 and Ord. T-255 adopted 8-2-82)

PRECISE PLAN shall mean a plan prepared by the Commission for a development. A precise plan may be recommended by the Commission to the Board for adoption in accordance with the provisions of the County Charter.

PROFESSIONAL OFFICE shall mean any building or portion of a building used or intended to be used as an office for a lawyer, architect, engineer, land surveyor, optometrist, accountant and other similar professions, but shall not include, for the purposes of this Division, the practice of any type of medicine or dentistry.

PROPERTY means any lot, and shall include the abutting half of any street or alley, between the sidelines thereof as extended, including any sidewalk, park strip or unimproved public easement; provided that an "unimproved public easement" shall not include an exposed irrigation canal.

(Added by Ord. T-062-333 adopted 11-7-00)

PROPERTY LINE shall mean the same as "Lot Line."

PROPERTY OWNER means the person to whom property is assessed as shown on the last equalized assessment roll of the County of Fresno. In the event a change of ownership has occurred since the last equalized assessment roll, it is incumbent on any buyer to ensure that a change of ownership statement has been properly recorded with the Fresno County Recorder. The person whose name appears on the last equalized assessment roll or any successor in interest may provide proof of change of ownership to the Director in the event of enforcement of the provisions of this code against a property owner.

(Added by Ord. T-062-333 adopted 11-7-00)

PROVISION shall mean all regulations and requirements referred to in the text.

SECTION 803.14: SPECIFIC DEFINITIONS GROUP M.
(Amended by Ord. 490.133 adopted 67-77)

QUASI-PUBLIC ORGANIZATIONS shall mean any non-government organization that is devoted to public service and welfare.

RAMADA shall mean an arbor or pergola-like structure.

RECREATIONAL VEHICLE shall mean a motorhome, travel trailer, truck camper, or camping trailer, with or without motive power, used and intended to be used for human habitation for travel and recreational purposes but shall not include "Mobilehomes."
(Added by Ord. 490.175 re-adopted 5-29-79)

RECREATIONAL VEHICLE PARK shall mean an area or tract of land developed and operated in accordance with Title 25, California Administrative Code, where one (1) or more spaces are rented or leased or held out for rent or lease to owners or users of "Recreational Vehicles" and which is occupied for temporary purposes; however, spaces may be used for tent camping.
(Added by Ord. 490.175 re-adopted 5-29-79)

REGULAR CURBSIDE COLLECTION shall mean collection of solid waste at that property pursuant to the regularly scheduled weekly, semi-weekly, or other collection by municipal or contract solid waste haulers.
(Added by Ord. T-062-333 adopted 11-7-00)

RESIDENCE shall mean a building used, designed, or intended to be used as a home or dwelling place, for one (1) or more families.

RESIDENTIAL FACILITY shall mean any family home, or similar facility including foster homes, and mental hygiene homes, for the twenty-four (24) hour non-medical care including, but not limited to, the physically handicapped, mentally impaired, or incompetent persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or protection of the individual. A residential facility serving six or fewer persons shall meet the zoning ordinance requirements of a single family home in the same zone district.
(Added by Ord. T-244 adopted 4-19-83)

RESIDENTIALLY-ZONED PROPERTY shall mean, for the purpose of Overlay Districts, property which has an underlying residential zoning. Unless a provision of the Overlay District regulations specifies otherwise, the term "residentially-zoned property" shall not include R-A and R-R zoned property.
(Added by Ord. T-062-333 adopted 11-7-00)

REST HOME shall mean premises used for the housing of and caring for the ambulatory, aged or infirm, which premises require a license from the State or County. A rest home may include but is not limited to a convalescent home, home for the aged, and skilled nursing facility. The Special Standards of Section 855-N shall apply. A rest home serving six or fewer persons shall meet the zoning requirements of a single family home in the same zone district.
(Amended by Ord. T-244 adopted 4-19-83)

RESTAURANT shall mean any building or structure in which food and drinks are prepared for service to customers within such structure.

RETAIL STORE shall mean a business selling goods, wares or merchandise directly to the ultimate consumer.

REZONING shall mean the same as "Zoning District, Change of."

