



Inter Office Memo

DATE: December 11, 2025
 TO: Board of Supervisors
 FROM: Planning Commission
 SUBJECT: Resolution No. 13120 – Text Amendment No. 390 and Environmental Review (ER) No. 8725

APPLICANT County of Fresno Department of Public Works and Planning
 REQUEST: Modify the text of the Fresno County Zoning Ordinance to correct omissions, typographical errors and unintended ambiguities following approval of the 2024 Comprehensive Zoning Ordinance Update.
 LOCATION: Countywide

PLANNING COMMISSION ACTION:

At its hearing of December 11, 2025 the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Arabian and seconded by Commissioner Borchardt to recommend that the Board of Supervisors approve Amendment to Text No. 390, as recommended by staff, modifying the text of the Fresno County Zoning Ordinance and amend various sections of Articles 1 through 7 of the document to address corrections, omissions, typographical errors and unintended ambiguities noted during implementation of the new Zoning Ordinance since its adoption on February 20, 2024.

This motion passed on the following vote:

VOTING: Yes: Commissioners Arabian, Borchardt, Abrahamian, Hill, and Roman
 No: None
 Absent: Commissioners Quist, Villagrana, and Zante
 Abstain: None

STEVEN E. WHITE, DIRECTOR
Department of Public Works and Planning
Secretary-Fresno County Planning Commission

By: 
Chris W. Motta, Manager
Development Services and Capital Projects Division

CWM:sy
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Notes:

Attachments

EXHIBIT A

Amendment to Text No. 390
Environmental Review No. 8725

Commission: The Fresno County Planning Commission considered the Staff Report dated December 11, 2025, and heard a summary presentation by staff.

Staff: Staff described the need for adoption of AT No. 390 to correct errors discovered since the adoption of the updated Zoning Ordinance document in February of 2024. Staff noted a correction to Page 3 of the Staff Report as there was no Exhibit B, and stated a draft ordinance will be provided to the Board of Supervisors should the Commission act to recommend approval of the text amendment.

Staff also addressed the following specific questions raised by the Commission regarding these changes:

- Safety fencing surrounding residential swimming pools is also a requirement of the Building Code regardless of any discussion specific to such fencing in the Zoning Ordinance.
- Fence height was raised to seven feet to match the Building Code, and permitting of fencing at this height has been Department practice for some time.
- Removing specific definitions and restrictions on fast food restaurants and drive throughs would avoid the creation of several County-wide non-confirming uses; the limited available commercial properties in the County of a size attractive to these uses also limits development.
- Adding agricultural trucking operations as a specific use in certain districts through a discretionary land use permit ensures that both applicants and neighboring property owners know there is a public process, matches the prior County Zoning Ordinance, and avoids certain interpretative ambiguities in the current Zoning Ordinance document.

Others: No other individuals presented information in support of or in opposition to the proposed text amendment.

Correspondence: No correspondence was received regarding this item.



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

Planning Commission Staff Report Agenda Item No. 9 December 11, 2025

SUBJECT: Text Amendment No. 390 and Environmental Review (ER) No. 8725 modifying the text of the Fresno County Zoning Ordinance to correct omissions, typographical errors and unintended ambiguities following approval of the 2024 Comprehensive Zoning Ordinance Update.

APPLICANT: County of Fresno

STAFF CONTACT: Chris Motta, Development Services and Capital Projects Manager
(559) 600-4497

RECOMMENDATION:

- Recommend that the Board of Supervisors approve Amendment to Text No. 390 modifying the text of the Fresno County Zoning Ordinance; and
- Recommend the Board of Supervisors determine that the recommended actions are exempt from the California Environmental Quality Act; and
- Direct the Secretary to prepare a Resolution forwarding the proposed amendments to the Zoning Ordinance to the Board of Supervisors with a recommendation for approval.

EXHIBITS:

A. Proposed Zoning Ordinance Modifications

Note: A red-line version of the Zoning Ordinance in its entirety is located at the following link: <https://www.fresnocountyca.gov/at390exhibit>

ENVIRONMENTAL ANALYSIS:

The recommended actions are exempt from the California Environmental Quality Act (CEQA) per section 15061(b) (3), as there is no possibility that the recommended actions may cause a significant effect on the environment. The proposed amendments correct errors, omissions or provide additional clarity to the document following its comprehensive update.

As additional background, the Environmental Impact Report (EIR) for the General Plan Review and Comprehensive Zoning Ordinance Update was adopted by the Board of Supervisors on February 20, 2024. The changes proposed with this text amendment solely make corrections, clarifications or provide consistency with the previous Zoning Ordinance and do not represent significant modification or deviation from the document adopted in February of 2024.

The Department will file a notice of exemption as provided by 14 CCR 15062.

