

CHAPTER 2

ESTABLISHMENT OF LAND USE DISTRICTS AND REGULATIONS APPLICABLE THEREIN

SECTIONS 810 - 850.B.7

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

TABLE OF CONTENTS

CHAPTER 1 - GENERAL PROVISIONS

800	Effect
801	Intent and Purpose
802	Title
803	Definitions
803.1	General Terminology
803.2-.19	Specific Definitions

CHAPTER 2 - ESTABLISHMENT OF LAND USE DISTRICTS AND REGULATIONS APPLICABLE THEREIN

810	Designation of Land Use Districts
811	Zone Map
812	"RRE" Exclusive Railroad District
813	"R-C" Resource Conservation District
814	"TPZ" Timberland Preserve District
815	"O" Open Conservation Land Use District
816	"AE" Exclusive Agricultural District
817	"AL" Limited Agricultural District
819	"A-2" General Agricultural District
820	"R-R" Rural Residential District
821	"R-A" Single Family Residential Agricultural District (36,000)
822	"R-1-A" & "R-1-AH" Single Family Residential Districts (20,000)
823	"R-1-E " & "R-1-EH" Single Family Residential Estates Districts (37,500)
824	"R-1-B" Single Family Residential District (12,500)
825	"R-1-C" Single Family Residential District (9,000)
826	"R-1" Single Family Residential District (6,000)

- 827 "R-2" & "R-2-A" Low Density Multiple Family Residential Districts (6,600)
- 828 "R-3" & "R-3-A" Medium Density Multiple Family Residential District (7,500)
- 829 "R-4" High Density Multiple Family Residential District (10,000)
- 830 "T-P" Trailer Park Residential District
- 831 "R-P" Residential and Professional Office District
- 832 "C-P" Administrative and Professional Office District
- 833 "C-1" Neighborhood Shopping Center
- 834 "C-2" Community Shopping Center District
- 835 "C-3" Regional Shopping Center District
- 836 "C-4" Central Trading District
- 837 "C-5" (There is no "C-5" District in the unincorporated area)
- 838 "C-6" General Commercial District
- 839 "AC" Agricultural Commercial Center District
- 840 "RCC" Rural Commercial Center District
- 840.A "P-V" Planned Village District
- 841 "C-R" Commercial Recreation District
- 842 "C-M" Commercial and Light Manufacturing District
- 843 "M-1" Light Manufacturing District
- 844 "M-2" General Industrial District
- 845 "M-3" Heavy Industrial District
- 846 "P" Off-Street Parking District
- 847 "A-1" Agricultural District
- 848 "R-E" Recreational District
- 849 "RS" Rural Settlement District
- 850 Overlay Districts

CHAPTER 3 - GENERAL CONDITIONS

- 851 Uses Permitted
- 852 Uses Permitted Subject to Director Review and Approval
- 853 Uses Permitted Subject to Conditional Use Permit
- 854 Uses Expressly Prohibited
- 855 Property Development Standards
- 856 Regulations for Single Mobile Home Occupancy
- 857 Regulations for Oil Drilling and Similar Uses in all Districts
- 858 Regulations for the Development of Material Extraction Sites in all Districts
- 860 Regulations for Interstate Freeway Interchange Commercial Development
- 861 New Construction and New Uses
- 862 Existing Uses
- 863 Certificates of Occupancy
- 864 Permits
- 865 Compliance
- 866 Regulations for Apartment Conversion
- 867 Regulations for Agricultural Commercial and Rural Commercial Centers
- 868 Regulations for the Siting and Operation of Poultry Facilities

CHAPTER 4 - PROCEDURES

- 870 Procedures
- 872 Uses Permitted Subject to Director Review and Approval
- 873 Uses Permitted Subject to Conditional Use Permit
- 874 Site Plan Review
- 875 Electric Utilities and Services
- 876 Nonconforming Lots, Buildings and Uses
- 877 Variances

878	Zoning Division Amendment
879	Filing Fees
880	Form of Application
881	Public Hearings
882	Legal Procedure
883	Penalties for Violation
884	Validity

(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 2

ESTABLISHMENT OF LAND USE DISTRICTS
AND REGULATIONS APPLICABLE THEREIN
=====

SECTION 810
DESIGNATION OF LAND USE DISTRICTS

For the purposes related to the orderly development of the County of Fresno and in order to carry out the provisions of this Division, the County is hereby divided into the following land use districts.

<u>SECTION</u>	<u>SYMBOL</u>	<u>DISTRICT NAME</u>
813	"R-C"	Resource Conservation District
814	"TPZ"	Timberland Preserve District
815	"O"	Open Conservation Land Use District
816	"AE"	Exclusive Agricultural District
817	"AL"	Limited Agricultural District
819	"A-2"	General Agricultural District
820	"R-R"	Rural Residential District
821	"R-A"	Single Family Residential Agricultural District (36,000)
822	"R-1-A"	Single Family Residential Districts "R-1-AH" (20,000)
823	"R-1-E" "R-1-EH"	Single Family Residential Estate Districts (37,500)
824	"R-1-B"	Single Family Residential District (12,500)
825	"R-1-C"	Single Family Residential District (9,000)
826	"R-1"	Single Family Residential District (6,000)
827	"R-2" "R-2-A"	Low Density Multiple Family Residential Districts (6,600)
828	"R-3" "R-3-A"	Medium Density Multiple Family Residential District (7,500)

829	"R-4"	High Density Multiple Family Residential District (10,000)
830	"T-P"	Trailer Park Residential District
831	"R-P"	Residential and Professional Office District
832	"C-P"	Administrative and Professional Office District
833	"C-1"	Neighborhood Shopping Center District
834	"C-2"	Community Shopping Center District
835	"C-3"	Regional Shopping Center District
836	"C-4"	Central Trading District
837	"C-5"	(There is no "C-5" District in the unincorporated areas)
838	"C-6"	General Commercial District
839	"AC"	Agricultural Commercial District
840	"RCC"	Rural Commercial Center District
841	"C-R"	Commercial Recreation District
842	"C-M"	Commercial and Light Manufacturing District
843	"M-1"	Light Manufacturing District
844	"M-2"	General Industrial District
845	"M-3"	Heavy Industrial District
846	"P"	Off-Street Parking District
847	"A-1"	Agricultural District
848	"R-E"	Recreational District
849	"RS"	Rural Settlement District
850	"m"	Mountain Overlay District

All of the general conditions of Chapter 3, where applicable, shall apply to each of these Districts.

(Amended by Ord. T-005-258 Adopted 1-11-82)

SECTION 811

ZONE MAP

- A. As provided in Section 800 of this Division, the Zone Map and Use District Maps existing as part of Ordinance 322, as amended, are hereby re-adopted by reference. Where, on such re-adopted Zone Map and Use District Maps, there appears the following districts, said districts are herein interpreted to mean the Districts specified in this Division as follows:

District Designation on Existing Zone Map and Use District Maps, Part of Ordinance 322, as Amended:		Applicable Districts as Defined in the Text of this Division; Division VI to Part VII of the Ordinance Code of the County of Fresno:	
R-A	Rural Residential	R-A	Single Family Residential Agricultural District
R-O	One Family Suburban	R-1-B	Single Family Residential District
R-OH	One Family Suburban	R-1-AH	Single Family Residential District
R-1	One Family	R-1	Single Family Residential District
R-2	Two Family)	R-2	Low Density Multiple Family Residential District
R-2-P	Two Family Precise Planned Zone)		
R-3	Multiple Family)	R-3	Medium Density Multiple Family Residential District
R-3-P	Multiple Family Precise Planned Zone)		
P-1	Automobile Parking District	P	Off-Street Parking District
C-1	Neighborhood Commercial)	C-1	Neighborhood Shopping Center District
C-1-P	Neighborhood Commercial Precise Planned Zone)		
C-2	General Commercial Zone	C-4	Central Trading District
C-2-P	General Commercial Precise Planned Zone	C-2	Community Shopping Center District
M-1	Light Industrial Zone)	M-1	Light Manufacturing District
M-1-P	Light Industrial Precise Planned Zone)		
M-2	Heavy Industrial Zone)	M-3	Heavy Manufacturing

M-2-P	Heavy Industrial) Precise Planned Zone)		District
A-1	Agricultural Zone	A-1	Agricultural District
R-E	Recreational Zone	R-E	Recreational District

B. Any district not now shown on the re-adopted Zone Map and Use District Maps which district is included in the text of this Division and which at any future date is officially adopted by the Board of Supervisors shall, following such legal adoption, become a part of said Zone Map.

C. DISTRICT BOUNDARIES

1. Where indicated district boundaries are approximately street, alley or lot lines, said lines are determined to be the boundaries of the district. Otherwise, the boundaries shall be determined by the dimensions shown on the Zone Map. In the absence of a dimension, the boundary shall be determined by use of the scale shown on said map.
2. A street, alley, railroad or railway right-of-way, water course, drainage channel or body of water included on the Zone Map shall, unless otherwise indicated, be included with the zone of adjoining property on either side thereof; and where such street, alley, water course, drainage channel or body of water serves as a boundary between two (2) or more different zoning districts, the center line of such right-of-way, water course, channel or body of water shall be considered the boundary between zoning districts.
3. Shopping Center Districts (C-1, C-2, and C-3) divided by streets are deemed to be separated by such streets and shall constitute separate shopping center districts.

(Amended by Ord. 490.58 adopted 2-10-70)
4. In the event that a vacated street, alley, right-of-way, or easement was the boundary between two (2) districts, the new zoning district boundaries shall be at the new property line or at a line established at or within fifty (50) feet of the center line of the street, alley, right-of-way or easement that has been vacated.
5. Where uncertainties exist, the Commission shall, by written decision, determine the location of the district boundary.

D. OFFICIAL ZONE MAP ON FILE

The Zone Map shall be kept on file with the County Clerk in the manner provided for in Section 800 of this Division.

E. AMENDMENTS TO THE ZONE MAP

All amendments and changes shall be filed with the Resources and Development Department within forty-eight (48) hours after such amendments or changes have been adopted. Upon the filing of the data with the Department, a new amended Zone Map shall be prepared showing the change or amendment enacted.

(Amended by Ord. T-252 adopted 12-9-80)

Said Zone Map shall then be filed with the County Clerk within ten (10) days after adoption for

recording.

F. REVISION OF THE ZONE MAP

The Board may from time to time order the revision of the Zone Map by the Resources and Development Department so as to include all changes to date and to replace the original or amended Zone Map which is part of this Division. No changes shall be made upon such revised map that have not been made through regular zone change procedure (See Section 878).

(Amended by T-252 adopted 12-9-80)

SECTION 812

"RRE" EXCLUSIVE RAILROAD DISTRICT

The "RRE" Exclusive Railroad District is intended to preserve railroad corridors for rail facilities, and to preserve railroad rights-of-way for all rail uses or other transport modes that augment or facilitate the movement of people and goods by rail.

(Added by Ord. T-049-313 adopted 9-21-93)

SECTION 812.1 - USES PERMITTED

The following uses shall be permitted in the "RRE" District:

- A. Railroad infrastructure, including but not limited to railroad tracks, signalization, gates, and platforms.
- B. Temporary agricultural uses which do not interfere with the corridor or rail use.
- C. Non-rail facilities or activities ancillary to or used for or useful for rail purposes.

(Amended by Ord. T-051-312R adopted 12-14-93)

SECTION 812.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

- A. Communications facilities.
- B. Electric transmission lines and distribution stations for rail purposes, or incidental or partially used for rail electrification.
- C. Freight loading docks, depots, related parking and loading facilities.

(Amended by Ord. T-051-313R)

SECTION 812.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

None.

SECTION 812.4 - USES EXPRESSLY PROHIBITED

Residential, commercial, industrial, and agricultural uses, except as specified in Section 812.1, and 812.2, and any use that would preclude use of the property for a rail corridor.

SECTION 812.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "RRE" District.

A. LOT AREA

No requirements.

B. LOT DIMENSIONS

Each lot shall have a minimum width of 100 feet on main lines to accommodate electrified double tracks, and 60 feet on branch lines to accommodate electrified single tracks. There is no depth requirement.

(Amended by Ord. T-051-313R)

C. BUILDING HEIGHT

1. No building or structure erected in this district shall have a height greater than three (3) stories, not to exceed forty (40) feet.

2. Exceptions

The following exceptions shall be subject to review and approval by the Director:

Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment to operate and maintain the building, and fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, silos, water tanks or wireless masts or similar structures may be erected above the height limits herein prescribed; provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances.

D. YARDS

No requirements.

E. SPACE BETWEEN BUILDINGS

No requirements.

F. LOT COVERAGE

No requirements.

G. FENCES, HEDGES AND WALLS

The provisions of Section 855-H.1 and 3 shall apply.

H. OFF-STREET PARKING

The provisions of Section 855-I.2q shall apply.

I. ACCESS

Access to off-street parking facilities shall be not less than ten (10) feet in width for each direction of vehicular traffic movement and shall be not less than this width from intersecting or

intercepting street or alley rights-of-way.

J. LOADING

The provisions of Section 855-L shall apply. The number of loading spaces shall be in accordance with Section 843.5-L.

SECTION 812.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this District, a Site Plan Review shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874.

SECTION 813

"R-C" RESOURCE CONSERVATION DISTRICT

The "R-C" (Resource Conservation) District is intended to provide for the conservation and protection of natural resources and natural habitat areas. The "R-C" District shall be accompanied by an acreage designation which establishes the minimum lot size that may be created within the District. Acreage designations of 40, 80, and 160 are provided for this purpose.

(Section 813 added by Ord. 490.177 re-adopted 7-3-79)

SECTION 813.1 - USES PERMITTED

The following uses shall be permitted in the R-C District. All uses shall be subject to the property development standards in Section 813.5.

- A. Apiaries subject to the provisions of Section 855-N.
- B. Forest fire lookout stations.
- C. Grazing.
- D. Growing and harvesting of timber and forest products.
- E. Home Occupations, Class I, Subject to the Provisions of Section 855-N.

(Amended by Ord. T-288 adopted 2-25-86)

- F. Management for watershed, fish and wildlife habitat.
- G. Mobile home occupancy, not more than one mobile home per lot except as provided.

(Added by Ord. T-011-265 adopted 11-16-82)

- H. One family dwelling units, not more than one dwelling per lot.
- I. Uses and facilities appurtenant to timber growing and harvesting including but not limited to roads, log landings, and log storage areas, but not including processing facilities.
- J. Wildlife preserves.

SECTION 813.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to a review and approval by the Director as provided for in Section 872.

- A. Buildings and structures over 35 feet in height.
- B. Ground water recharge.

- C. Home Occupations, Class II, subject to the provisions of Section 855-N.
(Added by Ord. T-288 adopted 2-25-86)
- D. Low intensity parks and camps.
- E. Microwave relay structures.
- F. Temporary logging camps or labor camps appurtenant to timber harvesting or planting operations for less than one year duration.
- G. Temporary mobile home occupancy subject to the provisions of Section 856 A.1-b.
(Added by Ord. T-011-265 adopted 11-16-82)
- H. Temporary portable saw mills and temporary portable planing mills.

SECTION 813.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

- A. Boat liveries.
- B. Commercial stables and riding academies.
- C. Fisheries.
- D. Timber products processing plants including but not limited to sawmills, lumber and plywood mills, and planing mills provided that such plants are secondary or incidental to a lumber growing and harvesting operation on the same parcel.

SECTION 813.4 - USES EXPRESSLY PROHIBITED

The following uses shall be expressly prohibited in the "R-C" District. However, enumeration of these prohibited uses shall not by implication enlarge upon the scope of permitted uses specified in Sections 813.1, 813.2 and 813.3 above, their enumeration herein being for purposes of clarity only.

- A. Agricultural, commercial, residential, and industrial uses not specifically listed in Sections 813.1, 813.2, or 813.3.
- B. Airports.
- C. Churches.
- D. High intensity parks.
- E. Solid waste disposal facilities.

(Added by Ord. 490.200 adopted 5-5-80)

F. Solid waste processing facilities.

(Added by Ord. 490.200 adopted 5-5-80)

SECTION 813.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the R-C District.

A. LOT AREA

Each lot shall have a minimum acreage as indicated by the district acreage designation.

B. LOT DIMENSIONS

No requirements.

C. POPULATION DENSITY

Not more than one (1) residence may be constructed upon any lot in the R-C District, except that a temporary mobile home may be placed upon the property for use by financially or physically dependent family members of the property owner subject to Section 813.2-F and Section 856-A.1.b(1).

(Amended by Ord. T-011-265 adopted 11-16-82)

D. BUILDING HEIGHT

No building or structure erected in this District shall have a height greater than two (2) stories, not to exceed thirty-five (35) feet unless authorized under Section 813.2.

E. YARDS

The requirements of the AE-20 District, Section 816.5-E.1, 2, 3, 4, and 5, shall apply.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

Permitted buildings and structures shall not exceed one percent (1%) of the total lot area for lots 10 acres or larger. Lots less than 10 acres but more than 2.5 acres shall not exceed 5% lot coverage. Lots 2.5 acres or less, but more than 37,500 sq. ft. shall not exceed 10% lot coverage. The lot coverage of lots 37,500 sq. ft. or less shall be determined by the residential district whose minimum lot size is closest to the area of a lot.

(Amended by Ord. T-265 adopted 6-21-83)

H. FENCES AND WALLS

No requirements.

I. OFF-STREET PARKING

The requirements of Section 855-I shall apply. Industrial uses permitted under Sections 813.2 shall meet the requirements of Section 843.5-I.

J. ACCESS

No requirements.

K. OUTDOOR ADVERTISING

The requirements of "O" District, Section 815.5-K, shall apply.

L. LOADING

No requirement, except industrial uses permitted under Sections 813.2 and 813.3 shall meet the requirements of Section 843.5-L.

SECTION 814

"TPZ" - TIMBERLAND PRESERVE ZONE DISTRICT

The "TPZ" Timberland Preserve Zone District is intended to be an exclusive district for the growing and harvesting of timber and for those uses which are an integral part of a timber management operation.

A TPZ will replace the use of Williamson Act Contracts on timberland to provide a tax structure conducive to timber management operations. Land use under a TPZ will be restricted for a minimum of ten (10) years to growing and harvesting timber, and to compatible uses approved by the County.

All requirements and restrictions of the Z'Berg-Warren-Collier Forest Taxation Reform Act of 1976, and subsequent amendments shall apply.

(Section 814 added by Ord. 490.115 adopted 9-28-76; amended by Ord. 490.201 adopted 5-20-80)

SECTION 814.1 - USES PERMITTED

The following uses are permitted in the "TPZ" District without special permit. All uses shall be subject to the property development standards in Section 814.5.

- A. Directional sign, subject to the provisions of Section 814.5-K.
- B. Forest fire lookout station.
- C. Grazing.
- D. Growing and harvesting of timber and forest products.
- E. Management for watershed, fish and wildlife habitat or hunting and fishing.
- F. Non-intensive recreational activities which require no permanent facilities except as provided in Section 814.2-B.
- G. Uses and facilities appurtenant to timber growing and harvesting including but not limited to roads, log landings and log storage areas, but not including processing facilities.
- H. Wildlife preserves.

SECTION 814.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to a review and approval as provided for in Section 872.

- A. Buildings and structures over 35 feet in height.
- B. Private low intensity parks and camps which require no permanent facilities.

(Amended by Ord. No. 490.175 and adopted 5-29-79)

- C. Single family dwellings and normal accessory structures for owner or caretaker when such dwellings are necessary for the timber management operation, but no more than one dwelling per parcel.
- D. Temporary logging camps or labor camps appurtenant to timber harvesting or planting operations for less than one year duration.
- E. Temporary portable sawmills and temporary portable planing mills.

SECTION 814.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

- A. Timber products processing plants, including but not limited to sawmills, lumber and plywood mills and planing mills, provided that such plants are secondary or incidental to a timber growing and harvesting operation on the same parcel.
- B. Water, or communication transmission facilities.

(Amended by Ord. No. T-240 adopted 8-17-81)

SECTION 814.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "TPZ" District.

- A. Advertising structures.
- B. Agricultural uses except as provided in Section 814.1.
- C. Cemeteries.
- D. Commercial uses.
- E. Golf courses and driving ranges.
- F. Hospitals.
- G. Industrial uses except as provided in Section 814.2 and 814.3.
- H. Moderate and high intensity parks.

(Added by Ord. 490.175 re-adopted 5-29-79)
- I. Pulp mills and papermills.
- J. Residential uses except as provided in Section 814.2.
- K. Rifle and pistol practice ranges, skeet field, and archery ranges.
- L. Solid waste disposal facilities.

(Added by Ord. 490.200 adopted 5-5-80)

- M. Solid waste processing facilities.

(Added by Ord. 490.200 adopted 5-5-80)

- N. Stadia.

SECTION 814.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "TPZ" District.

A. LOT AREA

There shall be a minimum lot area of 40 contiguous acres under a single ownership, provided that once zoned "TPZ," a parcel may not be divided into parcels containing less than one hundred sixty (160) acres unless the original owner prepares a joint timber management plan prepared and approved as to content by a registered professional forester for the parcels to be created. The joint timber management plan shall provide for the management and harvesting of timber by the original and any subsequent owners, and shall be recorded with the County Recorder as a deed restriction on all newly created parcels. Such deed restriction shall run with the land rather than with the owners, and shall remain in force for a period of not less than 10 years from the date division is approved by the Board. Such division shall be approved only by a four-fifths vote of the full Board and only after recording of the deed restriction.

(Amended by Ord. 490.201 adopted 5-20-80)

B. LOT DIMENSIONS

No requirements.

C. POPULATION DENSITY

None, however, the provisions of Section 814.2-C and D shall apply.

D. BUILDING HEIGHT

No building or structure erected in this District shall have a height greater than two (2) stories, not to exceed thirty-five (35) feet, with the exception that structures over thirty-five (35) feet in height will be subject to a review and approval by the Director.

E. YARDS

The requirements of the "AE-20" District, Section 816.5-E-1, 2, 3, 4, and 5 shall apply.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

Permitted buildings and structures shall not exceed ten (10) percent of the total lot area.

H. FENCES AND WALLS

No requirements.

I. OFF-STREET PARKING

No requirements except industrial uses permitted under Sections 814.2 and 814.3 shall meet the requirements of Section 843.5-I.

J. ACCESS

No requirements.

K. OUTDOOR ADVERTISING

The requirements of "O" District, Section 815.5-K, shall apply.

L. LOADING

No requirements, except industrial uses permitted under Section 814.2 and 814.3 shall meet the requirements of Section 843.5-L.

SECTION 814.6 - CRITERIA FOR INCLUSION OF A PARCEL IN TIMBERLAND PRESERVE ZONE

(Added by Ord. 490.131 adopted 3-15-77)

- A. The parcel shall meet the definition of timberland in Section 803.17.
- B. The minimum permitted lot size shall be forty (40) acres.
- C. A plan for forest management shall be prepared or approved as to content for the property by a registered professional forester. Such a plan shall provide for eventual harvest of the timber within a reasonable period of time, as determined by the preparer of the plan. The guidelines set forth in the California Department of Forestry Manual of Instruction, Section 3132, shall be utilized in preparing the plan.
- D. The parcel shall currently meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code, and the Forest Practice Rules adopted by the State Board of Forestry for the district in which the parcel is located, or the owner must sign an agreement with the Board of Supervisors to meet such stocking standards and forest practice rules by the fifth anniversary of the signing of such agreement. Upon the fifth anniversary of the signing of such an agreement, the Board shall determine whether the parcel meets the timber stocking standards in effect on the date the agreement was signed. If the parcel fails to meet the timber stocking standards, the Board shall initiate proceedings to rezone the parcel and specify a new zone for such parcel which is in conformance with the County General Plan and whose primary use is other than timberland.

(Amended by Ord. 490.201 adopted 5-20-80)

- E. The parcel shall be of site quality Class 3 or higher as specified in Section 434 of the Revenue and Taxation Code. Parcels of site quality Class 4 may be included provided that a registered professional forester certifies that due to factors of soil type and depth, moisture, species of trees, aspect, and slope, the parcel can be harvested with no permanent negative impacts, and that the stand will be capable of regeneration within a reasonable period of time. The mapping grid for site quality determination shall be no greater than 10 acres.
- F. The parcel shall be in compliance with the compatible uses listed in Sections 814.1, 814.2, and 814.3.

(Amended by Ord. 490.201 adopted 5-20-80)

SECTION 814.7 - PROCEDURES FOR INITIATING, FILING AND PROCESSING PETITIONS
RELATING TO TIMBERLAND PRESERVE ZONING

(Added by Ord. 490.131 adopted 3-15-77)

In addition to the requirements of Section 878, the following shall apply:

- A. When land is zoned as timberland preserve or subsequently rezoned from a timberland preserve zone and after exhaustion of appeals, a notice of timberland preserve zone status, together with a map and Assessor's Parcel Numbers describing such land, shall be filed for record by the County in the Recorder's Office. The notice and map shall become a part of the official records of the County Recorder upon its acceptance for filing. The filing for record of a notice of timberland preserve, together with a map and Assessor's parcel number describing such land, shall impart constructive notice thereof. A fee sufficient to cover costs of recording said notice shall be paid by the applicant at the time of filing.

(Amended by Ord. 490.201 adopted 5-20-80)

- B. Parcels zoned as timberland preserve shall be zoned as such for an initial term of ten (10) years. On the first and each subsequent anniversary date of the initial zoning, a year shall be added to the initial term of ten (10) years, unless a notice of rezoning is given as provided in Section 814.7-E.
- C. An owner with timberlands in a timberland preserve zone may petition the Board to add to his timberland preserve, lands that meet the definition and uses of timberland and that are contiguous to the timberland already zoned as timberland preserve. Section 814.6 shall not apply to these lands.

(Amended by Ord. 490.201 adopted 5-20-80)

- D. In the event of land exchanges with, or acquisitions from, a public agency in which the size of an owner's parcel or parcels zoned as timberland preserve is reduced, the timberland preserve zone shall not be removed from the parcel except pursuant to Section 814.7-F, and except for a cause other than the smaller parcel size.
- E. Requests for rezoning by property owners will be considered subject to the following:
 - 1. If the owner desires in any year to rezone a parcel from its current timberland preserve zone, the owner shall give written notice at least ninety (90) days prior to the anniversary date of initial zoning.

2. Within one hundred twenty (120) days of receipt of the written notice of an owner's desire to rezone a parcel, the Board, after a public hearing, shall rule on the request for rezoning.
3. The Board by a majority vote of the full body may remove the parcel from the timberland preserve zone and shall specify a new zone for the parcel.
4. The new zone approved pursuant to subsection (3) shall become effective ten (10) years from the date of approval. Only after the new zone takes effect can any other zone district be considered in the normal manner established in the Fresno County Zoning Ordinance.

(Amended by Ord. 490.201 adopted 5-20-80)

5. If the Board denies the owner's request for a change of zone pursuant to Subsection (2), the owner may petition for a rehearing.

F. Rezoning initiated by the Board of Supervisors shall be administered in the following manner:

1. If the Board, after public hearing and by a majority vote of the full body, desires in any year not to extend the term of zoning, the County shall give written notice of its intent to rezone.

Unless the written notice is given at least ninety (90) days prior to the anniversary date of the initial zoning, the zoning term shall be deemed extended.

2. Upon receipt by the owner of a notice of nonrenewal from the County, the owner may make written protest of the notice and may appeal to the Board within thirty (30) days of the notice from the County. The Board may at any time prior to the anniversary date withdraw the notice of nonrenewal.

(Amended by Ord. 490.201 adopted 5-20-80)

3. Within thirty (30) days of receipt from the owner of a written protest of the zoning change, the Board shall hold a public hearing on the proposed change and by a majority vote of the full body may reaffirm its intent to change the zoning and specify a new zone.
4. A new zone of a parcel shall be effective ten (10) years from the date of the date determined as provided in Subsection F-1 above, or in the case of a public hearing following an owner's written protest, the date of the reaffirmation vote pursuant to Subsection F-3.
5. The owner may petition to be reheard.

G. Request for immediate rezoning will be considered as follows:

1. The immediate rezoning of timberland preserve zoned lands, whether timber operations are involved or not, shall require an application for a State Board of Forestry Conversion Permit except for the following:

A single conversion to a non-timber growing use of timberland of less than three acres, whether or not it is a portion of a larger parcel, under one contiguous

ownership, conditioned upon conformance to the County General Plan and Zoning Ordinance.

2. If application for conversion is required:
 - a. The Board may tentatively approve the immediate rezoning after notice and hearing only if by a four-fifths vote of the Board, and:
 - (1) A public hearing is held with notice of the hearing being given to all owners of lands situated within one mile of the exterior boundary of the land upon which the immediate rezoning is proposed.
 - (2) The Board makes written findings that immediate rezoning is not inconsistent with the purposes of Subdivision (j) of Section 3 of Article XIII of the State Constitution and Chapter 6.7 of the State Government Code.
 - (3) The Board makes written findings that immediate rezoning is in the public interest.
 - b. The Board shall forward its tentative approval to the State Board of Forestry, together with the application for immediate rezoning, a summary of the public hearing and any other information required by the State Board of Forestry.
 - c. Final approval to an immediate rezoning is given only if the Board of Forestry has approved conversion pursuant to Section 4621.2 of the Public Resources Code.
 - d. Upon such final approval of conversion, the Board of Forestry shall notify the Board of such approval, and the Board shall remove the parcel from the timberland preserve zone and shall specify a new zone for such parcel.
3. If an application for conversion is not required:
 - a. The Board may approve the immediate rezoning request only if by a four-fifths vote of the full Board it makes written findings that:
 - (1) The immediate rezoning would be in the public interest; and
 - (2) The immediate rezoning does not have a significant and unmitigated adverse effect upon the continued timber growing use or open space use of other land zoned as timberland preserve and situated within one mile of the exterior boundary of the land upon which immediate rezoning is proposed;
 - (3) The soils, slopes, and watershed conditions will be suitable for the uses proposed by the applicant if the immediate rezoning is approved;
 - (4) The immediate rezoning is not inconsistent with the purposes of Subdivision (j) of Section 3 of Article XIII of the Constitution and Chapter 6.7 of the State Government Code.
 - b. The existence of an opportunity for an alternative use of the land shall not alone be sufficient reason for granting a request for immediate rezoning pursuant to Section 814.7-G.3. Immediate rezoning shall be considered only if there is no proximate and suitable land which is not zoned timberland preserve for the

alternate use not permitted within a timberland preserve zone.

- c. The uneconomic character of the existing use shall not be sufficient reason for the approval of immediate rezoning pursuant to Section 814.7-G.3. The uneconomic character of the existing use may be considered only if there is no other reasonable or comparable timber growing use to which the land may be put.
- d. Immediate rezoning action shall comply with all the applicable provisions of State law and local ordinances.

(Section 814.7 amended by Ord. 490.210 adopted 5-20-80)

SECTION 815

"O" OPEN CONSERVATION DISTRICT

The "O" Open Conservation District is intended to provide for permanent open spaces in the community and to safeguard the health, safety and welfare of the people by limiting developments in areas where police and fire protection, protection against flooding by storm water and dangers from excessive erosion are not possible without excessive costs to be community.

SECTION 815.1 - USES PERMITTED

The following uses shall be permitted in the "O" District. All uses shall be subject to the Property Development Standards in Section 815.5.

(Amended by Ord. 490.174 re-adopted 5-18-79)

- A. Agricultural uses provided that no dwellings, either temporary or permanent, be permitted in relation thereto.
- B. Fisheries.
- C. Flood control channels, spreading grounds, settling basins, freeways, parkways, park drives.
- D. Recreation areas, moderate intensity parks, playgrounds, wildlife preserves, forest preserves and such buildings and structures as are related thereto.

(Amended by Ord. 490.175 re-adopted 5-28-79)

- E. Signs subject to provisions of Section 815.5-K.
- F. Temporary or permanent telephone booths.

SECTION 815.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Microwave relay structures.

SECTION 815.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

- A. Caretaker's dwelling, and necessary accessory buildings.
- B. Manufacture of concrete products including hot mix plants, batching plants or the use of asphalt or petroleum products.
- C. Temporary logging camps.

- D. Temporary sawmills and planing mills.

SECTION 815.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "O" District.

- A. Advertising structures.
- B. Commercial uses other than those related to and under the regulations of parks or city, county, State, or Federal recreational agencies.
- C. Industrial uses, excepting as listed in Section 815.1, 815.2, and 815.3
- D. Residential uses, except as provided for in Section 815.3, above.

SECTION 815.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "O" District.

- A. LOT AREA

There shall be a minimum lot area of five (5) acres. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District.

- B. LOT DIMENSIONS

No requirements.

- C. POPULATION DENSITY

None, however the provisions of Section 815.3-A shall apply.

- D. BUILDING HEIGHT

No building or structure erected in this District shall have a height greater than one (1) story, not to exceed thirty-five (35) feet, with the following exceptions:

- a. Public service structures.
- b. All other exceptions shall be subject to review and approval by the Director.

- E. YARDS

The requirements of the "AE-40" District, Section 816.5-E-1, 2, 3, 4, and 5, shall apply.

- F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

Permitted buildings and structures shall not exceed ten (10) percent of the total lot area.

H. FENCES AND WALLS

1. A fence or wall shall be constructed along the perimeter of all areas designated by the Commission to be dangerous to the health, safety and general welfare.

(Deletion: Sec. 815.5-H-1 by Ord. 490.55 adopted 6-17-69)

2. Corner Cut-Off Areas: The following regulations shall apply to all intersections of streets, alleys, or private driveways in order to provide adequate visibility for vehicular traffic. There shall be no visual obstruction within the cut-off areas established herein.
 - a. There shall be a corner cut-off area at all intersecting streets or highways. The cut-off line shall be in a horizontal plane, making an angle of forty-five (45) degrees, with the side, front, or rear property line, as the case may be. It shall pass through the points located on both the side and front (or rear) property lines at a distance of thirty (30) feet from the intersection of such lines at the corner of a street or highway.
 - b. There shall be a corner cut-off area on each side of any private driveway intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line, as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the driveway where it intersects the street or alley right-of-way.
 - c. There shall be a corner cut-off area on each side of any alley intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the alley where it intersects the street or alley right-of-way.
 - d. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, said corner cut-off shall be defined by a line drawn from a point on the front (or rear) property line that is not less than thirty (30) feet from the intersection of the side and front (or rear) property lines and through a point on the side property line that is not less than thirty (30) feet from said intersection of the side and front (or rear) property lines.

I. OFF-STREET PARKING

No requirement, except that where a congregation of people is intended, there shall be one (1) parking space for each five (5) persons which the facility is intended or designed to serve.

J. ACCESS

No requirements other than where a congregation of people is intended, in which case access to parking areas shall be from a dedicated and improved street or by way of an easement legally established for vehicular traffic.

K. OUTDOOR ADVERTISING

1. Signs shall be permitted subject to the following standards:
 - a. No sign shall endanger the health and safety by causing distractions to operators of motor vehicles on the streets or highways, nor shall any sign be designed and located so as to be confused with traffic signs and signals.
 - b. The sign shall advertise only the name of the operation, simple directions to its location, and slogan, if any.
 - c. The sign shall not exceed one hundred (100) square feet in area.
 - d. The sign shall be set back not less than five (5) feet from the street or highway right-of-way.
 - e. Signs shall not exceed the permitted building height in this district.
 - f. Signs shall be located at intervals of not less than one-half (2) mile, provided, however, that this shall not be so interpreted to prohibit neighboring property owners or lessees located at less than one-half (2) mile intervals from erecting permitted signs on each property.

(Deletion: Sec. 815.5-K.2 by Ord. 490.55 adopted 6-17-69)

SECTION 815.6 - OTHER CONDITIONS TO USE

Land may be placed in the "O" District only under the following conditions:

A. PUBLIC USES

1. Flood control channels, creeks, and rivers.
2. Freeways, parkways and park drives.
3. Public parks, playgrounds, and wildlife preserves.
4. Publicly owned forest lands.

B. PRIVATELY OWNED LAND IN DANGEROUS AREAS

1. Areas too steep to build upon or where such building may cause a public hazard due to excessive erosion or flooding.
2. Areas subject to flooding or inundation from storm water.
3. Areas beyond fire servicing, where development might endanger life, property or the watershed.
4. Areas subject to geologic hazards.

(Added by Ord. T-008-263 adopted 4-19-82)

SECTION 816

"AE" EXCLUSIVE AGRICULTURAL DISTRICT

The "AE" District is intended to be an exclusive district for agriculture and for those uses which are necessary and an integral part of the agricultural operation. This district is intended to protect the general welfare of the agricultural community from encroachments of non-related agricultural uses which by their nature would be injurious to the physical and economic well-being of the agricultural district.

The "AE" District shall be accompanied by an acreage designation which establishes the minimum size lot that may be created within the District. Acreage designations of 640, 320, 160, 80, 40, 20, 5 are provided for this purpose. Parcel size regulation is deemed necessary to carry out the intent of this District.

(Amended by Ord. 490.38 adopted 11-21-67)

SECTION 816.1 - USES PERMITTED

The following uses shall be permitted in the "AE" Districts, except as otherwise provided in Subsection K of Section 816.2 for Interstate Interchange Impact Areas. All uses shall be subject to the Property Development Standards in Section 816.5

(Amended by Ord. 490.95 adopted 11-27-73; Ord. 490.174 re-adopted 5-8-79)

- A. The maintaining, breeding, and raising of livestock of all kinds, except as provided in Sections 816.2 and 816.3.
(Amended by Ord. 490.117 adopted 10-5-76; Ord. T-038-306 adopted 5-22-90)
- B. The maintaining, breeding, and raising of poultry of all kinds, subject to the provisions of Section 868.
(Added by Ord. T-038-306 adopted 5-22-90)
- C. The raising of tree, vine, field, forage, and other plant life crops of all kinds.
(Amended by Ord. T-077-352, adopted 3-2-04)
- D. One family dwellings and accessory buildings and farm buildings of all kinds, when located upon farms and occupied or used by the owner, farm tenant or other persons employed thereon or the non-paying guests thereof; provided, however, that a residence once constructed and used for one of the foregoing uses, and no longer required for such use shall acquire a nonconforming status and may be rented for residential purposes without restriction.
- E. Home Occupations, Class I, subject to the provisions of Section 855-N.
(Amended by Ord. T-288 adopted 2-25-86)
- F. The harvesting, curing, processing, packaging, packing, shipping, and selling of agricultural products produced upon the premises, subject to the provisions of 855-N.32
(Amended by Ord. T-077-352, adopted 3-2-04).
- G. When carried on as a clearly secondary occupation in conjunction with a bona fide agricultural operation, where no more than ten (10) percent of the total land is used and where no more than three (3) persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises, any of the following uses:

1. The manufacturing, maintenance, repair, servicing, storage, sale or rental of agricultural machinery, implements and equipment of all kinds.
 2. The manufacture, storage or sale of farm supplies of all kinds, including but not limited to fertilizers, agricultural minerals and insecticides.
 3. The transportation of agricultural products, supplies or equipment together with the maintenance, storage, repair and servicing of the necessary trucks and equipment therefor.
 4. Horticultural and landscaping services, when operated in conjunction with horticultural nurseries.
(Added by Ord. 490.65 adopted 8-4-70)
- H. The maintenance of temporary and permanent farm labor camps when carried on as a secondary function in conjunction with a bona fide agricultural operation. The density standards of Section 816.5-C shall not apply.
(Amended by Ord. 490.31 adopted 10-11-66)
- I. The use, storage, repair and maintenance of tractors, scrapers, and land leveling and development equipment when operated in conjunction with, or as part of, a bona fide agricultural operation;
(Amended by Ord. 490.117 adopted 10-5-76)
- J. Apiaries and honey extraction plants subject to the provisions of Section 855-N.
- K. Signs, subject to the provisions of Section 816.5-K.
- L. Temporary or permanent telephone booths.
- M. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.
- N. Trailer house occupancy consisting of one or more trailers, subject to the provisions of Section 856 and 816.1-C.
(Amended by Ord. 490.18 adopted 12-29-64; Ord. 490.81 adopted 10-24-72)
- O. Breeding and personal kennels.
(Added by Ord. 490.36 adopted 7-25-67)
- P. Historic and monument sites.
(Added by Ord. 490.117 adopted 10-5-76)
- Q. Water-well drilling or pump installation service.
(Added by Ord. 490.117 adopted 10-5-76; amended by Ord. 490.157 adopted 9-19-78)
- R. Welding and blacksmith shops and farm equipment and machinery sales, rental storage, and maintenance facilities when in conjunction with welding and blacksmith shops.
(Added by Ord. 490.117 adopted 10-5-76)
- S. Value-added agricultural uses and facilities subject to the provisions of Section 855-N.32 and Section 874.
(Added by Ord. T-077-352, adopted 3-2-04)

SECTION 816.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Churches, parsonages and other religious institutions.
- B. Commercial stables and riding academies.
- C. Communications equipment buildings and microwave relay structures.
- D. Electrical transmission substations and electric distribution substations.
- E. Commercial specialty animal raising, including fish, fur-bearing animals, wild or undomesticated animals, amphibians, insects and birds for products, numerical increase, or, value increase.
(Amended by Ord. 490.117 adopted 10-5-76)
- F. Wineries and distilleries – Small, subject to the provisions of 855-N
(Added by Ord. T-075 adopted 3-25-03)
- G. Philanthropic and eleemosynary institutions where agriculture is carried on to a substantial degree.
- H. Public schools, private or parochial schools of an elementary or secondary level, colleges, and day nursery large.
(Amended by Ord. 490.188 adopted 10-29-79)
- I. Public buildings and yards, fire stations.
- J. Sale of food products produced off the premises provided that the sale of such products is incidental and secondary to the sale of agricultural products produced upon the premises when not authorized under Section 816.1-S.
(Added by Ord. 490.2 adopted 7-25-61, Amended by Ord. T-077-352, adopted 3-2-04)
- K. Veterinarian offices and animal hospitals.
(Amended by Ord. 490.195 adopted 2-26-80)
- L. All uses listed in Section 816.1, except as provided in Subsection B thereof, located within an Interstate Interchange Impact Area identified in Section 816.7.
(Added by Ord. 490.95 adopted 11-27-73)
- M. Home Occupations, Class II, subject to the provisions of Section 855-N.
(Added by Ord. T-288 adopted 2-25-86)
- N. Off-site directional signs for major recreational uses, hospitals and colleges subject to the criteria set forth in Section 855-K.
(Added by Ord. 490.105 adopted 4-22-75)
- O. Farm labor contractor services.
(Added by Ord. 490.117 adopted 10-5-76)
- P. Antique sales.
(Added by Ord. 490.117 adopted 10-5-76)

- Q. The maintenance and storage of agricultural equipment designed to be used solely for the harvesting of crops, which equipment must be located by the owner thereof upon his own premises when not operated as a secondary occupation in conjunction with, or as part of, a bona fide agricultural operation.
(Added by Ord. 490.117 adopted 10-5-76)
- R. Commercial land leveling and development establishments when they are not operated in conjunction with, or as part of, a bona fide agricultural operation.
(Added by Ord. 490.117 adopted 10-5-76)
- S. Commercial crop planting, cultivating, and soil preparation service establishments when they are not operated in conjunction with, or as part of, a bona fide agricultural operation.
(Added by Ord. 490.117 adopted 10-5-76)
- T. The maintenance and storage of trucks and trailers, when such vehicles are devoted exclusively to the transportation of agricultural products, supplies, and equipment.
(Added by Ord. 490.117 adopted 10-5-76)
- U. Temporary mobilehome occupancy subject to the provisions of Section 856 A.1.b.
(Added by Ord. 490.145 adopted 2-14-78; amended by Ord. 490.194 adopted 1-28-80)
- V. Dog grooming in conjunction with a single-family residence limited to a maximum of eight dogs per day.
(Added by Ord. 490.146 adopted 2-28-78)
- W. Second dwelling units, subject to the provisions of section 855-N.
(Added by Ord. T-269 adopted 5-24-83; amended by Ord. T-280 adopted 12-18-84)
- X. The maintaining, breeding, and raising of poultry of all kinds, when not permitted by 816.1-B.
(Added by Ord. T-038-306 adopted 5-22-90)
- Y. Existing facilities intended for the commercial storage of agricultural products, equipment, and supplies where such activity is not conducted as a secondary occupation in conjunction with, or part off, a bona side agricultural operation provided that such facilities were legally established with building permits prior to the adoption of this ordinance section.
(Added by Ord. T-057-326 adopted 6-4-96)

SECTION 816.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

- A. Value-added agricultural uses and facilities that are not authorized under Section 816.1-S. This section may also include ancillary uses and facilities that are operated in association with a value-added agricultural processing facility.
(Amended by Ord. 490.155 adopted 9-5-78; Ord. 490.161 adopted 10-2-78; Ord. 490.179 re-adopted 6-26-79, Amended by Ord. T-077-352, adopted 3-2-04)
- B. Commercial grain elevators when not operated as a secondary occupation in conjunction with, or as part of, a bona fide agricultural operation.
- C. Commercial stock feeding yards and feed lots when not operated as a secondary occupation in connection with, or as part of, a bona fide agricultural operation.

- D. Commercial meat processing plants. Such plants may include all phases of meat processing including slaughtering, meatpacking, canning, stuffing, smoking, rendering and hide curing. (Added by Ord. 490.103 adopted 2-18-75; amended by Ord. 490.137 adopted 9-6-77)
- E. Community auction and sale yards for sale of farm animals, products, implements, supplies, or equipment.
- F. Guest ranches.
- G. Mushroom growing.
- H. Temporary and permanent farm labor camps that are not carried on as a secondary function in conjunction with a bonafide agricultural operation. (Amended by Ord. 490.31 adopted 10-11-66)
- I. Permanent roadside stands for the sale of agricultural products and the sale of wine to be consumed off the premises in conjunction with and secondary to such roadside stands for the sale of agricultural products. (Amended by Ord. 490.107 adopted 6-5-75)
- J. The sale of beer to be consumed off the premises in conjunction with and secondary to a permanent roadside stand for the sale of agricultural products; that the percentage of beer sales to total roadside stand sales shall be determined as a condition to the Conditional Use Permit. (Added by Ord. 490.142 adopted 12-6-77)
- K. Private use airports, heliports and crop dusting strips. (Amended by Ord. 490.161 adopted 10-2-78)
- L. Sewage disposal and treatment plants.
- M. The commercial slaughtering of poultry or rabbits not raised upon the premises.
- N. Wineries and distilleries except as provided for in 816.2 (Amended by Ord. T-075-349 adopted 3-25-03)
- O. Commercial establishments for the processing, storage, sale, and off-site application of agricultural chemicals, including but not limited to fertilizers, insecticides (flammable and inflammable types) and pesticides. (Added by Ord. 490.35 adopted 5-16-67)
- P. Boarding and training kennels (Added by Ord. 490.36 adopted 7-25-67)
- Q. Horticultural and landscaping services in conjunction with horticultural nurseries, when carried on as a primary use of the property. (Added by Ord. 490.65 adopted 8-4-70)
- R. Off-road vehicle areas consisting of recreational facilities for the driving, testing and racing of motorcycles, trail bikes, 4-wheel drive vehicles, or similar vehicles which are principally designed or commonly used for off-highway recreation purposes. features of such sites may include hill climb areas, race courses, or motor-cross/auto-cross. Such sites shall not be located on land which is productive or potentially productive agricultural land as defined in the General Plan.

(Added by Ord. 490.107 adopted 9-8-75; amended by Ord. 490.125 adopted 12-7-76; and Ord. T-275 adopted 4-24-84)

- S. Swine, sheep, or goat feed lots or yards.
- T. Commercial dehydration operations.
- U. Liquefied petroleum gas distribution and storage, retail.
(Amended by Ord. 490.179 adopted 6-26-79)
- V. Feed and farm supply sales.
- W. Farm equipment and machinery sales, rental, storage, and maintenance.
- X. Irrigation systems administrative offices.
- Y. Building materials sales.
- Z. Racetracks for non-motorized and motorized vehicles including bicycles, motorcycles, automobiles, and similar vehicles when conducted on land which is not productive or potentially productive agricultural land as defined in the General Plan. Off-road vehicle areas are excluded.
(Added by Ord. No. 490.125 adopted 12-7-76; amended by Ord. No. T-275 adopted 4-24-84)
- AA. Swim schools operated in conjunction with a single-family residence with a maximum of fifteen (15) students at one time.
(Added by Ord. 490.143 adopted 1-24-78)
- BB. Off-site rock, sand, and gravel trucking operations which may include a newly created parcel size of not less than five acres (See Section 816.5-A.4) on sites located outside the Sphere of Influence of any City or community and not located on productive agricultural land as defined in Section 204-02:3.02a of the General Plan.
(Amended by Ord. No. T-240 adopted 8-17-81; amended by Ord. No. T-033-299 adopted 6-7-88)
- CC. Agricultural Commercial center development subject to the provisions of Section 867.
(Added by Ord. T-034-297 adopted 9-20-88)
- DD. Assembly of equipment for the post-harvest processing of agricultural products provided such equipment is sold directly to the farmer or processor.
(Added by Ord. T-044-312 adopted 6-30-92)

SECTION 816.4 - USES EXPRESSLY PROHIBITED

The following uses shall be expressly prohibited in the "AE" District. However, enumerating of these prohibited uses shall not by implication enlarge upon the scope of permitted uses specified in Section 816.1, 816.2, and 816.3, above, their enumeration herein being for purposes of clarity only.

- A. All manufacturing, service, and commercial uses not specifically permitted in Sections 816.1, 816.2, 816.3, 860, and 867.
(Amended by Ord. 490.60 adopted 4-28-70; amended by Ord. T-034-297 adopted 9-20-88)
- B. Advertising structures, except freestanding signs for produce stands.
(Amended by Ord. 490.202 adopted 5-20-80)

- C. Art, craft, music, or dancing schools or businesses, professional or trade schools or colleges.
- D. Columbaria, crematoriums, and mausoleums.
(Amended by Ord. 490.117 adopted 10-5-76)
- E. Residential subdivisions.
- F. Truck yards, terminals or facilities unless devoted exclusively to the transportation of agricultural products, supplies and equipment.
- G. Sawmills, pulp mills, and similar establishments for the processing of logs, wood, and lumber.
- H. Any use that utilizes coal, coke, or other coal-based fuel as an industrial fuel source, excluding blacksmith shops.
(Amended by Ord. T-039-307 adopted 2-26-91)

SECTION 816.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "AE" District. For additional lot exceptions in the Sierra-North and Sierra-South Regional Plan areas, see Section 855-A.