ROAD shall mean the same as "Street."

ROOM shall mean an un-subdivided portion of the interior of a dwelling unit, excluding bathroom, kitchen, closets, hallways and service porches.

ROOMING HOUSE shall mean the same as "Boarding House."

(Deletion: Quarry by Ord. 490.55 adopted 6-17-79)

SECTION 803.15: SPECIFIC DEFINITIONS GROUP N.
(Amended by Ord. 490.133 adopted 6-7-77)

SCHOOL, AUTOMOBILE DRIVER'S TRAINING shall mean driver education, including but not limited to, classroom and on-road instruction to meet the requirements for obtaining a Class C Driving license. Remedial driver education classes for traffic violators shall be included in this definition.
(Amended by Ord. T-070-341 adopted 4-23-02)

SCHOOL, ELEMENTARY, JUNIOR HIGH OR HIGH shall mean public and other non-profit institutions conducting regular academic instruction at kindergarten, elementary, and secondary levels. Such institutions shall offer general academic instruction equivalent to the standards prescribed by the State Board of Education.

SCHOOL, PRIVATE shall mean an institution conducting regular academic instruction at pre-school, kindergarten, elementary and secondary levels operated by a non-governmental organization.
(Amended by Ord. 490.94 adopted 11-27-73)

SCHOOL, TRADE shall mean schools offering preponderant instruction in the technical, commercial, or trade skills, such as real estate schools, business colleges, electronic schools, automotive and aircraft technician schools and similar commercial establishments operated by a non-governmental organization.

SCHOOL, TRUCK DRIVER'S TRAINING shall mean driver education, including but not limited to, classroom and on-road instruction to meet the requirements for obtaining a Class A or B Driving license.
(Amended by Ord. T-070-341 adopted 4-23-02)

SECOND DWELLING UNIT shall mean a separate (second) dwelling unit as permitted by a discretionary permit (Director Review and Approval Application), and subject to the requirements of Section 855-N.23 (See Second Dwelling Units). A second dwelling unit may not be allowed on any lot that also contains an Accessory Housing Unit.
(Added by Ord. T-075-351 adopted 9-16-03)

SEPARATE OWNERSHIP shall mean ownership of a parcel of land by a person who does not own any of the land abutting such parcel.

SERVANTS QUARTERS shall mean complete living quarters either attached or detached from that of the main dwelling including kitchen facilities but not rented or used for permanent or temporary living quarters by members of the family (See family). The Special Standards of Section 855-N (Accessory Building) (a) and (b) shall apply.

SERVICE STATION shall mean the same as "Automobile Service Station."

SETBACK LINE, FRONT YARD shall mean the line which defines the depth of the required front yard. Said setback line shall be parallel with the right-of-way line or highway setback line when one has been established.

SETBACK LINE, HIGHWAY shall mean the same as "Highway Setback Line."

SETBACK LINE, REAR YARD OR SIDE YARD shall mean the line which defines the width or depth of the required rear or side yard. Said setback line shall be parallel with the property line, removed therefrom by the perpendicular distance prescribed for the yard in the district.

SIGN shall mean any notice or advertisement, pictorial or otherwise, used as an outdoor display for the purpose of advertising the property or the establishment or enterprise, including goods and services, upon which the sign is exhibited. This definition shall not include official notices issued by a court or public body or officer or directional, warning or information sign or structures required by or authorized by law or by Federal, State, County or City authority.

SITE PLAN shall mean a plan, prepared to scale, showing accurately and with complete dimensioning, all of the uses proposed for a specific parcel of land.
(See Section 874 for requirements).

SITE PLAN REVIEW shall mean the review by the Director of a site plan and other studies to assist said Director to determine the manner in which the applicant intends to make use of his property.

SLOPE shall mean a natural or artificial incline, as a hillside or terrace. Slope is usually expressed as a ratio. For example, a horizontal distance of one hundred (100) feet with a rise of fifty (50) feet would be expressed as a 2:1 slope. (See also "Grade" and "Top and Toe of Slope".)