PUBLIC NOTICE:

Notice of the public hearing was published in the Business Journal which is a newspaper of general circulation in Fresno County on November 19, 2025, meeting the 20-day noticing requirements for amendments to the Zoning Ordinance per Government Code §65854(b)(2). A separate publication will occur for the anticipated February 10, 2026, hearing before the Board of Supervisors.

PROCEDURAL CONSIDERATIONS:

Adoption of the proposed amendments to the text of the Ordinance is a legislative act requiring final action by the Board of Supervisors (Board). The Planning Commission's action is advisory to the Board. This item is scheduled to be considered by the Board on February 10, 2026. Upon Board approval, the amendments will become effective 30 days thereafter.

BACKGROUND INFORMATION:

On February 20, 2024, the Board of Supervisors adopted amendments to the Fresno County Zoning Ordinance which resulted in a comprehensive update to that document. The Comprehensive Zoning Ordinance Update (Update) amended the County's Zoning Ordinance by modifying, deleting, or adding text and formatting text of the entire Zoning Ordinance Document to bring the Ordinance in compliance with the law and modernize the document to incorporate graphics, tables, address ambiguities. The Update also expanded the Definitions Section of the Ordinance and modified the language of some of the uses permitted by Unclassified Conditional Use Permit.

Following the Update adoption, on December 17, 2024, the Board of Supervisors approved the first text amendment to the Fresno County Zoning Ordinance with the approval of AT No. 389 which modified text to expand the definition of "public utility facility" uses to clarify that the definition includes power storage and transmission equipment related to generation facilities owned by local public entities. This text amendment was in part to ensure the County retains input on certain public-owned large-scale utility projects and their potential impacts to County resources as the State of California adopts legislation to streamline the construction of large-scale clean energy facilities to meet the State's energy goals.

Following AT No. 389, two additional text amendments to the Fresno County Zoning Ordinance have been approved. On February 25, 2025, AT No. 387 was approved to permit solid block walls and fences along Sunnyside Avenue between Nees and Shepherd avenues. On September 9, 2025, Amendment to Text No. 86 was approved to permit mini storage uses on AL (Limited Agriculture) zoned properties within one half mile of the Sphere of Influence of the City of Fresno.

The current Amendment to Text Application (AT No. 390) is a County initiated zoning ordinance clean-up intended to allow for corrections noted during implementation of the new Zoning Ordinance document during the past full year since its adoption. Following the Board of Supervisor's February 20, 2024 adoption action, Department staff compiled a list of potential ordinance changes that were due to either omissions, typographical errors or unintended ambiguities. The proposed revisions are intended to correct these errors or issues to allow for better administration of the Ordinance.

PROPOSED AMENDMENTS TO THE ZONING ORDINANCE:

Exhibit "A" attached to this staff report provides details on the proposed amendments to various sections of the Zoning Ordinance. Exhibit "B" attached to the staff report is a draft Ordinance which would amend the Zoning Ordinance. A summary of the proposed changes is also noted below.

Article 1

- Chapter 802.1 - Interpretation of Regulations and Chapter 804.1.030: Corrects number error to 802.1.040
- Adjust fence and wall height requirements to seven feet to match current California Building Code.

Article 2

- Modifies language in Chapters 808.2, 810.2, 812.2, and 814.2 discussing Prohibited Land Uses to better incorporate reference to unclassified uses.
- Table 2-2: Improves cross-referencing for certain uses; adds Agricultural Trucking Operations in the AE Zone District with a Director Review and Approval to be consistent with the prior Zoning Ordinance; makes grammatical change for Agricultural Tourism; and expands golf courses to allow stand-alone driving ranges in the AE and AL zone districts.
- Table 2-2 also adds a section for Drug and Alcohol Treatment Facilities and clarifies Transitional and Supportive Housing.
- Table 2-3 of Chapter 808.2 - Agricultural Zones General Development Standards under the AE and AL districts add text for certain omitted text found in the prior Zoning Ordinance regarding certain nonconforming density situations for residences.
- Chapter 810.2: delete references to the R-4 multifamily zone district.
- For Table 2-4 and Table 2-4-1 adds a section for Drug and Alcohol Treatment Facilities and clarifies Transitional and Supportive Housing.
- Delete reference to the R-4 (Multi-Family High Density) Zone District which is an obsolete zone district.