A. LOT AREA

1. Each lot shall have a minimum acreage as indicated by the district acreage designation. However, for the purpose of complying with minimum lot area requirements, sections of land containing less than 640 acres shall be deemed to be equivalent to 640 acres. Parcels resulting from the division of sections with less than 640 acres into units of 1/2, 1/4, 1/8, 1/16, or 1/32 of said section shall also be deemed to be equivalent to the corresponding and respective lot areas required by the acreage designations (320, 160, 80, 40, or 20) of the AE District. The acreage shall be measured from the center of any abutting roadway, stream, railroad, or other public right-of-way that serve as a boundary line.

A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District. An existing parcel of land under one ownership, when divided by a developed public right-of-way in such a manner that one or both portions of the parcel are substandard as a lot area, shall be considered as two separate lots under the provisions of this Section.
(Amended by Ord. 490.117 adopted 10-5-76; Ord. 490.132 adopted 5-27-77, Amended by Ord. T-248 adopted 9-16-80; Amended by Ord. T-068-344 adopted 4-23-02)

2. The creation of homesites less than the minimum acreage indicated by the District acreage designation, but not greater than 2.5 gross acres (5 gross acres in the Sierra-North and Sierra-South Regional Plan areas designated Eastside Rangeland) may be permitted in the Exclusive Agricultural Zone District, excluding the AE-5 Zone District, subject to the following criteria:
(Amended by Ord. 490.172 adopted 4-24-79)
 - a. The minimum lot size shall be 60,000 square feet of gross area (two (2) acres in the Sierra-North and Sierra-South Regional Plan areas) as measured from the center of any abutting roadway, stream, railroad, or other public right-of-way forming a

boundary line, except that a lesser area shall be permitted when the owner submits evidence satisfactory to the Health Officer that the soils meet the California Regional Water Quality Control Board guidelines for liquid waste disposal, but in no event shall the lot be less than one (1) gross acre; and

b. One of the following conditions exist:

- (1) The lot is to be created by the conveyance of a security instrument to finance a single family residence to be occupied by the owner thereof where the existing lot before division is not less than twenty (20) gross acres; that said lot, together with the remaining acreage, shall not be separately conveyed or devised without meeting the district acreage designation, except for the purpose aforesaid, unless such division occurs by judicial foreclosure, trustee's sale or other legal proceedings which discharge the lien of the security instrument. (Amended by Ord. 490.132 adopted 5-25-77; amended by Ord. T-067-338 adopted 6-26-01)
- (2) The lot or lots to be created are intended as a conveyance or devise exclusively for use by a person related to the owner by adoption, blood, or marriage within the second degree of consanguinity and only for persons involved in the farming operation; the existing lot before division contains a minimum of twenty (20) gross acres; there is only one (1) lot per related person, or per related married couple, and there is no more than one lot per each twenty (20) gross acres, or (Amended by Ord. 490.132 adopted 5-24-77; amended by Ord. T-067-338 adopted 6-26-01)
- (3) Outside of the Sierra-North and Sierra-South Regional Plan areas, the present owner owned the property prior to adoption of the Exclusive Agricultural Zone District and wishes to retain his homesite and sell the remaining acreage for agricultural purposes where the remaining acreage is not less than fifteen (15) acres, or (Amended by Ord. 490.132 adopted 5-24-77)
- (4) Outside of the Sierra-North and Sierra-South Regional Plan areas, a homesite is to be retained from an existing lot of less than fifteen (15) acres with the remaining acreage to be added to an abutting lot, which with the addition will have a total lot size of at least fifteen (15) acres, and is to be used for agricultural purposes, or
- (5) The lot to be created is intended as a life estate.
- (6) In the Sierra-North and Sierra-South Regional Plan areas the present owner owned the property at the time of Plan adoption (May 4, 1982, for Sierra-North, September 25, 1984 for Sierra-South), and wishes to retain his homesite and sell the remaining acreage for agricultural purposes where the acreage exceeded 15 acres.

c. Each homesite created pursuant to Section 816.5-A.2b(2)(3)(4) and (6) shall be subject to execution of a Declaration of Intent and Acknowledgement of Penalty for Unlawful Conveyance. (Added by Ord. T-067-338 adopted 6-26-01)

- d. Creation of homesites listed above excepting those for financing purposes or life estates shall not be permitted in addition to the divisions permitted pursuant to Section 855A-5.c. and 855A-6.b.
(Sec. 816.5-A.2 added by Ord. 490.117 adopted 10-5-76; amended by Ord. T-265 adopted 11-16-82; Ord. T-025-281 adopted 6-25-85; Ord. T-067-338 adopted 6-26-01)
3. The creation of lots less than the minimum parcel size of the zone district, but not less than five (5) acres, may be considered as a part of the Conditional Use Permit for off-site rock, sand, and gravel trucking operations.
(Amended by Ord. 490.198 adopted 4-21-80; Ord. No. T-033-299 adopted 6-7-88; and Ord. T-067-338 adopted 6-26-01)
4. All parcels approved for creation through the former Agricultural Assessment process shall be deemed conforming and all legally created parcels shall not merge.
(Added by Ord. T-275 adopted 4-24-84)
5. Despite any other provision of this Division, all parcels not in compliance with 816.5-A.2b shown on map applications accepted for processing prior to the effective date of this provision (August 1, 2001), shall upon subsequent recordation of the map and/or certificate be deemed conforming.
(Added by Ord. T-067-338 adopted 6-26-01)

B. LOT DIMENSIONS

1. No requirements for lots greater than five (5) acres in size or parcels created for financing purposes. The provisions of the "RR" District, Section 820.5B, shall apply for all lots less than five (5) acres in size. Public road frontage shall not be required for lots created by Subsection A.2.b.(3), (4), and (5) of this Section from an existing landlocked parcel.
(Amended by Ord. 490.117 adopted 10-5-76; Ord. T-011-265 adopted 11-16-82)
2. The ratio of lot depth to lot width shall not exceed four (4) to one (1) for lots created by Section 816.5-A.3.
(Added by Ord. 490.172 re-adopted 4-24-79)

C. POPULATION DENSITY

1. Not more than one (1) residence may be constructed or placed upon a parcel of land which is less than five (5) acres in size in the AE-5 District, less than twenty (20) acres in size in the AE-20 District, and less than forty (40) acres in size in the AE-40 District through the AE-640 District, except that one of the following may be permitted:
(Added by Ord. T-067-338 adopted 6-26-01)
 - a. A temporary mobilehome, subject to the provisions of Section 816.2.
 - b. A second dwelling unit, subject to the provisions of Section 816.2.
(Amended by Ord. T-269 adopted 5-24-83)
 - c. Residential uses subject to the provisions of Section 867.
(Added by Ord. T-034-297 adopted 9-20-88).
2. Not more than one (1) additional residence may be constructed or placed upon a parcel of land for each five (5) acres in excess of five (5) acres in the AE-5 District, each twenty (20)

acres in excess of twenty (20) acres in the AE-20 District, and each forty (40) acres in excess of forty (40) acres in the AE-40 through the AE-640 District.
(Added by Ord. T-067-338 adopted 6-26-01)

3. Each homesite created pursuant to Section 816.5-A.2b (2) shall reduce by one (1) the number of residential units otherwise authorized on the remainder parcel created from the original parcel. The remainder parcel shall be entitled to no less than one residential unit.
(Added by Ord. T-067-338 adopted 6-26-01)
4. Despite any other provision of this Division, all residences authorized for construction for which an application was accepted for processing prior to the effective date of this provision (August 1, 2001) that exceed the density standards herein, shall be deemed conforming and not subject to the provisions of Section 876 (Nonconforming buildings and Uses).
(Added by Ord. T-067-338 adopted 6-26-01)

D. BUILDING HEIGHT

No building may exceed thirty-five feet (35) feet in height. If the building exceeds two (2) stories, an emergency exit (door or window no less than two (2) feet wide and having a minimum area of six (6) square feet) shall be provided to the uppermost story no more than twenty-eight (28) feet above the finished grade below the opening. Non-dwelling structures and other accessory farm buildings are excepted.
(Amended by Ord. T-243 adopted 7-28-80)

E. YARDS

1. General Yard Requirements

- a. All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky, except as provided for below.
- b. Swimming Pools
 - (1) Swimming pools shall not be located in any required front yard or side yard and its projection to the rear property line when abutting a street.
 - (2) Swimming pools shall not be located within five (5) feet of any required front yard setback or within five (5) feet of any required side yard setback and its projection to the rear property line when abutting a street.
 - (3) Swimming pools may be located in any required interior side yard and rear yard provided a space of not less than five (5) feet is maintained from the side and rear property lines.

(For swimming pool enclosure requirements see "Fences, Hedges, and Walls."
Section 816.5-H)
(Amended by Ord. T-245 adopted 4-27-81)

2. Front Yard

Each lot shall have a front yard of not less than thirty-five (35) feet extending across the full width of the lot.

3. Side Yard

a. Each lot shall have a side yard on each side of not less than twenty (20) feet except for special conditions provided for below.

b. Corner Lots

On corner lots, unless otherwise specified in this Division, the side yard abutting the street shall be not less than thirty-five (35) feet in width.

c. Accessory Buildings In Side Yards

- (1) Any accessory building located less than one hundred (100) feet from the front property line shall have the same minimum side yard as that required for the main building, regardless of whether or not said accessory building is attached to the main building.
- (2) An accessory building may be located on a side property line when said building is located one hundred (100) feet or more from the front property line.
- (3) Accessory buildings located in the side yard or its projection to the rear property line when abutting a street shall be at least twenty (20) feet from the property line on the side street.
- (4) Any accessory building permitted on a side property line shall have provisions for all roof drainage to remain on the subject lot.
(Amended by Ord. 490.153 adopted 9-5-78)

4. Rear Yard

The provisions of the side yard, Section 816.5-E.3.a, b, and c, shall apply.

5. Exceptions: Permitted Projections Into Required Yards

The provisions of the "R-A" District, Section 821.5-E.5.a through c, shall apply.

F. SPACE BETWEEN BUILDINGS

No animal or fowl pen, coop, stable, barn or corral shall be located within forty (40) feet of any dwelling or other building used for human habitation.
(Amended by Ord. 490.153 adopted 9-5-78)

G. LOT COVERAGE

No requirements.

H. FENCES HEDGES AND WALLS

The provisions of Section 855-H.2 shall apply.
(Added by Ord. 490.123 adopted 12-7-76)

I. OFF-STREET PARKING

1. For value-added agricultural uses and facilities involving retail sales, there shall be at least two (2) square feet of off-street parking area for each one (1) square foot of retail floor space, or fraction thereof.
2. For value-added agricultural uses and facilities, there shall be at least one (1) off-street parking space for each two (2) permanent employees. In addition, there shall be at least one (1) parking space for each truck operated by the concern and one parking space for each sales person permanently employed.
3. The provisions of the General Standards, Section 855-I, shall apply.
(Added by Ord. T- 077-352, adopted 3-2-04)

J. ACCESS

No requirements for lots greater than five (5) acres in size except those lots created by 816.5-A.3. The provisions of the "A-2" District, Section 819.5-J, shall apply for all lots less than five (5) acres in size and those created by 816.5-A.3.
(Amended by Ord. 490.172 re-adopted 4-24-79)

K. OUTDOOR ADVERTISING

1. One (1) non-flashing sign for each street frontage, total area of such sign to contain not more than forty (40) square feet and pertaining only to products for sale upon the premises or services rendered thereon or therefrom, shall be permitted in this District.
2. Name signs shall be permitted but shall display only the following conditions:

Name signs shall display only the:
 - (1) Name of the premises upon which it is displayed;
 - (2) Name of the owner, lessee of said premises;
 - (3) Address of said premises;
 - (4) Nature of the occupation engaged in on said premises.
3. "For Rent" and "For Sale" signs shall be permitted.
4. Signs for institutional uses including churches, hospitals, rest homes, private clubs and similar uses shall be permitted subject to the provisions of Section 855-K.
5. Off-site directional signs for major recreational uses, hospitals, and colleges permitted under Section 816.2 shall be subject to the provisions of Section 855-K.
6. Off-site freestanding signs for produce stands shall be permitted subject to the following conditions:
 - a. Produce stand directional signs:
 - (1) The number of such signs shall be limited to two per each use, excepting that stands located on properties adjacent to intersections shall be permitted a maximum of four such signs.

- (2) Each sign shall not exceed forty (40) square feet in area, exclusive of architectural features. The sign shall not exceed twelve (12) feet in height.
- (3) Each sign shall contain only the name and address of the produce stand, a directional arrow, approximate distance to the produce stand, and listing of the produce available for sale, not including the prices thereof.
- (4) Internally illuminated or floodlighted signs shall be prohibited, but reflective materials may be used.
- (5) The signs shall be located within 2,500 feet of the produce stand structure.
- (6) Each sign shall be located a minimum of ten (10) feet from the paved portion of the adjacent road and outside of the public road right-of-way. In no instance shall signs be located within required rear or interior side yards.
- (7) Such signs shall be prohibited in corner cut-off areas, the location of which are described in Section 822.5-H.2. For purposes of establishing corner cut-off areas, the property line shall be considered to be not less than thirty (30) feet from the centerline of the adjacent roadway.
- (8) Before any sign is erected on any parcel in this District, a Site Plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874.

b. Temporary Produce Stand Approach Signs:

- (1) The number of such signs shall be limited to two along each public roadway to which the produce stand has direct access.
- (2) Each sign shall not exceed sixteen (16) square feet in area, exclusive of architectural features. The sign shall not exceed ten (10) feet in height.
- (3) Such signs shall be limited to advertising produce in season and the price thereof.
- (4) Internally illuminated or floodlighted signs shall be prohibited, but reflective materials may be used.
- (5) The signs shall be located within 1,300 feet of the produce stand structure.
- (6) Each sign shall be located a minimum of ten (10) feet from the paved portion of the adjacent road and outside of the public road right-of-way. In no instance shall signs be located within required rear or interior side yards.
- (7) Such signs shall be prohibited in corner cut-off areas, the location of which are described in Section 822.5-H.2. For purposes of establishing corner cut-off areas, the property line shall be considered to be not less than thirty (30) feet from the centerline of the adjacent roadway.
(Section 816.5-K.6 added by Ord. 490.202 adopted 5-20-80)

L. LOADING

No loading shall be permitted on a public road, street or highway.

SECTION 816.6 - PERMITS REQUIRED

The establishment of any use in the "AE" District which requires Director Review and Approval or a Conditional Use Permit may be established only after such approval or permit and shall be subject to all restrictions or conditions thereof.

(Amended by Ord. 490.38 adopted 11-21-76; Ord. 490.174 re-adopted 5-8-79)

SECTION 816.7 – INTERSTATE INTERCHANGE IMPACT AREAS

The following areas are determined to be Interstate Interchange Impact Areas and are described as follows:

A. Nees Avenue Highway Interchange Plan Area.

All those portions of Section 28, 29, and 32, T. 12 S., R. 11 E., M. D. B. & M., lying within Fresno County, and Sections 27, 33 and 34, T. 12 S., R. 11 E., M. D. B. & M.

B. Panoche Road Highway Interchange Plan Area.

Sections 1, 2, 11, 12, 13, and 14, T. 15 S., R. 12 E., M. D. B. & M.

C. Derrick Avenue Highway Interchange Plan Area.

Sections 13, 24, and 25, T. 17 S., R. 14 E. M. D. B. & M., and Sections 18, 19, and 30, T. 17 S., R. 15 E., M. D. B. & M.

D. Dorris Avenue Highway Interchange Plan Area.

Sections 20, 21, 22, 27, 28 and 29, T. 19 S., R. 16 E., M. D. B. & M.

E. Jayne Avenue Highway Interchange Plan Area.

Sections 31 and 32, T. 20 S., R. 17 E., M. D. B. & M., and Sections 4, 5, and 6, T. 21 S., R. 17 E., M. D. B. & M.

(Sec. 816.7 added by Ord. 490.95 adopted 11-27-73)

(Sec. 816.8 deleted by Ord. T-275 adopted 4-24-84)

F. Lassen Avenue Highway Interchange Plan Area

All those portions of Sections 24 and 26, T.21 S., R.17E., M.D.B.&M. lying within Fresno County, and Sections 22, 23, and 27 of Town 21, Range 17, M.D.B.&M.

(Added by Ord. T-065-337 adopted 03-27-01)

G. Manning Avenue Highway Interchange Plan Area

Sections 19, 20, 29, and 30, T.15 S., R. 13 E., M. D. B. & M.

(Added by Ord. T-076-350, adopted 11-25-03)

SECTION 817

"AL" - LIMITED AGRICULTURAL DISTRICT

The "AL" District is a limited agricultural district. It is intended to protect the general welfare of the agricultural community by limiting intensive uses in agricultural areas where such uses may be incompatible with, or injurious to, other less intensive agricultural operations. The District is also intended to reserve and hold certain lands for future urban use by permitting limited agriculture and by regulating those more intensive agricultural uses which, by their nature, may be injurious to non-agricultural uses in the vicinity or inconsistent with the express purpose of reservation for future urban use.

The "AL" District shall be accompanied by an acreage designation which establishes the minimum size lot that may be created within the District. Acreage designation of 640, 320, 160, 80, 40, and 20 are provided for this purpose. Parcel size regulation is deemed necessary to carry out the intent of this District.

(Section 817 added by Ord. 490.117 adopted 10-5-76; amended by Ord. 490.188 adopted 10-29-79)

SECTION 817.1 - USES PERMITTED

The following uses shall be permitted in the "AL" Districts. All uses shall be subject to the Property Development Standards in Section 817.5.

(Amended by Ord. 490.174 re-adopted 5-8-79; Ord. 490.188 adopted 10-29-79)

- A. The maintaining, breeding and raising of bovine and equine animals except dairies, feed lots and uses specified in Sections 817.2 and 817.3.

(Amended by Ord. 490.174 re-adopted 5-8-79)

- B. The keeping of rabbits and other similar small fur-bearing animals for domestic use.

(Amended by Ord. T-038-306 adopted 5-22-90)

- C. The maintaining, breeding, and raising of poultry for domestic use not to exceed five hundred (500) birds and the maintaining, breeding, and raising of poultry for FFA, 4-H, and similar organizations.

(Added by Ord. T-038-306 adopted 5-22-90).

- D. The raising of tree, vine, field, forage, and other plant life of all kinds, except mushroom growing.

(Added by Ordinance 490.174 re-adopted 5-8-79)

- E. One family dwellings, accessory buildings, and farm buildings of all kinds, when located upon farms and occupied or used by the owner, farm tenant, or other persons employed thereon or the non-paying guests thereof; provided, however, that a residence once constructed and used for one of the foregoing uses, and no longer required for such use shall acquire a nonconforming status and may be rented for residential purposes without restriction.

- F. Home Occupations, Class I, subject to the provisions of Section 855-N.
(Amended by Ord. T-288 adopted 2-25-86)
- G. The use, storage, repair, and maintenance of tractors, scrapers, and land leveling and development equipment devoted primarily to agricultural uses when operated in conjunction with, or as part of, a bona fide agricultural operation.
- H. Apiaries and honey extraction plants subject to the provisions of Section 855-N.
- I. Signs, subject to the provisions of Section 817.5-K.
- J. Temporary or permanent telephone booths.
- K. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.
- L. Mobile home occupancy consisting of one or more mobile homes, subject to the provisions of Section 856 and Section 817.1-D.
- M. Historic and monument sites.
- N. The harvesting curing, processing, packaging, packing, shipping, and selling of agricultural products produced upon the premises, or where such activity is carried on in conjunction with, or as a part of, a bona fide agricultural operation.
(Added by Ord. T-052-286 adopted 3-8-94)

SECTION 817.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Churches, parsonages, and other religious institutions.
- B. Commercial stables or riding academies.
- C. Communications equipment buildings, microwave relay structures.
- D. Electrical transmission substations and electric distribution substation.
- E. Temporary and permanent farm labor camps when carried on as a secondary function in conjunction with a bona fide agricultural operation. The density standards of Section 817.5-C shall not apply.
- F. Philanthropic and eleemosynary institutions where agriculture is carried on to a substantial degree.
- G. Public schools, private or parochial schools of an elementary or secondary level and colleges.
(Amended by Ord. 490.188 adopted 10-29-79; Ord. T-052-286 adopted 3-8-94)

- H. Day Nursery - large.
(Added by Ord. T-052-286 adopted 3-8-94)
- I. Public buildings and yards, fire stations.
- J. Sale of food products produced off the premises provided that the sale of such products is incidental and secondary to the sale of agricultural products produced upon the premises.
- K. Veterinarian offices and animal hospitals.
(Amended by Ord. 490.195 adopted 2-26-80)
- L. Home Occupations, Class II, subject to the provisions of Section 855-N.
(Added by Ord. T-288 adopted 2-25-86)
- M. Off-site directional signs for major recreational uses, hospitals, and colleges subject to the criteria set forth in Section 855-K.
- N. Temporary Mobile home occupancy subject to the provisions of Section 856-A.1.b.
(Added by Ord. 490.163 adopted 11-14-78; amended by Ord. 490.194 adopted 1-28-80)
- O. Temporary stands for the sale of agricultural produce subject to obtaining an occupancy permit, as provided for in Section 863-B.
(Added by Ord. T-256 adopted 7-20-81)
- P. Breeding and personal kennels.
- Q. Second dwelling units, subject to the provisions of Section 855-N.
(Added by Ord. T-269 adopted 5-24-83; amended by Ord. T-280 adopted 12-18-84)
- R. Racetrack for non-motorized vehicles, where there are no permanent facilities.
(Added by Ord. T-052-286 adopted 3-8-94)
- S. Commercial fish farms.
(Added by Ord. T-052-286 adopted 3-8-94)

SECTION 817.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided for in Section 873.

- A. The maintenance and storage of agricultural equipment designed to be used solely for the harvesting of crops, which equipment must be located by the owner thereof upon his own premises when not operated as a secondary occupation in conjunction with, or as part of, a bona fide agricultural operation.

- B. Guest ranches.
- C. Mushroom growing.
- D. Private airports, heliports, and crop dusting strips.
- E. Sewage disposal and treatment plants.
- F. Boarding and training kennels.
- G. Horticultural and landscaping services in conjunction with horticultural nurseries, when carried on as a primary use of the property.
- H. Liquefied petroleum gas distribution and storage, retail.

(Amended by Ord. 490.179 adopted 6-26-79)

- I. When carried on as a clearly secondary occupation in conjunction with a bona fide agricultural operation, where no more than ten (10) percent of the total land is used and where no more than three (3) persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises, any of the following uses:
 1. The manufacturing, maintenance, repair, servicing, storage, sale or rental of agricultural machinery, implements and equipment of all kinds.
 2. The manufacture, storage, or sale of farm supplies of all kinds, including but not limited to fertilizers, agricultural minerals and insecticides.
 3. The transportation of agricultural products, supplies, or equipment, together with the maintenance, storage, repair, and servicing of the necessary trucks and equipment therefore.
 4. Horticultural and landscaping services, when operated in conjunction with horticultural nurseries.
- J. Racetracks for remote control electric cars except within the boundaries of the Kings River Regional Plan.

(Added by Ord T-045-315 adopted 10-27-92)

- K. Racetrack for non-motorized vehicles, where there are permanent facilities.

(Added by Ord. T-052-286 adopted 3-8-94)

SECTION 817.4 - USES EXPRESSLY PROHIBITED

The following uses shall be expressly prohibited in the "AL" District. However, enumerating of these prohibited uses shall not by implication enlarge upon the scope of permitted uses specified in Sections 817.1, 817.2, and 817.3, above, their enumeration herein being for purposes of clarity only.

- A. All manufacturing, service, and commercial uses not specifically permitted in Sections 817.1,

817.2, 817.3, and 860.

- B. Advertising structures.
- C. Art, craft, music, or dancing schools or business, professional or trade schools or colleges.
- D. Columbaria, crematoriums, and mausoleums.
- E. Private clubs and lodges except for the purposes of hunting.
- F. Residential subdivisions.
- G. Sawmills, pulp mills, and similar establishments for the processing of logs, wood and lumber.
- H. Truck yards, terminals, or facilities unless devoted exclusively to the transportation of agricultural products, supplies, and equipment.

SECTION 817.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "AL" District. For additional lot exceptions in the Sierra-North and Sierra-South Regional Plan areas, see Section 855-A.

A. LOT AREA

1. Each lot shall have a minimum acreage as indicated by the District acreage designation. However, for the purpose of complying with minimum lot area requirements, sections of land containing less than 640 acres shall be deemed to be equivalent to 640 acres. Parcels resulting from the division of sections with less than 640 acres into units of 2, 1/4, 1/8, 1/16, or 1/32 of said section shall also be deemed to be equivalent to the corresponding and respective lot areas required by the acreage designations (320, 160, 80, 40, and 20) of the AL District. The acreage shall be measured from the center of any abutting roadway, stream, railroad, or other public right-of-way that serve as a boundary line.

(Amended by Ord. T-248 adopted 9-16-80)

A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District. An existing parcel of land under one ownership when divided by a developed public right-of-way, shall be considered as two separate nonconforming lots under the provisions of this Section.

2. The creation of homesites less than the minimum acreage indicated by the District acreage designation, but not greater than 2.5 gross acres (5 gross acres in the Sierra-North and Sierra-South Regional Plan areas) may be permitted in the Limited Agricultural Zone District subject to the following criteria:
 - a. The minimum lot size shall be 60,000 square feet of gross area (two (2) acres in the Sierra-North and Sierra-South Regional Plan areas) as measured from the center of any abutting roadway, stream, railroad, or other public right-of-way forming a boundary line, except that a lesser area shall be permitted when the owner submits

evidence satisfactory to the Health Officer that the soils meet the Water Quality Control Board Guidelines for liquid waste disposal, but in no event shall the lot be less than one (1) gross acre, and

b. One of the following conditions exist:

- (1) The lot is to be created by the conveyance of a security instrument to finance a single family residence to be occupied by the owner thereof where the existing lot before division is not less than twenty (20) gross acres; that said lot, together with the remaining acreage shall not be separately conveyed or devised without meeting the district acreage designation, except for the purpose aforesaid, unless such division occurs by judicial foreclosure, trustee's sale or other legal proceedings which discharge the lien of the security instrument.

(Amended by Ord. 490.132, adopted 5-25-77, Amended by Ord. T-067-338, adopted 6-26-01)

- (2) The lot or lots to be created are intended as a conveyance exclusively for use by a person related to the owner by adoption, blood, or marriage within the second degree of consanguinity and only for persons involved in the farming operation; the existing lot before division contains a minimum of twenty (20) gross acres, there is only one (1) lot per related person or per related married couple, and there is no more than one (1) lot per each twenty (20) gross acres, or

(Amended by Ord. T-067-338, adopted 6-26-01)

- (3) Outside of the Sierra-North and Sierra-South Regional Plan areas, the present owner owned the property on the effective date of this provision and wishes to retain his homesite and sell the remaining acreage for agricultural purposes where the remaining acreage is not less than fifteen (15) acres.

- (4) The lot to be created is intended as a life estate.

- (5) In the Sierra-North and Sierra-South Regional Plan areas, the present owner owned the property at the time of Plan adoption (May 4, 1982, for Sierra-North, September 25, 1984, for Sierra-South), and wishes to retain his homesite and sell the remaining acreage for agricultural purposes where the acreage exceeded 15 acres.

c. Each homesite created pursuant to Section 817.5-A.2b (2)(3) and (5) shall be subject to execution of a Declaration of Intent and Acknowledgement of Penalty for Unlawful Conveyance.

(Added by Ord. T-067-338, adopted 6-26-01)

d. Creation of homesites listed above excepting those for financing purposes or life estates shall not be permitted in addition to the divisions permitted pursuant to Sections 855A-5.c. and d. and 855A-6.b.

(Section 817.5-A.2 amended by Ord. T-265 adopted 11-16-82; Ord. T-025-281

adopted 6-25-85)

3. All parcels approved for creation through the former Agricultural Assessment process shall be deemed conforming and all legally created parcels shall not merge.

(Amended by Ord. T-275 adopted 4-24-84)

4. Despite any other provision of this Division, all parcels not in compliance with 817.5-A.2b shown on map applications accepted for processing prior to the effective date of this provision (August 1, 2001), shall upon subsequent recordation of the map and/or certificate be deemed conforming.

(Added by Ord. T-067-338, adopted 6-26-01)

B. LOT DIMENSIONS

No requirements for lots greater than five (5) acres in size. The provisions of the "RR" District, Section 820.5B, shall apply for all lots less than five (5) acres in size.

(Amended by Ord. T-011-265 adopted 11-16-82)

C. POPULATION DENSITY

1. Not more than one (1) residence may be constructed or placed upon a parcel of land which is less than twenty (20) acres in size in the AL-20 District, and less than forty (40) acres in size in the AL-40 District through the AL-640 District, except that one of the following may also be permitted:

(Amended by Ord. T-067-338, adopted 6-26-01)

- a. A temporary Mobile home subject to the provisions of Section 817.2.
- b. A second dwelling unit subject to the provisions of Section 817.2.

(Amended by Ord. T-269 adopted 5-24-83)

2. Not more than one (1) additional residence may be constructed or placed upon a parcel per each twenty (20) in excess of twenty (20) acres in the AL-20 District, and each forty (40) acres in excess of forty (4) acres in the AL-40 through the AL-640 District.

(Amended by Ord. T-067-338, adopted 6-26-01)

3. Each homesite created pursuant to Section 817.5.A.2b (2) shall reduce by one (1) the number of residential units otherwise authorized on the remainder parcel created from the original parcel. The remainder parcel shall be entitled to no less than one residential unit.

(Added by Ord. T-067-338, adopted 6-26-01)

4. Despite other provision of this Division, all residences authorized for construction for which an application was accepted for processing prior to the effective date of this provision (August 1, 2001) that exceed the density standards herein, shall be deemed conforming and not the density standards herein, shall be deemed conforming and not subject to the provisions of Section 876 (Nonconforming Buildings and Uses).

(Added by Ord. T-067-338, adopted 6-26-01)

D. BUILDING HEIGHT

No building may exceed two (2) stories or thirty-five (35) feet in height, whichever is less, excepting non-dwelling structures, such as windmills, silos, water tanks, and other accessory farm buildings.

E. YARDS

1. General Yard Requirements

- a. All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky except as provided for below.
- b. Swimming Pools
 - (1) Swimming pools shall not be located in any required front yard or side yard and its projection to the rear property line when abutting a street.
 - (2) Swimming pools shall not be located within five (5) feet of any required front yard setback or within five (5) feet of any required side yard setback and its projection to the rear property line when abutting a street.
 - (3) Swimming pools may be located in any required interior side yard and rear yard provided a space of not less than five (5) feet is maintained from the side and rear property lines.

(For swimming pool enclosure requirements see "Fences, Hedges, and Walls." Section 817.5-H.)

(Added by Ord. T-254 adopted 4-27-81)

2. Front Yard

Each lot shall have a front yard of not less than thirty-five (35) feet extending across the full width of the lot.

3. Side Yard

- a. Each lot shall have a side yard on each side of not less than twenty (20) feet except for special conditions provided for below.
- b. Corner Lots.

On corner lots, unless otherwise specified in this Division, the side yard abutting the street shall be not less than thirty-five (35) feet in width.
- c. Accessory buildings in side yards.
 - (1) Any accessory building located less than one hundred (100) feet from the front property line shall have the same minimum side yard as that required

for the main building, regardless of whether or not said accessory building is attached to the main building.

- (2) An accessory building may be located on a side property line when said building is located one hundred (100) feet or more from the front property line.
- (3) Accessory buildings located in the side yard or its projection to the rear property line when abutting a street shall be at least twenty (20) feet from the property line on the side street.
- (4) Any accessory building permitted on a side property line shall have provisions for all roof drainage to remain on the subject lot.

(Amended by Ord. T-254 adopted 4-27-81)

4. Rear Yard

The provisions of the side yard, Section 817.5-E.3.a, b, and c shall apply.

5. Exceptions: Permitted Projections into Required Yards

The provisions of the "R-A" District, Section 821.5-E.5.a. through c, shall apply.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

No requirements.

H. FENCES, HEDGES AND WALLS

The provisions of Section 855-H.2 shall apply.

I. OFF-STREET PARKING

No requirements.

J. ACCESS

No requirements for lots greater than five (5) acres in size. The provisions of the "A-2" District, Section 819.5-J, shall apply for all lots less than five (5) acres in size.

K. OUTDOOR ADVERTISING

1. One (1) non-flashing sign for each street frontage, total area of such sign to contain not more than forty (40) square feet and pertaining only to products for sale upon the premises or services rendered thereon or therefrom, shall be permitted in this District.
2. Name signs shall be permitted subject to the following conditions:

- (1) Name of the premises upon which it is displayed,
 - (2) Name of the owner, lessee of said premises,
 - (3) Address of said premises,
 - (4) Nature of the occupation engaged in on said premises.
3. "For Rent" and "For Sale" signs shall be permitted.
 4. Signs for institutional uses including churches, hospitals, rest homes, private clubs and similar uses shall be permitted subject to the provisions of Section 855-K.
 5. Off-site directional signs for major recreational uses, hospitals, and colleges permitted under Section 817.2 shall be subject to the provisions of Section 855-K.

L. LOADING

No requirements.

SECTION 817.6 - PERMITS REQUIRED

The establishment of any use in the "AL" District which requires Director Review and Approval or a Conditional Use Permit may be established only after such approval or permit and shall be subject to all restrictions or conditions thereof.

(Amended by Ord. 490.174 re-adopted 5-8-79)

(Section 817.7 deleted by Ord. T-275 adopted 4-24-84)

SECTION 819

"A-2" - GENERAL AGRICULTURAL DISTRICT

The "A-2" District is intended to be a district which will protect those areas desiring more protection than the "A-1" District provides and which do not by their nature require exclusive agricultural zoning.

SECTION 819.1 - USES PERMITTED

The following uses shall be permitted in the "A-2" District. All uses shall be subject to the Property Development Standards in Section 819.5.

(Amended by Ord. 490.174 re-adopted 5-8-79)

- A. The maintaining, breeding, and raising of livestock of all kinds, including agricultural specialties such as fish and fur-bearing animals.

(Amended by Ord. T-038-306 adopted 5-22-90)

- B. The maintaining, breeding, and raising of poultry of all kinds, subject to the provisions of Section 868.

(Added by Ord. T-038-306 adopted 5-22-90)

- C. The raising of tree, vine, field, forage, and other plant life crops of all kinds, except mushroom growing.

- D. One family dwellings and accessory buildings and farm buildings of all kinds, when occupied or used by the owner, tenant or other persons employed thereon or the non-paying guests thereof; provided, however, that a residence once constructed and used for one of the foregoing uses, and no longer required for such use shall acquire a nonconforming status and may be rented for residential purposes without restriction.

(Amended by Ord. 490.31 adopted 10-11-66)

- E. Home occupations, Class I, subject to the provisions of 855-N

(Amended by Ord. T-288 Adopted 2-25-86)

- F. The harvesting, curing, processing, packaging, packing, shipping, and selling of agricultural products produced upon the premises, or where such activity is carried on in conjunction with, or as a part of, a bona fide agricultural operation.

- G. The use, storage, repair and maintenance of tractors, scrapers, and land leveling and development equipment devoted primarily to agricultural uses.

- H. Apiaries and honey extraction plants subject to the provisions of Section 855-N.

- I. The maintenance of temporary and permanent farm labor camps when carried on as a secondary function in conjunction with a bona fide agricultural operation. The density standards of Section 819.5-C shall not apply.

(Amended by Ord. 490.31 adopted 10-11-66)

J. Moderate intensity parks and golf courses.

(Amended by Ord. 490.175 adopted 4-24-79)

K. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.

L. Private clubs and lodges.

M. Temporary roadside stands for the sale of agricultural products produced upon the premises.

N. Signs subject to the provisions of Section 819.5-K.

O. Temporary or permanent telephone booths.

P. Trailer house occupancy consisting of one or more trailers, subject to the provisions of Section 856 and 819.1-C.

(Amended by Ord. 490.18 adopted 12-29-64; Ord. 490.81 adopted 10-24-72)

Q. Horticultural and landscaping services in conjunction with horticultural nurseries, when operated as a secondary function of a bona fide agricultural operation.

(Added by Ord. 490.65 adopted 8-4-70)

SECTION 819.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

A. Microwave relay structures.

B. Private or parochial schools of an elementary or secondary level, colleges, and day nurseries - large.

(Amended by Ord. 490.188 adopted 10-29-79)

C. Public schools.

D. Churches, parsonages, and other religious institutions.

E. Philanthropic and eleemosynary institutions where agriculture is carried out to a substantial degree.

F. Communications equipment buildings.

G. Electric transmission or distribution substations.

H. Fire stations and public buildings and yards.

- I. Sale of food products produced off the premises provided that the sale of such products is incidental and secondary to the sale of agricultural products produced upon the premises.

(Added by Ord. 490.2 adopted 7-25-61)

- J. Veterinarian offices.

- K. Personal kennels.

(Added by Ord. 490.36 adopted 7-25-67)

- L. Home beauty service.

(Added by Ord. 490.96 adopted 4-22-74)

- M. Off-site directional signs for major recreational uses, hospitals, and colleges subject to the criteria set forth in Section 855-K.

(Added by Ord. 490.105 adopted 4-22-75)

- N. Temporary mobilehome occupancy subject to the provisions of Section 856-A.1.b.

(Added by Ord. 490.163 adopted 11-14-78; amended by Ord. 490.194 adopted 1-28-80)

- O. Second dwelling units, subject to the provisions of Section 855-N.

(Added by Ord. T-269 adopted 5-24-83; amended by Ord. T-280 adopted 12-18-84)

- P. The maintaining, breeding, and raising of poultry of all kinds, when not permitted by 819.1-B

(Added by Ord. T-038-306 adopted 5-22-90)

SECTION 819.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

- A. Commercial stables and riding academies.

- B. Commercial stock feeding yards and feed lots.

- C. Community auction and salesyards for sale of farm animals, products, implements, supplies, and equipment.

- D. Temporary and permanent farm labor camps that are not carried on as a secondary function in conjunction with a bona fide agricultural operation.

(Amended by Ord. 490.31 adopted 10-11-66)

- E. Permanent roadside stands for the sale of agricultural products.

- F. Wineries and distilleries.

- G. The maintenance and storage of agricultural equipment designed to be used solely for the harvesting of crops, which equipment must be located by the owner thereof upon his own premises when not operated as a secondary occupation in conjunction with or as part of a bona fide agricultural operation.

(Added by Ord. 490.4 adopted 4-2-63)

- H. Boarding, training and breeding kennels.

(Added by Ord. 490.36 adopted 7-25-67)

- I. Horticultural and landscaping services in conjunction with horticultural nurseries, when operated as a primary use of the property.

(Added by Ord. 490.65 adopted 8-4-70)

SECTION 819.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "A-2" District.

- A. All industrial and commercial uses not specifically permitted in Sections 819.1, 819.2, and 819.3.

- B. Private hospitals.

(Amended by Ord. T-244 adopted 4-19-83)

- C. Art, craft, music or dancing schools or businesses, professional or trade schools or colleges.

- D. Advertising structures.

SECTION 819.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "A-2" District.

- A. LOT AREA

Each lot shall have a minimum net area of one hundred thousand (100,000) square feet. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for, or occupied by, any use permitted in this District.

The restrictions of Section 855-A pertaining to creating a parcel of land below the specified minimum size shall not apply to a division of land by succession, will, partition, proceedings, sale on execution or other division by operation of law.

(Amended by Ord. 490.28 adopted 5-31-66)

- B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now

existing may not be reduced below these standards. Each dimension is minimum only. One or both shall be increased to attain the minimum lot area required.

1. Width

- a. Interior lots shall have a minimum width of one hundred sixty-five (165) feet.
- b. Corner lots and reversed corner lots shall be a minimum width of one hundred sixty-five (165) feet.
- c. Lots siding on freeways or railroad rights-of-way shall have a minimum width of one hundred sixty-five (165) feet.

(Amended by Ord. 490.28 adopted 5-31-66)

- d. Curve lots and cul-de-sac lots shall have a minimum street frontage width of ninety (90) feet.

(Added by Ord. 490.197 adopted 3-31-79)

2. Depth

All lots shall have a minimum depth of one hundred seventy (170) feet.

C. POPULATION DENSITY

1. Not more than one (1) residence may be constructed upon a parcel of land which does not exceed in size the minimum acreage, except that one of the following may also be permitted:

- a. A temporary mobilehome subject to the provisions of Section 819.2.
- b. A second dwelling unit subject to the provisions of Section 819.2 and Section 855-N.

(Amended by Ord. T-269 adopted 5-24-83)

2. Not more than one (1) additional residence may be constructed on any parcel per each ten (10) acres contained in the parcel in excess of such minimum size.

D. BUILDING HEIGHT

No building or structure erected in this District shall have a height greater than two and one-half (2 2) stories, not to exceed thirty-five (35) feet, with the following exceptions:

1. Roof Structures

Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, grain elevators, church steeples, roof signs, flagpoles, chimneys, smokestacks, windmills, silos, water tanks or wireless masts or accessory farm structures may be erected above the height limits herein prescribed; provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances, but no roof structures shall, or any space above the height limit shall be allowed for the purpose of

providing additional living or floor space.

2. Hillside Lots

On lots located downhill from the street having a twenty-five (25) percent or greater grade measured in the general direction of the side lot lines, an additional story may be constructed on the main building, provided that the ceiling of the lowest story shall be not more than two (2) feet above the curb level measured at the center of the lot frontage.

E. YARDS

1. General Yard Requirements

All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky, except as provided for below:

No main building shall be erected within fifty (50) feet of any railroad line or freeway.

2. Front Yard

Each lot shall have a front yard of not less than thirty-five (35) feet extending across the full width of the lot.

3. Side Yard

a. Each lot shall have a side yard of not less than twenty (20) feet except for special conditions provided for below.

b. Corner Lots

On corner lots, unless otherwise specified in this Division, the side yard abutting the street shall not be less than thirty-five (35) feet in width.

c. Accessory Buildings In Side Yards

Any accessory building located less than seventy-five (75) feet from the front property line shall have the same minimum side yard as that required for the main building.

4. Rear Yard

The provisions of the rear yard, Section 816.5-E.4, shall apply.

5. Exceptions: Permitted Projections into Required Yards

The provisions of the "R-A" District, Section 821.5-E.5.a through c, shall apply.

F. SPACE BETWEEN BUILDINGS

The minimum distance between buildings shall be as follows:

1. Accessory buildings shall be a minimum of six (6) feet from the main building. Accessory buildings connected to the main building by a breezeway roof shall also maintain a minimum six (6) foot separation.

2. Where an accessory building is used for garage purposes and where said garage is located within the area defined by the projection of the side lines of any main building, and where vehicular access to said garage faces any main building and falls entirely or in part, within said area, the garage shall be not less than twenty-five (25) feet from the main building.
3. All structures housing livestock and poultry shall be located a minimum of forty (40) feet from all buildings used for human habitation, twenty-five (25) feet from side and rear property lines, and one hundred feet from front property lines. However, this shall not apply to the pasturing of animals within the above mentioned setbacks.

(Subsection F Amended by Ord. T-254 adopted 4-27-81)

G. LOT COVERAGE

No requirements.

H. FENCES, HEDGES AND WALLS

1. Permitted Fences, Hedges and Walls

- a. Fences, hedges and walls, not greater than six (6) feet in height, shall be permitted on or within all rear and side property lines on interior lots and on or to the rear of all front yard setback lines.
- b. No fence, wall or hedge over three (3) feet in height shall be permitted in any required front yard or in the required side yard on the street side of a reversed corner lot.
- c. A fence, hedge or wall not greater than six (6) feet in height may be located not closer than five (5) feet from the side property line on the street side of a corner lot.
- d. Fences or walls over six (6) feet in height to enclose tennis courts or other game areas shall be permitted to the rear of the required front yard subject to Director Review and Approval. The review shall include consideration of the effect of mass, noise, and lighting upon surrounding residences.

(Added by Ord. 490.187 adopted 5-21-79)

2. Swimming Pools

The provisions of Section 855-H.2 shall apply.

(Added by Ord. 490.123 adopted 12-7-76)

I. OFF-STREET PARKING

The following provisions shall apply, subject to the General Conditions, Section 855-I:

1. For non-residential uses, the provisions in the General Conditions, Section 855-I, shall apply.
2. For uses permitted by Conditional Use Permit, the provisions of Section 855-I shall apply for off-street parking requirements.

J. ACCESS

There shall be vehicular access from a dedicated road, street or highway to off-street parking facilities on the property requiring off-street parking.

K. OUTDOOR ADVERTISING

1. One non-flashing sign for each street frontage containing not more than forty (40) square feet and pertaining only to products for sale upon the premises or services rendered thereon or therefrom, shall be permitted in this District.
2. Name signs shall be permitted subject to the following conditions:

Name signs shall display only the:
 - (1) Name of the premises upon which it is displayed,
 - (2) Name of the owner, lessee of said premises,
 - (3) Address of said premises,
 - (4) Nature of occupation engaged in on said premises.
3. "For Rent" and "For Sale" signs shall be permitted.
4. Signs for institutional uses including churches, hospitals, rest homes, private clubs and similar uses shall be permitted subject to the provisions of Section 855-K.
5. Off-site directional signs for major recreational uses, hospitals and colleges permitted under Section 819.2 shall be subject to the provisions of Section 855-K.

L. LOADING

No loading shall be permitted on a public road, street, or highway.

SECTION 820

"R-R" - RURAL RESIDENTIAL DISTRICT

The "R-R" District is intended to create or preserve rural or very large lot residential homesites where a limited range of agricultural activities may be conducted. The "R-R" District is intended to be applied to areas designated as Rural Residential by the General Plan. The minimum lot size that may be created within the "R-R" District without a special acreage designation shall be two (2) acres. The "R-R" District accompanied by the acreage designation of five (5) establishes that the minimum lot size that may be created within the District shall be five (5) acres.

(Added by Ord. 490.128 adopted 1-11-77; amended by Ord. 490.133 adopted 6-7-77)

SECTION 820.1 - USES PERMITTED

The following uses shall be permitted in the "R-R" District. All uses shall be subject to the property development standards in Section 820.5.

- A. One family dwelling units, not more than one (1) dwelling per lot.
- B. Accessory buildings including servant's quarters, accessory living quarters, garages and farm buildings.
- C. Agricultural crops, greenhouses, fruit trees, nut trees and vines.
- D. Bovine animals, horses, sheep, and goats where the lot area is thirty-six thousand (36,000) square feet or more and provided that the number thereof shall not exceed a number per each thirty-six thousand (36,000) square feet equal to four (4) adult animals in any combination of the foregoing animals and their immature offspring with not more than three (3) adult animals of a bovine or equine kind or combination thereof and their immature offspring or not more than six (6) immature bovine or equine animals or combination thereof where no adult animals are kept per each thirty-six thousand (36,000) square feet. Where the lot is less than thirty-six (36,000) square feet in area, but twenty thousand (20,000) square feet or greater in area, horses may be maintained for personal use in a number not to exceed two (2) animals with their offspring less than one (1) year of age.
(Amended by Ord. 490.191 adopted 12-3-79)
- E. Dogs and cats as domestic pets only (limited to three (3) or fewer animals four (4) months of age or older).
(Amended by Ord. 490.133 adopted 6-7-77)
- F. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.
(Amended by Ord. T-027-288 adopted 2-25-86)
- G. Mobilehome occupancy, not more than one (1) mobilehome per lot, subject to the provisions of Section 856.
- H. Signs subject to the provisions of Section 820.5-K.
- I. Storage of petroleum products for use by the occupants of the premises, but not for resale or distribution.

- J. Storage or parking of boats, trailers, recreational vehicles, or commercial vehicles, limited to the private non-commercial use by the occupants of the premises.
- K. The keeping of rabbits and other similar small furbearing animals for domestic use on a lot containing not less than thirty-six thousand (36,000) square feet.
(Amended by Ord. T-038-306 adopted 5-22-90)
- L. The maintaining, breeding, and raising of poultry for domestic use not to exceed five hundred (500) birds and the maintaining, breeding, and raising of poultry for FFA, 4-H and similar organizations. In no case shall the poultry facility be kept or maintained on a lot containing less than thirty-six thousand (36,000) square feet.
(Added by Ord. T-038-306 adopted 5-22-90)
- M. The sale of agricultural products produced upon the subject property.
- N. Day nursery - small.
- O. Plant nurseries limited to the sale of agricultural products produced on the property.

SECTION 820.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Apiaries subject to the provisions of Section 855-N.
- B. Home Occupations, Class II, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.
(Added by Ord. T-288 adopted 2-25-86)
- C. Microwave relay structures.
- D. Day nursery - large.
(Amended by Ord. 490.188 adopted 10-29-79)
- E. Off-site directional signs for major recreational uses, hospitals and colleges, subject to the criteria set forth in Section 855-K.
- F. Personal kennels.
- G. Public, moderate intensity parks and playgrounds.
(Amended by Ord. 490.175 re-adopted 5-29-79)
- H. Public, private or parochial schools of an elementary or secondary level.
- I. Temporary tract homes and model homes in the tract being developed.
- J. The teaching of swimming lessons for four (4) or less children per day or five (5) or more children per day if for a period not to exceed two continuous weeks in any year.
- K. Water pump stations.