SOLID WASTE shall have the same definition in this Part as in Title 8, Chapter 8, Section 8.20.010.M., and shall include recyclable materials.
(Added by Ord. T-062-333 adopted 11-7-00)

SOLID WASTE CONTAINER shall mean any container holding or capable of holding solid waste or bulk refuse, including but not limited to twenty to forty gallon cans, bags, bins, crates, boxes of any size, or dumpsters of any size.
(Added by Ord. T-062-333 adopted 11-7-00)

SOLID WASTE DISPOSAL FACILITY shall mean any location or facility used for the disposal of solid, semisolid, and liquid wastes including but not limited to garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes and other discarded solid and semisolid wastes, and including solid waste processing facilities as a secondary activity in conjunction with a disposal operation.
(Added by Ord. 490.200 adopted 5-5-80)

SOLID WASTE PROCESSING FACILITY shall mean any facility designed to recover reusable resources from solid waste. Such facilities may include, but are not limited to, scales, shredders, material separators, compactors, and energy recovery systems.
(Added by Ord. 490.200 adopted 5-5-80)

SOLID WASTE TRANSFER STATION shall mean a facility for receiving and temporarily holding solid wastes for transfer to a solid waste disposal or solid waste processing facility. A solid waste transfer facility may include scales, compactors, wash racks, facilities for the transfer of solid wastes from smaller to larger containers or vehicles for transport, and facilities for incidental separation of recoverable resources.
(Added by Ord. 490.200 adopted 5-5-80)

SORORITY shall mean a building or structure housing a group of women associated for their common interest. Such group may eat, sleep and otherwise use such facilities as are provided on the premises.

(Amended by Ord. 490.133 adopted 6-7-77)

SECTION 803.16: SPECIFIC DEFINITIONS GROUP 0.
(Amended by Ord. 490.133 adopted 6-7-77)

STABLE, COMMERCIAL shall mean the keeping of horses for remuneration.

STABLE, PRIVATE shall mean a detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

STABLE, PUBLIC shall mean a stable other than a private stable.

STAND, TEMPORARY shall mean the same as "Structure, Temporary."

STORY shall mean a space in a building between the surface of any floor and the surface of the floor next above, or if there is no floor above, then the space between such floor and the ceiling or roof above.

STORY, FIRST shall mean the lowest story in a building which qualifies as a story, as defined herein. The floor level in a building having only one floor level shall be classified as a first story, providing such floor level has more than one-half (1/2) its height above the average adjoining finished grade, (See Basement).
(Added by Ord. T-251, adopted 9-16-80)

STORY, ONE-HALF shall mean the same as "Half Story."

STREET shall mean a public thoroughfare or right-of-way dedicated, deeded or condemned for use as such, other than an alley, which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except as excluded in this Division.

STREET, LOCAL shall mean any street, dedicated as such, serving as the principal means of access to property, which street is now shown as a Major or Secondary Highway or Major Traffic Street on the General Plan of the County.

STREET, SIDE shall mean that street bounding a corner or reversed corner lot and which extends in the same general direction as the line determining the depth of the lot.

STREET CENTER LINE shall mean the center line of a street right-of-way as established by official surveys.

STREET LINE shall mean the boundary line between street right-of-way and abutting property.

STRUCTURE shall mean anything constructed or built, any edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, which requires location on the ground or is attached to something having a location on the ground, including swimming and wading pools and covered patios, excepting outdoor areas such as paved areas, walks, tennis courts, and similar recreation areas.

STRUCTURES, ADVERTISING shall mean the same as "Advertising Structure."

STRUCTURE, TEMPORARY shall mean a structure which is readily movable and used or intended to be used for a period not to exceed two hundred and ten (210) consecutive days. The Special Standard of Section 855-N shall apply.
(Amended by Ord. 490.166 adopted 12-19-78; 490.166c adopted 2-20-79)

STRUCTURAL ALTERATION shall mean a change in the supporting members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joist, roof rafters, roof diaphragms, foundations, piles, or retaining walls or similar components.