- L. Swine raising where the lot area is five (5) acres or greater, and provided that the number thereof shall not exceed four (4) weaned swine. The unweaned offspring of said weaned swine are permitted without limitation of number.
(Added by Ord. 490.133 adopted 6-7-77)
- M. Temporary mobilehome occupancy subject to the provisions of Section 856-A.1.b.
(Added by Ord. 490.163 adopted 11-14-78; amended by Ord. 490.194 adopted 1-28-80)
- N. Second dwelling units, subject to the provisions of Section 855-N.
(Added by Ord. T-269 adopted 5-24-83; amended by Ord. T-280 adopted 12-18-84)
- O. Yard setback reduction for energy conservation purposes on single lots, subject to the provisions of Section 855-N.
(Added by Ord. T-266 adopted 9-6-83)

SECTION 820.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

- A. Boarding, training, and breeding kennels.
- B. Churches.
- C. Commercial stables and riding academies.
- D. Country clubs, golf courses, swim clubs, tennis clubs, high intensity parks and fishing lakes.
(Amended by Ord. 490.175 re-adopted 5-29-79)
- E. Electric distribution stations.
- F. Day nursery - institutional.
(Amended by Ord. 490.188 adopted 10-29-79)
- G. Subdivision signs - off site, subject to conditions of Section 820.5-K.4.
- H. The teaching of swimming lessons for five (5) or more children per day, excluding swimming lessons for a period not to exceed two continuous weeks in any year when authorized by the Director Review and Approval procedure.
- I. Planned Residential Developments.
(Added by Ord. 490.197 adopted 3-31-80, amended by Ord. T-255 adopted 8-2-82 and Ord. T-268 adopted 12-21-82)
- J. Yard setback reduction or lot dimension modifications for energy conservation purposes on multiple lots, subject to the provisions of Section 855-N.
(Added by Ord. T-266 adopted 9-6-83)
- K. Rural Commercial Center Development subject to the provisions of Section 867.
(Added by Ord. T-034-297 adopted 9-20-88)

SECTION 820.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "R-R" District.

- A. Advertising structures.
- B. Commercial uses, other than permitted by Section 820.1, 820.2, 820.3 and 867.
(Amended by Ord. T-034-297 adopted 9-20-88)
- C. Industrial uses.
- D. Multiple family residential uses, except as permitted by Section 820.2.

SECTION 820.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "R-R" District.

A. LOT AREA

Each lot without a special acreage designation shall have a minimum net area of two (2) acres, exclusive of all road and canal rights-of-way, recreation easements, permanent water bodies and public or quasi-public common use areas. Each lot with an acreage designation of five (5) shall have a minimum gross area of five (5) acres. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use as permitted in this District.
(Amended by Ord. 490.197 adopted 3-31-80 and Ord. T-011-265 adopted 11-16-82)

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards. Each dimension is minimum only. One or both shall be increased to attain the minimum lot area required. The ratio of lot depth to lot width shall not exceed four to one.

1. Width

- a. All lots, except curve and cul-de-sac lots, shall have a minimum width of one hundred sixty-five (165) feet. Within the Sierra-North and Sierra-South Regional Plan areas, each lot shall have a minimum gross area of five (5) acres unless a public road is provided. West of the Friant-Kern Canal public road frontage shall not be required for lots twenty (20) acres or larger.
(Amended by Ord. T-011-265 adopted 11-16-82; Ord. T-025-281 adopted 6-25-85)
- b. Curve lots and cul-de-sac lots shall have a minimum street frontage width of ninety (90) feet.
(Added by Ord. 490.197 adopted 3-31-80)

2. All lots shall have a minimum depth of one hundred seventy (170) feet.

C. POPULATION DENSITY

Not more than one single family dwelling unit or one mobilehome shall be permitted on any lot in the "R-R" District, except that one of the following may be permitted:

1. A temporary mobilehome subject to the provisions of Section 820.2.
2. A second dwelling unit subject to the provisions of Section 820.2.
(Amended by Ord. 490.163 adopted 11-14-78; Ord. 490.169 re-adopted 4-24-79; Ord. T-269 adopted 5-24-83)
3. Residential uses subject to the provisions of Section 867-A.2.
(Added by Ord. T-034-297 adopted 9-20-88)

D. BUILDING HEIGHT

No building or structure erected in this District shall have a height greater than two and one-half (2 2) stories, not to exceed thirty-five (35) feet, with the following exceptions:

a. Roof Structures

Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, roof signs, flagpoles, chimneys, smokestacks, silos, water tanks or wireless masts or similar structures, when approved by the Commission, may be erected above the height limits herein prescribed, provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances, but no roof structures, or any space above the height limit shall be allowed for the purpose of providing additional living or floor space.

b. Hillside Lots

On lots located downhill from the street and which have a twenty-five (25) percent or greater grade measured in the general direction of the side lot lines, an additional story may be constructed on the main building, provided that the ceiling of the lowest story shall not be more than two (2) feet above the curb level measured at the center of the lot frontage.

E. YARDS

1. General Yard Requirements

- a. All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky, except as provided by Section 820.5.E.3, 4 and 5 below.
- b. Aggregate area for accessory buildings permitted in required yards on any one lot shall not exceed five hundred (500) square feet except that additional area may be approved subject to the Director Review and Approval Procedures of Section 872.
(Added by Ord. 490.169 re-adopted 4-24-79)
- c. No main building shall be erected within fifty (50) feet of the right-of-way of any railroad or freeway.
- d. Swimming pools.

- (1) Swimming pools shall not be located in any required front yard or side yard and its projection to the rear property line when abutting a street.
- (2) Swimming pools shall not be located within five (5) feet of any required front yard setback or within five (5) feet of any required side yard setback and its projection to the rear property line when abutting a street.
- (3) Swimming pools may be located in any required interior side yard and rear yard, provided a space of not less than five (5) feet is maintained from the side and rear property lines.

2. Front Yard

Each lot shall have a front yard of not less than thirty-five (35) feet extending across the full width of the lot.

3. Side Yard

- a. Each lot shall have a side yard on each side of not less than twenty (20) feet except for special conditions treated below.
- b. Corner lots.

On corner lots, unless otherwise specified in this Division, the side yard abutting the street shall be not less than twenty-five (25) feet in width.
(Amended by Ord. 490.169 re-adopted 4-24-79)

- c. Accessory buildings in side yards.
 - (1) Any accessory building located less than one hundred (100) feet from the front property line shall have the same minimum side yard as that required for the main building, regardless of whether or not said accessory building is attached to the main building.
 - (2) An accessory building may be located on a side property line when said building is located one hundred (100) feet or more from the front property line, except that no structure shall be permitted in a required yard which abuts a street.
 - (3) Any accessory building permitted on a side property line shall have provisions for all roof drainage to be taken care of on the subject lot.

4. Rear Yards

- a. Each lot shall have a rear yard of not less than twenty (20) feet.
- b. Accessory Buildings.
 - (1) An accessory building may be located on the rear property line when said building is not located within an easement, except that no structures shall be permitted in that portion of the rear yard, which is an extension of a required street yard, and setbacks for accessory structures on reverse corner lots shall be not less than the required side yard for the District.

(Amended by Ord. 490.169 re-adopted 4-24-79)

- (2) Any accessory building permitted on a rear property line shall have provisions for all roof drainage to be taken care of on the subject lot.

5. Exceptions: Permitted Projections Into Required Yards

- a. Cornices, eaves, belt courses, sills, fireplace chimneys, and other similar architectural features may extend or project into a required side yard not more than five (5) inches for one (1) foot of the width of such required side yard and may extend or project into a front or rear yard not more than forty-eight (48) inches.
- b. Uncovered unenclosed porches, platforms or landing places which do not extend above the level of the first floor of the building may extend into any front yard a distance of not more than six (6) feet, and such features may not extend into a court more than twenty (20) percent of the width of said court and in no case more than six (6) feet, and may extend into any side or rear yard not more than three (3) feet. An open work railing may be installed or constructed on any such porch, platform or landing place provided it does not exceed thirty-six (36) inches in height.
- c. Open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project into a required front yard not more than thirty (30) inches.

F. SPACE BETWEEN BUILDINGS

The minimum distance between buildings shall be as follows:

1. Accessory buildings shall be a minimum of six (6) feet from the main building. Accessory buildings connected to the main building by a breezeway roof shall also maintain a minimum six (6) foot separation.
2. Where an accessory building is used for garage purposes and where said garage is located within the area defined by the projection of the side lines of any main building, and where vehicular access to said garage faces any main building and falls entirely or in part, within said area, the garage shall be not less than twenty-five (25) feet from the main building.
3. All structures housing livestock and poultry shall be located a minimum of forty (40) feet from all buildings used for human habitation, twenty-five (25) feet from side and rear property lines, and one hundred feet from front property lines. However, this shall not apply to the pasturing of animals within the above mentioned setbacks.
(Amended by Ord. T-254 adopted 4-27-81)

G. LOT COVERAGE

No requirements.

H. FENCES, HEDGES AND WALLS

This section is intended to provide for the regulation of the height and location of fences, hedges and walls for the purpose of providing for light, air and privacy, and safeguarding the public welfare by preventing visual obstructions at street and highway intersections.

1. Corner Cut-Off Areas

The following regulations shall apply to all intersections of streets, alleys, or private driveways in order to provide adequate visibility for vehicular traffic. There shall be no visual obstruction within the cut-off areas herein.

- a. There shall be a corner cut-off area at all intersecting streets or highways. The cut-off line shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line as the case may be. It shall pass through the points located on both the side and front or (rear) property lines at a distance of thirty (30) feet from the intersection of lines at the corner of a street or highway.
- b. There shall be a corner cut-off area on each side of any private driveway intersecting a street. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front, or rear property line as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the driveway where it intersects the street right of way.
- c. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, said corner cut-off shall be defined by a line drawn from a point on the front (or rear) property line that is not less than thirty (30) feet from the intersection of the side and front (or rear) property lines and through a point on the side property line that is not less than thirty (30) feet from said intersection of the side and front (or rear) property lines.

2. Permitted Fences, Hedges and Walls

- a. Fences, hedges and walls, not greater than six (6) feet in height, shall be permitted on or within all rear and side property lines on interior lots and on or to the rear of all front yard setback lines.
- b. No fence, wall or hedge over three (3) feet in height shall be permitted in any required front yard, or in the required side yard on the street side of a reversed corner lot. However, fences not greater than six feet in height shall be allowed in the above referenced yard areas when not located in a corner cut-off area, and when the fence has not less than 70 percent of the vertical surface open to permit the transmission of light, air, and vision. When said fence encloses the main access to the residence, a minimum four foot wide opening or gate is required.
- c. Fences or walls over six (6) feet in height to enclose tennis courts or other game areas shall be permitted to the rear of the required front yard subject to Director Review and Approval. The review shall include consideration of the effect of mass, noise, and lighting upon surrounding residences.
(Amended by Ord. 490.187 adopted 9-24-79; Ord. T-037-305 adopted 4-24-90)

3. Swimming Pools

The provisions of Section 855-H.2 shall apply.

I. OFF-STREET PARKING

The following provisions shall apply subject to the general conditions of Section 855-I.

1. For Residential Uses

There shall be at least one (1) parking space for every dwelling unit. These spaces shall be on the same lot with the main building which they are intended to serve and located to the rear of the required front yard, except for hillside lots.

2. For Non-Residential Uses

The provisions of Section 855-I shall apply for off-street parking requirements.

J. ACCESS

1. There shall be vehicular access from a dedicated and improved road or approved private road to off-street parking facilities on the property requiring off-street parking.
2. There shall be an adequate turning area on lots facing on and having access to collector or arterial roads or expressways to permit motor vehicles to enter the roadway in a forward direction.

K. OUTDOOR ADVERTISING

Signs and other commercial advertising shall be permitted in this District only as herein provided.

1. Name plates shall be permitted subject to the following conditions:
 - a. Name plates shall not exceed two (2) square feet in area.
 - b. Name plates shall display only the:
 - (1) Name of the premises upon which it is displayed,
 - (2) Name of the owner or lessee of said premises,
 - (3) Address of said premises, and
 - (4) Nature of the home occupation engaged in on said premises.
2. "For Rent" and "For Sale" Signs

"For Rent" and "For Sale" signs shall be permitted.
3. Subdivision Signs - On Site
 - a. Temporary real estate signs advertising real property which has been subdivided for purposes of sale or lease shall be permitted, subject to the following conditions:
 - (1) The construction of any sign shall be in strict compliance with the provisions of this Division and all other laws of the County.
 - (2) The sign shall remain only as long as some portion of the property advertised for sale remains unsold, or for a period of two (2) years from the recordation of the final map whichever period is shorter. Subject to

Director Review and Approval, said time may be extended for one (1) year. Not more than two (2) such extensions may be granted.

- (3) The signs shall be located on the premises which they advertise.
 - (4) (No sign shall exceed four hundred eighty (480) square feet in area.
 - (5) Not more than two (2) such signs per subdivision shall be permitted in any subdivision under forty (40) acres in size. In subdivisions involving more than forty (40) acres, one (1) additional sign shall be permitted for each additional twenty (20) acres.
- b. Identification signs containing the tract name are permitted, provided there shall be no more than one (1) such sign for each three (3) lots. Said signs shall not exceed four (4) square feet in area.
 - c. Signs are permitted on the same lot with a model home provided they do not exceed four (4) in number and ten (10) square feet each in area. Said signs shall be removed after the developer concludes the initial sales of the lots or homes to their initial owners.

4. Off-Site Subdivision Signs - Temporary Real Estate Signs

Temporary real estate directional signs, subject to Conditional Use Permit, directing prospective purchasers to a subdivision having lots or houses for sale may be erected and maintained provided said signs do not adversely affect the use or appearance of existing buildings or landscaping and do not create hazardous traffic conditions. Such signs will be subject to the following standards:

- a. The sign shall not exceed one hundred sixty (160) square feet in area.
- b. The sign shall be set back not less than eight (8) feet from the front property line.
- c. The sign shall be not less than six (6) nor more than eighteen (18) feet above the crown of the nearest adjacent road or the higher of the two crowns of two adjacent roads.

5. Temporary Off-Site Open House Signs

Temporary open house signs shall be permitted for a period of forty-eight (48) hours provided that the sign shall be limited to a double-faced sign not more than two (2) by three (3) feet in size.

6. Signs for institutional uses including churches, hospitals, rest homes, private clubs and similar uses shall be permitted subject to the provisions of Section 855-K.
7. Off-site directional signs for major recreational uses, hospitals and colleges permitted under Section 820.2 shall be subject to the following provisions of Section 855-K.

L. LOADING

No loading shall be permitted on a public road, street or highway.

SECTION 821

"R-A" - SINGLE FAMILY RESIDENTIAL-AGRICULTURAL DISTRICT

The "R-A" District is intended to provide for the development of single family residential estate homes in a semi-rural environment on lots not less than thirty-six thousand (36,000) square feet in area, not more than one (1) dwelling unit permitted on any lot. All regulations for this District are deemed to be necessary for the protection of the quality of the residential environment and for the securing of the health, safety and general welfare of the residents.

SECTION 821.1 - USES PERMITTED

The following uses shall be permitted in the "R-A" District. All uses shall be subject to the Property Development Standards in Section 821.5.

(Amended by Ord. 490.174 re-adopted 5-S-79)

- A. One family dwelling units, not more than one (1) dwelling per lot.
- B. Accessory Buildings:
 - 1. Garages.
 - 2. Servants quarters and accessory living quarters on parcels of land having a minimum lot area of thirty-six thousand (36,000) square feet or more.
 - 3. Dwellings for hired agricultural employees on farms or ranches containing ten (10) acres or more.
 - 4. Accessory farm buildings.
- C. Agricultural crops, greenhouses, fruit trees, nut trees, vines, nurseries for producing trees, vines and other horticultural stock.

(Amended by Ord. 490.31 adopted 10-II-66)

- D. Bovine animals, horses, sheep, and goats where the lot area is thirty-six thousand (36,000) square feet or more and provided that the number thereof shall not exceed a number per each thirty-six thousand (36,000) square feet equal to four (4) adult animals in any combination of the foregoing animals and their immature offspring with not more than three (3) adult animals of a bovine or equine kind or combination thereof and their immature offspring or not more than six (6) immature bovine or equine animals or combination thereof where no adult animals are kept per each thirty-six thousand (36,000) square feet.

(Amended by Ord. 490.122 adopted 11-30-76)

- E. The keeping of rabbits and other similar small fur-bearing animals for domestic or commercial use, provided that no commercial rabbitry or commercial fur-bearing animal pen or coop shall be kept or maintained upon a lot containing less than thirty-six thousand (36,000) square feet.

(Amended by Ord. T-038-306 adopted 5-22-90)

- F. The maintaining, breeding and raising of poultry of all kinds for commercial use, subject to the provisions of 868, provided that no commercial poultry facility shall be kept or maintained upon a lot containing less than thirty-six thousand (36,000) square feet.

(Added by Ord. T-038-306 adopted 5-22-90)

- G. The maintaining, breeding, and raising of poultry for domestic use not to exceed five hundred (500) birds and the maintaining, breeding, and raising of poultry for FFA, 4-H and similar organizations. In no case shall the poultry facility be kept or maintained upon a lot containing less than thirty-six thousand (36,000) square feet.

(Added by Ord. T-038-306 adopted 5-22-90)

- H. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.

- I. The sale of agricultural products produced upon the subject property.

- J. Apiaries subject to the provisions of Section 855-N.

- K. Home Occupations, Class I, subject to the provisions of Section 855-N.

(Amended by Ord. T-288 adopted 2-25-86)

- L. Dogs and cats as domestic pets only.

- M. Signs subject to the provisions of Section 821.5-K.

- N. House trailer parking.

- O. Temporary tract offices and model homes, in the tract being developed. (Added by Ord. 490.39 adopted 12-5-67)

- P. Day nursery - small.
(Amended by Ord. 490.188 adopted 10-29-79)

SECTION 821.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Microwave relay structures.

- B. Day nursery - large.

(Amended by Ord. 490.188 adopted 10-29-79)

- c. Private or parochial schools of an elementary or secondary level, colleges, public moderate intensity parks and playgrounds.

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

- D. Public schools.
- E. Temporary construction materials storage yards in the tract being developed.
- F. Temporary or permanent telephone booths.
- G. Water pump stations.
- H. The maintenance of temporary and permanent farm labor camps when carried on as a secondary function in conjunction with a bona fide agricultural operation on farms or ranches containing twenty (20) acres or more.

(Added by Ord. 490.96 adopted 4-22-74)
- I. Home Occupations, Class II, subject to the provisions of Section 855-N.

(Added by Ord. T-288 adopted 2-25-86)
- J. Off-site directional signs for major recreational uses, hospitals and colleges subject to the criteria set forth in Section 855-K.

(Added by Ord. 490.105 adopted 4-22-75)
- K. Swimming lessons - small group, subject to the provisions of Section 855-N.
- L. Temporary mobile home occupancy subject to the provisions of Sections 856-A-l.a. and b.

(Added by Ord. 490.163 adopted 11-14-78; amended by Ord. 490.194 adopted 1-28-80 and Ord. T-269 adopted 5-24-83)
- M. Single mobile home occupancy, subject to the provisions of Section 856.

(Added by Ord. T-271 adopted 12-1-87)
- N. Second dwelling units, not more than one per lot, subject to the provisions of Section 855-N.

(Added by Ord. T-269 adopted 5-24-83)
- O. Yard setback reduction for energy conservation purposes on single lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)
- P. The maintaining, breeding, and raising of poultry of all-kinds, when not permitted by 821.1-F.

(Added by Ord. T-038-306 adopted 5-22-90)

SECTION 821.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided in Section 853.

- A. Churches.

- B. Country clubs and golf courses.
- C. Boarding, training, breeding, and personal kennels.
(Amended by Ord. 490.36 adopted 7-25-67)
- D. Day nursery - institutional.
(Amended by Ord. 490.188 adopted 10-29-79)
- E. Subdivision signs (off-site) subject to conditions of Section 821.5-K.4.
- F. Electric distribution substations.
- G. Radio broadcasting studios in conjunction with radio antenna and transmitters.
(Added by Ord. 490.9 added 10-7-63)
- H. Swimming lessons - large group, subject to the provisions of Section 855-N.
- I. Public, high intensity parks.
(Added by Ord. 490.175 re-adopted 5-29-79)
- J. Yard setback reduction or lot dimension modifications for energy conservation purposes on multiple lots, subject to the provisions of Section 855-N.
(Added by Ord. T-266 adopted 9-6-83)

SECTION 821.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "R-A" District.

- A. Advertising structures.
- B. Commercial uses.
- C. Industrial uses.
- D. Multiple family residential uses, except as permitted by Section 821.2.
- E. Temporary and permanent farm labor camps that are not carried on as a secondary function in conjunction with a bona fide agricultural operation.
(Amended by Ord. 490.31 Adopted 1011-66)

SECTION 821.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "R-A" District.

A. LOT AREA

Each lot shall have a minimum net area of thirty-six thousand (36,000) square feet. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this district.

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards. Each dimension is minimum only. One or both shall be increased to attain the minimum lot area required.

1. Width

- a. Interior lots shall have a minimum width of one hundred thirty (130) feet.
- b. Corner lots and reversed corner lots shall have a minimum width of one hundred thirty (130) feet.
- c. Lots siding on freeways or railroad rights-of-way shall have a minimum width of one hundred sixty (160) feet.
- d. Curve lots and cul-de-sac lots shall have a minimum street frontage width of ninety (90) feet.

(Added by Ord. 490.197 adopted 3-31-80)

2. Depth

All lots shall have a minimum depth of one hundred seventy (170) feet.

C. POPULATION DENSITY

The provisions of Section 821.1 and 821.2 shall apply.

(Amended by Ord. 490.163 adopted 11-14-78)

D. BUILDING HEIGHT

1. No main building or structure erected in this District shall have a height greater than two and one-half (2-1/2) stories, not to exceed thirty-five (35) feet.
2. No accessory building erected in this District shall have a height greater than one (1) story, not to exceed twelve (12) feet, to plate height.

3. Exceptions:

All buildings hereafter designed or erected and existing buildings which may be reconstructed, altered, moved, or enlarged, shall comply with the height regulations of the District in which they may be located, with the following exceptions:

- a. Roof Structures

Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, roof signs, flagpoles, chimneys, smokestacks, silos, water tanks or wireless masts or similar structures, when approved by the Commission, may be erected above the height limits herein prescribed, provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances, but no roof structures, or any space above the height limit shall be allowed for the purpose of providing additional living or floor space.

b. Hillside Lots

On lots located downhill from the street having a twenty-five (25) percent or greater grade measured in the general direction of the side lot lines, an additional story may be constructed on the main building, provided that the lowest story shall be not more than two (2) feet above the curb level measured at the center of the lot frontage.

E. YARDS

1. General Yard Requirements

- a. All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky, except as hereinafter provided.

(Amended by Ord. 490.169 re-adopted 4-24-79)

- b. Aggregate areas for accessory buildings permitted in required yards on any one lot shall not exceed five hundred (500) square feet except that additional area may be approved subject to the Director Review and Approval Procedures of Section 872.

(Added by Ord. 490.169 re-adopted 4-24-79)

- c. No main building shall be erected within fifty (50) feet of the right-of-way of any railroad line or freeway.

d. Swimming Pools

- (1) Swimming pools shall not be located in any required front yard or side yard and its projection to the rear property line when abutting a street.
- (2) Swimming pools shall not be located within five (5) feet of any required front yard setback or within five (5) feet of any required side yard setback and its projection to the rear property line when abutting a street.
- (3) Swimming pools may be located in any required interior side yard and rear yard provided a space of not less than five (5) feet is maintained from the side and rear property lines.

- e. Garages or carports shall be located not less than twenty (20) feet from any street frontage where the garage door or carport opening faces the street. Where yard requirements pose a greater setback, such setback shall apply.

2. Front Yard

a. Each lot shall have a front yard of not less than thirty-five (35) feet extending across the full width of the lot except for special conditions treated below. Where a front yard is proposed to be more than fifty (50) feet, a Site Plan Review shall be required as provided for in Section 874.

b. Cul-de-sac lots shall have a front yard of not less than twenty-five (25) feet.

c. Partially Build-up Blocks

Where lots comprising fifty (50) percent or more of the block frontage are developed with a front yard either greater or lesser in depth than that prescribed herein, the average of such existing front yards shall establish the front yard for the remaining lots in the block frontage. However, a front yard determined in this way shall not be less than twenty (20) feet. Existing front yards of more than fifty (50) feet shall be counted as fifty (50) feet in calculating the average.

d. Neighborhood Unit Plans

Where an entire block frontage is designed and developed as a unit, the minimum front yard requirements may be varied by not more than five (5) feet in either direction provided that the average front yard for the entire frontage is not less than required in the District.

e. Access from Highways

Each lot with vehicular access from a major or secondary highway as shown on the Circulation Element of the General Plan shall have a front yard of not less than sixty (60) feet, extending across the full width of the lot except for the special conditions set forth above, and Site Plan Review shall only be required if the depth of the front yard exceeds seventy-five (75) feet.

(Amended by Ord. 490.169 re-adopted 4-24-79)

3. Side Yard

a. Each lot shall have a side yard on each side of not less than fifteen (15) feet except for special conditions treated below.

b. Corner Lots

On corner lots, unless otherwise specified in this Division, the side yard abutting the street shall be not less than twenty-five (25) feet in width.

c. Reversed Corner Lots

On a reversed corner lot, the side yard abutting the street shall be not less than twenty-five (25) feet.

(Amended by Ord. 490.169 re-adopted 4-24-79)

d. Accessory Buildings in Side Yard

- (1) Any accessory building located less than one-hundred (100) feet from the front property line shall have the same minimum side yard as that required for the main building, regardless of whether or not said accessory building is attached to the main building.
- (2) An accessory building may be located on a side property line when said building is located one hundred (100) feet or more from the front property line, except that no structure shall be permitted in a required yard which abuts a street.

(Amended by Ord. 490.169 re-adopted 4-24-79)
- (3) An accessory building having an opening on an alley shall be located not less than twenty-five (25) feet from the opposite side of the alley; provided, however, that no such accessory building shall be located less than five (5) feet from the property line.
- (4) Any accessory building permitted on a side property line shall have provisions for all roof drainage to be taken care of on the subject lot.

e. Main Building Abutting Alley

When siding on an existing alley, a main building shall be located not less than thirty (30) feet from the opposite side of the alley.

4. Rear Yard

- a. Each lot shall have a rear yard of not less than twenty (20) feet. For exceptions for the main building, the General Conditions, Section 855-E.4 shall apply.

(Deletion: Sec. E.3.d(4) by Ord. 490.169 re-adopted 4-24-79)

b. Accessory Buildings

Non-residential accessory buildings may be permitted in a required rear yard except that portion which is an extension of a required street side yard, in accordance with Section 855-N and as follows:

(Amended by Ord. 490.169 re-adopted 4-24-79)

- (1) Any accessory building may be located on the rear property line when said building is not abutting an existing alley and is not located on an easement, except that the required setback for accessory structures on reverse corner lots shall be not less than the required side yard for the District.

(Amended by Ord. 490.169 re-adopted 4-24-79)
- (2) An accessory building having an opening on an alley shall be located not less than the twenty-five (25) feet from the opposite side of the alley or not less than five (5) feet from the property line.
- (3) Any accessory building permitted on a rear property line shall have

provisions for all roof drainage to be taken care of on the subject lot.

- (4) Where any building or structure, except swimming or wading pools, occupies space in a required rear yard, the amount of space so occupied shall be provided elsewhere on the lot, exclusive of required yard areas. Said substitute space shall have minimum dimensions of eight (8) feet by eight (8) feet.

5. Exceptions: Permitted Projections into Required Yards

- a. Cornices, eaves, belt courses, sills, fireplace chimneys and other similar architectural features may extend or project into a required side yard not more than five (5) inches for one (1) foot of the width of such required side yard and may extend or project into a front or rear yard not more than thirty (30) inches.
- b. Uncovered, unenclosed porches, platforms or landing places which do not extend above the level of the first floor of the building may extend into any front yard a distance of not more than six (6) feet, and such features may not extend into a court more than twenty (20) percent of the width of said court and in no case more than six (6) feet, and may extend into any side or rear yard not more than three (3) feet. An open work railing may be installed or constructed on any such porch, platform or landing place provided it does not exceed thirty-six (36) inches in height.
- c. Open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project into a required front yard not more than thirty (30) inches.

F. SPACE BETWEEN BUILDINGS

The minimum distance between buildings shall be as follows:

1. Accessory buildings shall be a minimum of six (6) feet from the main building. Accessory buildings connected to the main building by a breezeway roof shall also maintain a minimum six (6) foot separation.
2. Where an accessory building is used for garage purposes and where said garage is located within the area defined by the projection of the side lines of any main building, and where vehicular access to said garage faces any main building and falls entirely or in part, within said area, the garage shall be not less than twenty-five (25) feet from the main building.
3. All structures housing livestock and poultry shall be located a minimum of forty (40) feet from all buildings used for human habitation, twenty-five (25) feet from side and rear property lines, and one hundred (100) feet from front property lines. However, this shall not apply to the pasturing of animals in the above mentioned setbacks.

(Amended by Ord. T-254 adopted 4-27-81)

G. LOT COVERAGE

Maximum lot coverage by buildings and structures shall not exceed thirty (30) percent of the total lot area.

H. FENCES, HEDGES AND WALLS

This Section is intended to provide for the regulation of the height and location of fences, hedges and walls for the purpose of providing for light, air and privacy, and safeguarding the public welfare by preventing visual obstructions at street and highway intersections.

1. Corner Cut-Off Area

The following regulations shall apply to all intersections of streets, alleys, or private driveways in order to provide adequate visibility for vehicular traffic. There shall be no visual obstruction within the cut-off areas established herein.

- a. There shall be a corner cut-off area at all intersecting streets or highways. The cut-off line shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line as the case may be. It shall pass through the points located on both the side and front (or rear) property lines at a distance of thirty (30) feet from the intersection of lines at the corner of a street, alley or highway.
- b. There shall be a corner cut-off area on each side of any private driveway intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front, or rear property line, as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the driveway where it intersects the street or alley right-of-way.
- c. There shall be a corner cut-off area on each side of any alley intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the alley where it intersects the street or alley right-of-way.
- d. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, said corner cut-off shall be defined by a line drawn from a point on the front (or rear) property line that is not less than thirty (30) feet from the intersection of the side and front (or rear) property lines and through a point on the side property line that is not less than thirty (30) feet from said intersection of the side and front (or rear) property lines.

2. Swimming Pools

The provisions of Section 855-H.2 shall apply.

(Added by Ord. 490.123 adopted 12-7-76)

3. Permitted Fences, Hedges and Walls

- a. Fences, hedges and walls, not greater than six (6) feet in height, shall be permitted on or within all rear and side property lines on interior lots and on or to the rear of all front yard setback lines.
- b. No fence, wall or hedge over three (3) feet in height shall be permitted in any required front yard, or in the required side yard on the street side of a reversed corner lot, except on parcels of five (5) acres or more.
- c. Fences or structures over six (6) feet in height to enclose tennis courts or other game areas shall be permitted to the rear of the required front yard subject to Director

Review and approval. The review shall include consideration of the effect of mass, noise, and lighting upon surrounding residences.

I. OFF-STREET PARKING

The following provisions shall apply, subject to the General Conditions, Section 855-I.

1. For Residential Uses

There shall be at least one (1) parking space for every dwelling unit. These spaces shall be on the same lot with the main building which they are intended to serve and located to the rear of the required front yard, except for hillside lots.

2. For Uses Permitted By Conditional Use Permit

The provisions of Section 855-I shall apply for off-street parking requirements.

J. ACCESS

1. There shall be vehicular access from a dedicated and improved street or alley or recognized private road to off-street parking facilities on the property requiring off-street parking.
2. There shall be pedestrian access from a dedicated and improved street, alley or recognized private road to property used for residential purposes.
3. There shall be an adequate turning area on lots facing on and having access to streets shown on the Circulation Element of the General Plan to permit motor vehicles to head into the street.

(Amended by Ord. 490.169 adopted 3-5-79)

4. If vehicular access is by way of a driveway parallel with a side lot line, there shall be an access way of not less than ten (10) feet from the street or alley to the building site, said way to be for both pedestrian and vehicular access.

K. OUTDOOR ADVERTISING

Signs and other commercial advertising shall be permitted in this District only as herein provided.

1. Name Plates

Name plates shall be permitted subject to the following conditions:

- a. Name plates shall not exceed two (2) square feet in area.
- b. Name plates shall display only the:
 - (1) Name of the premises upon which it is displayed,
 - (2) Name of the owner or lessee of said premises,
 - (3) Address of said premises, and

(4) Nature of the home occupation engaged in on said premises.

2. "For Rent" and "For Sale" Signs

"For Rent" and "For Sale" signs shall be permitted.

3. Subdivision Signs - On Site

- a. Temporary real estate signs advertising real property which has been subdivided for purposes of sale or lease shall be permitted, subject to the following conditions:
- (1) The construction of any sign shall be in strict compliance with the provisions of this Division and all other laws of the County.
 - (2) The sign shall remain only as long as some portion of the property advertised for sale remains unsold, or for a period of two (2) years from the recordation of the Final Map whichever period is shorter. Subject to Director Review and Approval, said time may be extended for one (1) year. Not more than two (2) such extensions may be granted.
 - (3) The signs shall be located on the premises which they advertise.
 - (4) No sign shall exceed four hundred eighty (480) square feet in area.
 - (5) Not more than two (2) such signs per subdivision shall be permitted in any subdivision under forty (40) acres in size. In subdivisions involving more than forty (40) acres, one (1) additional sign shall be permitted for each additional twenty (20) acres.
- b. Identification signs containing the tract name are permitted, provided there shall be no more than one (1) such sign for each three (3) lots. Said sign shall not exceed four (4) square feet in area.
- c. Signs are permitted on the same lot with a model home provided they do not exceed four (4) in number and ten (10) square feet each in area. Said signs shall be removed after the developer concludes the initial sale of the lots or homes to their initial owners.

4. Off-Site Subdivision Signs - Temporary Real Estate Signs

Temporary real estate directional signs, subject to Conditional Use Permit, directing prospective purchasers to a subdivision having lots or houses for sale may be erected and maintained provided said signs do not adversely affect the use or appearance of existing buildings or landscaping and do not create hazardous traffic conditions. Such signs will be subject to the following standards:

- a. The sign shall not exceed one hundred sixty (160) square feet in area.
- b. The sign shall be set back not less than eight (8) feet from the front property line.
- c. The sign shall be not less than six (6) nor more than eighteen (18) feet above the crown of the nearest adjacent road or the higher of the two crowns of two adjacent roads.

5. Temporary Off-Site Open House Signs

Temporary open house signs shall be permitted for a period of forty-eight (48) hours provided that the sign shall be limited to a double-faced sign not more than two (2) by three (3) feet in size.

6. Signs for institutional uses including churches, hospitals, rest homes, private clubs and similar uses shall be permitted subject to the provisions of Section 855-K.
7. Off-site directional signs for major recreational uses, hospitals and colleges permitted under Section 821.2 shall be subject to the provisions of Section 855-K.

(Added by Ord. 490.105 adopted 4-22-75)

SECTION 822

"R-1-A" AND "R-1-AH" - SINGLE FAMILY RESIDENTIAL DISTRICTS

The "R-1-A" and "R-1-AH" Districts are intended to provide for the development of single family residential homes at urban standards on lots not less than twenty thousand (20,000) square feet in area, not more than one (1) dwelling unit permitted on any lot.

(Amended by Ord. 490.45 adopted 7-9-68)

SECTION 822.1 - USES PERMITTED

The following uses shall be permitted in the "R-1-A" and "R-1-AH" Districts. All uses shall be subject to the Property Development Standards in Section 822.5 (Amended by Ord. 490.174 re-adopted 5-8-79)

- A. One family dwelling unit, not more than one (1) dwelling per lot.
- B. Accessory buildings, including garage.
- C. Private greenhouses and horticultural collections, flower and vegetable gardens.
- D. Orchards, vineyards, pasture crops, hay crops and row crops.
- E. Poultry raising (limited to hens only) rabbits or similar small fur-bearing animals not to exceed twenty-four (24) of any kind or combination thereof for domestic purposes only.
- F. Horses may be maintained for personal use in the "R-1-AH" District upon an area not less than twenty thousand (20,000) square feet in area in a number not to exceed two (2) animals, with their off-spring less than one (1) year of age. An additional horse may be permitted for each additional twenty thousand (20,000) square feet of lot area, provided that the total number shall not in any case, exceed four (4) horses.

(Amended by Ord. 490.46 adopted 8-31-68)

- G. Storage of petroleum products only for use of the occupants of the premises, but not for resale or distribution.
- H. Home Occupations, Class I, subject to the provisions of Section 855-N.

(Amended by Ord. T-288 adopted 2-25-86)

- I. Signs, subject to the provisions of Section 822.5-K.
- J. House trailer parking, subject to the provisions of Section 855-I.1.
- K. Temporary tract offices and model homes, in the tract being developed.

(Added by Ord. 490.39 adopted 12-5-67)

- L. Day nursery - small.

(Amended by Ord. 490.188 adopted 10-29-79)

SECTION 822.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

A. Day nursery - large.

(Amended by Ord. 490.188 adopted 10-29-79)

B. Microwave relay structures.

C. Public moderate intensity parks and playgrounds.

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

D. Public schools.

E. Sales of agricultural products produced upon the property.

F. Temporary construction materials storage yards in the tract being developed.

G. Temporary or permanent telephone booths.

H. Water pump stations.

I. Home Occupations, Class II, subject to the provisions of Section 855-N.

(Added by Ord. T-288 adopted 2-25-86)

J. Off-site directional signs for major recreational uses, hospitals and colleges subject to the criteria set forth in Section 855-K.

(Added by Ord. 490.105 adopted 4-22-75)

K. Swimming lessons - small group, subject to the provisions of Section 855-N.

L. Second dwelling units, not more than one per lot, subject to the provisions of Section 855-N.

(Added by Ord. T-269 adopted 5-24-83)

M. Single mobile home occupancy, subject to the provisions of Section 856.

(Added by Ord. T-271 adopted 12-1-87)

N. Yard setback reduction for energy conservation purposes on single lots, subject to the provisions of Section 855-N.

Added by Ord. T-266 adopted 9-6-83)

SECTION 822.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided for in Section 873.

A. Churches and parochial schools.

B. Country clubs and golf courses.

C. Day nursery - institutional.

(Amended by Ord. 490.188 adopted 10-29-79)

D. Private schools.

E. Public libraries.

F. Subdivision signs (off-site) subject to the conditions of Section 822.5-K.4.

G. Electric distribution substations.

H. Swimming lessons - large group, subject to the provisions of Section 855-N.

I. Public, high intensity parks.

(Added by Ord. 490.175 readopted 5-29-79)

J. Yard setback reduction or lot dimension modifications for energy conservation purposes on multiple lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

K. Private roads, as specified in the Fresno County Improvement Standards and the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

SECTION 822.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "R-1-A" and "R-1-AH" Districts.

A. Multiple family residential uses, except as permitted by Section 822.2.

B. Commercial uses.

C. Industrial uses.

D. Agricultural uses not specifically listed as permitted.

E. Advertising structures.

(Amended by Ord. 490.45 adopted 7-9-68)

SECTION 822.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all lands and structures in the R-1-A and R-1-AH Districts.

A. LOT AREA

Each lot shall have a minimum net area of twenty thousand (20,000) square feet. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District.

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots not existing may not be reduced below these standards. Each dimension is minimum only. One or both shall be increased to attain the minimum lot area required.

1. Width

- a. Interior lots shall have a minimum width of one hundred ten (110) feet.
- b. Corner lots shall have a minimum width of one hundred ten (110) feet.
- c. Reversed corner lots shall have a minimum width of one hundred ten (110) feet.
- d. Lots siding on freeways or railroad rights-of-way shall have a minimum width of one hundred thirty (130) feet.
- e. Curve lots and cul-de-sac lots shall have a minimum street frontage width of eight (80) feet.

2. Depth

- a. Lots facing on local streets shall have a minimum depth of one hundred thirty (130) feet.
- b. Lots facing on streets shown on the Circulation Element of the General Plan shall have a minimum depth of one hundred thirty (130) feet.
- c. Lots backing on freeways or railroad rights of way shall have a minimum depth of one hundred fifty (150) feet.

C. POPULATION DENSITY

The provisions of Section 822.1 and 822.2 shall apply.

D. BUILDING HEIGHT

1. No main building or structure erected in this District shall have a height greater than two and one-half (2 2) stories, not to exceed thirty-five (35) feet.

2. No accessory building erected in this District shall have a height greater than one (1) story, not to exceed twelve (12) feet, to plate height.

3. Exceptions:

All buildings hereafter designed or erected and existing buildings which may be reconstructed, altered, moved, or enlarged, shall comply with the height regulations of the District in which they may be located, with the following exceptions:

a. Roof Structures

Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, roof signs, flagpoles, chimneys, smokestacks, silos, water tanks or wireless masts or similar structures, when approved by the Commission, may be erected above the height limits herein prescribed; provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances, but no roof structures, or any space above the height limit shall be allowed for the purpose of providing additional living or floor space.

b. Hillside Lots

On lots located downhill from the street having a twenty-five (25) percent or greater grade measured in the general direction of the side lot lines, an additional story may be constructed on the main building, provided that the ceiling of the lowest story shall be not more than two (2) feet above the curb level measured at the center of the lot frontage.

E. YARDS

1. General Yard Requirements

a. All required yards shall be extended the full width or depth of the lot and shall be open from the ground to the sky, except as hereinafter provided.

(Amended by Ord. 490.169 re-adopted 4-24-79)

b. Aggregate area of accessory buildings permitted in required yards on any one lot shall not exceed five hundred (500) square feet except that additional area may be approved subject to Director Review and Approval Procedure of Section 872.

(Added by Ord. 490.169 re-adopted 4-24-79)

c. No main building shall be erected within fifty (50) feet of the right-of-way of any railroad or freeway.

d. Swimming Pools

(1) Swimming pools shall not be located in any required front yard or side yard and its projection to the rear property line when abutting a street.

(2) Swimming pools shall not be located within five (5) feet of any required front

yard setback or within five (5) feet of any required side yard setback and its projection to the rear property line when abutting a street.

- (3) Swimming pools may be located in any required interior side yard and rear yard provided a space of not less than five (5) feet is maintained from the side and rear property lines.

(For swimming pool enclosure requirements see "Fences, Hedges, and Walls." Section 855-H.2).

- e. Garages or carports shall be located not less than twenty (20) feet from any street frontage where the garage door or carport opening faces the street. Where yard requirements pose a greater setback, such setback shall apply.

2. Front Yard

- a. Each lot shall have a front yard of not less than thirty-five (35) feet extending across the full width of the lot except for special conditions treated below. Where a front yard is proposed to be more than fifty (50) feet, a Site Plan Review shall be required as provided for in Section 874.
- b. Curve lots and cul-de-sac lots shall have a front yard of not less than twenty-five (25) feet.

- c. Hillside Lots

Any lot having a grade of more than twenty-five (25) percent from the curb line to a point midway between the side lot lines at a distance of fifty (50) feet from the front lot line may have a front yard which is not less than fifty (50) percent of the depth required for a front yard in the district in which said lot is located. A private garage or carport may be erected in said front yard provided said garage or carport:

- (1) Is located not less than five (5) feet from the front line, and
- (2) Shall have no doorways or other openings equipped in such a manner that when open or being opened will project beyond said front lot line.

- d. Partially Built-up Blocks

Where lots comprising fifty (50) percent or more of the block frontage are developed with a front yard either greater or lesser in depth than that prescribed herein, the average of such existing front yards shall establish the front yards for the remaining lots in the block frontage. However, a front yard determined in this way shall be not less than twenty (20) feet. Existing front yards of more than fifty (50) feet shall be counted as fifty (50) feet in calculating the average.

- e. Neighborhood Unit Plans

Where an entire block frontage is designed and developed as a unit, the minimum front yard requirements may be varied by not more than five (5) feet in either direction provided that the average front yard for the entire frontage is not less than that required in the District.

3. Side Yard

- a. Each lot shall have a side yard on each side of not less than ten (10) feet except for special conditions treated below.

b. Hillside Lots

In hillside areas where all the following conditions exist:

- (1) The top of the slope is at the property line between adjoining lots held under separate ownerships;
- (2) The difference in vertical elevation between the top and the toe of the slope is six (6) feet or more; and
- (3) The grade of the slope between the property line and the top of said slope is two (2) feet horizontal to one (1) foot vertical (2:1) or greater;
- (4) The minimum distance from the toe or top of the slope to a main building shall be not less than five (5) feet. On the lower lot, this distance shall be increased one (1) foot for every additional one (1) foot of height above six (6) feet.

c. Corner Lots

On corner lots, unless otherwise specified in this Division, the side yard abutting the street shall be not less than twenty-five (25) feet in width.

d. Reversed Corner Lots

On a reversed corner lot, the side yard abutting the street shall be not less than twenty-five (25) feet.

(Amended by Ord. 490.169 re-adopted 4-24-79)

e. Accessory Buildings in Side Yard

- (1) Any accessory building located less than eighty-five (85) feet from the front property line shall have the same minimum side yard as that required for the main building, regardless of whether or not said accessory building is attached to the main building.
- (2) An accessory building may be located on a side property line when said building is located eighty-five (85) feet or more from the front property line, except that no structure shall be permitted in a required yard which abuts a street.

(Amended by Ord. 490.169 re-adopted 4-24-79)

- (3) An accessory building having an opening on an alley shall be located not less than twenty-five (25) feet from the opposite side of the alley; provided, however, that no such accessory building shall be located less than five (5) feet from the property line.

- (4) Any accessory building permitted on a side property line shall have provisions for all roof drainage to be taken care of on the subject lot.

f. Main Building Abutting Alley

When siding on an existing alley, a main building shall be located not less than thirty (30) feet from the opposite side of the alley.

4. Rear Yard

- a. Each lot shall have a rear yard of not less than twenty (20) feet. For exceptions for the main building, the General Conditions, Section 855-E.4 shall apply.

b. Hillside Lots

In hillside areas where all the following conditions occur:

- (1) Where the top of the slope is a property line between adjoining lots held under separate ownerships;
- (2) Where the difference in vertical elevation between the top and the toe of the slope is six (6) feet or more; and
- (3) Where the grade of the slope between the property line and the toe of said slope is two (2) feet horizontal to one (1) foot vertical (2:1) or greater;
- (4) The minimum distance from the toe or top of the slope to any main building on said lot shall be not less than fifteen (15) feet and said distance on the lower lot shall be increased by one (1) foot for every additional one (1) foot of height above six (6) feet.

c. Accessory Buildings

Non-residential accessory buildings may be permitted in a required rear yard, except that portion which is an extension of a required street side yard, in accordance with Section 855-N and as follows:

(Amended by Ord. 490.169 re-adopted 4-24-79)

- (1) Any accessory building may be located on the rear property line when said building is not abutting an existing alley and is not located on an easement, except that the required setback for accessory structures on reversed corner lots shall be not less than the required side yard for the District.

(Amended by Ord. 490.169 re-adopted 4-24-79)

- (2) An accessory building having an opening on an alley shall be located not less than the twenty-five (25) feet from the opposite side of the alley, or not less than five (5) feet from the property line.
- (3) Any accessory building permitted on a rear property line shall have provisions for all roof drainage to be taken care of on the subject lot.

- (4) Where any building or structure, except swimming or wading pools, occupies space in a required rear yard, the amount of space so occupied shall be provided elsewhere on the lot, exclusive of required yard areas. Said substitute space shall have minimum dimensions of eight (8) feet by eight (8) feet.

5. Exceptions: Permitted Projections Into Required Yards

- a. Cornices, eaves, belt courses, sills, fireplace chimneys and other similar architectural features may extend or project into a required side yard not more than five (5) inches for one (1) foot of the width of such required side yard and may extend or project into a required front or rear yard not more than thirty (30) inches.
- b. Uncovered, unenclosed porches, platforms or landing places which do not extend above the level of the first floor of the building may extend into any front yard a distance of not more than six (6) feet, and such features may not extend into a court more than twenty (20) percent of the width of said court and in no case more than six (6) feet, and may extend into any side or rear yard not more than three (3) feet. An open work railing may be installed or constructed on any such porch, platform or landing place provided it does not exceed thirty-six (36) inches in height.
- c. Open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project into a required front yard not more than thirty (30) inches.

F. SPACE BETWEEN BUILDINGS

The minimum distance between buildings shall be as follows:

1. Accessory buildings shall be a minimum of six (6) feet from the main building. Accessory buildings connected to the main building by a breezeway roof shall also maintain a minimum six (6) foot separation.
2. Where an accessory building is used for garage purposes and where said garage is located within the area defined by the projection of the side lines of any main building, and where vehicular access to said garage faces any main building and falls entirely or in part, within said area, the garage shall be not less than twenty-five (25) feet from the main building.
3. All structures housing livestock and poultry shall be located a minimum of forty (40) feet from all buildings used for human habitation, twenty-five (25) feet from side and rear property lines, and one hundred (100) feet from front property lines. (For through lots, both frontages shall be considered front property lines.) However, horses may be pastured upon irrigated pasture in the above mentioned side and rear yards.

(Amended by Ord. T-254 adopted 4-27-81)

G. LOT COVERAGE

Maximum lot coverage by buildings and structures shall not exceed thirty (30) percent of the total lot area.

H. FENCES, HEDGES AND WALLS

This section is intended to provide for the regulation of the height and location of fences, hedges and walls for the purpose of providing for light, air and privacy, and safeguarding the public welfare by preventing visual obstructions at street and highway intersections.

1. Required Fences and Walls

- a. Where lots are one (1) acre or less, a fence or wall not less than five (5) feet nor greater than six (6) feet in height shall be constructed at the tops of all slopes when all of the following conditions apply:
- (1) Where the top of the slope is a property line between adjoining lots held under separate ownerships,
 - (2) Where the difference in vertical elevation between the top and the toe of the slope is six (6) feet or more, and
 - (3) Where the grade of the slope between the property line and the toe of said slope is two (2) feet horizontal to one (1) foot vertical (2:1) or greater.

b. Swimming Pools

The provisions of Section 855-H-2 shall apply.

(Amended by Ord. 490.123 adopted 12-7-76)

2. Corner Cut-Off Area

The following regulations shall apply to all intersections of streets, alleys, and private driveways in order to provide adequate visibility for vehicular traffic. There shall be no visual obstruction within the cut-off areas established herein.

- a. There shall be a corner cut-off area at all intersecting and intercepting streets or highways. The cut-off line shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line, as the case may be. It shall pass through the points located on both the side and front (or rear) property lines at a distance of thirty (30) feet from the intersection of such lines at the corner of a street or highway.
- b. There shall be a corner cut-off area on each side of any private driveway intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front, or rear property line, as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the driveway where it intersects the street or alley right-of-way.
- c. There shall be a corner cut-off area on each side of any alley intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the alley where it intersects the street or alley right-of-way.
- d. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, said corner cut-off shall be defined by a line drawn from a point on the front (or rear) property line that is not less than thirty (30) feet

from the intersection of the side and front (or rear) property lines and through a point on the side property line that is not less than thirty (30) feet from said intersection of the side and front (or rear) property lines.

3. Permitted Fences, Hedges and Walls

- a. Fences, hedges and walls, not greater than six (6) feet in height, shall be permitted on or within all rear and side property lines on interior lots and on or to the rear of all front yard setback lines.
- b. No fence, wall or hedge over three (3) feet in height shall be permitted in any required front yard, or in the required side yard on the street side of a reversed corner lot.
- c. Fences or structures over six (6) feet in height to enclose tennis courts or other game areas shall be permitted to the rear of the required front yard subject to Director Review and Approval. The review shall include consideration of the effects of mass, noise, and lighting upon surrounding residences.

(Amended by Ord. 490.187 adopted 9-24-79)

I. OFF-STREET PARKING

The following provisions shall apply, subject to the General Conditions, Section 855-I.

1. For Residential Uses

- a. There shall be at least one (1) parking space in a garage or carport for every dwelling unit. These spaces shall be on the same lot with the main building which they are intended to serve and located to the rear of the required front yard, except for hillside lots.

b. Hillside Lots

On a lot having a grade of more than twenty-five (25) percent (measured from the curb line to a point midway between the side lot lines at a distance of fifty (50) feet from the front lot line), a private garage or carport may be erected in the front yard provided it is located not less than five (5) feet from the front lot line and further provided it shall have no doors or other openings equipped in such a manner that when open or being opened they will project beyond said front lot line.

2. For Uses Permitted by Conditional Use Permit

The provisions of Section 855-I shall apply for off-street parking requirements.

J. ACCESS

1. There shall be vehicular access from a dedicated and improved street, recognized private road or alley to off-street parking facilities on the property requiring off-street parking.
2. There shall be pedestrian access from a dedicated and improved street or recognized private road to property used for residential purposes.

3. There shall be an adequate turning area on lots facing on and having access to major and secondary streets shown on the Circulation Element of the General Plan to permit motor vehicles to head into the street.

(Amended by Ord. 490.169 adopted 3-5-79)

4. If vehicular access is by way of a driveway parallel with a side lot line, there shall be an access way of ten (10) feet from the street or alley to the building site, said way to be for both pedestrian and vehicular access.

K. OUTDOOR ADVERTISING

Signs and other commercial advertising shall be permitted in this District only as herein provided.

1. Name Plates

Name plates shall be permitted subject to the following conditions:

- a. Name plates shall not exceed two (2) square feet in area.
- b. Name plates shall display only the:
 - (1) Name of the premises upon which it is displayed.
 - (2) Name of the owner or lessee of said premises.
 - (3) Address of said premises.
 - (4) Nature of the home occupation engaged in on said premises.

(Amended by Ord. 490.169 adopted 3-5-79)

2. "For Rent" and "For Sale" Signs

"For Rent" and "For Sale" signs shall be permitted. Not more than two (2) such signs, not exceeding a total of six (6) square feet in area, shall be permitted on any lot or parcel.

(Added by Ord. 490.32 adopted 12-13-66; amended by Ord. 490.45 adopted 7-9-68)

3. Subdivision Signs - On Site

- a. Temporary real estate signs advertising real property which has been subdivided for purposes of sale or lease shall be permitted, subject to the following conditions:
 - (1) The construction of any sign shall be in strict compliance with the provisions of this Division and all other laws of the County.
 - (2) The sign shall remain only as long as some portion of the property advertised for sale remains unsold, or for a period of two (2) years whichever period is shorter. Subject to Director Review and Approval, said time may be extended for one (1) year. Not more than two (2) such extensions may be granted.
 - (3) The signs shall be located on the premises which they advertise.

- (4) No sign shall exceed four hundred eighty (480) square feet in area.
 - (5) Not more than two (2) such signs shall be permitted in any subdivision under forty (40) acres in size. In subdivisions involving more than forty (40) acres, one (1) additional sign shall be permitted for each additional twenty (20) acres.
- b. Identification signs containing the tract name are permitted, provided there shall be no more than one (1) such sign for each three (3) lots. Said signs shall not exceed four (4) square feet in area.
 - c. Signs are permitted on the same lot with a model home provided they do not exceed four (4) in number and ten (10) square feet each in area. Said signs shall be removed after the developer concludes the initial sales of the lots or homes to their initial owners.

(Amended by Ord. 490.169 adopted 3-5-79)

4. Off-Site Subdivision Signs - Temporary Real Estate Directional Signs

Temporary real estate directional signs, subject to Conditional Use Permit, directing prospective purchasers to a subdivision having lots or houses for sale may be erected and maintained provided said signs do not create hazardous traffic conditions. Such signs shall be subject to the following standards:

- a. The sign shall not exceed one hundred sixty (160) square feet in area.
- b. The sign shall be set back not less than eight (8) feet from the front property line.
- c. The sign shall be not less than six (6) nor more than eighteen (18) feet above the crown of the nearest adjacent road or the higher of the two crowns of two adjacent roads.

(Amended by Ord. 490.169 adopted 3-5-79)

5. Temporary Off-Site Open Houses Signs

Temporary open house signs shall be permitted for a period of forty-eight (48) hours provided that the sign shall be limited to a double-faced sign not more than two (2) by three (3) feet in size.

- 6. Signs for institutional uses including churches, hospitals, rest homes, private clubs and similar uses shall be permitted subject to the provisions of Section 855-K.
- 7. Off-site directional signs for major recreational uses, hospitals and colleges permitted under Section 822.2 shall be subject to the provisions of Section 855-K.

SECTION 823

"R-1-E" AND "R-1-EH" - SINGLE FAMILY RESIDENTIAL ESTATE DISTRICTS

The "R-1-E" and "R-1-EH" Districts are intended to provide for the development of single family residential estate homes at a semi-rural density on lots of not less than 37,500 square feet in area.

The regulations for both districts are identical except that horses are a permitted use in the "R-1-EH" District.

(Added by Ord. 490.45 adopted 7-9-68)

SECTION 823.1 - USES PERMITTED

The following uses shall be permitted in the "R-1-E" and "R-1-EH" Districts. All uses shall be subject to the Property Development Standards in Section 823.5.

- A. All uses permitted in the "R-1-A" District, Section 822.1, and under the same restrictions, conditions and limitations as specified in said Section 822.1.
- B. Horses may be maintained for personal use in the "R-1-EH" District upon an area not less than thirty-seven thousand five hundred (37,500) square feet in a number not to exceed two (2) adult animals with their off-spring less than one (1) year of age. An additional horse may be permitted for each additional twenty thousand (20,000) square feet of lot area, provided that the total number shall not, in any case, exceed four (4) horses.

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

SECTION 823.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval by the Director.

- A. The uses listed in the "R-1-A" District, Section 822.2, shall apply.

SECTION 823.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided for in Section 853.

The uses listed in the "R-1-A" District, Section 822.3, shall apply.

SECTION 823.4 - USES EXPRESSLY PROHIBITED

The uses listed in Section 822.4 are uses expressly prohibited.

SECTION 823.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "R-1-E" and "R-1-EH" Districts.

A. LOT AREA

Each lot shall have a minimum area of thirty-seven thousand five hundred (37,500) square feet.

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards. Each dimension is minimum only.

1. Width

- a. Interior, corner and reversed corner lots shall have minimum widths of one hundred fifty (150) feet.
- b. Lots siding on freeways, or railroad rights-of-way shall have minimum widths of one hundred sixty (160) feet.
- c. Curve lots and cul-de-sac lots shall have a minimum street frontage width of one hundred (100) feet.

(Added by Ord. 490.197 adopted 3-31-80)

2. Depth

All lots shall have minimum depths of two hundred (200) feet.

C. POPULATION DENSITY

The provisions of Section 822.1 and Section 822.2 shall apply.

D. BUILDING HEIGHT

The provisions of Section 822.5-D shall apply.

E. YARDS

1. General Yard Requirements

The provisions of Section 822.5-E.1 shall apply.

2. Front Yard

- a. Each lot shall have a front yard of not less than fifty (50) feet extending across the full width of the lot except for special conditions provided for below. Where a front yard is proposed to be more than one hundred (100) feet, the site plan review shall be required as provided for in Section 874.

- b. Curve lots and cul-de-sac lots shall have a front yard of not less than (40) feet.

(Added by Ord. 490.197 adopted 3-31-80)

- c. Hillside Lots

The provisions of Section 822.5-E.2.c shall apply.

- d. Partially Built-up Blocks

Where lots comprising fifty (50) percent or more of the block frontage are developed with a front yard either greater or lesser in depth than that prescribed herein; the average of such existing front yards shall establish the front yard for the remaining lots in the block frontage. However, a front yard determined in this way shall not be less than thirty-five (35) feet.

Existing front yards of more than one hundred (100) feet shall be counted as one hundred (100) feet in calculating the average.

3. Side Yard

- a. Each lot shall have a side yard on each side of not less than fifteen (15) feet except for special conditions treated below.

- b. Hillside Lots

The provisions of Section 822.5-E.3.b shall apply.

- c. Corner and Reversed Corner Lots

On corner and reversed corner lots, unless otherwise specified in this Ordinance, the side yard abutting the street shall be not less than thirty-five (35) feet.

- d. Accessory Buildings in Side Yards

The provisions of Section 822.5-E.3.e shall apply.

- e. Main Building Abutting Alley

The provisions of Section 822.5-E.3.f shall apply.

4. Rear Yard

The provisions of Section 822.5-E.4, shall apply.

5. Exceptions: Permitted Projections Into Required Yards

The provisions of Section 822.5-E.5 shall apply.

F. SPACE BETWEEN BUILDINGS

The provisions of Section 822.5-F shall apply.

G. LOT COVERAGE

The provisions of Section 822.5-G shall apply.

H. FENCES, HEDGES AND WALLS

The provisions of Section 822.5-H shall apply.

I. OFF-STREET PARKING

The provisions of Section 822.5-I shall apply.

J. ACCESS

The provisions of Section 822.5-J shall apply.

K. OUTDOOR ADVERTISING

The provisions of Section 822.5-K shall apply.

SECTION 824

"R-1-B" - SINGLE FAMILY RESIDENTIAL DISTRICT

The "R-1-B" District is intended to provide for the development of single family residential homes at urban standards on lots not less than twelve thousand five hundred (12,500) square feet in area, not more than one (1) dwelling unit permitted on any lot, except within Planned Developments. All regulations for this District are deemed to be necessary for the protection of the quality of the residential environment and for the securing of the health, safety and general welfare of the residents.

(Amended by Ord. 490.66 adopted 2-2-71)

SECTION 824.1 - USES PERMITTED

The following uses shall be permitted in the "R-1-B" District. All uses shall be subject to the Property Development Standards in Section 824.5.

(Amended by Ord. 490.174 re-adopted 5-8-79)

- A. One family dwelling units, not more than one (1) dwelling per lot.
- B. Accessory buildings, including garage.
- C. Private greenhouses and horticultural collections, flower and vegetable gardens.
- D. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.

(Amended by Ord. T-288 adopted 2-25-86)

- F. House trailer parking subject to the provisions of Section 855-I.1.f.
- G. Temporary tract offices and model homes, in the tract being developed.

(Added by Ord. 490.39 adopted 12-5-76)

- H. Day nursery - small

(Added by Ord. 490.188 adopted 10-29-79)

SECTION 824.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Day nursery - large

(Amended by Ord. 490.188 adopted 10-29-79)

- B. Microwave relay structures.

- C. Public moderate intensity parks and playgrounds.
(Amended by Ord. 490.175; re-adopted 5-29-79)
- D. Public schools.
- E. Temporary construction materials storage yards in the tract being developed.
- F. Temporary or permanent telephone booths.
- G. Water pump stations.
- H. Home Occupations, Class II, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.

(Added by Ord. T-288 adopted 2-25-86)
- I. Off-site directional signs for major recreational uses, hospitals and colleges subject to the provisions of Section 855-K.
- J. Swimming lesson - small group, subject to the provisions of Section 855-N.
- K. Second dwelling units, not more than one per lot, subject to the provisions of Section 855-N.

(Added by Ord. T-269 adopted 5-24-83)
- L. Yard setback reduction for energy conservation purposes on single lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

SECTION 824.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided for in Section 873.

- A. Churches and parochial schools.
- B. Country clubs and golf courses.
- C. Day nursery - institutional

(Amended by Ord. 490.188 adopted 10-29-79)
- D. Off-site subdivision signs subject to the conditions of Section 824.5-K.
- E. Private schools.
- F. Public libraries.
- G. Electric distribution substations.

H. Planned Residential Developments.

(Added by Ord. 490.66 adopted 2-2-71, amended by Ord. T-255 adopted 8-2-82)

I. Swimming lessons - large group, subject to the provisions of Section 855-N.

J. Civic and social clubs of 250 or less members.

K. Public high intensity parks.

(Added by Ord. 490.175 re-adopted 5-9-79)

L. Yard setback reduction or lot dimension modifications for energy conservation purposes on multiple lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

M. Private roads, as specified in the Fresno County Improvement Standards and the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

SECTION 824.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "R-1-B" District.

A. Multiple family residential uses except as permitted by Sections 824.2 and 824.3.

(Amended by Ord. 490.66 adopted 2-2-71)

B. Commercial uses except as permitted by Section 855-N (Planned Residential Development).

(Amended by Ord. 490.66 adopted 2-2-71 and Ord. T-255 adopted 8-2-82)

C. Industrial uses.

D. Agricultural uses not specifically listed as permitted.

E. Advertising structures.

SECTION 824.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all lands and structures in the "R-1-B" District.

A. LOT AREA

Each lot shall have a minimum area of twelve thousand five hundred (12,500) square feet. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District.

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards. Each dimension is minimum, only. One or both shall be increased to attain the minimum lot area required.

1. Width

- a. Interior lots shall have a minimum width of eighty (80) feet.
- b. Corner lots shall have a minimum width of ninety (90) feet.
- c. Reversed corner lots shall have a minimum width of ninety-five (95) feet.
- d. Lots siding on freeways, or railroad rights-of-way shall have a minimum width of one hundred (100) feet.
- e. Curve lots and cul-de-sac lots shall have a minimum street frontage width of sixty (60) feet.

2. Depth

- a. Lots facing on local streets shall have a minimum depth of one hundred ten (110) feet.
- b. Lots facing on streets shown on the Circulation Element of the General Plan shall have a minimum depth of one hundred twenty (120) feet.
- c. Lots backing on freeways, or railroad rights-of-way shall have a minimum depth of one hundred fifty (150) feet.

C. POPULATION DENSITY

The provisions of Section 824.1 and Section 824.2 shall apply except for Planned Residential Developments wherein the density shall not exceed one dwelling unit for each twelve thousand five hundred (12,500) square feet of lot area.

(Amended by Ord. 490.118 adopted 10-19-76 and Ord. T-255 adopted 8-2-82)

D. BUILDING HEIGHT

1. No main building or structure erected in this District shall have a height greater than two and one-half (2-1/2) stories, not to exceed thirty-five (35) feet.
2. No accessory building erected in this District shall have a height greater than one (1) story, not to exceed twelve (12) feet, to plate height.
3. Exceptions:

The provisions of the "R-1-A" District, Section 822.5-D.3, shall apply.

E. YARDS

1. General Yard Requirements

The provisions of the "R-1-A" District, Section 822.5-E.1, shall apply.

2. Front Yard

- a. Each lot shall have a front yard of not less than thirty-five (35) feet extending across the full width of the lot except for special conditions treated below. Where a front yard is proposed to be more than fifty (50) feet, the site plan review shall be required as provided for in Section 874.
- b. Curve lots and cul-de-sac lots shall have a front yard of not less than twenty-five (25) feet.
- c. For hillside lots, partially built-up blocks, and neighborhood unit plans, the provisions of the "R-1-A" District, Section 822.5-E.2.c, d, and e, shall apply.

3. Side Yard

- a. Each lot shall have a side yard on each side of not less than ten (10) feet except for special conditions treated below.
- b. For hillside lots, accessory buildings in side yards, and main buildings abutting an alley, the provisions of the "R-1-A" District, Section 822.5-E.3.b, e and f shall apply.

c. Corner Lots

On corner lots the side yard abutting the street shall be not less than twenty (20) feet.

d. Reversed Corner Lots

On reversed corner lots, the side yard abutting the street shall be not less than twenty-five (25) feet.

(Amended by Ord. 490.49 adopted 10-29-68; amended by Ord. 490.169 adopted 3-5-79)

4. Rear Yard

- a. Each lot shall have a rear yard of not less than twenty (20) feet. For exceptions for the main building, the General Conditions, Section 855-E.4, shall apply.
- b. For hillside lots and accessory buildings, the provisions of the "R-1-A" District, Section 822.5-E.4.b and c, shall apply.

5. Exceptions: Permitted Projections into Required Yards

The provisions of the "R-1-A" District, Section 822.5-E.5.a through c, shall apply.

F. SPACE BETWEEN BUILDINGS

The provisions of the "R-1-A" District, Section 822.5-F.1 and 3, shall apply.

G. LOT COVERAGE

Maximum lot coverage by buildings and structures shall not exceed thirty-five (35) percent of the total lot area.

H. FENCES, HEDGES AND WALLS

The provisions of the "R-1-A" District, Section 822.5-H.1 2, and 3, shall apply.

I. OFF-STREET PARKING

The provisions of the "R-1-A" District, Section 822.5-I.1 and 2, shall apply.

J. ACCESS

The provisions of the "R-1-A" District, Section 822.5-J.1 2, 3, and 4, shall apply.

K. OUTDOOR ADVERTISING

The provisions of the "R-1-A" District, Section 822.5-K.1, 2, 3, 4, 5, 6, and 7, shall apply.

(Amended by Ord. 490.32 adopted 12-13-66; Ord. 490.105 adopted 4-22-75)

SECTION 825

"R-1-C" - SINGLE FAMILY RESIDENTIAL DISTRICTS

The "R-1-C" District is intended to provide for the development of single family residential homes at urban standards on lots not less than nine thousand (9,000) square feet in area, not more than one (1) dwelling unit permitted on any lot, except within Planned Developments. All regulations for this District are deemed to be necessary for the protection of the quality of the residential environment and for the securing of the health, safety and general welfare of the residents.

(Amended by Ord. 490.66 adopted 2-2-71)

SECTION 825.1 - USES PERMITTED

The following uses shall be permitted in the "R-1-C" District. All uses shall be subject to the Property Development Standards in Section 825.5.

(Amended by Ord. 490.174 re-adopted 5-8-79)

- A. One family dwelling units, not more than one (1) dwelling per lot.
- B. Accessory buildings, including garage.
- C. Private greenhouses and horticultural collections, flower and vegetable gardens.
- D. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.

(Amended by Ord. T-288 adopted 2-25-86)

- E. Signs, subject to the provisions of Section 825.5-K.
- F. House trailer parking, subject to the provisions of Section 855-I.1.f.
- G. Temporary tract offices and model homes, in the tract being developed.

(Added by Ord. 490.39 adopted 12-5-67)

- H. Day nursery - small.

(Added by Ord. 490.188 adopted 10-29-79)

SECTION 825.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Day nursery - large.

(Amended by Ord. 490.188 adopted 10-29-79)

- B. Microwave relay structures.
- C. Public moderate intensity parks, public playgrounds and public schools.
(Amended by Ord. 490.175; re-adopted 5-29-79)
- D. Temporary construction materials storage yards in the tract being developed.
- E. Temporary or permanent telephone booths.
- F. Water pump stations.
- G. Home Occupations, Class II, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.
(Added by Ord. T-288 adopted 2-25-86)
- H. Off-site directional signs for major recreational uses, hospitals and colleges subject to the provisions of Section 855-K.
(Added by Ord. 490.105 adopted 4-22-75)
- I. Swimming lessons - small group, subject to the provisions of Section 855-N.
- J. Second dwelling units, not more than one per lot, subject to the provisions of Section 855-N.
(Added by Ord. T-269 adopted 5-24-83)
- K. Yard setback reduction for energy conservation purposes on single lots, subject to the provisions of Section 855-N.
(Added by Ord. T-266 adopted 9-6-83)

SECTION 825.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided in Section 873.

- A. Churches, parochial, and private schools.
- B. Country clubs and golf courses.
- C. Day nursery - institutional.
(Amended by Ord. 490.188 adopted 10-29-79)
- D. Public libraries.
- E. Subdivision signs - off site, subject to provisions of Section 825.5-K.
- F. Electric distribution substations.

G. Planned residential developments.

(Added by Ord. 490.66 adopted 2-2-71, amended by Ord. T-255 adopted 8-2-82)

H. Swimming lessons - large group, subject to the provisions of Section 855-N.

I. Civic and Social Clubs of 250 or less members.

K. Public high intensity parks.

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

L. Yard setback reduction or lot dimension modifications for energy conservation purposes on multiple lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

M. Private roads, as specified in the Fresno County Improvement Standards and the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

SECTION 825.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "R-1-C" District.

A. Multiple residential uses except as permitted by Section 825.2 and Section 825.3.

(Amended by Ord. 490.66 adopted 2-2-71)

B. Commercial uses, except as permitted by Section 855-N (Planned Residential Development).

(Amended by Ord. 490.66 adopted 2-2-71 and Ord. T-255, adopted 8-2-82)

C. Industrial uses.

D. Agricultural uses not specifically listed as permitted.

E. Advertising structures.

SECTION 825.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all lands and structures in the "R-1-C" District.

A. LOT AREA

Each lot shall have a minimum net area of nine thousand (9,000) square feet, except as provided in Section 825.5-C below. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District.

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards. Each dimension is minimum, only. One or both shall be increased to attain the minimum lot area required.

1. Width

- a. Interior lots shall have a minimum width of seventy (70) feet.
- b. Corner lots shall have a minimum width of eighty (80) feet.
- c. Reversed corner lots shall have a minimum width of eighty-five (85) feet.
- d. Lots siding on freeways or railroad rights-of-way shall have a minimum width of ninety (90) feet.
- e. Curve lots and cul-de-sac lots shall have a minimum street frontage width of fifty (50) feet.

2. Depth

- a. Lots facing on local streets shall have a minimum depth of one hundred ten (110) feet.
- b. Lots facing on streets shown on the Circulation Element of the General Plan shall have a minimum depth of one hundred twenty (120) feet.

(Amended by Ord. 490.169 adopted 3-5-79)
- c. Lots backing on freeways, or railroad rights-of-way shall have a minimum depth of one hundred thirty (130) feet.

C. POPULATION DENSITY

The provisions of Section 825.1 and Section 825.2 shall apply except for Planned Residential Developments wherein the density shall not exceed one dwelling unit for each nine thousand (9,000) square feet of lot area.

(Amended by Ord. 490.52 adopted 11-19-68; Ord. 490.66 adopted 2-2-71; Ord. 490.118 adopted 10-19-76; and Ord. T-255 adopted 8-2-82)

D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than two and one-half (2 1/2) stories, not to exceed thirty-five (35) feet.
2. No accessory building erected in this District shall have a height greater than one (1) story, not to exceed twelve (12) feet, to plate height.
3. Exceptions:

The provisions of the "R-1-A" District, Section 822.5-D.3, shall apply.

E. YARDS

1. General Yard Requirements

The provisions of the "R-1-A" District, Section 822.5-E.1, shall apply.

2. Front Yard

- a. Each lot shall have a front yard of not less than twenty-five (25) feet extending across the full width of the lot except for special conditions treated below. Where a front yard is proposed to be more than fifty (50) feet, a site plan review shall be required as provided for in Section 874.
- b. Curve lots and cul-de-sac lots shall have a front yard of not less than twenty-five (25) feet.
- c. For hillside lots, partially built-up blocks and neighborhood unit plans, the provisions of the "R-1-A" District, Section 822.5-E.2.c, d and e, shall apply.

(Amended by Ord. 490.169 re-adopted 4-24-79)

3. Side Yard

- a. Each lot shall have a side yard on each side of not less than seven (7) feet except for special conditions treated below:
 - (1) Where a lot is developed with a side yard setback of less than seven (7) feet, additions may be made at same side yard setback but in no case at less than five (5) feet.
 - (2) Where subdivisions of record on the effective date of this Division are developing with less than a seven (7) foot side yard, said subdivision may be completed with the lesser side yard setback, but in no case less than five (5) feet.
- b. For hillside lots, accessory buildings in side yards, and main buildings abutting an alley, the provisions of the "R-1-A" District, Section 822.5-E.3.b, e and f, shall apply.

c. Corner Lots

On corner lots, unless otherwise specified in this division, the side yard abutting the street shall be not less than fifteen (15) feet in width.

d. Reversed Corner Lots

On a reversed corner lot, the side yard abutting the street shall be not less than twenty (20) feet.

(Amended by Ord. 490.169 re-adopted 4-24-79)

4. Rear Yard

- a. Each lot shall have a rear yard of not less than twenty (20) feet. For exceptions for the main building, the General Conditions, Section 855-E.4, shall apply.
- b. For hillside lots and accessory buildings, the provisions of the "R-1-A" District, Section 822.5-E.4.b and c, shall apply.

5. Exceptions: Permitted Projections into Required Yards

The provisions of the "R-1-A" District, Section 822.5-E.5.a through c, shall apply.

F. SPACE BETWEEN BUILDINGS

The provisions of the "R-1-A" District, Section 822.5-F.1 and 3, shall apply.

G. LOT COVERAGE

Maximum lot coverage by buildings and structures shall not exceed forty (40) percent of the total area.

(Amended by Ord. 490.169 re-adopted 4-24-79)

H. FENCES, HEDGES AND WALLS

The provisions of the "R-1-A" District, Section 822.5-H.1, 2 and 3, shall apply.

I. OFF-STREET PARKING

The provisions of the "R-1-A" District, Section 822.5-I.1, and 2, shall apply.

J. ACCESS

The provisions of the "R-1-A" District, Section 822.5-J.1, 2, 3, and 4, shall apply.

K. OUTDOOR ADVERTISING

The provisions of the "R-1-A" District, Section 822.5-K shall apply.

(Amended by Ord. 490.32 adopted 12/13/66; amended by Ord. 490.105 adopted 4-22-75)

SECTION 826

"R-1" - SINGLE FAMILY RESIDENTIAL DISTRICT

The "R-1" District is intended to provide for the development of single family residential homes at urban standards on lots not less than six thousand (6,000) square feet in area, not more than one (1) dwelling unit permitted on any lot, except within Planned Developments. All regulations for this District are deemed to be necessary for the protection of the quality of the residential environment and for the securing of the health, safety and general welfare of the residents.

(Amended by Ord. 490.66 adopted 2-2-71)

SECTION 826.1 - USES PERMITTED

The following uses shall be permitted in the "R-1" District. All uses shall be subject to the Property Development Standards in Section 826.5.

(Amended by Ord. 490.174 re-adopted 5-8-79)

- A. One family dwelling units, not more than one (1) dwelling per lot.
- B. Accessory buildings, including garages.
- C. Private greenhouses and horticultural collections, flower and vegetable gardens.
- D. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of section 855-N.

(Amended by Ord. T-288 adopted 2-25-86)

- E. Signs, subject to the provisions of Section 826.5-K.
- F. House trailer parking, subject to the provision of Section 855-I.1.f.
- G. Temporary tract offices and model homes, in the tract being developed.

(Added by Ord. 490.39 adopted 12-5-67)

- H. Day nursery - small.

(Added by Ord. 490.188 adopted 10-29-79)

SECTION 826.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Day Nursery - large.

(Amended by Ord. 490.188 adopted 10-29-79)

- B. Microwave relay structures.
- C. Public moderate intensity parks and playgrounds.
(Amended by Ord. 490.175 re-adopted 5-29-79)
- D. Public schools.
- E. Temporary construction materials storage yards in the tract being developed.
- F. Temporary or permanent telephone booths.
- G. Water pump stations.
- H. Home Occupations, Class II, in conjunction with a detached single family residential unit, subject to the provisions of section 855-N.
(Added by Ord. T-288 adopted 2-25-86)
- I. Off-site directional signs for major recreational uses, hospitals and colleges subject to the provisions of Section 855-K.
(Added by Ord. 490.105 adopted 4-22-75)
- J. Swimming lessons - small group, subject to the provisions of Section 855-N.
- K. Second dwelling units, not more than one per lot, subject to the provisions of Section 855-N.
(Added by Ord. T-269 adopted 5-24-83)
- L. Single mobile home occupancy, subject to the provisions of Section 856.
(Added by Ord. T-271 adopted 12-1-87)
- M. Yard setback reduction for energy conservation purposes on single lots, subject to the provisions of Section 855-N.
(Added by Ord. T-266 adopted 9-6-83)

SECTION 826.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided in Section 873.

- A. Churches and parochial schools.
- B. Country clubs and golf courses.
- C. Day nursery - institutional.
(Amended by Ord. 490.188 adopted 10-29-79)
- D. Off-site subdivision signs, subject to the conditions of Section 826.5-K.

E. Private schools.

F. Public libraries.

G. Electric distribution substations.

H. Planned residential development.

(Added by Ord. 490.66 adopted 2-2-71, amended by Ord. T-255 adopted 8-2-82)

I. Swimming lessons - large group, subject to the provisions of Section 855-N.

J. Civic and Social Clubs of 250 or less members.

K. High intensity parks.

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

L. Yard setback reduction or lot dimension modifications for energy conservation purposes on multiple lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

M. Private roads, as specified in the Fresno County Improvement Standards and the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

N. Reduced property development standards for affordable housing subject to the provisions of Section 855-N.

(Amended by Ord. T-032-289 adopted 12-1-87)

SECTION 826.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "R-1" District.

A. Multiple residential uses except as permitted by Section 826.2 and Section 826.3.

(Amended by Ord. 490.66 adopted 2-2-71)

B. Commercial uses, except as permitted by Section 855-N (Planned Residential Development).

(Amended by Ord. 490.66 adopted 2-2-71)

C. Industrial uses.

D. Poultry and rabbit raising.

E. Agricultural uses not specifically listed as permitted.

F. Advertising structures.

SECTION 826.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all lands and structures in the "R-1" District.

A. LOT AREA

Each lot shall have a minimum net area of six thousand (6,000) square feet, except as provided in Section 826.5-C below. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District.

If, on the effective date of this Division, two or more nonconforming lots each with a separate and distinct number or other designation on an official map or approved record of survey recorded in the Office of the County Recorder, or delineated on a recorded subdivision map on file in the office of the Resources and Development Department, and abutting at least one public street or right-of-way are held in separate ownership:

(Amended by Ord. T-252 adopted 12-9-80)

1. Each such lot may be used as a separate lot if it contains at least five thousand (5,000) square feet of lot area and has a minimum width of fifty (50) feet.
2. If three or more such nonconforming lots are held in separate ownership, they may be divided into lots each of which contains at least five thousand (5,000) square feet of lot area and has a minimum width of fifty (50) feet. If such division requires a change of any existing lot line, a parcel map shall be filed with the Resources and Development Department.

(Amended by Ord. T-252 adopted 12-9-80)

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards. Each dimension is minimum only. One or both shall be increased to attain the minimum lot area required.

1. Width

- a. Interior lots shall have a minimum width of sixty (60) feet.
- b. Corner lots shall have a minimum width of sixty five (65) feet.
- c. Reversed corner lots shall have a minimum width of seventy (70) feet.
- d. Lots siding on freeways, or railroad rights-of-way shall have a minimum width of eighty (80) feet.
- e. Curve lots and cul-de-sac lots shall have a minimum street frontage width of forty (40) feet.

2. Depth

- a. Lots facing on local streets shall have a minimum depth of one hundred (100) feet.
- b. Lots facing on streets shown on the Circulation Element of the General Plan shall have minimum depth of one hundred twenty (120) feet.

- c. Lots backing on freeways or railroad rights-of-way shall have a minimum depth of one hundred thirty (130) feet.

C. POPULATION DENSITY

The provisions of Section 826.1 and Section 826.2 shall apply except for Planned Residential Developments wherein the density shall not exceed one dwelling for each six thousand (6,000) square feet of lot area.

(Amended by Ord. 490.52 adopted 11-19-68; Ord. 490.66 adopted 2-2-71; Ord. 490.118 adopted 10-19-76; and Ord. T-255 adopted 8-2-82)

D. BUILDING HEIGHT

1. No main building or structure erected in this District shall have a height greater than two (2) stories, not to exceed twenty-five (25) feet.
2. No accessory building erected in this District shall have a height greater than one (1) story, not to exceed twelve (12) feet, to plate height.
3. Exceptions:

The provisions of the "R-1-A" District, Section 822.5-D.3, shall apply.

E. YARDS

1. General Yard Requirements

The provisions of the "R-1-A" District, Section 822.5-E.1, shall apply.

2. Front Yard

- a. Each lot shall have a front yard of not less than twenty (20) feet extending across the full width of the lot except for special conditions provided for below. Where a front yard is proposed to be more than fifty (50) feet, a site plan review shall be required as provided for in Section 874.
- b. Curve lots and cul-de-sac lots shall have a front yard of not less than twenty (20) feet.
- c. For hillside lots, partially built-up blocks, and neighborhood unit plans, the provisions of the "R-1-A" District, 822.5-E.2, c, d and e, shall apply.

3. Side Yard

- a. Each lot shall have a side yard on each side of not less than five (5) feet except for special conditions treated below.
- b. For hillside lots, accessory buildings in side yards, and main buildings abutting an alley, the provisions of the "R-1-A" District, Section 822.5-E.3.b, e and f shall apply.

c. Corner Lots

On corner lots, unless otherwise specified in this Division, the side yard abutting the street shall be not less than ten (10) feet in width.

d. Reversed Corner Lots

On reversed corner lots, the side yard abutting the street shall be not less than ten (10) feet.

(Amended by Ord. 490.169 re-adopted 4-24-79)

4. Rear Yard

a. Each lot shall have a rear yard of not less than twenty (20) feet. For exceptions for the main building, the General Conditions, Section 855-E.4, shall apply.

b. For hillside lots and accessory buildings, the provisions of the "R-1-A" District, Section 822.5-E.4.b and c, shall apply.

5. Exceptions: Permitted Projections into Required Yards

The provisions of the "R-1-A" District, Section 822.5-E.5.a through c, shall apply.

F. SPACE BETWEEN BUILDINGS

The provisions of the "R-1-A" District, Section 822.5-F, 1 and 3, shall apply.

G. LOT COVERAGE

Maximum lot coverage by buildings and structures shall not exceed forty (40) percent of the total lot area.

H. FENCES, HEDGES AND WALLS

The provisions of the "R-1-A" District, Section 822.5-H.1, 2 and 3, shall apply.

I. OFF-STREET PARKING

The provisions of the "R-1-A" District, Section 822.5-I.1, and 2, shall apply.

J. ACCESS

The provisions of the "R-1-A" District, Section 822.5-J.1, 2, 3, and 4, shall apply.

K. OUTDOOR ADVERTISING

The provisions of the "R-1-A" District, Section 822.5-K.1, 2, 3, 4, 5, 6, and 7, shall apply.

(Amended by Ord. 490.32 adopted 12-13-66; Ord. 490.105 adopted 4-22-75)

SECTION 827

"R-2" AND "R-2-A" - LOW DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICTS

The "R-2" and "R-2-A" Districts are intended to provide for the development of low density multiple family residential structures where such buildings are reasonably spaced on the lot to provide for light, privacy, air, safety and insulation against transmission of sound, on lots not less than six thousand six hundred (6,600) square feet in area.

The regulations for both districts are identical except that building heights are limited to a single story in the "R-2-A" District.

(Amended by Ord. 490.42 adopted 6-11-68)

SECTION 827.1 - USES PERMITTED

The following uses shall be permitted in the "R-2" and R-2-A" Districts subject to the Property Development Standards in Section 827.5 and those in Section 855.

(Amended by Ord. 490.42 adopted 6-11-68; Ord. 490.174 re-adopted 5-8-79)

- A. Those uses permitted in the "R-1" District, Section 826.1 shall apply.
- B. Accessory buildings and uses customarily incidental to any of the above uses, when located on the same lot and not involving the conduct of a business.
- C. Food, drink and cigarette vending machines, providing the machines are located within the main structure and their use is intended primarily for persons resident upon the premises.

(Added by Ord. 490.29 adopted 9-27-66)

- D. One-family or multiple family dwellings. When more than one (1) single family residence is placed on a lot, the provisions of Section 827.6 shall apply.

(Added by Ord. 490.39 adopted 12-5-67)

SECTION 827.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Churches and parochial schools.
- B. Day nursery - large.

(Amended by Ord. 490.188 adopted 10-29-79)

- C. Identification signs for multiple family dwellings subject to the criteria set forth in the Property Development Standards of Section 827.5-K.2.

(Added by Ord. T-250 adopted 8-18-80)

- D. Microwave relay structures.
- E. Off-site directional signs for major recreational uses, hospitals and colleges subject to the provisions of Section 855-K.

(Added by Ord. 490.105 adopted 4-22-75)
- F. Private schools.
- G. Public libraries.
- H. Public moderate intensity parks and playgrounds.
- I. Public schools.
- J. Temporary construction materials storage yards in the tract being developed.
- K. Temporary or permanent telephone booths.
- L. Water pump stations.
- M. Walk-in, reach-in, cold storage boxes designed to hold refrigerated food for sale upon, and to occupants of the premises within apartment complexes of fifty (50) units or more, subject to the provisions of Section 855-N.

(Added by Ord. 490.47 adopted 9-10-68)
- N. Yard setback reduction for energy conservation purposes on single lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

SECTION 827.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided for in Section 873.

- A. Civic and Social Clubs of 250 or less members.
- B. Country clubs and golf courses.
- C. Electric distribution substations.
- D. High intensity parks.

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

(Amended by Or. T-244 adopted 4-19-83)

- F. Off-site subdivision signs, subject to the conditions of Section 826.5-K.
- G. Planned Residential Developments.
(Amended by Ord. T-255 adopted 8-2-82)
- H. Yard setback reduction or lot dimension modifications for energy conservation purposes on multiple lots, subject to the provisions of Section 855-N.
(Added by Ord. T-266 adopted 9-6-83)
- I. Private roads, as specified in the Fresno County Improvement Standards and the provisions of Section 855-N.
(Added by Ord. T-266 adopted 9-6-83)

SECTION 827.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited.

- A. Commercial uses, including commercial uses such as hotels, apartment hotels, motor courts, motel or other buildings wherein housing facilities are furnished to transient boarders and roomers.
- B. Industrial uses.
- C. Agricultural uses.
- D. Advertising structures.
(Amended by Ord. 490.42 adopted 6-11-68)

SECTION 827.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "R-2" and "R-2-A," Districts.

(Amended by Ord. 490.169 adopted 3-5-79)

A. LOT AREA

Each lot shall have a minimum net area of six thousand six hundred (6,600) square feet, except as provided in Section 827.5-C below.

(Amended by Ord. 490.22 adopted 12-28-65; Ord. 490.42 adopted 6-11-68)

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards. Each dimension is minimum only. One or both shall be increased to attain the maximum lot width required.

1. Width

- a. Interior lots shall have a minimum width of sixty (60) feet.
- b. Corner lots shall have a minimum width of sixty-five (65) feet.
- c. Reversed corner lots shall have a minimum width of seventy (70) feet.
- d. Lots siding on freeways or railroad rights-of-way shall have a minimum width of eighty (80) feet.
- e. Curve lots and cul-de-sac lots shall have a minimum street frontage width of forty (40) feet.

2. Depth

- a. Lots facing on local streets shall have a minimum depth of one hundred (100) feet.
- b. Lots facing on streets shown on the Circulation Element of the General Plan shall have a minimum depth of one hundred twenty (120) feet.
- c. Lots backing on freeways or railroad rights-of-way shall have a minimum depth of one hundred thirty (130) feet.

C. POPULATION DENSITY

1. The density shall not exceed one dwelling unit for each two thousand four hundred (2,400) square feet of lot area.

(Amended by Ord. 490.42 adopted 6-11-68; Ord. 490.121 adopted 11-9-76)

2. A non-conforming lot of record under separate ownership at the time it became non-conforming may be used for or occupied by any use permitted in this Section subject to the following limitations:

(Amended by Ord. 490.42 adopted 6-11-68)

- a. Where a lot has less than four thousand (4,000) square feet of lot area, said lot shall not be used for more than one (1) dwelling unit.
- b. Where the lot has four thousand (4,000) square feet of lot area, but less than six thousand (6,000) square feet of lot area, said lot shall not be used for more than two (2) dwelling units.

(Amended by Ord. 490.22 adopted 12-28-65)

D. BUILDING HEIGHT

1. No main building or structure erected in the "R-2" District shall have a height greater than two and one-half (2-1/2) stories not to exceed thirty-five (35) feet.

(Amended by Ord. 490.42 adopted 6-11-68)

2. No accessory building erected in either the "R-2" or "R-2-A" District shall have a height greater than one (1) story, not to exceed twelve (12) feet to plate height.

(Amended by Ord. 490.42 adopted 6-11-68)

3. Within the "R-2-A" District, no main building or structure erected shall have a height greater than one (1) story, not to exceed twenty (20) feet.

(Added by 490.42 adopted 6-11-68)

4. Exceptions:

The provisions of the "R-1-A" District, Section 822.5-D.3, shall apply.

(Amended by Ord. 490.42 adopted 6-11-68)

E. YARDS

1. General Yard Requirements

The provisions of the "R-1-A" District, Section 822.5-E.1, shall apply.

2. Front Yard

- a. Each lot shall have a front yard of not less than twenty (20) feet extending across the full width of the lot except for special conditions provided for below.

Where a front yard is proposed to be more than fifty (50) feet, a site plan review shall be required as provided for in Section 874.

- b. Curve lots and cul-de-sac lots shall have a front yard of not less than twenty (20) feet.
- c. For hillside lots, partially built-up blocks, and neighborhood unit plans, the provisions of the "R-1-A" District, Section 822.5-E.2.c, d, and e, shall apply.

3. Side Yard

- a. Each lot shall have a side yard on each side of not less than five (5) feet except for special conditions treated below.

- b. For hillside lots, accessory buildings in side yards, and main buildings abutting an alley, the provisions of the "R-1-A" District, Section 822.5-E.3.b, e and f shall apply.

- c. Corner Lots

The provisions of the "R-1" District, Section 826.5-E.3.c, shall apply.

- d. Reversed Corner Lots

On reversed corner lots, the side yard abutting the street shall be not less than ten (10) feet.

(Amended by Ord. 490.169 re-adopted 4-24-79)

- e. When side yard is used for driveway access to serve parking facilities:
 - (1) The minimum space shall be ten (10) feet.
 - (2) If pedestrian access is required to a rear dwelling, or dwellings, and said access is to be by means of a driveway, then said space shall be increased to thirteen (13) feet, three (3) feet of which shall be a paved walk for such pedestrian access.

4. Rear Yard

- a. Each lot shall have a rear yard of not less than twenty (20) feet. For exceptions for the main building, the General Conditions, Section 855-E.4, shall apply.
- b. For hillside lots and accessory buildings, the provisions of the "R-1-A" District, Section 822.5-E.4.b and c, shall apply.

5. Exceptions: Permitted Projections Into Required Yards

The provisions of the "R-1-A" District, Section 822.5-E.5-a. through c, shall apply.

F. SPACE BETWEEN BUILDINGS

1. Minimum Space Between Exterior Walls Of Main Buildings On The Same Lot

- a. For buildings side to side the minimum space shall be ten (10) feet.
- b. For buildings rear to side, front to side, with entries or exits into space, the minimum space shall be fifteen (15) feet.
- c. For buildings front to rear, rear to front with entries or exits into space, the minimum space shall be twenty (20) feet.
- d. For buildings front to front arranged about interior court permitting a ten (10) foot wide driveway in said interior court, said driveway being access to parking area or building, the minimum space shall be thirty (30) feet. Without said driveway, said space shall be twenty-five (25) feet.
- e. Unenclosed porch or entry facilities may extend into a required yard or space not more than three (3) feet. Porch cover may extend into said space not more than eighteen (18) inches.
- f. In no event should the minimum space between buildings be less than ten (10) feet.

2. Minimum Space Between Exterior Walls Of Main Buildings And Accessory Buildings On The Same Lot

- a. Garages and other non-dwelling structures shall be located not less than six (6) feet from any main building unless such structure is attached to the main building with a common wall or party wall.

- b. Where a garage is located within the area defined by the projections of the side lines of any main building, and where said garage faces and is detached from any main building and the vehicular access to said garage falls entirely or in part within said area, the garage shall be not less than twenty-five (25) feet from the main building or buildings.
- c. Where accessory buildings are attached to a main building by a breezeway roof, the provisions of paragraph "a" and "b" shall apply.
- d. The minimum distance between accessory buildings shall be not less than six (6) feet unless said buildings have a common or party wall.

G. LOT COVERAGE

Maximum lot coverage by buildings and structures shall not exceed fifty (50) percent of the total lot area, except as hereafter provided:

Where community water supply or a private water supply and an individual sewage disposal system exists, the maximum lot coverage shall be determined by the County Health Department, upon the basis of soil analysis tests approved by the County Health Department. Said maximum lot coverage shall not be greater than fifty (50) percent.

H. FENCES, HEDGES AND WALLS

- 1. For residential uses, the provisions of the "R-1-A" District, Section 822.5-H.1, 2, and 3, shall apply.
- 2. For non-residential uses, the provisions in the General Conditions, Section 855-I.3, shall apply.

I. OFF-STREET PARKING

The following provisions shall apply, subject to the General Conditions, Section 855-I.

- 1. There shall be at least one (1) parking space in a garage or carport for every dwelling unit. These spaces shall be on the same lot with the main building which they are intended to serve and located to the rear of the required front yard, except for hillside lots where the provisions of the "R-1-A" District, Section 822.5-I.1.b, shall apply.
- 2. For non-residential uses, the off-street parking provisions in the General Conditions, Section 855-I, shall apply.

J. ACCESS

The requirement in the "R-1-A" District, Section 822.5-J.1, 2, 3, and 4, shall apply.

K. OUTDOOR ADVERTISING

- 1. The provisions of the "R-1-A" District, Section 822.5-K.1, 2, 3, 4, 5, and 6, shall apply.

(Amended by Ord. 490.32 adopted 12-13-66)

2. Identification signs for Multiple Family Dwellings shall be permitted subject to the following conditions:
 - a. One freestanding or face-mounted sign will be allowed.
 - b. The sign shall contain only the name and/or address of the premises on which it is located.
 - c. The sign shall be a maximum of twelve (12) square feet in area, including architectural features. Larger signs, not exceeding twenty-five (25) square feet may be permitted subject to a Director Review and Approval as set forth in Section 872.
 - d. The sign face shall not be internally illuminated but may be floodlighted.

(Added by Ord. T-250 adopted 8-18-80)

SECTION 827.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot, a site plan shall have been submitted to and approved by the Director pursuant to the provisions of Section 874.

(Amended by Ord. 490.17 adopted 11-24-64; Ord. 490.42 adopted 6-11-68; Ord. T-252 adopted 12-9-80)

SECTION 828

"R-3" AND "R-3-A" MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICTS

The "R-3" AND "R-3-A" Districts are intended to provide for the development of medium density multiple family residential structures for purposes of rental or sale to permanent occupants on lots not less than seven thousand five hundred (7,500) square feet in area.

The regulations for both districts are identical except that building heights are limited to a single story in the "R-3-A" District.

(Amended by Ord. T-254 adopted 4-27-81)

SECTION 828.1 - USES PERMITTED

The following uses shall be permitted in the "R-3" and "R-3-A" Districts. All uses shall be subject to the Property Development Standards in Section 828.5.

(Amended by Ord. 490.174 re-adopted 5-8-79)

A. Those uses permitted in the "R-2" and "R-2-A" Districts, Section 827.1. shall apply.

(Amended by Ord. 490.29 adopted 9-27-66)

B. Multiple housing facilities including rooming and boarding houses, apartment houses and apartment court, but not to include housing facilities furnished to transient boarders or roomers.

C. Fraternities and sororities.

D. Churches and parochial schools.

E. Public schools.

F. Private schools.

G. Public libraries.

H. Public moderate intensity parks and playgrounds.

Amended by Ord. 490.175 re-adopted 5-29-79)

I. Accessory buildings and uses customarily incident to any of the above uses, when located on the same lot and not involving the conduct of a business.

SECTION 828.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

A. Day nursery - large.

(Amended by Ord. 490.188 adopted 10-29-79)

- B. Identification signs for multiple family dwellings subject to the criteria set forth in the property development standards of Section 828.5-K.2.

(Added by Ord. T-250 adopted 8-18-80)

- C. Microwave relay structures.

- D. Off-site directional signs for major recreational uses, hospitals and colleges subject to the provisions of Section 855-K.

(Added by Ord. 490.105 adopted 4-22-75)

- E. Temporary construction materials storage yards in the tract being developed.

- F. Temporary or permanent telephone booths.

- G. Walk-in, reach-in, cold storage boxes designed to hold refrigerated food for sale upon, and to occupants of the premises within apartment complexes of fifty (50) units or more, subject to the provisions of Section 855-N.

(Added by Ord. 490.47 adopted 9-10-68)

- H. Water pump stations.

- I. Yard setback reduction for energy conservation purposes on single lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

SECTION 828.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided in Section 873.