SUPERMARKET shall mean any establishment, including groceries and grocery stores having 15,000 or more square feet of floor area devoted principally to the sale of food.
(Amended by Ord. 490.17 adopted 11-24-64)

SURFACE MINING OPERATION as regulated in Section 858, all, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations include, but are not limited to, in-place distillation or retorting or leaching, the production and disposal of mining waste, prospecting and exploratory activities, borrow pitting, streambed skimming, and segregation and stockpiling of mined materials and recovery of same. A surface mining operation may include the use of such equipment, structures, and facilities as are necessary or convenient for the extraction, processing, storage, and transport of materials.
(Added by Ord. T-061-332 adopted 5-18-99)

SWIMMING POOL shall mean any permanent structures containing water intended for recreational uses where a building permit is required. Such structures shall include wading pools.
(Added by Ord. 490.123 adopted 12-7-76)

SECTION 803.17: SPECIFIC DEFINITIONS GROUP P.
(Amended by Ord. 490.133 adopted 6-7-77)

TENT CAMPER OR TENT TRAILER shall mean the same as "Camping Trailer."
(Amended by Ord. 490.175 re-adopted 5-29-79)

TIMBER shall mean trees of any species maintained for eventual harvest for forest products purposes, whether planted or of natural growth, standing or down, on privately or publicly owned land, and includes Christmas trees, but does not include nursery stock.
(Added by Ord. 490.144 adopted 2-7-78)

TIMBERLAND shall mean privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least fifteen (15) cubic feet per acre.
(Added by Ord. 490.144 adopted 2-7-78)

TOE OF SLOPE shall mean that point or line of initial break where the terrain changes to an upward direction.

TOP OF SLOPE shall mean that point or line of initial break where the terrain changes to a downward direction.

TOURIST COURT shall mean the same as "Motel."

TRADING AREA shall mean the area served by an existing commercial development or to be served by the proposed commercial development and from which said development draws its support.

TRAILER shall mean a vehicle without motive power, designed and constructed to travel on the public thoroughfares in accordance with the provisions of the State Vehicle Code and to be used for human habitation or for carrying property. Trailer shall include semi-trailer, "Mobilehome," "Travel Trailer," "Camping Trailer," "Trailer, Commercial," and "Trailer, Utility."
(Amended by Ord. 490.175 re-adopted 5-29-79)

TRAILER, COMMERCIAL shall mean a "Trailer" designed for and intended to be used for industrial, professional, or commercial purposes, i.e., non-residential occupancy.
(Added by Ord. 490.175 re-adopted 5-29-79)

TRAILER COURT OR TRAILER PARK shall mean the same as "Mobilehome Park."
(Amended by Ord. 490.175 re-adopted 5-29-79)

TRAILER, UTILITY shall mean a "Trailer" for carrying property.
(Added by Ord. 490.175 re-adopted 5-29-79)

TRANSIENT shall mean a person who is receiving accommodations for a price, with or without meals, for a period of not more than one hundred eighty (180) continuous days in any one (1) year.

TRAVEL TRAILER shall mean a "Recreational Vehicle" designed to be towed which is constructed with fixed and solid sides and tops.
(Added by Ord. 490.175 re-adopted 5-29-79)

TRAVEL TRAILER PARK shall mean the same as "Recreational Vehicle Park."
(Added by Ord. 490.175 re-adopted 5-29-79)

TRUCK CAMPER shall mean a "Recreational Vehicle" in which the habitable portion is attached to and rests upon but is not integrally a part of the means of locomotion.
(Added by Ord. 490.175 re-adopted 5-29-79)

TRUCK SERVICE STATION shall mean an occupancy which provides especially for the servicing of trucks, with incidental operations similar to those permitted for "Automobile Service Station."

TRUCK AND TRAILER SALES LOT shall mean an open area where trucks or trailers are sold, leased or rented and where no repairs, repainting or remodeling are done.
(Deletion: "Trailer Coach" and "Trailer Residential" by Ord. 490.175 re-adopted 5-29-79)

SECTION 803.18: SPECIFIC DEFINITIONS GROUP Q.
(Amended by Ord. 490.133 adopted 67-77)

URBAN AREA shall mean any land which is included in the "R-1-A," "R-1-AH," "R-1-B," "R-1-C," "R-1," "R-2," "R-2-A," "R-3," "R-3-A," "R-4," "T-P," "C-P," "C-1," "C-2," "C-3," "C-4," "C-6," "C-R," "C-M," "M-1," "M-2," "M-3," and "P" Districts.