- A. Country clubs and golf courses.

- B. Electric distribution substations.

- C. High intensity parks.

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

- D. Hospitals.

(Amended by Ord. T-244 adopted 4-19-83)

- E. Off-site subdivision signs subject to provisions of Section 828.5-K.

- F. Private clubs and lodges, excepting those the principal activity of which is a service customarily carried on as a business.

- G. Yard setback reduction or lot dimension modifications for energy conservation purposes on multiple lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

- H. Private roads, as specified in the Fresno County Improvement Standards and the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

SECTION 828.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "R-3" and "R-3-A" Districts.

- A. Advertising structures.
- B. Agricultural uses.
- C. Commercial uses, including commercial residential uses such as hotels, apartment hotels, motor courts, motels or other buildings wherein housing facilities are furnished to transient boarders or roomers.
- D. Industrial uses.
- E. Professional offices.

SECTION 828.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "R-3" and "R-3-A" Districts.

A. LOT AREA

Each lot shall have a minimum area of seven thousand five hundred (7,500) square feet, except as provided in Section 828.5-C, below.

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards. Each dimension is minimum only. One or both shall be increased to attain the minimum lot area required.

1. Width

- a. Interior lots shall have a minimum width of sixty (60) feet.
- b. Corner lots shall have a minimum width of sixty-five (65) feet.
- c. Reversed corner lots shall have a minimum width of seventy (70) feet.
- d. Lots siding on freeways or railroad rights-of-way shall have a minimum width of one

hundred ten (110) feet.

- e. Curve lots and cul-de-sac lots shall have a minimum street frontage width of forty-five (45) feet.

2. Depth

- a. Lots facing on local streets shall have a minimum depth of one hundred ten (110) feet.
- b. Lots facing on streets shown on the Circulation Element of the Fresno County General Plan shall have a minimum depth of one hundred twenty (120) feet.
- c. Lots backing on freeways or railroad rights-of-way shall have a minimum depth of one hundred fifty (150) feet.

C. POPULATION DENSITY

- 1. The following population density standards shall apply to all lots in the District:
 - a. Where both community water supply and public sewage disposal systems exist, there shall be a minimum of one thousand five hundred (1,500) square feet of lot area for each dwelling unit.
 - b. Where community water supply or a private water supply and individual sewage disposal systems exist, the minimum lot area for each dwelling unit shall be determined by the County Health Department upon the basis of soil analysis tests approved by the County Health Department. In no case shall the minimum lot area be less than one thousand five hundred (1,500) square feet for each dwelling unit.
- 2. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District subject to the following limitations:
 - a. Where the lot has less than three thousand (3,000) square feet of lot area, said lot shall not be used for more than one (1) dwelling unit.
 - b. Where the lot has three thousand (3,000) square feet of lot area or more but less than four thousand five hundred (4,500) square feet of lot area, said lot shall not be used for more than two (2) dwelling units.
 - c. Where the lot has four thousand five hundred (4,500) square feet of lot area or more but less than six thousand (6,000) square feet of lot area, said lot shall not be used for more than three (3) dwelling units.
 - d. Where the lot has six thousand (6,000) square feet of lot area or more but less than seven thousand (7,000) square feet of lot area, said lot shall not be used for more than four (4) dwelling units.

D. BUILDING HEIGHT

- 1. No main building or structure erected in the "R-3" District shall have a height greater than three (3) stories, not to exceed forty (40) feet.

2. No accessory building erected in either the "R-3" or "R-3-A" District shall have a height greater than one (1) story, not to exceed twelve (12) feet, to plate height.
3. Within the "R-3-A" District, no main building or structure erected shall have a height greater than one (1) story, not to exceed twenty (20) feet.
4. Exceptions:
The provisions of the "R-1-A" District, Section 822.5-D.3, shall apply.

E. YARDS

1. General Yard Requirements

The provisions of the "R-1-A" District, Section 822.5-E.1, shall apply.

2. Front Yard

- a. Each lot shall have a front yard of not less than fifteen (15) feet extending across the full width of the lot except for special conditions provided for below. Where a front yard is proposed to be more than fifty (50) feet, a site plan review shall be required as provided for in Section 874.
- b. For hillside lots, partially built-up blocks, and neighborhood unit plans, the provisions of the "R-1-A" District, Section 822.5-E.2.c, d and e, shall apply.

3. Side Yard

- a. Each lot shall have a side yard on each side of not less than five (5) feet except for special conditions treated below.
- b. For hillside lots, accessory buildings in side yards, and main buildings abutting an alley, the provisions of the "R-1-A" District, Section 822.5-E.3.b, e and f, shall apply.

Corner Lots

The provisions of the "R-1" District, Section 826.5-E.3.c, shall apply.

Reversed Corner Lots

On reversed corner lots, the side yard abutting the street shall be not less than ten (10) feet.

(Amended by Ord. 490.169 re-adopted 4-24-79)

4. Rear Yard

- a. Each lot shall have a rear yard of not less than fifteen (15) feet. For exceptions for the main building, the General Conditions, Section 855-E.4, shall apply.
- b. For hillside lots and accessory buildings, the provisions of the "R-1-A" District, Section 822.5-E.4.b and c., shall apply.

5. Exceptions: Permitted Projections into Required Yards

The provisions of the "R-1-A" District, Section 822.5-E.a through c, shall apply.

F. SPACE BETWEEN BUILDINGS

The minimum space requirements of the "R-2" District, Section 827.5-F.1, and 2, shall apply.

G. LOT COVERAGE

Maximum lot coverage by buildings and structures shall not exceed fifty (50) percent of the total lot area, except as hereafter provided:

Where community water supply or a private water supply and an individual sewage disposal system exists, the maximum lot coverage shall be determined by the County Health Department upon the basis of soil analysis tests approved by the County Health Department. Said maximum lot coverage shall not be greater than fifty (50) percent.

H. FENCES, HEDGES AND WALLS

1. The provisions of the "R-1-A" District, Section 822.5-H.1, 2, and 3, shall apply.
2. For non-residential uses, the provisions in the General Conditions, Section 855-I.3, shall apply.

I. OFF-STREET PARKING

The following provisions shall apply, subject to the General Conditions, Section 855-I.

1. For residential use, the provisions of the "R-2" District, Section 827.5-I.1, shall apply.
2. For non-residential uses, the off-street parking provisions in the General Conditions, Section 855-I, shall apply.

J. ACCESS

The requirement in the "R-1-A" District, Section 822.5-J.1, 2, 3, and 4, shall apply.

K. OUTDOOR ADVERTISING

1. The provisions of the "R-1-A" District, Section 822.5-K.1, 2, 3, 4, 5, and 6, shall apply.

(Amended by Ord. 490.32 adopted 12-13-66)
2. Identification signs for Multiple Family Dwellings shall be permitted subject to the following conditions:
 - a. One freestanding or face-mounted sign will be allowed.
 - b. The sign shall contain only the name and/or address of the premises on which it is located.

- c. The sign shall be a maximum of twelve (12) square feet in area, including architectural features. Larger signs, not exceeding twenty-five (25) square feet may be permitted subject to a Director Review and Approval as set forth in Section 872.
- d. The sign face shall not be internally illuminated but may be floodlighted.

(Added by Ord. T-250 adopted 8-18-80)

SECTION 828.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director pursuant to the provisions of Section 874.

(Amended by Ord. 490.17 adopted 11-24-64; Ord. T-252 adopted 12-9-80)

SECTION 829

"R-4" HIGH DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICTS

The "R-4" is intended to provide for the high density multiple family residential development on lots not less than ten thousand (10,000) square feet in area.

SECTION 829.1 - USES PERMITTED

The following uses shall be permitted in the "R-4" District. All uses shall be subject to the Property Development Standards in Section 829.5.

- A. Uses permitted in the "R-3" District, Section 828.1-A through I, shall apply.
- B. Day nursery - large or day nursery - institutional.

(Amended by Ord. 490.188 adopted 10-29-79)
- C. Multiple housing facilities including (in addition to those permitted in the "R-3" District) apartment hotels and rooming and boarding houses furnishing housing to transient roomers and boarders.
- D. Private clubs and lodges, excepting those the principal activity of which is a service customarily carried on as a business.
- E. Rest homes, licensed as such, with not more than five (5) patients.
- F. Temporary tract offices and model homes, in the tract being developed.

(Added by Ord. 490.39 adopted by 12-5-67)

SECTION 829.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval by the Director.

- A. Hospitals.

(Amended by Ord. T-244 adopted 4-19-83)
- B. Identification signs for multiple family dwellings subject to the criteria set forth in the property development standards of Section 829.5-K.2.

(Added by Ord. T-250 adopted 8-18-80)
- C. Microwave relay structures.
- D. Off-site directional signs for major recreational uses, hospitals and colleges subject to the criteria set forth in Section 855-K.1.e, and the property development standards of Section 822.5-K.7.

(Added by Ord. 490.105 adopted 4-22-75)

- E. Temporary construction materials storage yards in the tract being developed.
- F. Temporary or permanent telephone booths.
- G. Walk-in, reach-in, cold storage boxes designed to hold refrigerated food for sale upon, and to occupants of the premises within apartment complexes of fifty (50) units or more. There shall be no signs advertising this use and it shall be completely screened from adjacent properties and public or private road rights-of-way. Lighting shall not be directed toward or illuminate any apartment unit, adjacent properties or public or private road rights-of-way. Operation shall be limited to either the resident manager, property manager or the property owner and there shall be no employees.

(Added by Ord. 490.47 adopted 9-10-68)

- H. Water pump stations.

(Added by Ord. 490.39 adopted 12-5-67)

- I. Yard setback reduction for energy conservation purposes on single lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

SECTION 829.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 853.

- A. Building over four (4) stories.
- B. Country clubs and golf courses.
- C. Electric distribution substations.
- D. Off-site subdivision signs subject to the provisions of Section 829.5-K.
- E. Yard setback reduction or lot dimension modifications for energy conservation purposes on multiple lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

- F. Private roads, as specified in the Fresno County Improvement Standards and the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

SECTION 829.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "R-4" District.

- A. Commercial uses, excepting the commercial-residential uses listed as permitted in Section

829.1.

- B. Industrial uses.
- C. Agricultural uses.
- D. Hotels and motels.
- E. Professional offices.
- F. Advertising structures.

SECTION 829.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all lands and structures in the "R-4" District:

A. LOT AREA

Each lot shall have a minimum net area of ten thousand (10,000) square feet except as provided in Section 829.5-C below.

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards. Each dimension is minimum, only. One or both shall be increased to attain the minimum lot area required.

1. Width

- a. Interior lots shall have a minimum width of sixty-five (65) feet.
- b. Corner lots and reversed corner lots shall have a minimum width of seventy-five (75) feet.
- c. Reversed corner lots shall have a minimum width of eighty (80) feet.
- d. Lots siding on freeways or railroad rights-of-way shall have a minimum width of forty-five (45) feet.

2. Depth

- a. Lots facing on local streets shall have a minimum depth of one hundred ten (110) feet.
- b. Lots facing on major or secondary highways shall have a minimum depth of one hundred twenty (120) feet.
- c. Lots backing on freeways or railroad rights-of-way shall have a minimum depth of one hundred fifty (150) feet.

C. POPULATION DENSITY

1. The following population density standards shall apply to all lots in the District.
 - a. Where both community water supply and public sewage disposal systems exist, there shall be a minimum of one thousand (1,000) square feet of lot area for each dwelling unit.
 - b. Where community water supply or a private water supply and individual sewage disposal systems exist, the minimum lot area for each dwelling unit shall be determined by the County Health Department upon the basis of soil analysis tests approved by the County Health Department. In no case shall the minimum lot area be less than one thousand (1,000) square feet for each dwelling unit.
2. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District subject to the following limitation:
 - a. Where the lot has less than three thousand (3,000) square feet of lot area, said lot shall not be used for more than one (1) dwelling unit.
 - b. Where the lot has three thousand (3,000) square feet of lot area or more than but less than four thousand (4,000) square feet of lot area, said lot shall not be used for more than two (2) dwelling units.
 - c. Where the lot has four thousand (4,000) square feet of lot area or more but less than five thousand (5,000) square feet of lot area, said lot shall not be used for more than three (3) dwelling units.
 - d. Where the lot has five thousand (5,000) square feet of lot area or more but less than six thousand (6,000) square feet of lot area, said lot shall not be used for more than four (4) dwelling units.
 - e. Where the lot has six thousand (6,000) square feet of lot area or more but less than seven thousand (7,000) square feet of lot area, said lot shall not be used for more than five (5) dwelling units.
 - f. Where the lot has seven thousand (7,000) square feet of lot area or more but less than eight thousand (8,000) square feet of lot area, said lot shall not be used for more than six (6) dwelling units.
 - g. Where the lot has eight thousand (8,000) square feet of lot area or more but less than nine thousand (9,000) square feet of lot area, said lot shall not be used for more than seven (7) dwelling units.
 - h. Where the lot has nine thousand (9,000) square feet of lot area or more but less than nine thousand five hundred (9,500) square feet of lot area, said lot shall not be used for more than eight (8) dwelling units.
 - i. Where the lot has nine thousand five hundred (9,500) square feet of lot area or more but less than ten thousand (10,000) square feet of lot area, said lot shall not be used for more than nine (9) dwelling units.

D. BUILDING HEIGHT

1. No main building or structure erected in this District shall have a height greater than four (4) stories, not to exceed fifty (50) feet, provided that buildings over four (4) stories or fifty (50) feet in height may be erected subject to the securing of a Conditional Use Permit as set forth in Section 829.3.
2. No accessory building erected in this District shall have a height greater than one (1) story, not to exceed twelve (12) feet, to plate height.
3. Exceptions:
The provisions of the "R-1-A" District, Section 822.5-D.3, shall apply.

E. YARDS

1. The provisions of the "R-3" District, Section 828.5-E.1, 2, 3, 4, and 5, shall apply.
2. For buildings over two and one-half (2 2) stories, or thirty-five (35) feet in height, required side and rear yards shall be increased at the rate of three (3) inches for each foot of building height above thirty-five feet (35) feet.

F. SPACE BETWEEN BUILDINGS

1. The provisions of the "R-2" District, Section 827.5-F.1 and 2, shall apply to all structures up to two and one-half (2 2) stories, or thirty-five (35) feet in height.
2. For structures over two and one-half (2 2) stories, or thirty-five (35) feet in height, the required space between buildings shall be increased. The provisions of Section 829.5-E-2, shall apply.
3. Where variations in height occur, adjustments may be made by the Director to bring the space between buildings into harmony with the intent of this Section.

G. LOT COVERAGE

Maximum lot coverage by buildings and structures shall not exceed sixty (60) percent of the total lot area, except as hereafter provided:

Where community water supply or a private water supply and an individual sewage disposal system exist, the maximum lot coverage shall be determined by the County Health Department upon the basis of soil analysis tests approved by the County Health Department. Said maximum lot coverage shall not be greater than sixty (60) percent.

H. FENCES, HEDGES AND WALLS

1. For residential uses, the provisions of the "R-1-A" District, Section 822.5-H.1, 2, and 3, shall apply.
2. For non-residential uses, the provisions in the General Conditions, Section 855-I.3, shall apply.

I. OFF-STREET PARKING

The following provisions shall apply, subject to the General Conditions, Section 855-I.

1. For residential use, the provisions of the "R-2" District, Section 827.5-I.1, shall apply.
2. For non-residential uses, the off-street parking provisions in the General Conditions, Section 855-I, shall apply.

J. ACCESS

The provisions of the "R-1-A" District, Section 822.5-J.1, 2, 3, and 4, shall apply.

K. OUTDOOR ADVERTISING

1. The provisions of the "R-1-A" District, Section 822.5-K.1, 2, 3, 4, 5, and 6, shall apply.
2. Identification signs for Multiple Family Dwellings shall be permitted subject to the following conditions:
 - a. One freestanding or face-mounted sign will be allowed.
 - b. The sign shall contain only the name and/or address of the premises on which it is located.
 - c. The sign shall be a maximum of twelve (12) square feet in area, including architectural features. Larger signs, not exceeding twenty-five (25) square feet may be permitted subject to a Director Review and Approval as set forth in Section 872.
 - d. The sign face shall not be internally illuminated but may be floodlighted.

(Added by Ord. T-250 adopted 8-18-80)

SECTION 829.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director pursuant to the provisions of Section 874.

(Amended by Ord. 490.17 adopted 11-24-64)

SECTION 830

"T-P" - TRAILER PARK RESIDENTIAL DISTRICT

The "T-P" Trailer Park Residential District is created to provide for the accommodation of residential trailers at a standard consistent with the protection of the health, safety and welfare of the community on lots not less than three (3) acres in area. A Trailer Park Residential District shall not be less than five (5) acres in size. Such District is herein deemed to be a Multiple Family Residential District, and a trailer is herein deemed to be a dwelling.

SECTION 830.1 - USES PERMITTED

The following uses shall be permitted in the "T-P" District. All uses shall be subject to the Property Development Standards in Section 830.5.

- A. Trailer parks.
- B. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.

(Amended by Ord. T-288 adopted 2-25-86)

- C. Signs subject to the provisions of Section 830.5-K.
- D. Temporary or permanent telephone booths.

SECTION 830.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval by the Director.

- A. Microwave relay structures.
- B. Water pump stations.
- C. Mobile home park services.
- D. Yard setback reduction for energy conservation purposes on single lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted by 9-6-83)

SECTION 830.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided for in Section 853.

- A. Electric distribution substation.

- B. Mobile home planned residential developments.

(Added by Ord. 490.188 adopted 10-29-79; amended by Ord. T-255 adopted 8-2-82)

- C. Yard setback reduction or lot dimension modifications for energy conservation purposes on multiple lots, subject to the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

- D. Private roads, as specified in the Fresno County Improvement Standards and the provisions of Section 855-N.

(Added by Ord. T-266 adopted 9-6-83)

SECTION 830.4 - USES EXPRESSLY PROHIBITED

The following uses shall be expressly prohibited.

- A. Advertising structures.
- B. Commercial uses, other than those permitted in Sections 830.1 and 830.2.

(Amended by Ord. 490.188 adopted 10-29-79)

- C. Industrial uses.

SECTION 830.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "T-P" District.

A. LOT AREA AND DIMENSIONS

1. Lot Area

Each lot shall have a minimum area of three (3) acres. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District.

2. Lot Dimension

The lot dimension provisions of the "R-1-A" District, Section 822.5-B.1 and 2, shall apply.

B. TRAILER SPACE - AREA AND DIMENSIONS

1. Trailer Space Area

Each trailer space shall have a minimum area of one thousand five hundred

(1,500) square feet with the following exceptions:

- a. Trailer parks existing on the effective date of this Division with existing spaces having less than one thousand five hundred (1,500) square feet of area may continue to operate, but in no case shall any trailer space have an area of less than one thousand (1,000) square feet.
- b. Trailer parks may provide spaces for vacation trailers when not more than ten (10) percent of the trailer spaces are set aside for vacation trailers. Trailer spaces for vacation trailers shall have an area of seven hundred fifty (750) square feet.

2. Trailer Space Dimensions

Each trailer space shall be not less than thirty (30) feet in width. There is no required depth.

C. POPULATION DENSITY

The following population density standards shall apply to all lots in the District.

1. Where both community water supply and public sewage disposal systems exist, there shall be a minimum of two thousand four hundred (2,400) square feet of lot area for each trailer space in a trailer park.
2. Where community water supply or a private water supply and individual sewage disposal systems exists, the minimum lot area for each dwelling unit shall be determined by the County Health Department upon the basis of soil analysis tests approved by the County Health Department. In no case shall the minimum lot area be less than two thousand four hundred (2,400) square feet for each trailer space in a trailer park.
3. Said lot area shall include access, trailer parking, automobile parking, outbuilding space, recreation areas and other similar uses.

D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than two and one-half (2-1/2) stories, not to exceed thirty-five (35) feet.

2. Exceptions:

The provisions of the "R-1-A" District, Section 822.5-D.3, shall apply.

E. YARDS

1. General Yard Requirements

The provisions of the "R-1-A" District, Section 822.5-E.1, shall apply.

2. Front Yard

Each "T-P" District lot which abuts a dedicated street shall have a front yard of not less than fifteen (15) feet extending for the full width of the lot or parcel devoted to said use. Said yard shall be landscaped and maintained with evergreen materials.

3. Side Yard

Each "T-P" District lot shall have a side yard on both sides of the lot or parcel devoted to said use of not less than five (5) feet, except for corner and reversed corner lots, in which case the side yard on the street side shall be not less than ten (10) feet.

4. Rear Yard

Each "T-P" District lot shall have a rear yard extending across the full width of the lot or parcel devoted to said use of not less than ten (10) feet. Said rear yard may be used for access or parking.

F. DISTANCE BETWEEN RESIDENTIAL TRAILER UNITS OR OTHER PERMITTED BUILDINGS OR STRUCTURES

1. Where trailers are located side by side, or end to side, there shall be a space not less than ten (10) feet between trailer units.
2. Where trailers are located end to end, there shall be a space not less than ten (10) feet between trailer ends, excepting where such trailers abut a roadway serving as access to and within the trailer park, in which case the minimum space between trailers shall be thirty-six (36) feet.
3. Where residential trailers are located near any permitted building other than another residential trailer, regardless of the side or end relationships, the minimum space between the trailer and said building shall be ten (10) feet.

G. LOT COVERAGE

The provisions of the "R-3" District, Section 828.5-G, shall apply. Trailers are herein deemed to be structures and the parking area provided for them on a trailer space shall be deemed to be "covered."

H. HEDGES, FENCES AND WALLS

1. The provisions of the "R-1-A" District, Section 822.5-H.1, 2, and 3, shall apply to all lots located in a "T-P" District.
2. A Trailer Park Residential District shall be entirely enclosed with a solid six (6) foot high masonry wall, with exception of the area defined as the front yard wherein said wall shall not be higher than three (3) feet when next to any "R" District. In the event a Trailer Park Residential District is next to any "A," "C," or "M" District, a chain link fence with solid screen planting may be substituted for said solid masonry wall. In no case shall the height requirements be changed in any manner.
3. No fence or wall over six (6) feet in height shall be located on any lot in a "T-P" District.

I. OFF-STREET PARKING

The following provisions shall apply subject to the General Conditions, Section 855-I.

1. There shall be one (1) parking space on the lot for each trailer parking space.

2. There shall be one (1) additional parking space for each ten (10) trailer spaces or sites, said parking spaces shall be used for guest parking.

J. ACCESS

1. The provisions of the "R-1-A" District, Section 822.5-J.1, 2, 3, and 4, shall apply.
2. Vehicular access ways within trailer parks shall be paved to a width of not less than twenty (20) feet.

K. OUTDOOR ADVERTISING

1. Signs shall be permitted in the "T-P" District which advertise the Mobile home park. Said signs shall be located on the premises and shall not exceed one (1) square foot of said sign for each front foot of the frontage along the street serving as access to the Mobile home park, provided, however, that there shall be a maximum area for signs for any one (1) Mobile home park of one hundred (100) square feet of sign on any one (1) frontage.
2. Name plates shall be permitted for Mobile home park services subject to the following conditions. They shall:
 - a. Be located on the face of the building in which the activity is located.
 - b. Not exceed two (2) square feet in area.
 - c. Be unlighted except that name signs which are not visible from abutting properties or public rights-of-way may be lighted, provided such lighting does not reflect upon surrounding mobile homes.
 - d. Identify only the name of the operator and the service rendered.
 - e. Be limited to one (1) name plate for each approved service rendered.

(Added by Ord. 490.188 adopted 10-29-79)

L. LOADING

No requirements.

M. SIZE OF DISTRICT

No parcel of land containing less than five (5) acres of area may be used for the purposes permitted in the "T-P" District.

N. SPECIAL STANDARDS AND REGULATIONS

Each trailer park shall be connected to a sanitary sewer, cesspool, or septic tank approved by the Health Department. Each trailer space shall be provided a connection to said sanitary sewer, cesspool, or septic tank.

SECTION 830.6 - OTHER CONDITIONS TO USE

- A. Trailers either without toilet facilities or with toilet facilities that cannot be connected to a sanitary sewer line shall not be permitted in the "T-P" District, except for permitted vacation trailers.
- B. No accessory building shall be constructed as a permanent part of a trailer, nor shall any other structure or device be attached to a trailer other than a cloth awning or similar temporary device.
- C. Cabanas, ramadas and other similar permanent structures may be erected in conjunction with a trailer parking space, provided, however that:
 - 1. Said structure shall be deemed to be a part of the trailer or Mobile home even though it shall not be permitted to be attached thereto, and
 - 2. The space between trailers or mobile homes units set forth in Section 830.5-F shall be deemed to be the minimum space between said structures. In no case may a cabana or ramada be closer to any trailer other than the one it is designed to service, or closer to any other cabana or ramada than the distance established herein for the space between trailers.
- D. When the use of public sewer becomes available, the use of septic tank or other private means of sewage disposal shall be discontinued and all buildings and trailer coaches shall be connected with the sewer within ninety (90) days from the date of its availability if the trailer park is within one hundred (100) feet of the sewer.

SECTION 830.7 - SITE PLAN REVIEW

Before any Residential Trailer Park may be approved, and before any buildings for trailer park purposes are erected, the applicant for said use shall submit a site plan to the Director. The provisions of Section 874 shall apply, and in addition the plan shall show the provisions for lighting of interior access ways, the location of all trailer parking sites and such other architectural and engineering data as may be necessary to permit the Director to make a finding that the provisions of this Division are being complied with.

SECTION 831

"R-P" RESIDENTIAL AND PROFESSIONAL OFFICE DISTRICT

The "R-P" Residential and Professional Office District is intended to act as a transition district wherein residential neighborhoods are protected from adverse features inherent in neighborhood shopping center districts, community shopping center districts, or other adjacent districts and conditions.

(Added by Ord. 490.10 adopted 11-5-63)

SECTION 831.1 - USES PERMITTED

The following uses shall be permitted in the "R-P" District. All uses shall be subject to the property development standards in Section 831.5 and site plan review, Section 874.

A. RESIDENTIAL USES

The following permitted uses shall be considered as "residential uses" as the term is applied in the Property Development Standards, Section 831.5.

1. Existing residential buildings.
2. One family, two family or multiple family dwellings. When more than one single family residence is placed on a lot, the provisions of Section 831.6 shall apply.
3. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.

(Added by Ord. T-288 adopted 2-25-86)

B. NON-RESIDENTIAL USES

The following uses are permitted and shall be considered as "non-residential" uses, as the term is used in the Property Development Standards, Section 831.5.

1. Artist studios.
2. Libraries.
3. Office on ground floor only. There shall be no retail sales, storage of stock in trade and storage of equipment not used exclusively in said offices:
 - a. Administrative.
 - b. Business.
 - c. General.
 - d. Medical and dental.
 - e. Professional, other than veterinarian.

4. Signs, subject to provisions of Section 831.5-K.
5. One family dwelling unit used in combination with permitted non-residential uses.
6. Laboratories (not to exceed 350 square feet of floor area):
 - a. Biological.
 - b. Dental.
 - c. Medical.
 - d. Optometrical.

(Added by Ord. 490.77 adopted 8-17-72)
7. Day nursery - commercial.

(Added by Ord. 490.188 adopted 10-29-79)

SECTION 831.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval by the Director.

- A. Water pump stations.
- B. Non-residential uses located in an existing residential structure, when there is a material change in the exterior appearance of said structure, other than maintenance and repair.
- C. Buildings over one story in height when permitted by Section 831.5-D.1.
- D. Home Occupations, Class II, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.

(Added by Ord. T-288 adopted 2-25-86)
- E. Laboratories (more than 350 square feet of floor area):
 1. Biological.
 2. Dental.
 3. Medical.
 4. Optometrical.

(Added by Ord. 490.77 adopted 8-17-72)
- F. Automobile Driver's Training Schools
(Added by Ord. T-070-341 adopted 4-23-02)

SECTION 831.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 853.

- A. Savings and loan associations.
(Added by Ord. 490.86 adopted 5-8-73)
- B. Dance studios providing instruction only (limited to 10 students per session).
(Added by Ord. 490.113 adopted 6-8-76)
- C. Planned Office Developments
(Added by Ord. T-255 adopted 8-2-82)
- D. Planned Commercial Developments
(Added by Ord. T-284 adopted 5-26-87)

SECTION 831.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "R-P" District.

- A. More than one single family dwelling in combination with a permitted non-residential use.
- B. Non-residential uses not specifically listed in Section 831.1-B.
- C. Industrial uses.
- D. Advertising structures.
- E. Commercial uses.

SECTION 831.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "R-P" District:

A. LOT AREA

Each lot shall have a minimum area of seven thousand five hundred (7,500) square feet. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District.

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards, and lots now existing may not be reduced below these standards. Each dimension is minimum only. One or

both shall be increased to attain the minimum lot required.

1. Width

- a. Interior lots shall have a minimum width of sixty-five (65) feet.
- b. Corner lots shall have a minimum width of seventy (70) feet.
- c. Reversed corner lots shall have a minimum width of seventy-five (75) feet.

2. Depth

- a. Lots facing on local streets shall have a minimum depth of one hundred ten (110) feet.
- b. Lots facing on major or secondary highways shall have a minimum depth of one hundred twenty (120) feet.
- c. Lots backing on freeways or railroad rights-of-way shall have a minimum depth of one hundred thirty (130) feet.

C. POPULATION DENSITY

1. The density shall not exceed one dwelling unit for each two thousand four hundred (2,400) square feet of lot area.

(Amended by Ord. 490.121 adopted 11-9-76)

2. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for residential purposes subject to the following limitations:

- a. Any lot having less than four thousand (4,000) square feet may not be used for residential purposes.
- b. Where the lot has four thousand (4,000) square feet of lot area or more, but less than six thousand five hundred (6,500) square feet of lot area, said lot shall not be used for more than two (2) dwelling units.
- c. Where the lot has six thousand five hundred (6,500) square feet of lot area or more, but less than seven thousand five hundred (7,500) square feet of lot area, said lot shall not be used for more than three (3) dwelling units.

D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than one (1) story, not to exceed twenty (20) feet. In the event the building height of developed buildings in an abutting "R" or "C-P" district exceeds these provisions, this height restriction may be waived by Director Review and Approval, such waiver not to exceed the height of the existing abutting development or the maximum building height permitted in the abutting district, whichever is lower.
2. No accessory building erected in this district shall have a height greater than one (1) story, not to exceed twelve (12) feet to plate height.

E. YARDS

1. General Yard Requirements

- a. All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky except as provided in Section 831.5-E.5.
- b. All side and rear yards shall be planted with trees at twenty foot intervals along their entire length. Front yards shall be landscaped and maintained. Side and rear yards not adjacent to a street may be used for parking and loading, but in all such cases, the planting requirements listed above shall be met in a satisfactory manner, and the planting scheme shall be shown on the site plan submitted for approval.
- c. No main building shall be erected within fifty (50) feet of the right-of-way of any railroad line, freeway, or flood control channel.
- d. Swimming pools shall not be located in any required front yard, nor shall they be located closer than five (5) feet from any side or rear property line, and they shall be enclosed as required in the C-P District, Section 832.5-H.2.

2. Front Yard

Each lot shall have a front yard of not less than fifteen (15) feet.

3. Side Yard

Each lot shall have a side yard of not less than ten (10) feet. On corner and reversed corner lots, private garages and/or carports designed to open onto a side street shall be at least twenty (20) feet from the property line on the side street.

4. Rear Yard

Each lot shall have a rear yard of ten (10) feet.

5. Exceptions: Permitted Projections into Required Yards:

The provisions of the "R-1-A" District, Section 822.5-E, shall apply.

F. SPACE BETWEEN BUILDINGS

1. No requirements for non-residential buildings.

2. Residential Requirements

- a. Minimum space between exterior walls of main buildings on the same lot.
 - (1) For buildings side to side, the minimum space shall be ten (10) feet.
 - (2) For buildings rear to side, front to side, with entries or exists into space, the minimum space shall be fifteen (15) feet.
 - (3) For buildings front to rear, rear to front with entire into space, the minimum

space shall be twenty (20) feet.

- (4) For buildings front to front arranged about interior court, permitting a ten (10) foot driveway in said interior court, said driveway being access to parking area or building, the minimum space shall be thirty (30) feet. Without said driveway said space shall be twenty-five (25) feet. Unenclosed porch or entry facilities may extend into a required yard or space not more than three (3) feet. Porch cover may extend into said space not more than eighteen (18) inches.
 - (5) In no event shall the minimum space between main buildings be less than ten (10) feet.
- b. Minimum space between exterior walls of main and accessory buildings on the same lot.
- (1) Garages and other non-dwelling structures shall be located not less than six (6) feet from any main building unless such structure is attached to the main building with a common wall or party wall.
 - (2) Where a garage is located within the area defined by the projections of the side lines of any main building, and where said garage faces and is detached from any main building and the vehicular access to said garage falls entirely or in part within said area, the garage shall be not less than twenty-five (25) feet from the main building or buildings.
 - (3) Where accessory buildings are attached to a main building by a breezeway roof, the provisions of paragraphs "a" and "b" shall apply.
 - (4) The minimum distance between accessory buildings shall be not less than six (6) feet unless said buildings have a common or party wall.

G. LOT COVERAGE

Maximum lot coverage by buildings and structures shall not exceed fifty (50) percent of the total lot area.

H. FENCES, HEDGES AND WALLS

1. The general conditions, Section 855-H shall apply.
2. Where an "R-P" lot sides or rears on other residential districts, a solid masonry wall not less than five (5) nor more than six (6) feet in height shall be erected along said property line if developed with non-residential uses.
3. No fence, wall or hedge over three (3) feet in height, shall be permitted in any required front yard, or in the required side yard on the street side of a corner or a reversed corner lot.

I. OFF-STREET PARKING

1. For non-residential uses, there shall be one (1) parking space for each two hundred twenty-five (225) square feet of gross floor area, provided, however, that if such use falls

into any of the special uses in the General Conditions, Section 855-I, such general condition shall apply.

(Amended by Ord. 490.102 adopted 10-29-74)

2. This required parking area shall be provided:
 - a. On the lot with the building or uses being served, or
 - b. On a contiguous lot in the "R-P" District.
3. For residential uses, there shall be at least one (1) parking space in a garage or carport for every dwelling unit. These spaces shall be on the same lot with the main building which they are intended to serve and located to the rear of the required front yard.
4. The provisions of the General Conditions, Section 855-I shall apply.

J. ACCESS

1. There shall be adequate vehicular access to off-street parking facilities from a dedicated and improved street, service road or alley. The design of the access shall be approved by the Department of Public Works as able to withstand commercial usage.
2. There shall be pedestrian access from a dedicated and improved street to property used for residential purposes.
3. There shall be no vehicular access to residential property from major or secondary highways as shown on the Major Street and Highway Plan except where lots were of record on the effective date of this Ordinance, and where such access cannot be provided by way of an alley or service road. Said lots shall have adequate turning area to permit motor vehicles to head into the highway.
4. If vehicular access to the lot is via an alley, there shall be provided as a minimum pedestrian access way a side yard at least five (5) feet in width from the street frontage to the alley at the rear. For other yard requirements, see Section 831.5-E.
5. If vehicular access is via a driveway parallel with a side lot line, there shall be an access way of not less than ten (10) feet from the street or alley to the building side for both pedestrian and vehicular access.

K. OUTDOOR ADVERTISING

1. The following signs shall be permitted for non-residential uses:
 - a. One (1) free-standing sign subject to the following regulations:
 - (1) The sign shall contain thereon only the name of the buildings, occupants, or groups thereof.
 - (2) The sign shall not exceed fifteen (15) square feet in area.
 - (3) The sign shall not exceed six (6) feet in height.

- b. One (1) sign, attached to the face of the building, subject to the following regulations:
 - (1) The sign shall indicate only the name and address of the building or group of buildings, provided that, the sign may also contain the name of the occupant or groups thereof if a free-standing sign is not located on the lot.
 - (2) The letter or numeral height shall not exceed one (1) foot.
 - c. Name plates not exceeding two (2) square feet in area. Name plates shall display only:
 - (1) The name of the occupant.
 - (2) Suite or office number.
 - (3) The nature of the services rendered upon the premises.
 - d. "For Rent" or "For Sale" signs posted on the subject lot or building by the owner or his authorized agent. Said signs shall not exceed six (6) square feet in area and there shall be not more than two (2) such signs for any one (1) lot, building or occupancy.
2. The following regulations shall apply to all signs permitted in the R-P District:
- a. All faces of signs attached to a building shall be parallel to the face of the building.
 - b. No blinking, flashing, rotating or animated signs shall be permitted in the R-P District.
 - c. Lights used to illuminate signs shall be so installed as to concentrate the illumination on the sign or advertising structure and so as to minimize glare upon a public street or adjacent property.
 - d. No sign shall be placed on the roof of any building or structure in the R-P District.
3. For other permitted uses, the provisions of the "R-1-A" District, Section 822.5-K.1, 2, 3, 4, and 5, shall apply.

L. LOADING

For non-residential uses, the provisions of the "C-P" District, Section 832.5-L.1, 2, 3, and 4 shall apply.

SECTION 831.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director pursuant to the provisions of Section 874.

SECTION 832

"C-P" - ADMINISTRATIVE AND PROFESSIONAL OFFICE DISTRICT

The "C-P" Administrative and Professional Office District is intended to provide for the development of an integrated professional district wherein all of the related types of uses and facilities may be located.

SECTION 832.1 - USES PERMITTED

The following uses shall be permitted in the "C-P" District. All uses shall be subject to the Property Development Standards in Section 832.5, and Site Plan Review, Section 874.

A. RESIDENTIAL USES

The following permitted uses shall be considered as "residential uses" as the term is applied in the Property Development Standards, Section 832.5.

1. Existing Residential Buildings:

- a. They may be used for residential purposes, but may not be converted to more intensive residential uses, except in accordance with the Property Development Standards of the "R-2" District, Section 827.5.

(Amended by Ord. 490.121 adopted 11-9-76)

- b. They may be converted to non-residential uses. If there is a change in the exterior appearance of the building, Section 832.2-B, shall apply.
- c. They may not be used for residential and non-residential uses at the same time.

2. Multiple dwellings, subject to the Property Development Standards of the "R-2" District, Section 827.5.

(Amended by Ord. 490.121 adopted 11-9-76)

B. NON-RESIDENTIAL USES

The following uses are permitted and shall be considered as "non-residential" uses, as the term is used in the Property Development Standards, Section 832.5.

1. Art galleries.
2. Artist studios.
3. Churches.
4. Exhibit halls.
5. Hospitals.

6. Institutions of a philanthropic nature (except correctional and mental).
7. Laboratories:
 - a. Biological.
 - b. Dental.
 - c. Medical.
 - d. Optometrical.
8. Libraries.
9. Lodges, clubs and fraternal organizations.
10. Museums.
11. Offices, excluding retail sales, storage of stock in trade, and storage of equipment not used exclusively in said offices:
 - a. Administrative.
 - b. Business.
 - c. General.
 - d. Medical.
 - e. Professional.
12. Photographic studios.
13. Private and parochial schools.
14. Radio and television broadcasting studios.
15. Signs, subject to the provisions of Section 832.5-K.
16. Temporary or permanent telephone booths.
17. Banks and savings and loans associations.
(Added by Ord. 490.6 adopted 6-11-63)
18. Barber and beauty shops.
(Added by Ord. 490.40 adopted 1-2-68)
19. Day nursery - commercial.
(Added by Ord. 490.188 adopted (10-29-79)

SECTION 832.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

- A. Microwave relay structures.
- B. Non-residential uses located in an existing residential structure, when there is a change in the exterior appearance of said structure.
- C. Prescription pharmacy, employing not more than three (3) registered pharmacists and occupying not more than one thousand (1,000) square feet of floor space.
- D. Water pump stations.

SECTION 832.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided for in Section 853.

- A. Buildings over three (3) stories or forty (40) feet in height.
- B. Electric distribution substations.
- C. Planned Office Developments.
(Added by Ord. T-255 adopted 8-2-82)
- D. Planned Commercial Developments
(Added by Ord. T-284 adopted 5-26-87)

SECTION 832.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "C-P" District.

- A. New one (1) or two (2) family dwellings.
- B. Any combination of residential uses other than those listed as permitted, and non-residential uses on a lot, parcel of land, or in any structure thereon.
- C. Non-residential uses not specifically listed in Section 832.1-B.
- D. Industrial uses.
- E. Advertising structures.

SECTION 832.5 - PROPERTY DEVELOPMENT STANDARDS

The property development standards of the "R-2" District, Section 827.5 shall apply to all residential uses in the "C-P" District.

For non-residential uses the following Property Development Standards and those in Section 855 shall apply to all land and structures in the "C-P" District".

A. LOT AREA

1. Each lot shall have a minimum area of ten thousand (10,000) square feet.
2. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District.

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards. Each dimension is minimum, only. One or both shall be increased to attain the minimum lot area required.

1. Width

All lots shall have a minimum lot width of sixty-five (65) feet.

2. Depth

All lots shall have a minimum lot depth of one hundred ten (110) feet.

C. POPULATION DENSITY

The provisions of the "R-2" District, Section 827.5-C, shall apply.

(Amended by Ord. 490.121 adopted 11-9-76)

D. BUILDING HEIGHT

1. Buildings or structures hereafter designed, or erected, and existing buildings hereafter reconstructed, altered, moved or enlarged, shall not exceed three (3) stories or forty (40) feet in height, provided that buildings over three (3) stories or forty (40) feet in height may be erected subject to the securing of a Conditional Use Permit as set forth in Section 832.3.

2. Exceptions:

Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys, water tanks or wireless masts or similar structures, when approved by the Commission, may be erected above the height limits herein prescribed; provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. No roof structures, or any space above the height limit shall be allowed for the purpose of providing additional habitable floor space.

E. YARDS

1. General Yard Requirements

- a. All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky except as provided in Section 832.5-E.5, below.
- b. Front yards shall be landscaped and maintained. Side and rear yards may be used for parking, access to parking or loading.
- c. No main building shall be erected within fifty (50) feet of the right-of-way of any railroad line, freeway, or flood control channel.
- d. Swimming pools shall not be located in any required front yard, nor shall they be located closer than five (5) feet from any side or rear property line, and they shall be enclosed as required in Section 832.5-H.2.

2. Front Yard

Each lot shall have a front yard of not less than ten (10) feet.

3. Side Yard

None required except:

- a. Where this District abuts a residential district, the requirements of the "C-1" District, Section 833.5-E.2, shall apply.
- b. Where the side yard abuts a street, a ten (10) foot side yard shall be provided along such street.

4. Rear Yard

None required except where this District abuts a residential district, the requirements of the "C-1" District, Section 833.5-E.3, shall apply.

5. Exceptions: Permitted Projections Into Required Yards for Non-Residential Uses Abutting Residential or Agricultural Districts

- a. Cornices, eaves, belt courses, fireplace chimneys, sills and other similar architectural features may extend or project into a required yard not more than thirty (30) inches.
- b. Open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project into a required front yard not more than thirty (30) inches.
- c. Uncovered, unenclosed porches, platforms or landing places which do not extend above the level of the first floor of the building may extend into any front yard a distance of not more than six (6) feet, and may extend into any required side or rear yard not more than three (3) feet; provided, however, that an openwork railing, not more than thirty-six (36) inches in height, may be installed or constructed on any such porch, platform or landing place. Open work fences, hedges, landscape architectural features, or guard railings for safety protection around depressed ramps, not more than three and one half (3 2) feet in height, may be located in any required front, side or rear yard.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

No requirements.

H. FENCES, HEDGES AND WALLS

1. General Conditions, Section 855-H, shall apply.
2. Where a "C-P" lot sides or rears on a residential district, a solid masonry wall not less than five (5) nor more than six (6) feet in height shall be erected along said property line, as follows:
 - a. Where the district boundary is at a rear lot line which is not on a street, the wall shall be on that line.
 - b. Where the district boundary is on a side lot line, which is not on a street, the required wall shall be on, or parallel with said lot line. Said wall shall be reduced in height to three (3) feet within the area defined by a line which is the prolongation of the front yard required in the abutting residential district.
 - c. Where the district boundary is a street, any wall constructed along said street in either a front yard or side yard shall be set back from the property line a distance of ten (10) feet; the space between the wall and the property line to be landscaped and maintained.

I. OFF-STREET PARKING

1. For non-residential uses there shall be one (1) parking space for each two hundred twenty five (225) square feet of gross floor area, provided, however, that if such use falls into any of the special uses in the General Conditions, Section 855-I, such general conditions shall apply.

(Amended by Ord. T-007-261 adopted 3-8-82)

2. This required parking area shall be provided:
 - a. On the lot with the building or uses being served, or
 - b. On a contiguous lot in the "C-P" District.
3. For residential uses the provisions of the "R-2" District, Section 827.5-I.1, shall apply.
4. The provisions of the General Conditions, Section 855-I, shall apply.

J. ACCESS

1. There shall be adequate vehicular access to off-street parking facilities from a dedicated and improved street, service road or alley, the design of which shall be approved by the Director of Public Works.

(Amended by Ord. T-252 adopted 12-9-80)

2. There shall be no vehicular access to residential property from Major or Secondary Highways as shown on the Major Street and Highway 0.Plan, except where lots were of record on the effective date of this Division and where such access cannot be provided by way of an alley or service road. Said lots shall have adequate turning area to permit motor vehicles to head into the highway.
3. If vehicular access to the lot is via an alley, there shall be provided as a minimum pedestrian access way a side yard at least five (5) feet in width from the street frontage to the alley at the rear. For other yard requirements, see Section 832.5-E.
4. If vehicular access is via a driveway parallel with a side lot line, there shall be an access way of not less than ten (10) feet from the street or alley to the building site for both pedestrian and vehicular access.

K. OUTDOOR ADVERTISING

1. The provisions of the "C-1" District, Section 833.5-K, shall apply to the principal non-residential use.
2. For other permitted uses, the provisions of the "R-1-A" District, Section 822.5-K.1, 2, 3, 4, and 5, shall apply.

L. LOADING

1. For non-residential uses, the following off-street loading space shall be provided:

Total Square Feet Loading
of Building Space Spaces
(gross floor area) Required

Hospitals and Institutions

3,000	-	20,000	1
20,001	-	50,000	2
50,001	-	80,000	3
80,001	-	110,000	4
110,001	-	and over	5

Hotels and Office Buildings

0	-	5,000	0
5,001	-	50,000	1
50,001	-	100,000	2
100,001	-	and over	3

Other Permitted Buildings Or Uses

0	-	5,000	0
5,001	-	15,000	1
15,001	-	45,000	2
45,001	-	75,000	3

Total Square Feet of Building Space (<u>gross floor area</u>)	Loading Spaces <u>Required</u>
75,001 - 105,000	4
105,001 - and over	5

2. Size, Location, Treatment and Maintenance For Loading Area.

- a. The loading spaces shall be not less than twelve (12) feet in width, forty (40) feet in length, and with fourteen (14) feet of vertical clearance.
- b. When the lot upon which the loading space is located abuts upon an alley, such loading space shall adjoin or have access from said alley. The length of the loading space may be measured perpendicular to or parallel with the centerline of the alley.

Where such loading space is parallel with the alley, the loading space shall extend across the full width of the lot, except that if only two (2) spaces are required, the length of the loading area need not exceed ninety (90) feet.

- c. Where the loading area abuts a street, the front yard required in the district may be used in calculating the area required for loading, provided that there be no more than one (1) entry or exit to sixty (60) feet of lot frontage or fraction thereof.
- d. Loading space being maintained in connection with any existing main building on the effective date of this Division shall thereafter be maintained so long as said building remains, unless an equivalent number of such spaces are provided on a contiguous lot in conformity with the requirements of this Section; provided however, that this regulation shall not require the maintenance of more loading space than is hereby required for a new building, nor the maintenance of such space for any type of main building other than those specified as permitted.
- e. Loading space required by this Division may occupy a required rear yard, but in no case shall any part of an alley be used for computing required loading space or spaces.
- f. Where a loading area abuts a residential district, loading shall be done between the hours of 8 a.m. and 6 p.m.; otherwise, such area shall be located not less than one hundred (100) feet from such district or be completely enclosed.

SECTION 832.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director pursuant to the provisions of Section 874.

SECTION 833

"C-1" - NEIGHBORHOOD SHOPPING CENTER DISTRICT

The "C-1" District is intended to serve as planned unified shopping centers. The stores are intended to fit into the residential pattern of development and create no architectural or traffic conflicts. The following regulations are intended to protect the residential environment and shall apply to all uses in the "C-1" Neighborhood Shopping Center District.

SECTION 833.1 - USES PERMITTED

The following uses shall be permitted in the "C-1" District. All uses shall be subject to the Property Development Standards in Section 833.5 and Site Plan Review, Section 874.

1. Bakery Goods, retail sales only.
2. Bakeries, retail.
3. Barber shops.
4. Beauty shops.
5. Books.
6. Cafeterias.
7. Cleaning and dyeing shops (retail only, dry cleaning clothes in enclosed machines, using non-inflammable cleaning compounds).
8. Clothing stores.
9. Confectionaries.
10. Dairy products.
11. Delicatessens.
12. Drug stores.
13. Dry goods.
14. Florist shops.
15. Fruit and vegetable stores.
16. Gift shops.
17. Grocery stores.
18. Hardware stores.

19. Ice cream.
20. Laundry and dry cleaning pick-up agencies for work to be done elsewhere.
21. Laundry, self-service.
22. Liquor products (packaged).
23. Lunch rooms.
24. Meat markets.
25. Music stores.
26. Newspaper stands.
27. Offices:
 - a. Business.
 - b. Medical.
 - c. Professional.
28. Photographic supplies.
29. Plant nurseries.
30. Restaurants (serving wine or beer with meals only).
31. Shoe repair shops.
32. Shoe stores.
33. Signs, subject to the provisions of section 833.5-K.
34. Soft drink fountain.
35. Sporting goods.
36. Temporary or permanent telephone booths.
37. Tobacco products.
38. Variety stores.
39. Banks & savings & loan associations.
(Added by Ord. 490.6 adopted 6-11-63)
40. Hobby shops, including slot car racing.
(Added by Ord. 490.30 adopted 7-19-66)

41. Display and sale of whirlpool baths, hot tubs and accessory items within a completely enclosed building.

(Added by Ord. 490.154 adopted 9-5-78)

42. Temporary stands (not more than 400 square feet per District) for the sale of farm produce subject to Section 855-N.

(Added by Ord. 490.166c adopted 2-20-79)

43. Video Stores

(Added by Ord. T-046-315 adopted 1-5-93)

44. Automobile driver's training schools.

(Added by Ord. T-070-341 adopted 4-23-02)

SECTION 833.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Automobile Parts Sales (New).

(Added by Ord. T-260 adopted 3-8-82)

- B. Ice and food products dispensing machines.

- C. Microwave relay structures.

- D. Water pump stations.

- E. Walk-in, reach-in, cold storage boxes designed to hold refrigerated food and dairy products for sale upon the premises.

(Added by Ord. 490.19 adopted 3-16-65)

SECTION 833.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

- A. Automobile service stations.

- B. Electric distribution substations.

- C. Furniture stores with a maximum of 15,000 square feet of floor area.

(Added by Ord. 490.75 adopted 6-20-72)

- D. Cocktail lounges when carried on as a clearly secondary operation in conjunction with a bona fide restaurant and subject to the provisions of Section 855-N.
- E. Planned Commercial Developments
(Added by Ord. T-284 adopted 5-26-87)
- F. Mechanical car wash, excluding self-service type facilities, when operated incidental to and in conjunction with an automobile service station.
(Added by Ord. T-059-329 adopted 5-20-97)

SECTION 833.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "C-1" District.

- A. New residential uses. Existing residential uses shall be subject to the provisions of Section 876, Nonconforming Uses.
- B. Any combination of residential and non-residential uses at the same time on a lot, parcel of land, or in any structure thereon.
- C. Trailer parks.
- D. Industrial uses.
- E. Advertising structures.
- F. Places providing dancing and entertainment, drive-ins and theaters.
- G. Bars, cocktail lounges and the like, except as provided in Section 833.3.
(Amended by Ord. 490.158 adopted 10-2-78)

SECTION 833.5 - PROPERTY DEVELOPMENT STANDARDS

The following Property Development standards shall apply to all land and structures in the "C-1" District.

A. LOT AREA

No requirement. However, the provisions of Section 833.5-M shall apply.

B. LOT DIMENSIONS

1. Width

No requirements.

2. Depth

Each lot shall have a minimum depth of one hundred fifty (150) feet.

C. POPULATION DENSITY

None, however, for existing residential uses, the provisions of Section 833.4-A shall apply.

D. BUILDING HEIGHT

1. No building or structure erected in this district shall have a height greater than one (1) story, not to exceed twenty (20) feet.
2. For exceptions, the provisions of the "C-P" District, Section 832.5-D.2, shall apply.

E. YARDS

The front ten (10) feet of the front yard shall be landscaped and maintained. Side and rear yards and all but the front ten (10) feet of the front yard may be used for parking, or for access to parking or loading areas. The general yard requirements of the "C-P" District, Section 832.5-E.1, shall apply.

(Amended by Ord. 490.62 adopted 6-23-70)

1. Front Yard

- a. Where the front yard of a parcel in the "C-1" District abuts or is across the street from a residential district, the front yard required for that residential district shall apply. Where the front yard of such parcel abuts or is across the street from more than one residential district, the front yard requirement of the most restrictive district shall apply.

b. Exception:

This requirement shall not exceed twenty (20) feet.

(Amended by Ord. 490.62 adopted 6-23-70)

2. Side Yard

None required except:

- a. Where the "C-1" District abuts a residential district, the adjoining side yard shall be no less than ten (10) feet in width.
- b. Street side yards shall be considered front yards for the purpose of determining setbacks and landscaping.

(Amended by Ord. 490.62 adopted 6-23-70)

3. Rear Yard

None required except where the "C-1" District abuts a residential district, in which case there shall be a rear yard on each lot extending across the full width of the lot, said yard to have a depth of not less than ten (10) feet.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

The maximum coverage of the lot by buildings or structures shall not exceed thirty-three (33) percent of the total lot area, including easements. In calculating lot area, one-half (2) of the width of all abutting alleys may be included in the "C-1" District; however, when there is an approved plan for an integrated center, said plan shall govern.

H. WALLS

1. A solid masonry wall not less than five (5) feet nor more than six (6) feet in height shall be erected along the district boundary between the commercial and residential district.

(Amended by Ord. 490.51 adopted 11-19-68)

- a. Where the district boundary is at a rear lot line which is not on a street, the wall shall be on that line.
- b. Where the district boundary is on a side lot line, which is not on a street, the required wall shall be on, or parallel with, said lot line. Said wall shall be reduced in height to three (3) feet within the area defined by a line which is the prolongation of the front yard required in the abutting residential district.
- c. Where the district boundary is a street, any wall constructed along said street in either a front yard or side yard shall be set back from the property line a distance of ten (10) feet, the space between the wall and the property line to be landscaped and maintained.

2. All walls shall be developed subject to the General Conditions in Section 855-H.

I. OFF-STREET PARKING

1. There shall be at least two (2) feet of off-street parking area for each one (1) square foot of floor area, or fraction thereof.
2. This required parking area shall be provided:
 - a. On the lot with the building or uses being served, or
 - b. On a contiguous lot in the "C-1" District.
3. The provisions of the General Conditions, Section 855-I, shall apply.

J. ACCESS

1. There shall be adequate vehicular access from a dedicated and improved street, service road or alley, the design of which shall be approved by the Director of Public Works.
2. The Director shall specify the location and number of means of ingress and egress to

property by conditions established at the time of review of the required site plan.

K. OUTDOOR ADVERTISING

1. The following signs shall be permitted:

- a. Signs indicating the name and nature of the occupancy or the name and address of the building or the name and the address of the owner. Time, temperature, and weather information may be included. These signs shall be attached to the building in which the occupancy is located.

(Amended by Ord. 490.199 adopted 4-21-80)

- b. "For Rent" or "For Sale" signs posted on the subject lot or building by the owner or his authorized agent. Said signs shall not exceed six (6) square feet in area and there shall be not more than two (2) such signs for any one (1) lot, building or occupancy.

- c. Directional signs related to the location of buildings or activities on the property on which the signs are located. Each directional sign shall not exceed six (6) square feet in area.

- d. One free-standing sign subject to the following regulations:

- (1) The sign shall contain thereon only the name of the building, occupants or groups thereof. Time, temperature, and weather information may also be included.

(Amended by Ord. 490.199 adopted 4-21-80)

- (2) The sign shall not exceed one hundred (100) square feet in area.

- (3) The sign shall not exceed twenty (20) feet in height.

2. The following regulations shall apply to signs for each occupancy:

- a. A sign may not exceed one (1) square foot in area for each front foot of the structure or portion of the structure wherein the pertaining use is conducted, or one-half (2) square foot of sign for each front foot of the lot upon which the structure is located. The total sign area per commercial use may not exceed one hundred (100) square feet for each building frontage. The minimum sign area for occupancy need not be less than forty (40) square feet.

- b. Building frontage to be used in calculating the permitted sign area shall include frontage whereon a public entrance to the occupancy is located. Separate calculations may be made for front, side and rear entrances and separate signs may be erected on each of these building frontages.

- c. Signs shall not extend over a public sidewalk or right-of-way. All faces of signs mounted on or attached to a building shall be parallel to the face of the building except that "fin" type signs shall be permitted in connection with automobile service stations.

- d. No blinking, flashing, rotating or animated signs shall be permitted on the exterior of any building in this District, except to display time, temperature, and weather information.

(Amended by Ord. 490.199 adopted 4-21-80)

- e. In cases where the store has a rear parking lot, signs may be located on the side or rear of the building and shall be developed to the same standards as are required in the front of said store, provided, however, that said signs shall not be lighted in such manner as to be disturbing to the abutting residential district and such lighting shall be terminated not later than 9:30 P.M.
- f. Lights used to illuminate signs or advertising structures shall be so installed as to concentrate the illumination on the sign or advertising structure and so as to minimize glare upon a public street or adjacent property.

- 3. Signs may be placed on the roof of buildings but may not exceed the permitted building height in this district.

L. LOADING

- 1. The following off-street loading spaces shall be provided for all commercial uses:

<u>Total Square Feet of Building Space (Gross Floor Area)</u>	<u>Loading Spaces Required</u>
15,000 or less	1
15,001 - 45,000	2
45,001 and over	3

- 2. The requirements for size, location, treatment and maintenance of loading spaces in the "C-P" District, Section 832.5-L.4, shall apply.

M. SIZE OF NEW DISTRICT

In order to carry out the purposes expressed in Section 833 of this Section, the Board determines that the following area limitations are for the purpose of protecting the surrounding residential uses and environment:

- 1. Minimum area: One (1) acre
- 2. Maximum area: Not more than five (5) acres
- 3. Minimum width: One hundred (100) feet
- 4. Minimum depth: One hundred fifty (150) feet

SECTION 833.6 - SITE PLAN REVIEW

Before any parcel is created or any structure (temporary or permanent) is erected within this District, a

site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874. Such site plan shall encompass all contiguous property within the District and shall show the shopping center's ultimate development which shall be in conformity with the intent and purpose of the District.

(Amended by Ord. 490.58 adopted 2-10-70)

SECTION 834

"C-2" - COMMUNITY SHOPPING CENTER DISTRICT

The "C-2" District is intended to serve as a planned unified shopping center for a community.

SECTION 834.1 - USES PERMITTED

The following uses shall be permitted in the "C-2" District. All uses shall be subject to the Property Development Standards in Section 834.5 and Site Plan Review, Section 874.

(Amended by Ordinance 490.174 re-adopted 5-7-79)

1. Those uses permitted in the "C-1" District, Section 833.1.
2. Appliance sales (household).
3. Automobile Parts Sales (New).
(Added by Ord. T-260 adopted 3-8-82)
4. Automobile service stations.
5. Banks.
6. Bars and cocktail lounges.
7. Bicycle shops.
8. Bowling alleys.
9. Building and loan offices.
10. Dance studios or dancing academies.
(Added by Ord. 490.111 adopted 1-6-76)
11. Day Nursery - commercial.
(Added by Ord. 490.188 adopted 10-29-79)
12. Department stores.
13. Furniture stores.
14. Garden supplies.
15. Health foods.
16. Hobby shops.

17. Jewelry stores.
18. Millinery.
19. Notions.
20. Offices:
 - a. Administrative.
 - b. Business.
 - c. General.
 - d. Medical.
 - e. Professional.
21. Pet shops.
22. Pool and billiards.
(Added by Ord. 490.14 adopted 6-9-64)
23. Post offices.
24. Radio and television sales and service.
25. Restaurants.
26. Signs subject to the provisions of Section 834.5.
27. Stationery stores.
28. Superdrug stores.
29. Supermarkets.
30. Toy stores.
31. Tropical fish raising.
(Section 834.1 amended by Ord. 490.166 adopted 2-20-79)
32. Video stores.
(Added by Ord. T-046-315 adopted 1-5-93)
33. Libraries
(Added by Ord. T-058-328 adopted 10-8-96)

SECTION 834.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Automobile parking lot or structure, subject to the provisions of Sections 834.5 and 855-I.
- B. Ice and food products dispensing machines.
- C. Microwave relay structures.
- D. Water pump stations.
- E. Walk-in, reach-in, cold storage boxes designed to hold refrigerated food and dairy products for sale upon the premises.

(Added by Ord. 490.19 adopted 3-16-65)

SECTION 834.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 853.

- A. Electric distribution substations.
- B. Small animal veterinary hospitals or clinics within a completely enclosed building, with no boarding, subject to Sections 853 and 855-N.

(Added by Ord. 490.7 adopted 8-6-63)

- C. Planned Commercial Developments

(Added by Ord. T-284 adopted 5-26-87)

- D. Mechanical car wash when operated incidental to and in conjunction with an automobile service station.

(Added by Ord. T-059-329 adopted 5-20-97)

SECTION 834.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "C-2" District.

- A. New residential uses. Existing residential uses shall be subject to the provisions of Nonconforming Uses, Section 876.
- B. Any combination of residential and non-residential uses at the same time on a lot, parcel of land or in any structure thereon.
- C. Trailer parks.
- D. Industrial uses.
- E. Advertising structures.

SECTION 834.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "C-2" District.

A. LOT AREA

No requirement.

B. LOT DIMENSIONS

No requirements.

C. POPULATION DENSITY

None, however, for existing residential uses, the provisions of Section 834.4-A shall apply.

D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than two (2) stories, not to exceed thirty-five (35) feet.

2. For exceptions, the provisions of the "C-P" District, Section 832.5-D.2, shall apply.

E. YARDS

No requirements, except where a "C-2" District abuts or is across the street from any residential district, the requirements of the "C-1" District, Section 833.5-E.1, 2, and 3, shall apply.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

The maximum coverage of the lot by buildings or structures shall not exceed thirty-three (33) percent of the total lot area, including easements. In calculating lot area one-half (2) of the width of all abutting alleys may be included in the "C-2" District; however, when there is an approved plan for an integrated center, said plan shall govern.

H. WALLS

1. None required other than along the boundaries between the "C-2" District and abutting residential districts, in which case the requirements set for in the "C-1" District, Section 833.5-H, shall apply.

2. Swimming Pools

The provisions of Section 855-H.2, shall apply.

(Added by Ord. 490.123 adopted 12-7-76)

I. OFF-STREET PARKING

1. The following off-street parking requirements, subject to the General Standards contained in Section 855-I, shall apply to all new buildings and to increased floor area in existing buildings:

a. There shall be a minimum of three (3) square feet of parking area for every one (1) square foot of gross floor area except that the number of spaces need not exceed six (6) parking spaces per one thousand (1,000) square feet of gross floor space.

b. Required off-street parking shall be provided:

(1) On the lot with the use served, or

(2) On a contiguous lot in the "C-2" District within 300 feet of the property served.

(Amended by Ord. 490.184 adopted 9-17-79)

J.ACCESS

The provisions of the "C-1" District, Section 833.5-J-1 and 2, shall apply.

K. OUTDOOR ADVERTISING

The provisions of the "C-1" District, Section 833.5-K.1, 2, and 3, shall apply, with the following exception:

Free-standing signs provided that one (1) free-standing sign for each street frontage shall be allowed subject to the following regulation:

a. The sign shall contain thereon only the name of the buildings, occupants or groups thereof. Time, temperature, and weather information may also be included.

(Amended by Ord. 490.199 adopted 4-21-80)

b. The sign shall not exceed one hundred fifty (150) square feet in area.

c. The sign shall not exceed thirty-five (35) feet in height.

L. LOADING

1. The following off-street loading spaces shall be provided for all commercial uses:

<u>Total Square Feet Of Building Space (Gross Floor Area)</u>	<u>Loading Spaces Required</u>
---	--

a. Commercial Buildings

3,500 - 15,000	1
15,001 - 45,000	2
45,001 - 75,000	3
75,001 - 105,000	4
105,001 - and over	5

b. Office Buildings

3,500 - 50,000	1
50,002 - 100,000	2
100,001 - and over	3

2. The requirements for size, location, treatment and maintenance of loading spaces in the "C-P" District, Section 832.5-L.4, shall apply.

M. SIZE OF NEW DISTRICT

In order to carry out the purposes expressed in Section 834 of this Section, the minimum and maximum amount of land that may be zoned for "C-2" purposes in any one location shall be:

1. Minimum area: Five (5) acres
2. Maximum area: Not more than fifteen (15) acres

SECTION 834.6 - SITE PLAN REVIEW

Before any parcel is created or any structure temporary or permanent, is erected within this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874. Such site plan shall encompass all contiguous property within the District and shall show the shopping center's ultimate development which shall be in conformity with the intent and purpose of the District.

(Amended by Ord. 490.58 adopted 2-10-70)

SECTION 835

"C-3" - REGIONAL SHOPPING CENTER DISTRICT

The "C-3" Planned Shopping Center District is intended to provide the facilities of a General Commercial District in a planned shopping center.

SECTION 835.1 - USES PERMITTED

The following uses shall be permitted in the "C-3" District. All uses shall be subject to the Property Development Standards in Section 835.5 and Site Plan Review, Section 874.

(Amended by Ord. 490.174 adopted 5-7-79)

1. Those uses permitted in the "C-2" District, Section 834.1.
2. Advertising structures.
3. Antique shops for retail sale of antique furniture, antique home furnishings, objects of art, and collectible glassware, within an entirely enclosed building.

(Added by Ord. 490.93 adopted 11-27-73)

4. Art galleries.
5. Auditoriums.
6. Automobile parts sales (new).
7. Employment agencies.
8. Financial institutions.
9. Home furnishings.
10. Hotels.
11. Leather goods and luggage.
12. Libraries.
13. Motels.
14. Motion picture theaters.
15. Musical instruments.
16. Photographic studios.
17. Picture framing.

18. Radio and television broadcasting studios.

19. Reading rooms.

20. Signs, subject to the provisions of Section 835.5-K.

21. Dance studios or dancing academies.

(Added by Ord. 490.111 adopted 1-6-76)

22. Day Nursery - commercial.

(Amended by Ord. 490.188 adopted 10-29-79)

23. Video Stores.

(Added by Ord. T-046-315 adopted 1-5-93)

(Deletion: Sec. 833.1 - Temporary Stands, previously added by Ord. 490.166 adopted 12-19-78 by Ord. 490.166c adopted 2-20-79)

SECTION 835.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

A. Automobile parking lot or structure subject to the provisions of Section 835.5 and Section 855-I.

B. Ice and food products dispensing machines.

C. Microwave relay structures.

D. Small animal veterinary hospitals or clinics within a completely enclosed building with no boarding, subject to Section 855-N.

(Added by Ord. 490.7 adopted 8-6-63)

E. Water pump station.

F. Walk-in, reach-in, cold storage boxes designed to hold refrigerated food and dairy products for sale upon the premises.

(Added by Ord. 490.19 adopted 3-16-65)

SECTION 835.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

A. Automobile sales with incidental repairs and service (any repair and service shall be conducted

within a completely enclosed building), including the sale of trucks not to exceed three (3) tons factory rating.

- B. Buildings over four (4) stories or fifty (50) feet in height.
- C. Electrical distribution substations.
- D. Mechanical car wash (including self-service).
(Added by Ord. 490.15 adopted 11-17-64)
- E. Planned Commercial Developments
(Added by Ord. T-284 adopted 5-26-87)
- F. Plant nurseries, including greenhouses, in conjunction with landscaping services.
(Added by Ord. 490.93 adopted 11-27-73)
- G. Travel trailer parks for uses of trailer coaches being used for travel or recreational purposes.
(Added by Ord. 490.18 adopted 12-29-64)

SECTION 835.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "C-3" District.

- A. New residential uses other than those listed as permitted uses. Existing residential uses other than those listed as permitted shall be subject to the provisions of Section 876, Nonconforming Uses.
- B. Any combination of residential and non-residential uses at the same time, on a lot, parcel of land, or in any structure thereon.
- C. Trailer parks.
- D. Industrial uses.

SECTION 835.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "C-3" District.

A. LOT AREA

No requirement, however, the provisions of Section 835.5-M, shall apply.

B. LOT DIMENSIONS

No requirements.

C. POPULATION DENSITY

None, however, for existing residential uses, the provisions of Section 835.4-A, shall apply.

D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than four (4) stories, not to exceed fifty (50) feet, provided that buildings over four (4) stories or fifty (50) feet in height may be erected subject to the securing of a Conditional Use Permit as set forth in Section 835.3.
2. For exceptions, the provisions of the "C-P" District, Section 832.5-D.2, shall apply.

E. YARDS

No requirements, except where a "C-3" District abuts or is across the street from any residential district, the requirements of the "C-1" District, Section 833.5-E.1, 2, and 3, shall apply.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

The maximum coverage of the lot by buildings or structures shall not exceed thirty-three (33) percent of the total lot area, including easements. In calculating lot area one-half (2) of the width of all abutting alleys may be included in the "C-3" District; however, when there is an approved plan for an integrated center, said plan shall govern.

H. WALLS

1. None required other than along the boundaries between the "C-3" District and abutting residential districts, in which case the requirements set forth in the "C-1" District, Section 833.5-H-1 and 2, shall apply.

2. Swimming Pools

The provisions of Section 855-H.2 shall apply.

(Added by Ord. 490.123 adopted 12-7-76)

I. OFF-STREET PARKING

1. The following off-street parking requirements, subject to the General Standards contained in Section 855-I, shall apply to all new buildings and to increased floor area in existing building:
 - a. There shall be a minimum of three (3) square feet of parking area for every one (1) square foot of gross floor area except that the number of spaces need not exceed six (6) parking spaces per one thousand (1,000) square feet of gross floor area.

- b. Required off-street parking shall be provided:
 - (1) On the lot with the use served, or
 - (2) On a contiguous lot in the "C-3" District within three hundred (300) feet of the property served.

(Amended by Ord. 490.184 adopted 9-17-79)

J. ACCESS

The provisions of the "C-1" District, Section 833.5-J.1 and 2, shall apply.

K. OUTDOOR ADVERTISING

Signs may be permitted in the "C-3" District as follows:

1. General Requirements

- a. No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, or which makes use of the words "STOP," "DANGER," or any other word, phrase, symbol of character in such manner as to interfere with, mislead or confuse traffic.
- b. Signs shall not extend over a public sidewalk or right-of-way. All faces of signs mounted on, or attached to a building shall be parallel to the face of the building except that "fin" type signs shall be permitted in connection with automobile service stations.
- c. Signs may be placed on the roofs of buildings but may not exceed the permitted building heights in this District.

2. Location, Height and Number

- a. No sign shall be located within fifty (50) feet of the boundary line between a "C-3" District and a residential district, when such sign faces said residential district.
- b. Free-standing signs located within one hundred (100) feet of an abutting residential district, having a common property line with the C-3 District, shall not exceed the height limit of that residential district.
- c. There shall be permitted one free-standing sign for each one hundred fifty (150) feet of street frontage. Directional signs of less than four (4) feet in height shall not be subject to this limitation.
- d. Free-standing signs shall not block the motorists' view of another proprietor's free-standing sign from a distance of two hundred (200) feet in either direction along the frontage.
- e. The relationship of all proposed signs shall be established by the applicant's

submittal of:

- 1) A plot plan showing the location of all existing free-standing signs and the proposed sign's location.
- 2) Photographs of the proposed location taken from an approaching traffic lane at points two hundred (200) feet distant in each direction along the frontage.
- 3) A rendering of the proposed sign indicating coloring, height and dimensions.

3. Size

No requirements.

4. Lighting

- a. No red, green or amber lights or illuminated signs may be placed in such positions that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
- b. Lights used to illuminate signs shall be so installed as to concentrate the illumination on the sign and so as to minimize glare upon a public street or adjacent property.

(Sec. K amended by Ord. 490.72 adopted 1-25-72)

L. LOADING

The provisions of the "C-2" District, Section 834.5-L.1 and 2, shall apply.

M. SIZE OF NEW DISTRICT

In order to carry out the purposes expressed in Section 835 of this Section, the minimum amount of land that may be zoned for "C-3" purposes in any one location shall be as follows:

1. Minimum area: Fifteen (15) acres
2. Maximum area: Fifty (50) acres

SECTION 835.6 - SITE PLAN REVIEW

Before any parcel is created or any structure, temporary or permanent is erected within this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874. Such site plan shall encompass all contiguous property within the District and shall show the shopping center's ultimate development which shall be in conformity with the intent and purpose of the District.

(Added by Ord. 490.53 adopted 5-13-69; amended by Ord. 490.158 adopted 2-10-70)

SECTION 836

"C-4" - CENTRAL TRADING DISTRICT

The "C-4" District is intended to serve as a central trading district area for an urbanized area. The facilities provided for here are those that cannot and should not be dispersed into the smaller shopping areas.

SECTION 836.1 - USES PERMITTED

The following uses shall be permitted in the "C-4" District. All uses shall be subject to the Property Development Standards in Section 836.5.

(Amended by Ord. 490.174 re-adopted 5-7-79)

1. Those uses permitted in the "C-3" District, Section, 835.1.
2. Antique shops.
3. Apartment hotels.
4. Artists studios.
5. Auction houses.
6. Baths (turkish, etc.).
7. Business colleges.
8. Commercial schools.
9. Communications equipment buildings.
10. Confectionaries (with incidental manufacturing).
11. Dancing academies.
12. Exhibit halls.
13. Farm equipment dealers.
14. Furniture upholstery shops (retail custom work).
15. Gymnasiums.
16. Institutions of a philanthropic nature, except correctional and mental.
17. Laboratories:
 - a. Biological.

- b. Dental.
 - c. Medical.
 - d. Optometrical.
18. Lodges, clubs and fraternal organizations.
 19. Meeting halls.
 20. Multiple family dwellings.
 21. Museums.
 22. Music instruction.
 23. Natatoriums.
 24. Newspaper publishing.
 25. Pottery sales.
 26. Print shops, lithographing, publishing and blue printing.
 27. Public parking lots.
 28. Reducing salons.
 29. Signs, subject to the provisions of Section 836.5.
 30. Skating rinks.
 31. Taxidermists.
 32. Tire sales (retail only).
 33. Day Nursery - commercial.
(Added by Ord. 490.188 adopted 10-29-79)
 34. Video Stores.
(Added by Ord. T-046-315 adopted 1-5-93)

SECTION 836.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Automobile parking lot or structure subject to the provisions of Section 836.5 and Section 855-I.
(Amended by Ord. 490.156 adopted 9-5-78)
- B. Automobile sales with incidental sales and services (any repair and service shall be conducted

within a completely enclosed building) including the sale of trucks not to exceed three (3) tons factory rating.

C. Drive-in restaurants.

(Added by Ord. 490.3 adopted 7-31-62)

D. Ice and food products dispensing machines.

E. Microwave relay structures.

F. Mobile home occupancy for caretaker or a dwelling unit in a commercial structure and associated with the commercial activity where permitted by the General Plan.

(Added by Ord. 490.104 adopted 4-22-75; amended by Ord. 490.170 re-adopted 4-24-79)

G. Retail sales of recreational boats.

(Added by Ord. 490.124 adopted 12-7-76)

H. Small animal veterinary hospitals or clinics within a completely enclosed building with no boarding, subject to Section 855-N.

(Added by Ord. 490.7 adopted 8-6-63)

I. Walk-in, reach-in, cold storage boxes designed to hold refrigerated food and dairy products for sale upon the premises.

(Added by Ord. 490.19 adopted 3-16-65)

J. Water pump stations.

(Deletion: Sec. 836.1 - Temporary Stands, previously added by Ord. 490.166 adopted 12-19-78 - by Ord. 490.166c adopted 2-20-79)

SECTION 836.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

A. Bus terminals.

B. Pawn shops.

C. Automobile repair conducted within a completely enclosed building.

D. Mortuaries.

E. Secondhand goods sales (all goods displayed, sold and stored within a completely enclosed building).

F. Buildings over six (6) stories or seventy-five (75) feet in height.

G. Electric distribution substations.

H. Mechanical and self-service car washes.

(Added by Ord. 490.15 adopted 11-17-64)

I. Travel trailer parks for users of trailer coaches being used for travel or recreational purposes.

(Added by Ord. 490.18 adopted 12-29-64)

J. Multiple family dwellings on the same lot with permitted commercial uses where permitted by the General Plan.

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

K. Planned Commercial Developments

(Added by Ord. T-284 adopted 5-26-87)

SECTION 836.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "C-4" District.

A. New residential uses other than those listed as permitted uses. Existing residential uses other than those listed as permitted shall be subject to the provisions of Section 876 (Nonconforming Uses).

B. Any combination of residential and non-residential uses at the same time except as provided in Section 836.2 and 836.3.

(Amended by Ord. 490.104 adopted 4-22-75; Ord. 490.156 adopted 9-5-78; Ord. 490.170 re-adopted 4-24-79)

C. Trailer parks.

D. Industrial uses.

SECTION 836.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "C-4" District:

A. LOT AREA

No requirements.

B. LOT DIMENSIONS

No requirements.

C. POPULATION DENSITY

1. None for commercial uses.
2. For residential uses.
 - a. The density shall not exceed one dwelling unit for each two thousand four hundred (2,400) square feet of lot area.
 - b. Existing residential uses shall be subject to Section 836.4-A.

(Amended by Ord. 490.156 adopted 9-15-78; Ord. 490.170 re-adopted 4-24-79)

D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than six (6) stories, not to exceed seventy-five (75) feet provided, that buildings over six (6) stories or seventy-five (75) feet in height may be erected subject to the securing of a Conditional Use Permit as set forth in Section 873.
2. For exceptions, the provisions of the "C-P" District, Section 832.5-D.2 shall apply.

E. YARDS

1. No requirements, except if the "C-4" District abuts a boundary with any residential district, there shall be a yard of not less than ten (10) feet in width, extending the full length or width of the lot.
2. If the District boundary is a street, the yard shall be landscaped and maintained. A wall shall be erected on the setback line, as required in Section 836.5-H.
3. If the District boundary is a side or rear lot line, said yard may be used for parking, or loading provided walls are erected as required in Section 836.5-H.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

No requirements.

H. WALLS

1. None required, except along the boundary between a "C-4" District and any residential district, in which case the requirements of the "C-1" District, Section 833.5-H, shall apply. This provision shall not apply when the "C-4" District is developed to residential uses.

(Amended by Ord. 490.156 adopted 9-5-78)

2. In addition, a solid masonry wall six (6) feet in height shall be erected along the street frontage on the setback line and along district boundaries between any outdoor storage (and parking) area and any residential district. In addition, there shall be a six (6) foot high fence enclosing the storage yard on all its other property lines.
3. All fences and walls shall be developed subject to the General Conditions in Section 855-H.
4. Swimming pools.

The provisions of Section 855-H.2, shall apply.

(Added by Ord. 490.123 adopted 12-7-76; amended by Ord. 490.170 re-adopted 4-24-79)

I. OFF-STREET PARKING

1. For Commercial Uses.

- a. There shall be at least two (2) square feet of off-street parking for each one (1) square foot of gross floor space or fraction thereof, provided, however, that if such use falls into any of the special uses in the General Conditions, Section 855-I, such General Conditions shall apply.
- b. Said space shall be provided on a site not more than five hundred (500) feet from the external boundaries of the lot upon which the building it serves is located.
- c. This required parking area shall be provided in any of the following ways:
 - (1) On the lot with the building served;
 - (2) On a contiguous lot or a lot within five hundred (500) feet of the building or use being served;
 - (3) By membership in an assessment district established for the purposes of providing off-street parking for the uses located in said District;
 - (4) In a large parking area or compound, and where all the overall total relationship between the parking area and the total floor area planned is in conformity with the provisions of this Section, the off-street parking requirements for individual uses will be considered to be complied with when such parking areas are placed in a "P" (Parking) District.

The Commission shall make a recommendation in writing before the Board shall deem any community parking area as satisfying the requirements of this Section.

2. For residential uses there shall be at least one (1) parking space for each dwelling unit. These spaces shall be on the same lot with the main building which they are intended to serve, or on a contiguous lot, and located to the rear of any required front yard.

(Added by Ord. 490.156 adopted 9-5-78; amended by Ord. 490.170 re-adopted 4-24-79)

3. The provisions of the General Conditions, Section 855-I, shall apply.

J. ACCESS

The provisions of the "C-1" District, Section 833.5-J.1 and 2 shall apply.

K. OUTDOOR ADVERTISING

Signs and advertising structures may be permitted in the "C-4" District under the conditions set forth in the following paragraphs:

1. General Requirements

No sign or advertising structure shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "DANGER," or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

2. Location

For signs within fifty (50) feet of a property line which is the boundary between a "C" District and a residential district, all the provisions of the "C-1" District, Section 833.5-K, shall apply.

3. Size

No regulations.

4. Lighting

- a. No red, green or amber lights or illuminated signs may be placed in such positions that they reasonably can be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
- b. Lights used to illuminate signs or advertising structures shall be so installed as to concentrate the illumination on the sign or advertising structure and so as to minimize glare upon a public street or adjacent property.

L. LOADING

The provisions of the "C-2" District, Section 834.5-L.1 and 2, shall apply.

SECTION 836.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Sections 874.

SECTION 837

"C-5" DISTRICT

There is no "C-5" District in the unincorporated areas.

SECTION 838

"C-6" - GENERAL COMMERCIAL DISTRICT

The "C-6" District is intended to serve as sites for the many uses in the commercial classifications which do not belong in either the Neighborhood, Community or Central Trading District.

SECTION 838.1 - USES PERMITTED

The following uses shall be permitted in the "C-6" District. All uses shall be subject to the Property Development Standards in Section 838.5.

(Amended by Ord. 490.174 adopted 4-2-79)

1. Advertising structures.
2. Ambulances.
3. Animal hospitals (no kennels except for animals under treatment).
4. Antique shops.
5. Appliance sales.
6. Artists studios.
7. Automobile parts sales, (new).
8. Automobile re-upholstery.
9. Automobile and truck sales with incidental repairs and service within a completely enclosed building.
10. Automobile service stations.
11. Bakeries, retail.
12. Banks.
13. Bars and cocktail lounges.
14. Barber shops.
15. Baths (turkish, etc.).
16. Beauty shops.
17. Bicycle shops.
18. Boat sales and boat liveries.

(Amended by Ord. 490.8 adopted 9-17-63)

19. Body and fender shops (when located within a completely enclosed building).
20. Bowling alleys.
21. Building and loan offices.
22. Business colleges.
23. Communications equipment buildings.
24. Confectionaries (with incidental manufacturing).
25. Delicatessens.
26. Diaper service.
27. Drug stores.
28. Drive-in restaurants.
29. Electrical distribution substations.
30. Electrical supplies.
31. Equipment rental; except heavy construction equipment.
32. Farm equipment dealers.
33. Feed and fuel.
34. Florist.
35. Frozen food lockers.
36. Furniture stores.
37. Furniture upholstery shop (retail custom work).
38. Garden supplies.
39. Greenhouses.
40. Groceries.
41. Gymnasiums.
42. Hardware stores.
43. Hobby shops.
44. Trailer house sales and rentals and the use of a trailer house as a sales office in

conjunction with trailer house sales yards.

(Added by Ord. 490.18 adopted 12-29-64)

45. Ice storage.

46. Laboratories:

- a. Biological.
- b. Dental.
- c. Medical.
- d. Optometrical.
- e. Testing.

47. Laundry and dry cleaning pickup agencies for work to be done elsewhere.

(Added by Ord. 490.14 adopted 6-9-64)

48. Laundry, self-service.

49. Leather goods (including the sale of saddles) and retail custom work.

50. Libraries.

51. Liquor products (packaged).

52. Machinery sales and rental, except heavy construction machinery.

53. Mattress shops.

54. Meeting halls.

55. Miniature golf courses.

56. Model home display.

57. Monument and tombstone sales (retail only).

58. Mortuaries.

59. Motion picture theaters.

60. Newspaper stands.

61. Offices:

- a. Administrative.
- b. Business.
- c. General.
- d. Medical.
- e. Professional.

62. Pet shops.

63. Photographic studios.
64. Photographic supplies.
65. Plant nurseries.
66. Plumbing supplies (when located within an enclosed building or solid masonry walls).
67. Pool and billiards.
(Added by Ord. 490.14 adopted 6-9-64)
68. Post offices.
69. Pottery sales.
70. Print shop, lithographing, publishing, blueprinting.
71. Public parking lots.
72. Radio and television broadcasting studios.
73. Radio and television sales and service.
74. Reading rooms.
75. Reducing salons.
76. Repair garages.
77. Restaurants.
78. Retail poultry and rabbit sales (with incidental slaughtering and dressing).
79. Secondhand stores (completely enclosed building).
80. Shoe repair shops.
81. Sign painting.
82. Signs, subject to the provisions of Section 838.5.
83. Skating rinks.
84. Sporting goods.
85. Storage garages.
86. Superdrug stores.
87. Swimming pools.

88. Taxidermist.
89. Tinsmiths.
90. Tire sales (retail only).
91. Temporary or permanent telephone booths.
92. Tobacco products.
93. Tropical fish raising.
94. Variety stores.
95. Veterinarians.
96. Water pump stations.
97. Recreation vehicle and boat storage yards.
(Added by Ord. 490.70 adopted 11-16-71)
98. Dance studios or dancing academies.
(Added by Ord. 490.111 adopted 1-6-76)
99. Temporary stands (not more than four hundred (400) square feet per District) for the sale of farm produce, subject to Section 855-N.
(Added by Ord. 490.166 adopted 12-19-78)
100. Retail lumber sales, provided that no lumber is cut on the premises and that all storage areas be within completely enclosed buildings.
(Added by Ord. 490.173 re-adopted 4-24-79)
101. Day nursery - commercial.
(Added by Ord. 490.188 adopted 10-29-79)
102. Video stores
(Added by Ord. T-046-315 adopted 1-5-93)
103. Automobile driver's training schools.
(Amended by Ord. T-070-341 adopted 4-23-02)

SECTION 838.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses may be permitted subject to review and approval as provided for in Section 872.

- A. Auditoriums.
- B. Churches.
- C. Lodges, clubs and fraternal organizations.
- D. Golf driving ranges.
- E. Ice and food products dispensing machines.
- F. Hotels.
- G. Apartment hotels.
- H. Motels.
- I. Sports arenas.
- J. Pitch and putt golf courses.
- K. Microwave relay structures.
- L. Walk-in, reach-in cold storage boxes designed to hold refrigerated food and dairy products for sale upon the premises.

(Added by Ord. 490.19 adopted 3-16-65)
- M. Mobile home occupancy for caretakers or a dwelling unit in a commercial structure and associated with the commercial activity where permitted by the General Plan.

(Added by Ord. 490.98 adopted 5-21-75; amended by Ord. 490.170 re-adopted 4-24-79)

SECTION 838.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

- A. Auction houses.
- B. Buildings or structures not specifically regulated by Section 838.5-D.2, over two (2) stories or thirty-five (35) feet in height.

(Amended by Ord. 490.13 adopted 4-28-64)
- C. Bus terminals.
- D. Drive-in movies.
- E. Exterior storage of lumber in conjunction with permitted retail lumber sales.

(Added by Ord. 490.173 re-adopted 4-24-79)

- F. Flea markets, outdoor auction sales, and swap meet activities.
(Added by Ord. 490.110 adopted 12-2-75)
- G. Mechanical car washes.
- H. Motorcycle shops.
- I. Natatoriums.
- J. Planned Commercial Developments
(Added by Ord. T-284 adopted 5-26-87)
- K. Racetracks for non-motorized vehicles.
(Added by Ord. T-246 adopted 7-28-80)
- L. Recreational vehicle parks for users of recreational vehicles being used for travel or recreational purposes.
(Added by Ord. 490.18 adopted 12-29-64)
- M. Truck parking (2 2 ton - 2 axle maximum).
(Added by Ord. 490.76 adopted 7-17-72)
- N. Truck service stations.
(Added by Ord. 490.76 adopted 7-17-72)
- O. Multiple family dwellings where permitted by the General Plan.
(Added by Ord. 490.170 re-adopted 4-24-79)

SECTION 838.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "C-6" District.

- A. New residential uses other than those listed as permitted uses. Existing residential uses other than those listed as permitted shall be subject to the provisions of Section 876, Nonconforming Uses.
- B. Any combination of residential and non-residential uses except as provided in Section 838.2 and 838.3.

(Amended by Ord. 490.98 adopted 5-21-74; Ord. 490.170 re-adopted 4-24-79)
- C. Industrial uses.

SECTION 838.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "C-6" District.

A. LOT AREA

No requirements.

B. LOT DIMENSIONS

1. Width

No requirements.

2. Depth

Each lot shall have a minimum depth of one hundred fifty (150) feet.

C. POPULATION DENSITY.

1. For Commercial Uses

None.

2. For Residential Uses

a. The density shall not exceed one dwelling unit for each two thousand four hundred (2,400) square feet of lot area subject to the additional requirement, except as provided for in Sections 838.2 and 838.3, that no fewer than three (3) dwelling units shall be constructed on any lot.

b. Existing residential uses shall be subject to Section 838.4-A.

(Amended by Ord. 490.156 adopted 9-15-78 and by Ord. 490.170 re-adopted 4-24-79)

D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than two (2) stories, not to exceed thirty-five (35) feet.

2. For exceptions, the provisions of the "C-P" District, Section 832.5-D.2 shall apply.

E. YARDS

The provisions of the "C-4" District, Section 836-5.E shall apply.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

No requirements.

H. WALLS

The provisions of the "C-4" District, Section 836.5-H.1, 2, 3 and 4, shall apply.

(Amended by Ord. 490.123 adopted 12-7-76)

I. OFF-STREET PARKING

1. For Commercial Uses

- a. There shall be at least two (2) square feet of off-street parking for each one (1) square foot of gross floor space or fraction thereof, provided, however, that if such use falls into any of the special uses in the General Conditions, Section 855-I, such conditions shall apply.
- b. This required parking area shall be provided as in the "C-4" District, Section 836.5-I.1c, which shall apply.

2. For Residential Uses

There shall be at least one (1) parking space for each dwelling unit. These spaces shall be on the same lot with the main building which they are intended to serve, or on a contiguous lot, and located to the rear of any required front yard.

3. The provisions of the General Conditions, Section 855-I, shall apply.

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

J. ACCESS

The provisions of the "C-1" District, Section 833.5-J.1 and 2, shall apply.

K. OUTDOOR ADVERTISING

Signs and advertising structures may be permitted in the "C-6" District under the conditions set forth in the following paragraphs:

1. General Requirements

No sign or advertising structure shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "DANGER," or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

2. Location

No sign or advertising structures shall be located within fifty (50) feet of the boundary line

between a "C-6" District and a residential district.

3. Size

No requirements.

4. Lighting

- a. No red, green or amber lights or illuminated signs may be placed in such positions that they reasonably can be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
- b. Lights used to illuminate signs or advertising structures shall be so installed as to concentrate the illumination on the sign or advertising structure and so as to minimize glare upon a public street or adjacent property.

L. LOADING

The provisions of the "C-2" District, Section 834.5-L.1 and 2, shall apply.

SECTION 838.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874.

(Added by Ord. 490.53 adopted 5-13-69)

SECTION 839

"AC" - AGRICULTURAL COMMERCIAL CENTER DISTRICT

The "AC" District is intended to provide for the location of commercial centers within agricultural areas for the purpose of providing food and services to the surrounding farm community. The "AC" District is applicable only to parcels so zoned prior to September 20, 1988.

(Added by Ord. 490.126 adopted 12-26-76); amended by Ord. T-03-297 adopted 9-20-88; amended by Ord. T-044-308 adopted 2-26-91)

SECTION 839.1 - USES PERMITTED

The following uses shall be permitted in the "AC" District. All uses shall be subject to the Property Development Standards in Section 839.5.

(Amended by Ord. 490.150 adopted 6-5-78; Ord. 490.174 adopted 4-2-79; T-044-308 adopted 2/26/91)

- A. The provisions of Section 816.1 shall apply.
- B. Legally established uses constructed pursuant to Section 839.1 prior to September 20, 1988.

SECTION 839.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

(Amended by Ord. T-044-308 adopted 2-26-91)

- A. The provisions of Section 816.2 shall apply.
- B. Legally established uses constructed pursuant to Section 839.2 prior to September 20, 1988.

SECTION 839.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided in Section 873.

(Amended by Ord. T-044-308 adopted 2/26/91)

- A. The provisions of Sections 816.3 and 867 shall apply.

- B. Legally established uses constructed pursuant to Section 839.3 prior to September 20, 1988.

SECTION 839.4 - USES EXPRESSLY PROHIBITED

The following uses shall be expressly prohibited in the "AC" District. However, enumerating of these prohibited uses shall not by implication enlarge upon the scope of permitted uses specified in Section 839.1, 839.2, and 839.3 above and Section 867, their enumeration herein being for purposes of clarity only:

(Amended by Ord. T-044-308 adopted 2-26-91)

- A. All manufacturing, service and commercial uses not specifically permitted in Section 816.1, 816.2, 816.3 and 867.
- B. Advertising structures.

SECTION 839.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "AC" District.

A. LOT AREA

The minimum lot size shall be 60,000 square feet of gross area as measured from the center of any abutting roadway, stream, railroad, or other public right-of-way forming a boundary line, except that a lesser area shall be permitted when the owner submits evidence satisfactory to the Health Officer that the soils meet the Water Quality Control Board Guidelines for liquid waste disposal, but in no event shall the lot be less than one (1) gross acre.

B. LOT DIMENSIONS

1. Width

Each lot shall have a minimum width of one hundred and sixty-five (165) feet.

2. Depth

Each lot shall have a minimum depth of one hundred and seventy (170) feet.

C. POPULATION DENSITY

The residential provisions of 816.5-C and 867 shall apply.

(Amended by Ord. T-044-308 adopted 2-26-91)

D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than two (2) stories, not to exceed thirty-five (35) feet, except grain elevators.
2. Exceptions:

Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys, water tanks, or wireless masts or similar structures, when approved by the Commission, may be erected above the height limits herein prescribed; provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. No roof structures, or any space above the height limit shall be allowed for the purpose of providing additional habitable floor space.

E. YARDS

1. General Yard Requirements

All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky.

2. Front Yard

Each lot shall have a front yard of not less than thirty-five (35) feet extending across the full width of the lot, measured from the right-of-way line, and not less than seventy-five (75) feet measured from the center of the right-of-way.

3. Side Yard

a. Each lot shall have a side yard on each side of not less than ten (10) feet except for special conditions provided below.

b. Corner Lots.

On corner lots unless otherwise specified in this Division, the side yard abutting the street shall not be less than thirty-five (35) feet.

4. Rear Yard

The provisions of the side yard, Section 839.5-E.3 a and b shall apply.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

No requirements.

H. FENCES, HEDGES, AND WALLS

1. Corner Cut-Off Areas

The following regulations shall apply to all intersections of streets, alleys, or private driveways in order to provide adequate visibility for vehicular traffic. There shall be no visual obstruction within the cut-off areas established herein.

- a. There shall be a corner cut-off area at all intersecting streets or highways. The cut-off line shall be in a horizontal plane making an angle of forty-five (45) degrees with the side, front, or rear property line as the case may be. It shall pass through the points located on both the side and front (or rear) property lines at a distance of thirty (30) feet from the intersection of lines at the corner of a street, alley, or highway.
- b. There shall be a corner cut-off area on each side of any private driveway intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front, or rear property line, as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the driveway where it intersects the street or alley right-of-way.
- c. There shall be a corner cut-off area on each side of any alley intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the alley where it intersects the street or alley right-of-way.
- d. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, said corner cut-off shall be defined by a line drawn from a point on the front (or rear) property line that is not less than thirty (30) feet from said intersection of the side and front (or rear) property line.

I. OFF-STREET PARKING

1. There shall be at least two (2) square feet of off-street parking area for each one (1) square foot of commercial floor area or fraction thereof; except as indicated in 3 below.
2. Said space shall be provided on a site not more than five hundred (500) feet from the external boundaries of the lot upon which the building it serves is located.

This required parking area shall be provided in any of the following ways:

- a. On the lot with the building served, or

- b. On a contiguous lot or a lot within five hundred feet (500) of the building served.
3. The provisions of the General Conditions, Section 855-I, shall apply.

J. ACCESS

1. There shall be adequate vehicular access from a dedicated and improved street, service road or alley, the design of which shall be approved by the Director of Public Works.
2. The Director shall specify the location and number of means of ingress and egress to property by conditions established at the time of review of the required site plan.

K. OUTDOOR ADVERTISING

Signs may be permitted in the "AC" District under the conditions set forth in the following paragraphs.

1. General Requirements

No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, it may interfere with, obstruct the vision of, or be confused with any authorized traffic sign, signal, or device; or which makes use of the words "STOP," "DANGER," or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

2. Permitted Signs

- a. Signs indicating the name and nature of the occupancy, the name and address of the building, or the name and address of the owner. Time, temperature, and weather information may also be included. These signs shall be attached to the building in which the occupancy is located.

(Amended by Ord. 490.199 adopted 4-21-80)

- b. "For Rent" or "For Sale" signs posted on the subject lot or building by the owner or his authorized agent. Said signs shall not exceed six (6) square feet in area and there shall be not more than two (2) such signs for any one (1) lot, building, or occupancy.
- c. Directional signs related to the location of buildings or activities on the property on which the signs are located. Each directional sign shall not exceed six (6) square feet in area.
- d. One free-standing sign per lot subject to the following regulations:
 - (1) The sign shall contain thereon only the name of the buildings, occupants or groups thereof. Time, temperature, and weather information may also

be included.

(Amended by Ord. 490.199 adopted 4-21-80)

(2) The sign shall not exceed one hundred (100) square feet of area.

(3) The sign shall not exceed twenty (20) feet in height.

3. Location

No requirements.

4. Lighting

a. No red, green, or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.

b. No blinking, flashing, rotating or animating signs shall be permitted on the exterior of any building in the District, except to display time, temperature, and weather information.

(Amended by Ord. 490.199 adopted 4-21-80)

c. Lights used to illuminate signs shall be so installed as to concentrate the illumination on the sign so as to minimize glare upon a public street or adjacent property.

L. LOADING

1. The following off-street loading spaces shall be provided for all commercial uses.

<u>Total Square Feet of Building Space (Gross Floor Area)</u>	<u>Loading Space Required</u>
a. Commercial Buildings	
3,500 - 15,000	1
Over 15,000	2
b. Office Buildings	
3,500 - 50,000	1
Over 50,000	2

2. The requirements for size, location, treatment, and maintenance of loading spaces in the "C-P" District, Section 832.5-L.4, shall apply.

(Deletion: Section 839.5.M by Ord. T-044-308 adopted 2-26-91)

SECTION 839.6 - SITE PLAN REVIEW

Before any building or structure listed in 867 is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874. Such Site Plan shall encompass all contiguous property included within the Master Plan prepared pursuant to Section 867.

(Amended by Ord. T-044-308 adopted 2-26-91)

Section 839 as amended by Ord. T-039-308 reduced the pages for this section. Pages 280-282 will remain unused until the next general update of the Zoning Ordinance.