URBAN LOT shall mean any lot which lies, in whole or in part, within the boundaries of an urban area, as defined above.

USED MATERIALS YARD shall mean any lot or a portion of any lot used for the storage of used materials. This shall not include "Junk Yards" or "Automobile Wrecking Yards."

UTILITY EASEMENT shall mean the same as "Easement."

VALUE-ADDED AGRICULTURAL USES shall mean uses or facilities that increase the value of agricultural products over the value of raw products such as canning, drying, freezing, compounding, processing, packing or treatment of agricultural produce for the ultimate sale to the consumer. Value added agricultural uses may include, but are not limited to fruit stands, Christmas tree lots, pumpkin patches, packing sheds, fruit dehydrators, canneries, wineries, agricultural product cold storage facilities, candy manufacturing plants, ice cream or cheese production facilities, fruit pie bakeries, a salsa or soup manufacturing plants.
(Added by Ord. T-077-352, adopted 3-2-04)

VISUAL OBSTRUCTION shall mean any fence, hedge, tree, shrub, wall or structure exceeding three (3) feet in height, measured from the crown of intersecting or intercepting streets, alleys or driveways, which limit the visibility of persons in motor vehicles on said streets, alleys or driveways. This does not include trees kept trimmed of branches below a minimum height of seven (7) feet.

WADING POOLS shall mean the same as "Swimming Pools."

WALL shall mean any structure or device forming a physical barrier, which is so constructed that fifty (50) percent or more of the vertical surface is closed and prevents the passage of light, air and vision through said surface in a horizontal plane. The Special Standards of Section 855-N shall apply.

WAREHOUSING shall mean a building or buildings used for the storage of goods, of any type, when such building or buildings contain more than five hundred (500) square feet of storage space, and where no retail operation is conducted. Also see "Wholesaling."

WATER SUPPLY, COMMUNITY shall mean a water supply provided by a publicly-owned corporation or a private organization which has a permit to serve two (2) or more dwelling units on abutting properties.

WATER SUPPLY, PRIVATE shall mean a water supply provided by a source other than a Community Water Supply.

WEEDS shall mean all plants growing upon streets, sidewalks, or private property and includes any of the following:

- (a) Weeds which bear seeds of a downy or wingy nature.

- (b) Sagebrush, chaparral, and any other brush or weeds which attain such growth as to become, when dry, a fire menace to adjacent improved property.
- (c) Weeds that are otherwise noxious or dangerous.
- (d) Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.
- (e) Dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard in an urbanized portion of an unincorporated area which has been zoned for single or multiple residence purpose.

Any of the foregoing weeds may be declared a public nuisance and maybe abated.
(Added by Ord. T-062-333 adopted 11-7-00)

Source: California Health & Safety Code, Section 14875, et. seq.

WHOLESALE shall mean the selling of any type of goods for the purpose of resale.

SECTION 803.19: SPECIFIC DEFINITIONS GROUP R.
(Amended by Ord. 490.133 adopted 6-7-77)

YARD shall mean any open space on the same lot with a building or a dwelling group which open space is unoccupied and unobstructed from the ground upward to the sky, except for the projections or accessory buildings or structures permitted by this Division.

YARD, FRONT shall mean a space between the front yard setback line and the front lot line or highway setback line, and extending the full width of the lot.

YARD, REAR shall mean a space between the rear yard setback line and the rear lot line, extending the full width of the lot.

YARD, SIDE shall mean a space extending from the front yard, or from the front lot line where no front yard is required by this Division, to the rear yard, or rear lot line, between a side lot line and the side yard setback line.

ZONE shall mean the same as "District."

ZONING DISTRICT shall mean the same as "District."

ZONING DISTRICT, CHANGE OF shall mean the legislative act of removing one (1) or more parcels of land from one (1) zoning district and placing them in another zoning district on the zone map of the County.