SECTION 840

"RCC" - RURAL COMMERCIAL CENTER DISTRICT

The "RCC" District is intended to provide for various intensities of commercial activities ranging from a single commercial use to a group of shops all serving a rural residential area and providing area residents with convenience goods, personal services and general merchandise for their living needs. The District is only applicable to parcels zoned to the District prior to September 20, 1988.

The following regulations are intended to provide visual compatibility with surrounding development pattern and protect the rural residential environment.

(Section 840 added by Ord. 490.193 adopted 1-7-80; amended by Ord. T-034-297 adopted 9/20/88; amended by Ord. T-044-308 adopted 2-26-91)

SECTION 840.1 - USES PERMITTED

The following uses shall be permitted in the "RCC" District. All uses shall be subject to the Property Development Standards in Section 840-5.

(Amended by Ord. T-044-308 adopted 2-26-91)

- A. The provisions of Section 820.1 shall apply.
- B. Legally established uses constructed pursuant to Section 840.1 prior to September 20, 1988.

SECTION 840.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided in Section 872.

(Amended by Ord. T-044-308 adopted 2-26-91)

- A. The provisions of Section 820.2 shall apply.
- B. Legally established uses constructed pursuant to Section 840.2 prior to September 20, 1988.

SECTION 840.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided in Section 873.

(Amended by Ord. T-044-308 adopted 2/26/91)

- A. The provisions of Sections 820.3 and 867 shall apply.
- B. Legally established uses constructed pursuant to Section 840.3 prior to September 20, 1988.

SECTION 840.4 - USES EXPRESSLY PROHIBITED

The following uses shall be expressly prohibited in the "RCC" District. However, enumerating of these prohibited uses shall not by implication enlarge upon the scope of permitted uses specified in Section 840.1, and 840.2, and 840.3 and 867 above their enumeration herein being for purposes of clarity only.

(Amended by Ord. T-044-308 adopted 2-26-91)

- A. All manufacturing, service, and commercial uses not specifically permitted in Section 840.1, 840.2, and 840.3 and 867.
- B. Advertising structures.

SECTION 840.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "RCC" District.

A. LOT AREA

The minimum lot size shall be two (2) gross acres, except that a lesser area shall be permitted when the owner submits evidence satisfactory to the Health Officer that the soils meet the Water Quality Control Board Guidelines for liquid waste disposal, but in no event shall the lot be less than one (1) gross acre.

B. LOT DIMENSIONS

1. Width

Each lot shall have a minimum width of one hundred and sixty-five (165) feet.

2. Depth

Each lot shall have a minimum depth of one hundred and seventy (170) feet.

C. POPULATION DENSITY

The residential provisions of 820.5-C and 867 shall apply.

(Amended by Ord. T-044-308 adopted 2-26-91)

D. BUILDING HEIGHT

- 1. No building or structure erected in this District shall have a height greater than two (2) stories, not to exceed thirty-five (35) feet.

2. Exceptions:

Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys, water tanks, or wireless masts or similar structures, when approved by the Commission, may be erected above the height limits herein prescribed; provided that the same may be safely erected and maintained at such

height in view of the surrounding conditions and circumstances. No roof structures or any space above the height limit shall be allowed for the purpose of providing additional habitable floor space.

E. YARDS

The front ten (10) feet of the front yard shall be landscaped and maintained. Side and rear yards and all but the front ten (10) feet of the front yard may be used for parking, or for access to parking or loading areas. The general yard requirements of the "C-P" District, Section 832.5-E.1, shall apply.

1. Front Yard

- a. Where the front yard of a parcel in the "RCC" District abuts or is across the street from a residential district, the front yard required for that residential district shall apply. Where the front yard of such parcel abuts or is across the street from more than one residential district, the front yard requirement of the most restrictive district shall apply.

2. Side Yard

None required except:

- a. Where the "RCC" District abuts a residential district, the adjoining side yard shall be not less than twenty (20) feet in width.
- b. Street side yards shall be considered front yards for the purposes of determining setbacks and landscaping.

3. Rear Yard

None required excepting where the "RCC" District abuts a residential district, in which case there shall be a rear yard on each lot extending across the full width of the lot, said yard to have a depth of not less than twenty (20) feet.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

The maximum coverage of the lot by buildings or structures shall not exceed thirty (30) percent of the total lot area.

H. FENCES, HEDGES, AND WALLS

1. Corner Cut-Off Areas

The following regulations shall apply to all intersections of streets, alleys, or private driveways in order to provide adequate visibility for vehicular traffic. There shall be no visual obstruction within the cut-off areas established herein.

- a. There shall be a corner cut-off area at all intersecting streets or highways. The cut-off line shall be in a horizontal plane making an angle of forty-five (45) degrees with the

side, front, or rear property line as the case may be. It shall pass through the points located on both the side and front (or rear) property lines at a distance of thirty (30) feet from the intersection of lines at the corner of a street, alley, or highway.

- b. There shall be a corner cut-off area on each side of any private driveway intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front, or rear property line, as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the driveway where it intersects the street or alley right-of-way.
- c. There shall be a corner cut-off area on each side of any alley intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the alley where it intersects the street or alley right-of-way.
- d. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, said corner cut-off shall be defined by a line drawn from a point on the front (or rear) property line that is not less than thirty (30) feet from said intersection of the side and front (or rear) property line.

2. Required Walls

- a. A solid masonry wall not less than five (5) feet nor more than six (6) feet in height shall be erected along the district boundary between the commercial and any residential district.
 1. Where the district boundary is at a rear lot line which is not on a street, the wall shall be on that line.
 2. Where the district boundary is on a side lot line, which is not on a street, the required wall shall be on, or parallel with, said lot line. Said wall shall be reduced in height to three (3) feet within the area defined by a line which is the prolongation of the front yard required in the abutting residential district.
 3. Where the district boundary is a street, any wall constructed along said street in either a front yard or side yard shall be set back from the property line a distance of ten (10) feet, the space between the wall and the property line to be landscaped and maintained.
- b. All walls shall be developed subject to the General Conditions in Section 855-H.

I. OFF-STREET PARKING

1. There shall be at least two (2) square feet of off-street parking area for each one (1) square foot of commercial floor area or fraction thereof; except as indicated in 3 below.
2. Said space shall be provided on a site not more than five hundred (500) feet from the external boundaries of the lot upon which the building it serves is located.

This required parking area shall be provided in any of the following ways:

- a. On the lot with the building served, or

- b. On a contiguous lot or lot within five hundred (500) feet of the building served.
- 3. The provisions of the General Conditions, Section 855-I, shall apply.

J. ACCESS

- 1. There shall be adequate vehicular access from a dedicated and improved street, service road or alley, the design of which shall be approved by the Director of Public Works.
- 2. The Director shall specify the location and number of means of ingress and egress to property by conditions established at the time of review of the required site plan.

K. OUTDOOR ADVERTISING

Signs may be permitted in the "RCC" District under the conditions set forth in the following paragraphs.

1. General Requirements

No sign shall be erected at the intersection of the streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, it may interfere with, obstruct the vision of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words, "STOP," "DANGER," or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

2. Permitted Signs

- a. Signs indicating the name and nature of the occupancy or the name and address of the building or the name and address of the owner. Time, temperature, and weather information may also be included. These signs shall be attached to the building in which the occupancy is located. All faces or signs mounted on or attached to a building shall be parallel to the face of the building except that "fin" type signs shall be permitted in connection with automobile service stations.

(Amended by Ord. 490.199 adopted 4-21-80)

Such sign may not exceed one (1) square foot in area for each front foot of the structure wherein the pertaining use is conducted, or one-half (2) square foot of sign for each front foot of the lot upon which the structure is located. The total sign area per commercial use may not exceed one hundred (100) square feet, for each building frontage. The minimum sign area for occupancy need not be less than forty (40) square feet.

- b. "For Rent" or "For Sale" signs posted on the subject lot or building by the owner or his authorized agent. Said signs shall not exceed six (6) square feet in area and there shall be not more than two (2) such signs for any one (1) lot, building, or occupancy.
- c. Directional signs related to the location of buildings or activities on the property on which the signs are located. Each directional sign shall not exceed six (6) square feet in area.
- d. One free standing sign per lot subject to the following regulations:

- (1) The sign shall contain thereon only the name of the buildings, occupants or groups thereof. Time, temperature, and weather information may also be included.

(Amended by Ord. 490.199 adopted 4-21-80)

- (2) The sign shall not exceed one hundred (100) square feet of area.

- (3) The sign shall not exceed twenty (20) feet in height.

3. Location

No requirements excepting that signs shall not extend over a public sidewalk or right-of-way.

4. Lighting

- a. No red, green, or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.

- b. No blinking, flashing, rotating, or animated signs shall be permitted on the exterior of any building in the District, except to display time, temperature, and weather information.

(Amended by Ord. 490.199 adopted 4-21-80)

- c. Lights used to illuminate signs shall be so installed as to concentrate the illumination on the sign so as to minimize glare upon a public street or adjacent property.

L. LOADING

- 1. The following off-street loading spaces shall be provided for all commercial uses:

<u>Total Square Feet of Building Space (Gross Floor Area)</u>	<u>Loading Space Required</u>
a. Commercial Buildings	
3,500 - 15,000	1
over 15,000	2
b. Office Buildings	
3,500 - 15,000	1
over 15,000	2

(Deletions: Section 840.5.M by Ord. T-044-308 adopted 2-26-91)

SECTION 840.6 - SITE PLAN REVIEW

Before any temporary or permanent building or structure other than those single family

dwelling units listed in Section 867 is erected within this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874.

Such site plan shall encompass all contiguous property included within the Master Plan prepared pursuant to Section 867 and shall show the shopping center's ultimate development which shall be in conformity with the intent and purpose of the District.

(Amended by Ord. T-044-308 adopted 2-26-91)

SECTION 840.A

"P-V" PLANNED VILLAGE DISTRICT

The "P-V" District is intended to serve as the preferred method of implementation for the "Planned Urban Village" Land Use Designation. The district is intended to provide for a variety of housing types on varying lot sizes, a full range of commercial and office uses, and open space and recreational facilities. The "P-V" District contains development standards that are designed to protect the quality of life within residential neighborhoods and provide for design flexibility in non-residential areas. The "P-V" District will provide for a higher level of design review and will require the processing of a Conditional Use permit in conjunction with Subdivision Maps or Site Plan Review Applications. (Section added by Ord. T-064-335 adopted on 12-19-00)

SECTION 840.A.1 – USES PERMITTED

Agricultural uses such as the raising of tree, vine, field, forage, and other plant crops and existing one-family dwellings, accessory buildings, which were legally established prior to the effective date of this District.

SECTION 840.A.2 – USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

Existing uses authorized by an approved Director Review and Approval Permit and established prior to the effective date of this District.

SECTION 840.A.3 – USES PERMITTED SUBJECT TO A CONDITIONAL USE PERMIT

- A. Existing uses authorized by an approved Conditional Use Permit and established prior to the effective date of this District.
- B. The following new uses shall be subject to a Conditional Use Permit as part of a Planned Development to ensure compliance with the design and development standards of an approved Specific Plan or a Development Plan approved under a Development Agreement, in accordance with the "Planned Urban Village" policies of the General Plan.

NON-RESIDENTIAL USES:

1. The raising of tree, vine, field, forage, and other plant crops of all kinds, except mushroom growing.
2. Antique shops.
3. Appliance sales (Household).
4. Artists studio.
5. Automobile parking lot or structures subject to the provisions of Section 855-1.
6. Automobile parts sales (New).
7. Automobile service stations.
8. Bakery goods; retail sales only.
9. Banks & Savings & Loans.
10. Barber shops.
11. Bars, cocktail lounges and the like.
12. Beauty shops.

13. Bicycle shops.
14. Books.
15. Cafeterias.
16. Caretaker's dwelling, and necessary accessory building.
17. Churches.
18. Cleaning and dyeing shops-retail only, dry-cleaning clothes in enclosed machines, using non-flammable cleaning compounds.
19. Clothing stores.
20. Community centers.
21. Confectioneries.
22. Dairy products.
23. Dance studios of dancing academies.
24. Day nurseries (small, large, institutional, commercial).
25. Delicatessens.
26. Department stores.
27. Display and sale of whirlpool baths, hot tubs and accessory items within a completely enclosed building.
28. Dry goods.
29. Electric distribution substations.
30. Flood control channels, spreading grounds, settling basins, freeways, parkways, park drives.
31. Florist shops.
32. Fruits and vegetable stores.
33. Garden supplies.
34. Gift shops.
35. Golf courses and country clubs.
36. Grocery stores.
37. Hardware stores
38. Health foods.
39. Hobby shops, including slot car racing.
40. Hotels and motels.
41. Ice and food product dispensing machines.
42. Ice cream parlors.
43. Jewelry stores.
44. Laundry and dry cleaning pick-up agencies for work to be done elsewhere.
45. Laundry, self-service.
46. Liquor products packaged.
47. Meat markets.
48. Mechanical car washes when operated incidental and in conjunction with an automobile service station.
49. Microwave relay structures.
50. Millinery.
51. Music stores.
52. Newspaper stands.
53. Notions.
54. Offices.
55. Pet shops.
56. Photographic supplies.
57. Plant nurseries.
58. Pool and billiards.
59. Post offices.
60. Private libraries.
61. Private roadways, subject to provisions set forth in this district.

62. Private schools.
63. Public libraries.
64. Public schools.
65. Radio, television sales & service.
66. Recreation areas, moderate intensity parks, playgrounds, wildlife preserves, forest preserves and such building and structures as are related thereto.
67. Restaurants.
68. Shoe repair shops.
69. Shoe stores.
70. Small animal veterinary hospitals or clinics within a completely closed building, with no boarding, subject to Section 855-N.
71. Soft drink fountain.
72. Sporting goods
73. Stationary stores.
74. Super drug stores.
75. Supermarkets.
76. Temporary or permanent telephone booths.
77. Temporary stands (not more than 400 square feet per District) for the sale of farm produce subject to Section 885-N.
78. Tobacco product sales.
79. Toy stores.
80. Trails, greenbelts, and open space features.
81. Tropical fish raising.
82. Variety stores.
83. Video stores.
84. Walk-in reach-in, cold storage boxes designed to hold refrigerated food and dairy products for sale upon the premises.
85. Wastewater treatment plants and related facilities.
86. Water pump stations.

RESIDENTIAL USES PERMITTED:

87. One family dwellings.
88. Home occupations, subject to the provisions of this district.
89. Accessory building, including garages.
90. Private greenhouses, and horticultural collections, flower and vegetable gardens.
91. Multiple family dwellings.
92. Temporary tract office and model homes in a tract being developed.

SECTION 840.A.4 – USES EXPRESSLY PROHIBITED

All those uses not specifically allowed.

SECTION 840.A.5 – PROPERTY DEVELOPMENT STANDARDS

Except as set forth below, all development shall be consistent with the standards of the approved specific plan or development plan approved in conjunction with a development agreement. Until a specific plan or development plan is approved, the below Property Development Standards shall apply to lot line adjustments and maps that, cumulatively, do not result in a greater number of lots, and to the construction of accessory buildings and additions to existing uses that were legally established prior to the effective date of the PV District.

(Amended by Ord. 072-343 adopted 5-21-02)

A. LOT AREA

Each lot shall have a minimum area of 20 acres. This provision does not allow for the creation of new parcels.

B. LOT DIMENSIONS

No requirements

C. POPULATION DENSITY

The provisions of 840.A.1 and 840.A.2 shall apply.

D. BUILDING HEIGHT

The provisions of 817.5.D shall apply.

E. YARDS

The provisions of 817.5.E shall apply.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

No requirements.

H. FENCES, WALLS AND HEDGES

The provisions of 855-H.2 shall apply.

I. OFF-STREET PARKING

No requirements.

J. ACCESS

No requirements.

K. OUTDOOR ADVERTISING

The provisions of 817.5.K shall apply.

L. LOADING

No requirements.

(Added by Ord. 072-343 adopted 5-21-02)

SECTION 840.A.6 – SITE PLAN REVIEW

Before any structure is erected, or any parcel created, a Site Plan Review shall be submitted and approved by the Director, pursuant to the provisions of Section 874.

SECTION 841

"C-R" COMMERCIAL RECREATION DISTRICT

The "C-R" Commercial District is intended to group commercial recreation uses into a planned, integrated center, including related service and commercial uses.

841.1 - USES PERMITTED

The following uses shall be permitted in the "C-R" District. All uses shall be subject to the Property Development Standards in Section 841.5.

A. RECREATIONAL USES

1. Bowling alleys.
2. Clubs and lodges.
3. Driving ranges.
4. Fairgrounds.
5. Fishing and fly casting ponds.
6. General commercial amusements.
7. Miniature golf courses.
8. Pitch and putt courses.
9. Pool and billiards.
10. Racetracks for non-motorized vehicles.
(Added by Ord. T-246 adopted 7-28-80)
11. Skating rinks.
12. Sports arenas.
13. Stadium.
14. Swim parks, natatoriums.
15. Tennis courts.

B. RELATED COMMERCIAL USES INCLUDING BUT NOT LIMITED TO THE FOLLOWING

1. Bars.
2. Barber shops and beauty shops.

3. Baths, Turkish and the like.
 4. Bicycle shops.
 5. Model swimming pools (enclosed within a building or adequately protected by fencing).
 6. Off-street parking lot or structure.
 7. Restaurants.
 8. Sporting goods stores.
- C. Signs subject to the provisions of Section 841.5-k.
- D. Temporary or permanent telephone booths.

SECTION 841.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval by the Director.

- A. Microwave relay structures.
- B. Water pump stations.

SECTION 841.3 - USES PERMITTED TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 853.

- A. Electric distribution substations.
- B. Riding academies and stables.

SECTION 841.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "C-R" District.

- A. All uses listed in Section 834.3 of the "C-2" District are prohibited.

SECTION 841.5 - PROPERTY DEVELOPMENT STANDARDS

The property development standards of the "C-2" District, Section 834.5 and those in Section 855 shall apply to all land and structures in the "C-R" District.

In order to carry out the purpose of Section 841 of this District, the minimum amount of land that may be zoned for "C-R" purposes in any one location shall be four (4) acres.

SECTION 841.6 - OTHER CONDITIONS TO USE

The requirements of the AC-1" District, Section 833.6, shall apply.

SECTION 842

"C-M" - COMMERCIAL AND LIGHT MANUFACTURING DISTRICT

The "C-M" Commercial and Light Manufacturing District is intended to provide for retail and wholesale sales, light manufacturing, warehousing, distributing and storage operations which do not create smoke, gas, odor, dust, sound, vibration, soot or lighting to any degree which might be obnoxious or offensive to persons residing in or conducting business in either this or any other district, and further, to provide a close relationship between warehousing, distribution and retail sales.

(Amended by Ord. 490.1 adopted 2-7-61)

SECTION 842.1 - USES PERMITTED

The following uses shall be permitted in the "C-M" District. All uses shall be subject to the Property Development Standards in Section 842.5.

A. RETAIL STORES

1. Automobile and truck sales with incidental repair and service (any repair and service shall be conducted within a completely enclosed building).
2. Automobile parts sales (new).
3. Automobile service stations.
4. Bakery, retail.
5. Building materials, (new).
6. Department stores.
7. Electrical supply.
8. Equipment sales.
9. Farm equipment sales with incidental repairs and service.
10. Home furnishings.
11. Ice storage.
12. Leather goods and luggage.
13. Motorcycle shops.
14. Music, musical instruments, records.
15. Pawn shops.
16. Plumbing supply.

17. Radio-television sales and service.
18. Secondhand goods sales (all goods, except vehicles, displayed, sold and stored within a completely enclosed building).
19. Sporting goods.
20. Tire sales, retail only.
21. Toys.
22. Truck service stations.
23. Variety stores.
24. Mobile home sales and rentals and the use of a Mobile home as an office in conjunction with the saleyard, subject to Section 874, Site Plan Review.

(Added by Ord. 490.71 adopted 12-28-71)
25. Video stores.

(Added by Ord. T-046-315 adopted 1-5-93)

B. SERVICES

1. Automobile repairs (conducted within a completely enclosed building).
2. Automobile re-upholstery.
3. Auction houses.
4. Bars and cocktail lounges.
5. Baths (Turkish, etc.).
6. Blueprinting and photocopying.
7. Body and fender shops.
8. Employment agencies.
9. Equipment rentals.
10. Farm equipment services.
11. Financial institutions.
12. Libraries.
13. Mechanical car, truck, motor and equipment wash, including self-service.

(Added by Ord. 490.213 adopted 12-28-65)

14. Newspaper publishing.
15. Offices:
 - a. Administrative.
 - b. Business.
 - c. General.
 - d. Medical.
 - e. Professional.
16. Picture framing.
17. Printing shop, lithographing, publishing.
18. Reading Rooms.
19. Taxidermist.
20. Truck driver's training schools.
(Amended by Ord. T-070-341 adopted 4-23-02)

C. RELATED USES

1. Advertising structures.
2. Banks.
3. Caretaker's residence (Mobile home permitted).
(Amended by Ord. 490.120 adopted 11-9-76)
4. Commercial uses that are incidental to and directly related to and serving the permitted industrial uses.
5. Delicatessens.
6. Frozen food lockers.
7. Grocery stores.
8. Ice and food product dispensing machines.
9. Restaurants.
10. Signs, subject to the provisions of Section 842.5-K.

D. MANUFACTURING

1. Automotive:
 - a. Painting.

- b. Reconditioning.
 - c. Tire recapping, retreading and rebuilding (with the provision that all tires shall be sold on the premises at retail only and directed to the ultimate consumer).
 - d. Truck repairing and overhauling.
 - e. Upholstering.
2. Boat building and repairs.
3. Book binding.
4. Bottling plants.
5. Canvas products manufacture.

(Added by Ord. 490.1 adopted 2-7-61)
6. Ceramic products using only previously pulverized clay and fired in kilns only using electricity or gas.
7. Jewelry manufacturing.
8. Machinery and shop (no punch presses over twenty (20) tons or drop hammers):
 - a. Cabinet or carpenter shops.
 - b. Custom furniture shops.
 - c. Furniture upholstery shops, custom retail work.
 - d. Machine shops.
 - e. Welding shops.
 - f. Heating and air-conditioning shops (including incidental sheet metal work).
(Added by Ord. 490.135 adopted 7-26-77)
9. Manufacturing, compounding, processing, packing or treatment of products such as:
 - a. Bakery goods.
 - b. Candy.
 - c. Cosmetics.
 - d. Dairy products.
 - e. Drugs.
 - f. Food products (excluding fish and meat products, sauerkraut, wine, vinegar, yeast and the rendering of fats and oils) if connected with an adequate sewer system.
 - g. Fruit and vegetables (packing only).
 - h. Honey extraction.
 - i. Perfume.
 - j. Toiletries.
10. Manufacturing and maintenance of electric or neon signs.
11. Novelties.
12. Retail lumber yards (including incidental millwork but not including planing mill).
13. Rubber and metal stamps.

14. Storage yards:
 - a. Contractor storage yards.
 - b. Feed and fuel yards.
 - c. Machinery rentals.
 - d. Motion picture studio storage yards.
 - e. Transit storage.
15. Wholesaling and warehousing.
16. Wholesale meat cutting and packing, provided there shall be no slaughtering, fat rendering or smoke curing.

(Added by Ord. 490.21 adopted 9-14-65)

E. PROCESSING

1. Blueprinting and photocopying.
2. Carpet and rug cleaning plants.
3. Cleaning and dyeing plants.
4. Creamery.
5. Laundries.
6. Laboratories.

F. FABRICATION

Assembly of small electrical and electronic equipment.

G. OTHER USES

1. Public utility service yards (with incidental buildings).
2. Off-street parking.
3. Agricultural uses.
4. Electric distribution substations.
5. Communications equipment buildings.
6. Temporary or permanent telephone booths.
7. Water pump stations.

(Amended by Ord. 490.1 adopted 2-7-61)

SECTION 842.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

In areas adjacent to a residential or agricultural district the following uses are permitted subject to review and approval as provided for in Section 872.

A. Electric motor rebuilding

(Deletion: Sec. 842.1-D.14.f by Ord. 490.179 adopted 6-26-79 previously amended by Ord. 490.88 adopted 6-5-73)

B. Microwave relay structures

C. Second caretaker=s residence to be occupied by an employee.

(Added by Ord. T-047-316 adopted 1-5-93)

SECTION 842.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

A. Animal hospitals and shelters.

B. Boarding and training, breeding and personal kennels.

(Amended by Ord. 490.36 adopted 7-25-67)

C. Mortuaries.

D. Rubber, fabrication of products made from finished rubber.

E. Petroleum bulk plants, including liquid petroleum gas.

(Added by Ord. 490.179 adopted 6-26-79)

F. Planned Commercial Developments

(Added by Ord. T-284 adopted 5-26-87)

G. Planned Industrial Developments.

(Amended by Ord. T-069-342 adopted 4-23-02)

SECTION 842.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "C-M" District.

A. RESIDENTIAL USES

1. New residential uses other than for the use of a caretaker in connection with an industrial use.

2. For existing residential uses, the existing residence may be used for residential purposes but may not be converted to more intensive residential uses, nor may it be converted for residential and non-residential uses at the same time. Such residential uses shall be subject to the Section 876, Nonconforming Uses.

B. INDUSTRIAL USES

1. Any use that utilizes coal, coke, or other coal-based fuel as an industrial fuel source, excluding blacksmith shops.

(Amended by Ord T-039-307 adopted 2-26-91)

C. INDUSTRIAL PLANTS

1. Abrasives.
2. Bone black plants.
3. Carbon black and lamp black plants.
4. Charcoal manufacturing plants.
5. Chemical plants (heavy or industrial).
6. Coal and Coke plants.
7. Detergents, soaps and by-products using animal fats.
8. Fertilizers of all types.
9. Gas manufacturing plants.
10. Glue and sizing manufacturing plants.
11. Graphite manufacturing plants.
12. Gypsum and other forms of plaster base manufacturing.
13. Insulation manufacturing plants (flammable types).
14. Match manufacturing plants.
15. Metal ingots, pigs, casting or rolling mills.
16. Metals extraction and smelting plants.
17. Paper pulp and cellulose manufacturing plants.
18. Paraffin manufacturing plants.
19. Portland and similar cement manufacturing plants.

20. Serum, toxin and virus manufacturing laboratories.
21. Sugar and starch manufacturing plants.
22. Tannery plants.
23. Turpentine manufacturing plants.
24. Wax and wax products manufacturing plants.
25. Wool pulling or scouring plants.

D. PROCESSING

1. Animal by-products processing.
2. Carbon black and lamp black refining.
3. Chemical (heavy or industrial).
4. Coal and coke processing.
5. Detergents and soap processing.
6. Dog and cat food processing.
7. Fertilizers of all types.
8. Fish and fish by-products processing or canning.
9. Fruit by-products.
10. Grain milling and sacking.
11. Paper milling.
12. Petroleum and petroleum products processing or refining.
13. Potash works.
14. Printing ink processing.
15. Radium or uranium extraction.
16. Rubber reclaiming or processing.
17. Salt works.
18. Soap works.
19. Smelting works.
20. Sulphuric acid processing or bottling.

21. Tar or asphaltic roofing processing.
22. Vinegar processing or refining.
23. Volatile or poisonous gas storage or processing.
24. Wood preserving by creosoting or other pressure impregnation of wood by preservatives.
25. Wood and lumber kilns for industrial kiln-drying.

E. OTHER USES

1. Trailer parks.
2. Motels, hotels.

(Amended by Ord. 490.1, adopted on 2-7-61)

(Deletion: Section 842.4-F by Ord. 490.174 re-adopted 5-8-79)

SECTION 842.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "C-M" District.

A. LOT AREA

No requirements.

B. LOT DIMENSIONS

Each dimension is minimum, only.

1. Width

- a. Each lot shall have a minimum width of seventy-five (75) feet, except curve and cul-de-sac lots of two acres or less in area.
- b. Each curve lot and cul-de-sac lot two acres in area or less shall have a minimum street frontage width of sixty (60) feet.

(Added by Ord. 490.197 adopted 3-31-80)

2. Depth

Each lot shall have a minimum depth of one-hundred twenty (120) feet.

C. POPULATION DENSITY

None. However, for existing residential uses, the provisions of Section 842.4-A, shall apply.

D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than seventy-five (75) feet.

2. Exceptions:

Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, roof signs, flagpoles, chimneys, smokestacks, silos, water tanks or wireless masts or similar structures may be erected above the height limits herein prescribed; provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. No roof structure or any space above the height limits shall be allowed to provide additional floor space.

E. YARDS

The provisions of the "M-1" District, Section 843.5-E.1, 2 and 3, shall apply.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

No requirements.

H. FENCES, HEDGES AND WALLS

The provisions of the "M-1" District, Section 843.5-H.1, 2, 3 and 4, shall apply.

I. OFF-STREET PARKING

The provisions of the "M-1" District, Section 843.5-I.1, 2, and 3, shall apply.

J. ACCESS

The provisions of the "M-1" District, Section 843.5-J.1 and 2, shall apply.

K. OUTDOOR ADVERTISING

The provisions of the "M-1" District, Section 843.5-K.1, 2, 3 and 4, shall apply.

L. LOADING

The provisions of the "M-1" District, Section 843.5-L.1 and 2, shall apply.

SECTION 842.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874.

(Added by Ord. 490.53 adopted 5-13-69)

SECTION 843

"M-1" - LIGHT MANUFACTURING DISTRICT

The "M-1" (Light Manufacturing) District is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of material that are in already processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot or lighting to any degree which might be obnoxious or offensive to persons residing in or conducting business in either this or any other district.

SECTION 843.1 – USES PERMITTED

The following uses shall be permitted in the "M-1" District. All uses shall be subject to the Property Development Standards in Section 843.5.

A. RELATED USES

1. Advertising structures.
2. Animal hospitals and shelters.
3. Automobile repairs (conducted within a completely enclosed building).
4. Automobile re-upholstery.
5. Automobile service stations.
6. Banks.
7. Caretaker's residence, which may include an office for the permitted industrial use.
(Amended by Ord. 490.152 adopted 7-10-78)
8. Commercial uses that are incidental to and directly related to and serving the permitted industrial uses.
9. Delicatessens.
10. Electrical supply.
11. Equipment rental or sale
12. Farm equipment sales and service.
13. Frozen food lockers.
14. Grocery stores.
15. Boarding and training, breeding and personal kennels.
(Amended by Ord 490.36 adopted 7-25-67)

16. Ice and cold storage plants
17. Mechanical car, truck, motor and equipment wash, including self-service.
(Added by Ord 490.23 adopted 12-28-65)
18. Newspaper publishing
19. Offices:
 - a. Administrative.
 - b. Business.
 - c. General.
 - d. Medical
 - e. Professional
20. New and used recreational vehicle sales and service.
(Added by Ord. 490.129 adopted 1-11-77)
21. Restaurants.
22. Signs, subject to the provisions of Section 843.5-K.
23. Truck service stations.
24. Truck driver's training schools.
(Amended by Ord. T-070-341 adopted 4-23-02)

B. ADULT BUSINESSES that are licensed under Chapter 6.33 of Ordinance Code, including uses such as:

1. Bars.
2. Restaurants.
3. Theaters.
4. Video stores.
5. Book stores.
6. Novelty sales.
(Added by Ord. T-074-346 adopted 7-30-02)

C. MANUFACTURING

1. Aircraft, modification, storage, repair and maintenance
2. Automotive:
 - a. Painting.
 - b. Automotive reconditioning.
 - c. Truck repairing and overhauling.
 - d. Upholstering.
 - e. Battery assembly (including repair and rebuilding) limited to the use of previously manufactured components.
(Added by Ord. 490.33 adopted 1-17-67)
3. Boat building and repairs.

4. Book binding.
5. Bottling plants.
6. Ceramic products using only previously pulverized clay and fired in kilns only using electricity or gas.
7. Commercial grain elevators.
8. Garment manufacturing.
9. Machinery and shop (no punch presses over twenty (20) tons or drop hammers):
 - a. Blacksmith shops.
 - b. Cabinet or carpenter shops.
 - c. Electric motor rebuilding.
 - d. Machine shops.
 - e. Sheet metal shops.
 - f. Welding shops.
 - g. Manufacturing, compounding, assembly or treatment of articles or merchandise from previously prepared metals.
10. Manufacturing, compounding, processing, packing or treatment of such products as:
 - a. Bakery goods.
 - b. Candy.
 - c. Cosmetics.
 - d. Dairy products.
 - e. Drugs.
 - f. Food products (excluding fish and meat products, sauerkraut, wine, vinegar, yeast and the rendering of fats and oils) if connected with an adequate sewer system.
 - g. Fruit and vegetables (packing only).
 - h. Honey extraction plant.
 - i. Perfume.
 - j. Toiletries.
11. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared materials:
 - a. Canvas.
 - b. Cellophane.
 - c. Cloth.
 - d. Cork.
 - e. Felt.
 - f. Fibre.
 - g. Fur.
 - h. Glass.
 - i. Leather.
 - j. Paper, no milling.
 - k. Precious or semi-precious stones or metals.
 - l. Plaster.

- m. Plastic.
- n. Shells.
- o. Textiles.
- p. Tobacco.
- q. Wood.
- r. Yarns.

12. Manufacturing and maintenance of electric or neon signs

13. Novelties.

14. Planing mills.

15. Printing shops, lithographing, publishing.

16. Retail lumber yard.

17. Rubber and metal stamps.

18. Shoes.

19. Stone monument works.

20. Storage yards:

- a. Contractors storage yard.
- b. Draying and freight yard.
- c. Feed and fuel yard.
- d. Machinery rental.
- e. Motion picture studio storage yard.
- f. Transit storage.
- g. Trucking yard terminal, except freight classifications.

21. Textiles.

22. Wholesaling and warehousing.

23. Wholesale meat cutting and packing, provided there shall be no slaughtering, fat rendering or smoke curing.
(Added by Ord. 490.21 adopted 9-14-65)

D. PROCESSING

1. Creameries.

2. Laboratories.

3. Blueprinting and photocopying.

4. Laundries.

5. Carpet and rug cleaning plants.

6. Cleaning and dyeing plants.
7. Tire retreading, recapping, rebuilding.
8. Lumber drying kilns; gas, electric or oil fired only.
(Added by Ord. 490.77 adopted 8-17-72)
9. Feather cleaning and storage of cleaned feathers within an enclosed structure.
(Added by Ord. 490.82 adopted 11-21-72)

E. FABRICATION

1. Rubber, fabrication of products made from finished rubber.
2. Assembly of small electric and electronic equipment.
3. Assembly of plastic items made from finished plastic.

F. OTHER USES

1. Agricultural uses.
2. Communication equipment buildings.
3. Electric transmission substations.
4. Off-street parking.
5. Public utility service yards with incidental buildings.
6. Electric distribution substations.
7. Temporary or permanent telephone booths.
8. Water pump stations.

SECTION 843.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Automobile and truck sales with incidental repair and service (any repair and service shall be conducted within a completely enclosed building.)
(Added by Ord. T-064-336 adopted 3-6-01)
- B. Bars and cocktail lounges.
(Added by Ord. 490.34 adopted 3-8-67)
- C. Boat Sales.
(Added by Ord. T-O60-331 adopted 9-22-98)
- D. Microwave relay structures.
- E. Motorcycle Shops.

(Added by Ord. T-060-331 adopted 9-22-98)

- F. Second caretaker's residence to be occupied by an employee.
(Added by Ord. T-047-316 adopted 1-5-93)

SECTION 843.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided for in Section 873.

- A. Aircraft factories.
- B. Auction houses.
(Added by Ord. 490.108 adopted 9-16-75)
- C. Baled cotton storage.
- D. Concrete and cement products.
- E. Cotton compresses.
- F. Flea markets.
(Added by Ord. 490.108 adopted 9-16-75)
- G. Hide curing, dry salt preserving only.
(Added by Ord. T-024-285 adopted 4-16-85)
- H. Meat packing and meat processing, subject to the provisions of Section 855-N.
(Added by Ord. 490.21 adopted 9-14-65)
- I. Petroleum bulk plants including liquid petroleum gas.
(Added by Ord. 490.179 adopted 6-26-79)
- J. Punch presses twenty (20) tons or larger.
(Added by Ord. 490.99 adopted 5-28-74)
- K. Racetracks for non-motorized vehicles.
(Added by Ord. T-246 adopted 7-28-80)
- L. Used materials yards.
- M. Planned Industrial Developments
(Amended by Ord. T-069-342 adopted 4-23-02)

SECTION 843.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "M-1" District.

- A. RESIDENTIAL USES

1. For existing residential uses, the existing residence may be used for residential purposes but may not be converted to more intensive residential uses, nor may it be converted for residential and nonresidential uses at the same time. Such residential uses shall be subject to the provisions of Section 876, Nonconforming Uses.
2. New residential uses other than for the use of a caretaker in connection with an industrial use.

B. INDUSTRIAL USES

1. Any use that utilizes coal, coke, or other coal-based fuel as an industrial fuel source, excluding blacksmith shops.
(Amended by Ord T-039-307 adopted 2-26-91)

C. INDUSTRIAL PLANTS

1. Abrasives.
2. Bone black plants.
3. Carbon black and lamp black plants.
4. Chemical plants (heavy or industrial).
5. Charcoal manufacturing plants.
6. Coal and coke plants.
7. Detergents, soaps and by-products using animal fats.
8. Fertilizers of all types.
9. Gas manufacturing plants.
10. Glue and sizing manufacturing plants.
11. Graphite manufacturing plants.
12. Gypsum and other forms of plaster base manufacturing.
13. Insulation manufacturing plants (flammable types).
14. Match manufacturing plants.
15. Metals extraction and smelting plants.
16. Metal ingots, pigs, casting or rolling mills.
17. Paper pulp and cellulose manufacturing plants.
18. Paraffin manufacturing plants.
19. Petroleum and petroleum products plants.

20. Portland and similar cement manufacturing plants.
21. Serum, toxin and virus manufacturing laboratories.
22. Sugar and starch manufacturing plants.
23. Tannery plants.
24. Turpentine manufacturing plants.
25. Wax and wax products manufacturing plants.
26. Wool pulling or scouring plants.

D. PROCESSING

1. Animal by-products processing.
2. Carbon black and lamp black refining.
3. Chemical (heavy or industrial).
4. Coal and coke processing.
5. Detergents and soap processing.
6. Dog and cat food processing.
7. Fertilizers of all types.
8. Fruit by-products.
9. Fish and fish by-product processing or canning.
10. Grain milling and sacking.
11. Paper milling.
12. Petroleum and petroleum products processing or refining.
13. Radium or uranium extraction.
14. Rubber reclaiming or processing.
15. Salt works.
16. Soap works.
17. Smelting works.
18. Potash works.
19. Printing ink processing.

20. Sulphuric acid processing or bottling.
21. Tar or asphaltic roofing processing.
22. Vinegar processing or refining.
23. Volatile or poisonous gas storage or processing.
24. Wood preserving by creosoting or other pressure impregnation of wood by preservatives.
25. Wood and lumber kilns for industrial kiln-drying that are not gas, electric or oil fired.
(Amended by Ord. 490.77 adopted 8-17-72)

E. OTHER USES

1. Motels, hotels.
2. Trailer parks.
(Amended by Ord. 490.1, adopted on 2-7-61, Deletion: Section 843.4F by Ord. 490.174 re-adopted 5-8-79; amended by Ord. 490.1 adopted 2-7-61)

SECTION 843.5 PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "M-1" District.

A. LOT AREA

No requirements.

B. LOT DIMENSIONS

Each dimension is minimum, only.

1. Width

- a. Each lot shall have a minimum width of seventy-five (75) feet, except curve and cul-de-sac lots of two acres or less in area.
- b. Each curve lot and cul-de-sac lot two acres in area or less shall have a minimum street frontage width of sixty (60) feet.
(Added by Ord. 490.197 adopted 3-31-80)

2. Depth

Each lot shall have a minimum depth of one-hundred twenty (120) feet.

C. POPULATION DENSITY

None. However, for existing residential uses, the provisions of Section 843.4-A, shall apply.

D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than seventy-five (75) feet.
2. Exceptions:

Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, roof signs, flagpoles, chimneys, smokestacks, silos, water tanks or wireless masts or similar structures may be erected above the height limits herein prescribed; provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. No roof structure or any space above the height limits shall be allowed to provide additional floor space.

E. YARDS

1. Front Yard

None, except as provided below:

- a. On any street or highway that is a boundary between an "M-1" District and any residential district there shall be a front yard of not less than fifteen (15) feet. This yard shall not be used for parking or loading.
- b. When the side lot line in an "M-1" District adjoins any residential district there shall be a front yard of not less than fifteen (15) feet. This yard shall not be used for parking or loading.

2. Side Yard

None, except as provided below:

- a. On any street or highway that is a boundary between an "M-1" District and any residential district there shall be a side yard of not less than fifteen (15) feet. This yard shall not be used for parking or loading.
- b. When the side lot line of a lot in an "M-1" District adjoins any residential district there shall be a side yard of not less than fifteen (15) feet. Said side yard may be used for parking and storage provided no material therein exceeds a height of six (6) feet.

c. Corner Lots

When the rear lot line of a corner lot in an "M-1" District adjoins any residential district, there shall be a side yard abutting the street not less than ten (10) feet in width.

d. Reversed Corner Lots

When the rear lot line of a reversed corner lot in an "M-1" District adjoins any residential district, there shall be a side yard abutting the street not less than fifteen (15) feet in width. This yard shall not be used for parking or loading.

3. Rear Yard

None, except as provided below:

- a. On any street or highway that is a boundary between an "M-1" District and any residential district there shall be a rear yard of not less than fifteen (15) feet. This yard shall not be used for parking or loading.
- b. When the rear lot line of a lot in an "M-1" District adjoins any residential district there shall be a rear yard of not less than fifteen (15) feet. Said rear yard may be used for parking and storage provided no material stored therein exceeds a height of six (6) feet.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

No requirements.

H. FENCES, HEDGES AND WALLS

This section is intended to provide for the regulation of the height and location of fences, hedges and walls for the purpose of providing for light, air and privacy, and safeguarding the public welfare by preventing visual obstructions at street and highway intersections.

1. Required Fences and Walls

A six (6) foot high solid masonry wall shall be erected along the property line of an "M-1" lot which is a district boundary between the "M-1" District and any residential district.

- a. Where the district boundary is an interior side lot line, the required wall shall be reduced in height to three (3) feet within the front yard setback area.

- b. Corner Lots

On a corner lot when the district boundary is an interior rear lot line, the required wall shall be reduced in height to three (3) feet within ten (10) feet of the street property line.

- c. Reversed Corner Lots

On a reversed corner lot where the district boundary line is an interior rear lot line, the required wall shall be reduced in height to three (3) feet within fifteen (15) feet of the street property line.

2. Permitted Fences, Hedges and Walls

No requirements except:

- a. Fences, hedges and walls shall not exceed six (6) feet in height in any required interior side or rear yard.
- b. Fences, hedges and walls shall not exceed three (3) feet in height in any required street front, side or rear yard.

3. Corner Cut-Off Areas

The following regulations shall apply to all intersections of streets, alleys, or private driveways in order to provide adequate visibility for vehicular traffic. There shall no visual obstruction within the cut-off areas established herein.

- a. There shall be a corner cut-off area at all intersecting streets or highways. The cut-off line shall be in a horizontal plane, making an angle of forty-five (45) degrees, with the side, front, or rear property line, as the case may be. It shall pass through the points located on both the side and front (or rear) property lines at a distance of thirty (30) feet from the intersection of such lines at the corner of a street or highway.
- b. There shall be a corner cut-off area on each side of any private driveway intersecting a street or alley. The cut-off line shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front, or rear property line, as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the driveway where it intersects the street or alley right-of-way.
- c. There shall be a corner cut-off area on each side of any alley intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front, or rear property line, as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the alley where it intersects the street or alley right-of-way.
- d. Where due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, said corner cut-off shall be defined by a line drawn from a point on the front (or rear) property line that is not less than thirty (30) feet from the intersection of the side and front (or rear) property lines.

4. The general conditions of Section 855-H shall apply.

(Amended by Ord. 490.123 adopted 12-7-76)

I. OFF-STREET PARKING

1. There shall be one (1) off-street parking space for each two (2) permanent employees. Such space shall be located within three hundred (300) feet of the property served. In addition, there shall be at least one (1) parking space for each truck operated by the concern and one (1) parking space for each sales person permanently employed.
2. The provision of the General Conditions, Section 855-I, shall apply.
3. For related uses and adult businesses listed in Section 843.1-A and 843.1-B, the provisions of the C-6 District Section 838.5-I, shall apply.
(Modified by Ord. T-074-346 adopted 7-30-02)

J. ACCESS

1. There shall be vehicular access from a dedicated and improved street or alley to off-street parking and loading facilities on the property requiring off-street parking and loading, the design of which shall be approved by the Director of Public Works.
(Amended by Ord. T-252 adopted 12-9-80)

2. The Director shall specify the location and number of ingress and egress points by conditions established at the time of review of the required site plan.

K. OUTDOOR ADVERTISING

Signs and advertising structures may be permitted in the "M-1" District under the conditions set forth in the following paragraphs:

1. General Requirements

No sign or advertising structure shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the visions of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP" "DANGER" or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

2. Location

No sign or advertising structures shall be located within fifty (50) feet of the boundary line between an "M-1" District and a residential district when such sign or advertising structure faces said residential district.

3. Size

No requirements.

4. Lighting

- a. No red, green or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
- b. Lights used to illuminate signs or advertising structures shall be so installed as to concentrate the illumination on the sign or advertising structure and so as to minimize glare upon a public street or adjacent property.

L. LOADING

1. The following loading space shall be provided:

Square Feet of Building Space (Gross Floor Area)	Loading Space Required
a. Commercial buildings, for uses listed as permitted in Section 843.IA.	
3,000 - 15,000	1
15,001 - 45,000	2
45,001 - 75,000	3

75,001 - 105,000	4
105,001 and over	5
b. Industrial Buildings, for uses listed as permitted in Section 843.1-B, C and D.	
3,500 - 40,000	1
40,001 - 80,000	2
80,001 - 120,000	3
120,001 - 160,000	4
160,001 and over	5
c. Office Buildings	
3,500 - 50,000	1
50,001 - 100,000	2
100,001 and over	3

2. The following standards for loading space shall apply:

- a. A loading space shall be not less than twelve (12) feet in width, forty (40) feet in length, and fourteen (14) feet in height.
- b. In no case shall any part of an alley or street be used for loading.
- c. When the lot upon which the loading space is located abuts an alley, such loading space shall adjoin or have access from said alley. The length of the loading space may be measured perpendicular to or parallel with the center line of the alley. Where such loading space is parallel with the alley the loading space shall extend across the full width of the lot, except that if only two (2) spaces are required, the length of the loading area need not exceed ninety (90) feet.
- d. Where the loading area abuts a street, the front yard required in the District may be used in calculating the area required for loading, provided that there be no more than one (1) entry or exit to sixty (60) feet of lot frontage or fraction thereof.
- e. Loading space being maintained in connection with any existing main building on the effective date of this Division shall thereafter be maintained so long as said building remains, unless an equivalent number of such spaces are provided on a contiguous lot in conformity with the requirements of this Section. This regulation shall not require the maintenance of more loading space than is hereby required for a new building, nor the maintenance of such space for any type of main building other than those specified above.

SECTION 843.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874.
(Added by Ord. 490.53 adopted 5-13-69)

SECTION 844

"M-2" - GENERAL INDUSTRIAL DISTRICT

The "M-2" General Industrial District is intended to provide for the establishment of industrial uses essential to the development of a balanced economic base.

SECTION 844.1 - USES PERMITTED

The following uses shall be permitted in the "M-2" District. All uses shall be subject to the Property Development Standards in Section 844.5.

(Amended by Ord. 490.174 re-adopted 5-29-79)

- A. All uses permitted in the "M-1" District, Section 843.1.
- B. Baled cotton storage.
- C. Building materials.
- D. Cotton compress.
- E. Used materials yards.
- F. Manufacturing.
 - 1. Automotive:
 - a. Assembly.
 - b. Battery manufacture.
 - c. Body and fender works.
 - d. Rebuilding.
 - 2. Machinery and shop (no punch presses over twenty (20) tons or drop hammers):
 - a. Automatic screw machines.
 - b. Blacksmith shops.
 - 3. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared materials:
 - a. Bone.
 - b. Feathers.
 - c. Hair.
 - d. Horns.
 - e. Paints, not employing a boiling process.
 - f. Rubber.
 - 4. Wholesale lumber yards.
 - 5. Meat packing & meat processing, subject to the provisions of Section 855-N.
(Added by Ord. 490.21 adopted 9-14-65)
- G. Microwave relay structures.

SECTION 844.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

- A. Automobile and truck sales with incidental repair and service (any repair and service shall be conducted within a completely enclosed building.)
(Added by Ord. T-064-336 adopted 3-06-01)
- B. Bars and cocktail lounges.
(Added by Ord. 490.34 adopted 3-8-67)
- C. Boat Sales
(Added by Ord. T-060-331 adopted 9-22-98)
- D. In areas abutting or across a street from a residential or agricultural district, the following uses are permitted subject to review and approval as provided for in Section 872:
 - 1. Concrete and cement products.
 - 2. Ready-mix concrete.
- E. Motorcycle Shops
(Added by Ord. T-060-331 adopted 9-22-98)
- F. Second caretaker's residence to be occupied by an employee.
(Added by Ord. T-047-316 adopted 1-5-93)

SECTION 844.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided in Section 873.

- A. Aircraft factories.
- B. Asphalt and asphaltic concrete mixing or batching plants.
- C. Punch press twenty (20) tons or larger.
(Added by Ord. 490.99 adopted 5-28-74)
- D. Petroleum bulk plants, including liquid petroleum gas.
(Added by Ord. 490.99 adopted 6-26-79)
- E. Planned Industrial Developments
(Amended by Ord. T-069-342 adopted 4-23-02)

SECTION 844.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "M-2" District.

- A. The uses listed in the "M-1" District, Section 843.4, shall apply.

SECTION 844.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "M-2" District.

A. The property development standards of the "M-1" District, Section 843.5, shall apply with the following exception:

1. Building Height

None.

SECTION 844.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874.

(Added by Ord. 490.53 adopted 5-13-69)

SECTION 845

"M-3" - HEAVY INDUSTRIAL DISTRICT

The "M-3" Heavy Industrial District is intended to provide for the establishment of industrial uses essential to the development of a balanced economic base.

SECTION 845.1 - USES PERMITTED

The following uses shall be permitted in the "M-3" District. All uses shall be subject to the Property Development Standards in Section 845.5.

- A. All uses permitted in the "M-2" District, Section 844.1.
- B. Alcohol distillation, including wineries and breweries, when connected with adequate public sewers.
- C. Organic fertilizer, bulk sales and storage.
- D. Concrete and cement products.
- E. Ready-mix concrete.

SECTION 845.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

A. MANUFACTURING

- 1. Aircraft factory.
- 2. Aluminum foundry.
- 3. Cinder and cinder blocks.
- 4. Clay and clay products.
- 5. Fertilizers (inorganic), the compounding of dried inorganic materials.
- 6. Fungicides.
- 7. Glass manufacturing.
- 8. Oil cloth or linoleum manufacture.
- 9. Plastic manufacture.
- 10. Railroad repair shops.
- 11. Sawmills.
- 12. Yeast manufacturing.

B. PROCESSING

1. Cotton gin or oil mills.
2. Fruit and vegetable processing.
3. Fungicides processing.
4. Glass blowing (industrial) and glass bottle production.
5. Oils and fats (vegetable) refining.
6. Salt works.
7. Sandblasting.

C. OTHER USES

1. Freight classification yards.
2. Bars and cocktail lounges.
(Added by Ord. 490.34 adopted 3-8-67)
3. Solid waste transfer stations.
(Added by Ord. 490.200 adopted 5-5-80)
4. Second caretaker=s residence to be occupied by an employee.
(Added by Ord. T-047-316 adopted 1-5-93)

SECTION 845.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 853.

1. Acetylene gas manufacture or storage.
2. Acid manufacture.
3. Alcohol distillation, including wineries and breweries (when not connected with adequate public sewers).
4. Ammonia, bleaching powder or chlorine manufacture.
5. Animal and poultry slaughtering or packing.
6. Automobile wrecking, junk, rag or scrap iron storage or baling.
7. Blast furnace or coke oven.
8. Bone, coal or wood distillation.

9. Brick or tile products manufacture.
10. Cement, lime, gypsum, potash or plaster of paris manufacture.
11. Drop forge industries manufacturing forgings with power hammers.
12. Explosives manufacture or storage.
13. Fat rendering, tallow, grease or lard manufacture or refining.
14. Fish smoking, curing or canning.
15. Offal or dead animal reduction.
(Amended by Ord. 490.200 adopted 5-5-80)
16. Glue manufacture.
17. Grain milling and sacking.
18. Insecticides manufacturing plants (flammable type).
19. Iron, steel, brass or copper foundry or fabrication plant, including rolling mill and boiler works.
20. Lamp black manufacture, including stove or shoe polish manufacture.
21. Olive oil plant or olive processing plant.
22. Ore reduction, including refining and smelting of metals.
23. Organic fertilizer manufacture.
24. Paint, pigments, enamels, japans, lacquers, putty thinner, varnishes, whiting, wood fillers and stains manufacturing.
25. Petroleum refining or petroleum product manufacture or storage, including gas and asphalt.
26. Rubber or gutta-percha manufacture.
27. Soap manufacture.
28. Soda and compound manufacture.
29. Stock feed lots and stockyards.
30. Syrup and grape sugar manufacture.
31. Tanning, curing or storing of rawhides or skins.
32. Wool pulling or scouring.
33. Asphalt and asphaltic concrete, mixing or batching plants.

34. Racetracks for non-motorized and motorized vehicles including bicycles, motorcycles, automobiles, and similar vehicles.

(Added by Ord. 490.114 adopted 9-21-76; amended by Ord. 490.125 adopted 12-7-76)
35. Petroleum bulk plants, including liquid petroleum gas.

(Added by Ord. 490.179 adopted 6-26-79)

(Deletion: Section 845.3-33 by Ord. 490.174 re-adopted 5-8-79)
36. Solid waste disposal facilities.

(Added by Ord. 490.200 adopted 5-5-80)
37. Solid waste processing facilities.

(Added by Ord. 490.200 adopted 5-5-80)
38. Planned Industrial Developments.

(Added by Ord. T-069-342 adopted 4-23-02)

SECTION 845.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "M-3" District.

RESIDENTIAL USES

1. New residential uses.
2. For existing residential uses, the existing residence may be used for residential purposes but may not be converted to more intensive residential uses, nor may it be converted for residential and non-residential uses at the same time. Such residential uses shall be subject to Section 876, Nonconforming Uses.

INDUSTRIAL USES

1. Any use, including a power generating plant, that utilizes coal, coke, or other coal-based fuel as an industrial fuel source, excluding blacksmith shops.

(Amended by Ord T-039-307 adopted 2-26-91)

SECTION 845.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "M-3" District.

The property development standards of the "M-1" District, Section 843.5, shall apply with the following exception:

Building Height

None, except for advertising structures as provided in Section 843.5-D.

SECTION 845.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874.

(Added by Ord. 490.53 adopted 5-13-69)

SECTION 846

"P" - OFF-STREET PARKING DISTRICT

The "P" Off-Street Parking District is intended to provide for permanent parking areas.

SECTION 846.1 - USES PERMITTED

The following uses shall be permitted in the "P" District. All uses shall be subject to the Property Development Standards in Section 846.5.

- A. Off-street parking lots.
- B. Buildings incidental to the operation of a parking lot, not to exceed one hundred (100) square feet in area, to be used for purposes of maintaining the lot and to contain no provisions for residential or commercial use.
- C. Signs subject to the provisions of Section 846.5-K.
- D. Temporary or permanent telephone booths.

SECTION 846.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval by the Director:

None

SECTION 846.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided in Section 853.

- A. Parking buildings.
- B. Incidental commercial uses when said uses are entirely within a parking building and are clearly incidental to the use of the building for parking purposes.
- C. Recreation vehicle and boat storage, including parking building or structure therefor, not to exceed twelve (12) feet to plate height.

(Added by Ord. 490.66 adopted 8-17-71)

SECTION 846.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "P" District.

- A. Residential uses.
- B. Any combination of residential and non-residential uses.

- C. Commercial used not listed in Section 846.3.
- D. Industrial uses.
- E. Buildings or structures not listed in Section 846.1 and 846.3.
- F. Advertising structures.

SECTION 846.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "P" Districts.

A. LOT AREA

No requirements.

B. LOT DIMENSIONS

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards. All lots shall have a minimum dimension of forty (40) feet. Each dimension is minimum only.

C. POPULATION DENSITY

No dwellings are permitted in the "P" District.

D. BUILDING HEIGHT

1. No parking building or structure erected in this District shall have a height greater than six (6) stories, not to exceed seventy-five (75) feet, with the following exceptions:

2. Exceptions:

The provisions of the "C-P" District, Section 832.5-D.2, shall apply.

E. YARDS

1. Front Yard

None

2. Side and Rear Yards

No parking building shall be permitted closer than ten (10) feet from any residential district.

F. SPACE BETWEEN BUILDINGS

No requirements.

G. LOT COVERAGE

No requirements, provided the yard requirements are complied with.

H. WALLS

A six (6) foot high solid masonry wall shall be erected along the property line or district boundary line to separate the "P" District from any residential district.

I. OFF-STREET PARKING

The provisions of General Conditions, Section 855-I, shall apply.

J. ACCESS

Access to off-street parking facilities shall be not less than ten (10) feet in width for each direction of vehicular traffic movement and shall be not less than this width from intersecting or intercepting street or alley rights-of-way.

K. OUTDOOR ADVERTISING

No sign, billboard or advertising structure, other than those referring to sponsorship, availability and charges for parking spaces, shall be permitted.

1. One (1) sign for each entrance to a parking facility shall be permitted provided that said sign shall not exceed one (1) square foot of area for each one (1) lineal foot of street frontage upon the subject lot, and further provided that no single sign shall exceed one hundred (100) square feet in area.
2. Exit signs, not to exceed six (6) square feet in area shall be permitted at each exit from said parking lot to any abutting street or alley.

SECTION 846.6 - SITE PLAN REVIEW

Before any building or structure or parking lot is erected or established on any lot in this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874.

SECTION 847

"A-1" - AGRICULTURAL DISTRICT

The "A-1" District is intended to provide for the development of those unincorporated lands and properties in the County of Fresno which are not included in other District classifications.

SECTION 847.1 - USES PERMITTED

The following uses shall be permitted in the "A-1" District. All uses shall be subject to the Property Development Standards of Section 847.5.

(Amended by Ord. 490.43 adopted 6-8-68; Ord. 490.174 re-adopted 5-8-79)

A. The provisions of Sections 816.1 and 856 shall apply.

(Added by Ord. 490.74 adopted 4-11-72)

(Deletion: Sec. 847.1-A and B by Ord. 490.74 adopted 4-11-72)

SECTION 847.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to Director Review and Approval as provided for in Section 872.

(Amended by Ord. 490.43 adopted 6-18-68)

A. The provisions of Section 816.2 shall apply.

(Added by Ord. 490.81 adopted 10-24-72; amended by Ord. 490.74 adopted 4-11-72; Ord. 490.81 adopted 10-24-72)

(Deletion: Sec. 847.2-A by Ord. 490.81 adopted 10-24-72; Sec. 847.2-B by Ord. 490.174 re-adopted 5-8-79)

SECTION 847.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided for in Section 873.

(Amended by Ord. 490.43 adopted 6-18-68)

A. The provisions of Section 816.3 shall apply.

(Added by Ord. 490.81 adopted 4-11-72)

B. Uses permitted by right, and those permitted subject to Director Review and Approval and Conditional Use Permit in all other districts, except as herein above provided.

(Added by Ord. 490.81 adopted 4-11-72)

- C. Subdivisions of five (5) or more lots where a final map is required.

(Added by Ord. 490.81 adopted 4-11-72; amended by Ord. 490.174 re-adopted 5-8-79)

(Deletion: Sec. 847.3-A by Ord. 490.81 adopted 4-11-72)

SECTION 847.4 - USES PROHIBITED

The following uses are expressly prohibited in the "A-1" District.

- A. Any use that utilizes coal, coke, or other coal-based fuel as an industrial fuel source, excluding blacksmith shops.

(Amended by Ord. 490.43 adopted 6-18-68; Ord. T-039-307 adopted 2-26-91)

SECTION 847.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "A-1" District.

A. LOT AREA

Each lot shall have a minimum area of one hundred thousand (100,000) square feet, excepting:

1. Nonconforming lots of record under separate ownership, or
2. Recorded subdivision or record of survey lots which existed prior to December 20, 1968, are served by public water and sewer facilities, and meet minimum R-1 District standards.

(Amended by Ord. 490.56 adopted 10-21-69)

B. LOT DIMENSIONS

1. Width

All lots shall have a minimum width of one hundred sixty-five (165) feet. Public road frontage shall not be required for lots five (5) acres or larger.

2. Depth

All lots shall have a minimum depth of one hundred seventy (170) feet.

(Amended by Ord. T-254 adopted 4-27-81)

C. POPULATION DENSITY

The provisions of Section 816.5-C shall apply.

(Amended by Ord. T-269 adopted 5-24-83)

D. BUILDING HEIGHT

The property development standards of the district in which the use is listed as permitted shall apply. In cases where a use is listed as permitted in more than one of the foregoing districts, the property development standards of the least restrictive district shall apply.

(Amended by Ord. T-254 adopted 4-27-81)

E. YARDS

Same requirements as in paragraph "D" above.

F. SPACE BETWEEN BUILDINGS

Same requirements as in paragraph "D" above.

G. LOT COVERAGE

Same requirements as in paragraph "D" above.

H. FENCES, HEDGES AND WALLS

Same requirements as in paragraph "D" above.

I. OFF-STREET PARKING

Same requirements as in paragraph "D" above.

J. ACCESS

There shall be vehicular access from a dedicated road, street, or highway for all lots of less than five (5) acres in size.

K. OUTDOOR ADVERTISING

Same requirement as in paragraph "D" above. In addition, no advertising structure that is visible from the right-of-way of any freeway or parkway shall be located within five hundred (500) feet of the centerline of such freeway or parkway.

(Amended by Ord. T-254 adopted 4-27-81)

L. LOADING

Same requirements as in paragraph "D" above.

SECTION 847.6 - SITE PLAN REVIEW

Before any two (2) family, multiple family, commercial or industrial buildings or structures are erected on any lot in this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874. This provision shall not apply to uses permitted under Sections 816.1 and 816.2 (AE), Sections 817.1 and 817.2 (AL), and Sections 819.1 and 819.2 (A-2).

(Added by Ord. 490.53 adopted 5-13-69; amended by Ord. 490.174 re-adopted 5-8-79)

SECTION 848

"R-E" - RECREATIONAL DISTRICT

The "R-E" District is intended to provide for the proper development of recreational areas of the County of Fresno. All regulations for this District are deemed to be necessary for the protection of the quality of such recreational areas and for the securing of the health, safety, and general welfare of the residents of the County.

SECTION 848.1 - USES PERMITTED

The following uses shall be permitted in the "R-E" District. All uses shall be subject to the Property Development Standards of Section 848.5.

- A. Forest stations and lookout stations.
- B. Grazing and other agricultural uses, except feedlots.

(Sec. 848.1 amended by Ord. 490.183 adopted 9-18-79)

SECTION 848.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval by the Director as provided for in Section 872.

- A. Stables and riding academies.
- B. Boat liveryes.
- C. Low or moderate intensity parks or camps.
- D. One caretaker's residence which may be a single mobile home in accordance with the provisions of Sections 856-A-1.a.5.
- E. Microwave relay structures.
- F. Temporary or permanent telephone booths.
- G. Water pump stations.

(Sec. 848.2 amended by Ord. 490.183 adopted 9-18-79)

SECTION 848.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided for in Section 873.

- A. Mobile home parks or recreational vehicle parks with a minimum of six (6) or more developed spaces.

- B. Guest ranches, hotels, or motels.
- C. Commercial uses deemed necessary by the Commission for the proper development of such recreation areas.
- D. Electric distribution substations.
- E. Off-road vehicle areas consisting of recreational facilities for the driving, testing, and racing of motorcycles, trail bikes, 4-wheel drive vehicles, or similar vehicles which are principally designed or commonly used for off-highway recreational purposes. Features of such sites may include hill climb areas, race courses, or motor cross/auto-cross areas. Such sites shall be located east of the Friant-Kern Canal or west of Interstate 5 and shall not be located on prime agricultural land as defined by the California Land Conservation Act.

(Added by Ord. 490.107 adopted 9-8-75)

- F. High intensity parks or camps.
- G. Churches and related facilities.

(Added by Ord. 490.136 adopted 7-26-77)

- H. Planned Commercial Developments

(Added by Ord. T-284 adopted 5-26-87)

(Sec. 848.3 amended by Ord. 490.183 adopted 9-18-79)

SECTION 848.4 - USES EXPRESSLY PROHIBITED

The following uses are expressly prohibited in the "R-E" District.

- A. Industrial uses.
- B. Outdoor advertising.
- C. Agricultural uses not specifically permitted in Section 848.1.
- D. Stock yards or feedlots.
- E. New residential uses other than listed in Sections 848.2 and 848.3.

(Sec. 848.4 amended by Ord. 490.183 adopted 9-18-79)

SECTION 848.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the "R-E" District. For additional lot exceptions in the Sierra-North and Sierra-South Regional Plan areas, see Section 855-A.

A. LOT AREA AND DIMENSIONS

1. Lot Area

Each lot shall have a minimum area of two (2) acres. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District.

2. Lot Dimensions

All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards.

a. Width

All lots shall have a minimum width of one hundred sixty-five (165) feet.

b. Depth

All lots shall have a minimum depth of one hundred seventy (170) feet.

B. AREA AND DIMENSIONAL REQUIREMENTS FOR MOBILE HOME AND RECREATION VEHICLE SPACES

1. Mobile home Parks

The area and dimensional requirements of the T-P (Trailer Park) District, Section 830.5-B, shall apply.

2. Recreation Vehicle Parks

Spaces in a recreation vehicle park shall have a minimum area of one thousand (1,000) square feet except that ten (10) percent of such spaces may be seven hundred fifty (750) square feet (minimum). Each space shall have a minimum width dimension of thirty (30) feet. There is no depth requirement.

C. POPULATION DENSITY

1. Mobile home Parks and Recreation Vehicle Parks

The population density of the T-P (Trailer Park) District shall apply, except that a lower population density may be required in accordance with the environmental limitations of the site.

2. Caretaker's Residence

There shall be no more than one caretaker's residence on a lot.

D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than two (2) stories, not to exceed twenty-five (25) feet, with the following exception:

Hillside Lots

On lots located downhill from the street having a twenty-five (25) percent or greater grade measured in the general direction of the side lot lines, an additional story may be constructed on the main building, provided that the ceiling of the lowest story shall not be more than two (2) feet above the curb level measured at the center of the lot frontage.

E. YARDS

1. General Yard Requirements

All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky, except as provided for below:

- a. No main building shall be erected within fifty (50) feet of any railroad line or freeway.
- b. No animal stable, barn, or corral shall be located within one hundred (100) feet of the front property line of the subject property or within twenty-five (25) feet of any side or rear property line.

2. Front Yard

Each lot shall have a front yard of not less than thirty-five (35) feet extending across the full width of the lot.

3. Side Yard

- a. Each lot shall have a side yard of not less than twenty (20) feet except for special conditions provided for below.

- b. Corner Lots

On corner lots, unless otherwise specified in this Division, the side yard abutting the street shall not be less than thirty-five (35) feet in width.

- c. Accessory Buildings in Side Yards

Any accessory building located less than seventy-five (75) feet from the front property line shall have the same minimum side yard as that required for the main building.

4. Rear Yard

Each lot shall have a rear yard of not less than twenty (20) feet.

5. Exceptions: Permitted Projections Into Required Yards

The provisions of the "R-1-A" District, Section 822.5-E.5.a, b, and c shall apply.

F. SPACE BETWEEN BUILDINGS

1. Mobile home Parks and Recreation Vehicle Parks

The provisions of Section 830.5-F of the "T-P" (Trailer Park) District shall apply.

2. Guest Ranches, Hotels, and Motels

The provisions of the "R-2" (Low Density Multiple Family Residential) District shall apply.

3. Structures housing livestock or other animals shall be a minimum of forty (40) feet from a structure used for human occupancy.

G. LOT COVERAGE

Maximum lot coverage by buildings and structures shall not exceed fifty (50) percent of the total lot area, except as hereafter provided:

Where community water supply or a private water supply and individual sewage disposal systems exist, the maximum lot coverage shall be determined by the County Health Department upon the basis of soil analysis tests approved by the County Health Department. Said maximum lot coverage shall not be greater than fifty (50) percent.

For the purpose of this provision, mobile home and recreation vehicles are herein deemed to be structures and the parking area provided for them on a mobile home or recreation vehicle space shall be deemed to be covered.

H. FENCES, HEDGES, AND WALLS

Permitted Fences, Hedges, and Walls

1. Fences, hedges, and walls, not greater than six (6) feet in height shall be permitted on or within all rear and side property lines on interior lots and on or to the rear of all front yard setback lines.
2. No fence, wall, or hedge over three (3) feet in height shall be permitted in any required front yard or in the required side yard on the street side of a reversed corner lot.
3. A fence, hedge, or wall greater than six (6) feet in height may not be located closer than five (5) feet from the side property line on the street side of a corner lot.

I. OFF-STREET PARKING

The following provisions shall apply, subject to the General Conditions, Section 855-I.

1. For commercial uses the provisions of the C-1 District shall apply.
2. For mobile home parks or recreational vehicle parks the provisions of the T-P District shall apply.

J. ACCESS

There shall be a vehicular access from a dedicated road, street, or highway to off-street parking facilities on the property.

K. OUTDOOR ADVERTISING

1. One non-flashing sign containing not more than forty (40) square feet and pertaining only to products for sale upon the premises or services rendered thereon or therefrom, shall be permitted in this District for each street frontage.
2. Name signs shall be permitted subject to the following conditions:
Name signs shall display only the:
 - (1) Name of the premises upon which it is displayed;
 - (2) Name of the owner, lessee of said premises;
 - (3) Address of said premises; and
 - (4) Nature of occupation engaged in on said premises.
3. "For Rent" and "For Sale" signs shall be permitted subject to the provisions of 822.5-K.2.

L. LOADING

The following provisions shall apply, subject to the General Conditions, Section 855-L.

1. For commercial uses the provisions of the C-1 District shall apply.
2. For mobile home parks or recreational vehicle parks the provisions of the T-P District shall apply.

SECTION 848.6 - SITE PLAN REVIEW

Before any building or structure is erected on any lot in this district, except for those uses listed as permitted under Section 848.1, a site plan shall be submitted to and approved by the Director pursuant to the provisions of Section 874.

(Added by Ord. 490.53 adopted 5-13-69)

SECTION 849

"RS" RURAL SETTLEMENT DISTRICT

The "RS" District is intended to provide for small, specified, unincorporated settlements by permitting a mixture of uses while protecting the rural character of the settlement area and the surrounding agricultural environment. The "RS" District is intended to be applied to areas designated Rural Settlement by the General Plan.

(Section 849 added by Ord. 490.176 readopted 6-27-79)

SECTION 849.1 - USES PERMITTED

The following uses shall be permitted in the "RS" District. All uses shall be subject to the property development standards in Section 849.5.

- A. One family dwelling units or caretaker's residences with not more than one (1) dwelling per lot, accessory buildings and accessory living quarters.
- B. Storage of petroleum products for use by the occupants of the premises, but not for resale or distribution.
- C. Storage or parking of boats, trailers, recreational vehicles or commercial vehicles limited to use by occupants of the premises.
- D. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.

(Amended by Ord. T-288 adopted 2-25-86)

- E. The keeping of rabbits and other similar small fur-bearing animals for domestic use on a lot containing not less than thirty-six thousand (36,000) square feet.

(Amended by Ord. T-038-306 adopted 5-22-90)

- F. The maintaining, breeding, and raising of poultry for domestic use not to exceed five hundred (500) birds and the maintaining, breeding, and raising of poultry for FFA, 4-H, and similar organizations. In no case shall the poultry facility be kept or maintained upon a lot containing less than thirty-six thousand (36,000) square feet.

(Added by Ord. T-038-306 adopted 5-22-90)

- H. Bovine animals, horses, sheep, and goats for personal use where the lot area is thirty-six thousand (36,000) square feet or more. There shall not exceed for each thirty-six (36,000) square feet of lot area, four (4) adults in any combination of the foregoing animals and their offspring, except that not more than three (3) adult animals of bovine or equine kind or combination thereof and their immature offspring shall be permitted for each thirty-six thousand (36,000) square feet of lot area.
- I. Agricultural crops, orchards, vineyards and greenhouses.

- J. The sale of agricultural products produced upon the premises.
- K. Signs subject to the provisions of Section 849.5-K.

SECTION 849.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses which are to be newly established or expanded shall be permitted subject to review and approval as provided for in Section 872.

- A. Home Occupations, Class II, subject to the provisions of Section 855-N.
(Added by Ord. T-288 adopted 2-25-86)
- B. Ice dispensing machines.
- C. Single mobile home occupancy, in lieu of a permitted one family dwelling unit or caretaker's residence.
- D. Post offices.
- E. Public schools.
- F. Telephone communication equipment buildings.
- G. Temporary mobile home occupancy subject to the provisions of Section 856-A.1.b.
(Added by Ord. 490.194 adopted 1-28-80)
- H. Second dwelling units, not more than one per lot, subject to the provisions of Section 855-N.
(Added by Ord. T-269 adopted 5-24-83)

SECTION 849.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses which are to be newly established or expanded shall be permitted subject to a Conditional Use Permit as provided for in Section 873:

1. Administrative offices.
2. Agricultural employment offices.
3. Antique shops.
4. Automobile repairs and services.
5. Bakeries, Retail
6. Barber and beauty shops.
7. Bars and cocktail lounges.

8. Building materials sales.
9. Churches and related facilities.
10. Contractor storage yards.
11. Drug stores.
12. Electric distribution substations.
13. Equipment rental.
14. Farm equipment and machinery sales, rental, storage and maintenance.
15. Farm labor contractor.
16. Feed and farm supply sales.
17. Fertilizer sales (all sales and storage of fertilizer conducted within enclosed buildings).
18. Frozen food lockers including meat cutting and packing.
19. Garden supplies.
20. General merchandise stores.
21. Grocery stores.
22. Gasoline service station.
23. Hardware stores.
24. Liquid petroleum gas distribution and storage, retail.
25. Kennels, boarding and training.
26. Medical offices.
27. Microwave relay towers.
28. Restaurants, drive in restaurants and delicatessens.
29. Truck and trailer storage and maintenance when such vehicles are devoted exclusively to the transportation of agricultural products, supplies, and equipment.
30. Veterinary offices and hospitals.
31. Water well drilling services and pump sales and service.
32. Welding and blacksmith shops.
33. Video Stores

(Added by Ord. T-046-315 adopted 1-5-93)

SECTION 849.4 - USES EXPRESSLY PROHIBITED

The following uses shall be expressly prohibited in the "RS" District. However, enumerating these prohibited uses shall not, by implication, enlarge upon the scope of permitted uses specified in Section 849.1, 849.2 and 849.3, above, their enumeration herein being for clarification only.

- A. All manufacturing, service and commercial uses not specifically permitted in Section 849.1, 849.2 or 849.3.
- B. New residential structures other than those listed in Section 849.1, 849.2, or 849.3.
- C. Advertising structures.
- D. Any use that utilizes coal, coke, or other coal-based fuel as an industrial fuel source, excluding blacksmith shops.

(Amend by Ord. T-039-307 adopted 2-26-91)

SECTION 849.5 - PROPERTY DEVELOPMENT STANDARDS

The following property and development standards and those in Section 855 shall apply in the "RS" District:

A. LOT AREA

Each lot shall have a minimum area of two (2) acres except that lots of 36,000 square feet or larger shall be permitted if community water facilities are available. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District. Such nonconforming lots shall be subject to the lot merger provisions specified in Section 855-A.

B. LOT DIMENSIONS

Each lot shall have the minimum dimensions specified below. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this District. Such nonconforming lots shall be subject to the lot merger provision in Section 855-B.

1. Lot Width and Frontage

Each lot shall have a minimum lot width and frontage of one hundred sixty-five (165) feet.

2. Lot Depth

Each lot shall have a minimum lot depth of one hundred seventy (170) feet; however, lot depth shall not exceed four times lot width.

C. POPULATION DENSITY

Not more than one single family dwelling unit shall be permitted on any lot in the "RS" District, except as permitted by Section 849.2. Existing residential uses which are nonconforming shall be subject to Section 876-A.1, 876-A.2 and 876-A.3.a(1).

D. BUILDING HEIGHT

No building or structure erected in this District shall have a height greater than two (2) stories, not to exceed thirty-five (35) feet.

E. YARDS

1. General Yard Requirements

- a. The General Yard Requirements of the "R-A" District, Section 821.5-E.1 shall apply.
- b. The provisions of Section 876-A.3.c shall apply to all buildings which are nonconforming as to yard requirements.

2. Residential and Public Uses

a. Front Yard

Each lot shall have a front yard of not less than thirty-five (35) feet extending across the full width of the lot, measured from the right-of-way line.

b. Side Yard

Each lot shall have a side yard on each side of not less than ten (10) feet except that on corner and reverse corner lots the side yard abutting the street shall be not less than twenty-five (25) feet.

(1) Accessory Buildings in Side Yards

- (a) Any accessory buildings located less than eighty-five (85) feet from the front property line shall have the same minimum side yard as that required for the main building, regardless of whether or not said accessory building is attached to the main building.
- (b) An accessory building may be located on a side property line when said building is located eighty-five (85) feet or more from the front property line except that no structure shall be permitted in a required yard which abuts a street.
- (c) An accessory building having an opening on an alley shall be located not less than twenty-five (25) feet from the opposite side of the alley; provided, however, that no such accessory building shall be located less than five (5) feet from the property line.
- (d) Any accessory building permitted on a side property line shall have provisions for all roof drainage to be taken care of on the subject lot.

(2) Main Building Abutting Alley

When siding on an existing alley, a main building shall be located not less than thirty (30) feet from the opposite side of the alley.

c. Rear Yard

(1) Each lot shall have a rear yard of not less than twenty (20) feet. For exceptions for the main building, the General Conditions, Section 855-E.4, shall apply.

(2) Accessory Buildings

Non-residential accessory buildings may be permitted in a required rear yard, except that portion which is an extension of a required street side yard, in accordance with Section 855-N, Accessory Building, and as follows:

(a) An accessory building may be located on the rear property line when said building is not abutting an existing alley and is not located on an easement, except that the required setback for accessory structures on reversed corner lots shall be not less than the required side yard for the District.

(b) An accessory building having an opening on an alley shall be located not less than twenty-five (25) feet from the opposite side of the alley, or not less than five (5) feet from the property line.

(c) Any accessory building permitted on a rear property line shall have provisions for all roof drainage to be taken care of on the subject lot.

(d) Where any building or structure, except swimming or wading pools, occupies space in a required rear yard, the amount of space so occupied shall be provided elsewhere on the lot, exclusive of required yard areas. Said substitute space shall have minimum dimensions of eight (8) feet by eight (8) feet.

3. Yards For Other Than Residential and Public Uses

The provisions of the "C-1" District, Section 833.5-E, shall apply. A lot used for residential purposes shall be treated as a residential district in determining the yard setbacks on abutting parcels used for commercial activities.

F. SPACE BETWEEN BUILDINGS

1. Incidental and accessory structures may be attached to and have a common wall with a main structure on a site or may be connected to a main structure by a breezeway, provided, however, that a structure housing livestock or poultry shall not be attached to a structure used for human habitation. A structure housing livestock or poultry shall be at least forty (40) feet from any structure used for human habitation.

2. The minimum distance between a structure used for human habitation and any other structure shall be six (6) feet.

G. LOT COVERAGE

No requirements, except that on parcels devoted to residential uses, lot coverage shall not

exceed thirty (30) percent.

H. FENCES, HEDGES AND WALLS

This section is intended to provide for the regulation of the height and location of fences, hedges and walls for the purpose of providing for light, air and privacy; and safeguarding the public welfare by preventing visual obstructions at street and highway intersections.

1. Corner Cut-Off Areas

The following regulations shall apply to all intersections of streets, alleys, or private driveways in order to provide adequate visibility for vehicular traffic. There shall be no visual obstruction within the cut-off areas established herein.

- a. There shall be a corner cut-off area at all intersecting streets or highways. The cut-off line shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line as the case may be. It shall pass through the points located on both the side and front (or rear) property lines at a distance of thirty (30) feet from the intersection of lines at the corner of a street, alley or highway.
- b. There shall be a corner cut-off area on each side of any private driveway intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front, or rear property lines, as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the driveway where it intersects the street or alley right-of-way.
- c. There shall be a corner cut-off area on each side of any alley intersecting a street or alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the alley where it intersects the street or alley right-of-way.
- d. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, said corner cut-off shall be defined by a line drawn from a point on the front (or rear) property line that is not less than thirty (30) feet from the intersection of the side and front (or rear) property lines and through a point on the side property line that is not less than thirty (30) feet from said intersection of the side and front (or rear) property lines.

2. Swimming Pools

The provisions of Section 855-H.2 shall apply.

3. Permitted Fences, Hedges and Walls

- a. Fences, hedges and walls, not greater than six (6) feet in height, shall be permitted on or within all rear and side property lines on interior lots and on or to the rear of all front yard setback lines.
- b. No fence, wall or hedge over three (3) feet in height shall be permitted in any required front yard, or in the required side yard on the street side of a reversed corner lot, except on parcels of five (5) acres or more.

- c. Fences or structures over six (6) feet in height, to enclose tennis courts, or other game areas located within the rear half of the lot, shall be composed of wire mesh capable of admitting at least ninety (90) percent of light as measured on a reputable light meter. Such fences shall be permitted in the required side or rear yard and subject to Director Review and Approval.

I. OFF-STREET PARKING

The following provisions shall apply, subject to the General Conditions, Section 855-I.

1. For Residential and Office Uses

The provisions of the R-P District, Section 831.5-I, shall apply.

2. For Commercial Uses

The provisions of the C-1 District, Section 833.5-I, shall apply.

3. For Industrial Uses

The provisions of the M-1 District, Section 843.5-I, shall apply.

J. ACCESS

1. There shall be adequate vehicular access from a dedicated and improved street, service road or alley, the design of which shall be approved by the Director of Public Works.

(Amended by Ord. T-252 adopted 12-9-80)

2. The Director shall specify the location and number of ingress and egress points by conditions established at the time of review of the required site plan or building permit.

(Amended by Ord. T-252 adopted 12-9-80)

3. There shall be an adequate turning area on all lots developed to non-residential uses and to all lots facing on and having access to streets shown on the Circulation Element of the Fresno County General Plan to permit motor vehicles to head into the street.

K. OUTDOOR ADVERTISING

Signs may be permitted in the "RS" District under the conditions set forth in the following paragraphs:

1. General Requirements

No sign shall be erected at the intersection of any streets in such manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where it may interfere with, obstruct the vision of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words, "STOP," "DANGER," or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

2. Permitted Signs

- a. Signs indicating the name and nature of the occupancy, the name and address of the building, or the name and address of the owner. Time, temperature, and weather information may also be included. These signs shall be attached to the building in which the occupancy is located.

(Amended by Ord. 490.199 adopted 4-21-80)

- b. "For Rent" or "For Sale" signs posted on the subject lot or building by the owner or his authorized agent. Said signs shall not exceed six (6) square feet in area and there shall be not more than two (2) such signs for any one (1) lot, building, or occupancy.
- c. One free-standing sign per lot, as provided for in this District, devoted to non-residential uses subject to a Director Review and Approval and to the following regulations:

- (1) The sign shall contain thereon only the name of the buildings, occupants or groups thereof. Time, temperature, and weather information may also be included.

(Amended by Ord. 490.199 adopted 4-21-80)

- (2) The sign shall not exceed one hundred (100) square feet of area.
- (3) The sign shall not exceed twenty (20) feet in height.
- (4) The sign shall not be within or extend to within five (5) feet of any property line nor to within fifty (50) feet of a residence on an abutting property.

3. Lighting

- a. No red, green, or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device, traffic signal, or official directional guide sign.
- b. No blinking, flashing, rotating or animated signs shall be permitted on the exterior of any building in the District, except to display time, temperature, or weather information.

(Amended by Ord. 490.199 adopted 4-21-80)

- c. Lights used to illuminate signs shall be so installed as to concentrate the illumination on the sign so as to minimize glare upon a public street or adjacent property.

L. LOADING

- 1. The following off-street loading spaces shall be provided for all commercial uses:

<u>Total Square Feet of Building Space (Gross Floor Area)</u>	<u>Loading Spaces Required</u>
---	------------------------------------

- a. Commercial Buildings

3,500 - 15,000 1

15,001 - and over 2

b. Office Buildings

3,500 - 50,000 1

2. The requirements for size, location, treatment, and maintenance of loading spaces in the "C-P" District, Section 832.5-L.4, shall apply.

SECTION 849.6 - SITE PLAN REVIEW

Before any building or structure listed in Section 849.3 is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director pursuant to the provisions of Section 874.

(Amended by Ord. T-252 adopted 12-9-80)

SECTION 850

OVERLAY DISTRICTS

The purpose of an Overlay District is to modify specific provisions of the underlying zone district(s). Overlay Districts will generally be applied to areas that have different underlying zone districts, but have unique features or characteristics that are common to the parcels that are located within the overlay district. Overlay Districts shall be identified by suffixing the applicable overlay letters next to the underlying zone district designation.

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

SECTION 850.A - "m" MOUNTAIN OVERLAY DISTRICT

The Mountain Overlay District is an overlying zoning district which may be applied to any zoning district, except the "O" (Open Conservation) and the "AE" (Exclusive Agricultural) Zone Districts, which is identified by the General Plan as compatible or conditionally compatible with the Mountain Residential or Mountain Commercial Land Use designation. This Overlay District shall be identified by suffixing the letter "m" next to the underlying zone district designation.

(Section 850 added by Ord. 490.190 adopted 11-5-79, Amended by Ord. T-062-333 adopted 11-7-00)

SECTION 850.A.1 – USES

Uses Permitted, Uses Permitted Subject to Director Review and Approval, Uses Permitted Subject to Conditional Use Permit, and Uses Expressly Prohibited shall be those stated in the underlying zoning district, except that uses and development types as defined herein, may only be permitted subject to approval of a Director Review and Approval or a Conditional Use Permit.

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

SECTION 850.A.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval by the Director as provided for in Section 872.

One family dwellings in conjunction with a permitted commercial use subject to the population density standards of Section 850.5-C-2.

NOTE: There are no sub-sections 850.3 or 850.4.

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

SECTION 850.A.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards and those in Section 855 shall apply to all land and structures in the Mountain Overlay District. Property development standards of the underlying district

shall be appropriate only when specific reference is made below. No lot in a Mountain Overlay District shall be developed which is not adequate in size to accommodate the proposed structures and uses to include required and essential vehicular movement and storage, pedestrian movement, landscaping, and sewage disposal fields with consideration for snow storage and preservation and enhancement of scenic and open space values. Provisions of Section 855-A through 855-N, Property Development Standards, shall apply.

A. LOT AREA

Lot area shall be not less than the lot area standards of the underlying district.

B. LOT DIMENSIONS

Lot dimensions shall be not less than lot dimension standards of the underlying district.

C. POPULATION DENSITY

1. For property with an underlying residential zoning district including R-P and T-P, the standards of the underlying district shall apply subject to the following:
 - a. Maximum density shall not exceed one dwelling unit per 4,350 square feet of lot area in those areas in which the underlying district provides a greater density (R-2, R-2-A, R-P, and T-P).
 - b. Multiple family developments shall occur only as unit planned developments.
 - c. Except for one single family residence, all development on parcels which are ten acres or larger shall be subject to approval of a Conditional Use Permit.
2. For residential uses on parcels with an underlying commercial zoning, the density shall not exceed one dwelling unit for each 4,350 square feet of lot area. Only that portion of the lot area devoted exclusively to residential use and to open space shall be considered in computing density.
3. For commercial uses, no requirements.

D. BUILDING HEIGHT

1. Buildings and structures erected in the District shall not exceed heights as listed below.
 - a. Height shall be measured from the grade level abutting the structure on the side facing the street to the highest structure point. Where the structure fronts on more than one street, the height shall be measured at the grade level which faces the most prominent thoroughfare.
 - b. Height shall be limited to two stories and shall not exceed twenty-five (25) feet, except as stated in (c) below.
 - c. Where a sprinkler system with adequate water delivery is installed or where community fire protection facilities are capable of providing water delivery, height may be increased to two and one-half (2 1/2) stories and to thirty-five (35) feet.

2. On lots located downhill from the street, so much of the structure as is essential to bring the permitted stories to street level shall not be considered stories provided that any floor of such excluded space shall be not less than six feet below grade level at the front (street side) of the structure.

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

E. YARDS

General Yard Requirements

1. The yard requirements of the zone district shall apply.
2. Required yards shall not be paved except for permitted access and parking.

F. SPACE BETWEEN BUILDINGS

No requirements, except the following:

1. More restrictive standards of the "T-P" District, Section 830.5-F, and the main building standards of the "R-2" and "R-2-A" Districts, Section 827-5-F.1, and the "RP" District, Section 831.5-F.2.a, shall apply to those respective underlying districts.
2. No animal or fowl pen, coop, stable, barn, or corral shall be located within forty (40) feet of any dwelling or other building used for human habitation or within one hundred (100) feet of the front property line.

G. LOT COVERAGE

The requirements of the underlying zone district shall apply.

H. FENCES, HEDGES AND WALLS

1. For residential uses, the provisions of the R-R District, Section 820.5-H, shall apply.
2. Trash storage areas for commercial or multi-family uses shall be screened from abutting properties or public rights-of-way on all sides by vegetation, wire and vegetation or solid wall.
3. For properties developed and zoned for commercial uses which abut properties zoned for residential uses:
 - a. A solid masonry wall of earthen color tone not less than five (5) nor more than six (6) feet in height shall be erected along or parallel to side and rear property lines dividing the residential and non-residential properties. Other materials acceptable to the Director may be permitted or required if it can be determined that the substitute materials provide a reasonably equivalent protection for abutting residential properties from noise and glare.
(Amended by Ord. T-252 adopted 12-9-80)
 - b. No fence, hedge or wall over three (3) feet in height shall be permitted in any required front yard or in the required side yard on the street side of a corner or a reversed corner lot.

I. OFF-STREET PARKING

1. General Requirements

- a. All off-street parking facilities for commercial and multi-family uses shall be designed and developed so that vehicles leaving the property to enter the right-of-way will do so in a forward direction.

2. For Residential Uses

- a. There shall be at least one parking space for each dwelling unit in addition to any required parking area for commercial uses.
- b. Parking spaces shall be on the same lot with the main building which they are intended to serve or on an adjacent lot. They shall not be located in any required yard which abuts a street except that where the required yard has a slope from street to parking area greater than twenty-five (25) percent, the parking space may be in the required yard. No garage doors or other movable fixture shall project beyond a property line.

3. For Commercial Uses

- a. There shall be at least two square feet of off-street parking area for each one square foot of gross floor area devoted or incidental to a commercial use. If such use falls into any of the special uses set forth in the General Conditions, Section 855-I, such conditions shall apply.
- b. The parking area shall meet the standards prescribed in Section 836.5-I.1.c which shall apply.

J. ACCESS

1. There shall be adequate vehicular access from a dedicated and improved street, service road or alley, the design of which shall be approved by the Director of Public Works.
2. The Director shall specify the location and number of ingress and egress points by conditions established at the time of site plan review or building permit.
(Amended by Ord. T-252 adopted 12-9-80)

K. OUTDOOR ADVERTISING

Only the signs listed below which meet the listed standards of aesthetics shall be permitted. Advertising structures and portable signs shall be prohibited except as permitted in 2(a), below.

1. Aesthetics

- a. The supporting members of signs shall appear to be an integral part of the building or structure.
- b. All signs, together with supports, shall be kept in repair.

- c. Signs shall not be affixed to any tree or rock outcropping.
- d. Signs, except those offering property for sale, rent or lease, shall indicate only the name and nature of the business occupancy or owner by words or logo.
- e. No signs, or portions of signs, shall move or revolve.
- f. Lights used to illuminate signs shall be designed and installed so that light is not directed upon surfaces beyond the property line. No light bulb, tube filament or similar source of illumination shall be visible from a point off the property. Signs making use of stroboscopic light, rotary beacons, chasing or flashing effects, or intermittent or variable intensity lighting shall be prohibited.

2. Permitted Signs and Regulating Standards

- a. Any sign which has no visual impact upon surrounding properties or public rights-of-way shall be permitted.
- b. In areas with an underlying residential zoning district, excepting the "R-P" District, the sign provisions of the "R-1-A" District Section 822.5-K shall apply except that temporary real estate directional signs and offsite directional signs for major recreational uses, hospitals, and colleges shall be prohibited.
- c. In areas with an underlying zoning of "R-P" the provisions of Section 831.5-K shall apply.
- d. For commercial areas, the following standards shall apply:
 - (1) Building mounted signs (painted or flat)
 - (a) Such signs shall be limited to one per occupancy for each building frontage which has a public entrance to the occupancy for which the sign pertains.
 - (b) Buildings signs shall not exceed one hundred (100) square feet in area or one (1) square foot per front foot of the facade of the building on which the sign is to be mounted whichever is the lesser area. Computation of area shall be based upon that portion of the structure wherein the pertaining use is conducted.
 - (2) Free-standing signs
 - (a) One free-standing sign shall be permitted per parcel under separate ownership when developed with permitted uses. Such parcel may be composed of one or more lots.
 - (b) Signs shall not exceed one hundred (100) square feet in area or one square foot per one linear foot of parcel frontage along the street on which the sign is to be located, whichever is the lesser area.

3. Signs Offering Property for Sale, Rent or Lease

- a. One sale, rent or lease sign may be posted by the property owner or his authorized agent per road frontage for any one lot, building, or occupancy.
- b. Signs offering property for sale, rent or lease shall not exceed six (6) square feet in area.

L. LOADING

The provisions of the "C-2" District, Section 834.5-L.1 and 2, shall apply for all commercial development.

SECTION 850.A.6 - SITE PLAN REVIEW

- A. The site plan review requirements of the underlying district shall apply.
- B. Where topographical features or trees with trunk diameters of six (6) inches or larger exist on the property, or within abutting required yards on adjacent properties, they shall be shown on maps, drawings, photographs, etc., which accompany the Site Plan Review application. Location of wells and sewage disposal systems (excluding community systems) shall be shown on the plans.

SECTION 850.B – "nb" NEIGHBORHOOD BEAUTIFICATION OVERLAY DISTRICT

The Neighborhood Beautification Overlay District is an overlying zoning district intended to protect and preserve the integrity of the Fresno County neighborhoods within designated unincorporated areas, which have a history of and reputation for well kept and verdant properties. The general welfare of the county and its neighborhoods is founded, in part, upon the appearance and maintenance of private properties and tree-lined streets. This overlay district shall be identified by suffixing the letters "nb" next to the underlying zone district designation.

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

SECTION 850.B.1 – USES

Uses Permitted, Uses Permitted Subject to Director Review and Approval, Uses Permitted Subject to Conditional Use Permit, and Uses Expressly Prohibited shall be those stated in the underlying zone district.

NOTE: There are no sub-sections 850.B.2 through 850.B.4

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

SECTION 850.B.5 – PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all residentially-zoned property, land and structures in the Neighborhood Beautification Overlay District, unless there is a specific exception stated. Property development standards of the underlying district shall be applicable and shall be

followed, except as modified herein. Provisions of Section 855-A through 855-N, Property Development Standards, shall apply.

NOTE: Lot area, lot dimensions, population density, building height, general yard requirements, space between buildings, lot coverage and fences, hedges and walls development standards of the underlying district shall apply. There are no sub-sections 850.B.5-A through 850.B.5-H.

I. ON AND OFF-STREET PARKING

1. The general off street parking requirements of the underlying district and the provisions of the General Conditions, Section 855-I, shall apply. However, residentially-zoned property in the Neighborhood Beautification Overlay District shall be subject to all of the following requirements commencing upon the effective date of rezoning as part of a Neighborhood Beautification Overlay District. To the extent these Neighborhood Beautification Overlay District requirements are more restrictive than any general requirements, the more restrictive shall prevail. Unless specifically stated, the Neighborhood Beautification Overlay District provisions of Section 850.B.5-I, shall not apply to residentially-zoned properties having an underlying zoning of "R-A" or "R-R."
2. In addition to, and notwithstanding Section 855-I.1.e and 855-I.1.f, the front yard storage, parking, keeping or maintaining on a lawn or other landscaped surface of trailers, vehicles, boats and personal watercraft (whether on-trailer or off-trailer), shall be prohibited. This prohibition shall also apply to any side yard abutting any street, except on a regular corner lot where the vehicle is behind a solid fence, hedge, or wall not less than five (5) feet high. Nonconforming status shall not be granted.

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

SECTION 850.B.6 – PROPERTY MAINTENANCE STANDARDS

1. No solid waste, solid waste containers, or bulk refuse shall be maintained, except during a collection period, in the front yard or within a side yard of any property, abutting a street, when that property is residentially-zoned property. This provision shall not apply to properties having an underlying zoning of "R-A" or "R-R".
2. The following items shall be prohibited on any residentially-zoned property:
 - a. Dead, decayed, diseased or hazardous trees, or weeds which endangers the public safety by creating a fire hazard,
 - b. residue from a fire or demolition which endanger the public safety,
 - c. rubbish, litter, items of machinery, refuse, garbage, scrap metal, lumber, concrete, asphalt, tin cans, tires and piles of earth, or furniture or household items (that have fallen into disuse or disrepair), which constitute an unsightly appearance.

This provision shall not apply to properties having an underlying zoning of "R-A" or "R-R."

3. The front yard and any side yard of any lot abutting a street, including any parking strip, when that property or that lot is residentially-zoned property, shall be maintained and irrigated, so that any trees, shrubs and other landscaping therein are adequately irrigated and maintained. A tenant, lessee or occupant shall only be responsible therefor if he has not entered into a contract with the owner, a property manager, or another private party under which that other party is responsible to maintain such yards. These provisions shall include residentially-zoned properties having an underlying zoning of "R-A" or "R-R."

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

SECTION 850.B.7- TREES IN PARK STRIPS OR PUBLIC RIGHTS-OF-WAY

In addition to and notwithstanding the following provisions, an encroachment permit, is required, under other sections of the Fresno County Ordinance Code, including but not limited to, Ordinance Code Chapters 13.08 and 13.12, for private improvements within park strips and public rights of way.

1. Tree Irrigation and Maintenance in Park Strips / Public Rights-of-Way.
 - a. Any trees in a park strip or the public right-of-way adjacent to or abutting a lot shall be properly irrigated by the owner or occupant of the adjacent or abutting lot, so long as the adjacent or abutting lot has a structure upon same.
 - b. The County may prune trees in a park strip or the public right-of-way adjacent to or abutting property as part of regular maintenance or as necessary in order to maintain public roadways. In such instance, the County will provide notification that such an effort is forthcoming.
2. Tree Removal in Park Strips / Public Rights-of-Way Permit Required.
 - a. Any person desiring to remove, for any reason, any tree (with a trunk diameter equal to or greater than six (6) inches at ground level), which is in a park strip or public right-of-way, shall apply to the Director of Planning and Resource Management for a permit. The County is not required to obtain a permit, nor are public utilities acting within the scope of their easement.

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