- For Table 2-4 and Table 2-4-1 Allowable Uses and Permit Requirements for Residential Zones add language similar to the prior Zoning Ordinance for the storage or parking of boats, trailers, recreational vehicles, or commercial vehicles, limited to the private non-commercial use by the occupants or the premises in the R-A and R-R Zone districts.
- Modify Public Utility Facilities to Public Utility Facilities, to replace the term “Small” and “Large” with the terms “Minor” and “Major” match Article 7, Definitions.
- Add storage of Petroleum products for use by the occupants of the premises but no for resale or distribution as permitted uses in the R-A and R-R Districts.
- Remove the word “Commercial” from Crop Production for the R-A and R-R Zone Districts.
- Add reference to Section 834.4.050 to Hog/Swine Ranches, Commercial Stables, and Private Stables in the R-A and R-R Zone Districts.
- Add Public, Moderate Intensity Parks and Playgrounds as a use permitted through a Director Review and Approval in the R-1, R-1-B, R-1-C, R-1-A, R-1-AH, R-A, R-R, and R-2/R-2-A Zone Districts, and as a by-right use in the R-3/R-3-A Zone Districts similar to the prior Zoning Ordinance.
- Add Public, High Intensity Parks as an approved use with a Conditional Use Permit in the R-1, R-1-B, R-1-C, R-1-A, R-1-AH, R-A, R-R, R-2/R-2-A and R-3/R-3-A Zone Districts similar to the prior Zoning Ordinance.
- For Table 2-5, Residential Zones General Development Standards Requirements by Individual Zone add reference to Section 822.3.080-B.1 for parcels in the Sierra-North and Sierra-South Regional Plan Areas for Minimum Parcel Width/Frontage in the R-R Zone District.
- For the R-A District remove reference for 36,000 net square feet for Maximum (Gross) Population Density, leaving it as one dwelling unit per parcel.
- Add 25-foot street side setbacks in the R-R Zone District and 25-foot front yard setbacks for curve lots/cul-de-sacs in the R-A and R-R Zone Districts.
- Require a minimum distance between structures housing livestock and poultry to human habitation setback of 40 feet in the R-A and R-R Zone Districts similar to the prior Zoning Ordinance.
- Maximum Gross Population Density in R-1-A and R-1-AH changed to one dwelling unit per parcel; and for R-1-B amended to one dwelling unit per parcel; stipulate 25-foot setback for front curve lots and cul-de-sacs, 10 foot side yards, 25 foot street site yard for R-1-A and R-1-AH, and 20 foot street side yard for R-1-B. Require a 40-foot minimum distance between structures housing livestock & poultry to human habitation for both Zone Districts.
- Maximum Gross Population Density in R-1-C and R-1-E, R-1-EH changed to one dwelling unit per parcel; stipulate 25-foot setback for front curve lots and cul-de-sacs for R-1-C; 40 foot front curve lots and cul-de-sacs for R-1-E and R-1-EH; require a 40-foot

minimum distance between structures housing livestock & poultry to human habitation for both Zone Districts.

- Stipulate 20-foot setback for front curve lots and cul-de-sacs for R-1 and R-2, R-2-A Zone Districts; 40-foot front curve lots and cul-de-sacs for R-1 District; require a 40-foot minimum distance between structures housing livestock & poultry to human habitation for the R-1 Zone Districts.
- For Chapter 812.2 Table 2-6 Allowable Uses and Permit Requirements for Commercial Zones remove duplicated references to Drive-In, Drive Up and Drive-Through Services and permit Drive-throughs in the C-1 and C-2 zone districts.
- Furniture, Furnishings, and Equipment Stores. Large as a permitted rather than conditional use in the C-2 Zone District.
- Grocery Stores as a permitted use in the C-1 Zone District rather than requiring a Director Review and Approval.
- Remove Ice Storage as a permitted use in the C-P Zone District.
- Permit Medical Services – Clinics and Laboratories as a permitted use in the C-P Zone District and hospitals.
- Allow restaurants by-right in the C-R Zone District and veterinary clinics and small animal hospitals in the C-2 with a CUP both as similar to the prior Zoning Ordinance.
- Require a conditional use permit for Public Utilities, Major in the C-3 and C-4 zone districts.
- For Chapter 814.2 Table 2-8 Allowable Uses and Permit Requirements for Industrial Zones remove Medical Marijuana Cultivation Facilities as a permitted use in the M-1, M-2 and M-3 Zone Districts.
- Allow solid waste transfer stations with a conditional use permit in the M-3 Zone District, similar to the Prior Zoning Ordinance, which required a DRA, and motor vehicle dismantling in the M-3 with a CUP again similar to the prior Zoning Ordinance, and automobile sales as a permitted use in the M-3.
- Allow truck service stations by-right in the C-M, M-1, 2, and 3 zone districts as has been common practice prior to the Zoning Ordinance Update and add convenience store with automotive service stations.
- Permit bars and alcoholic beverage drinking establishments and drive through services in the industrial districts similar to the prior Zoning Ordinance.
- Change Medical Services – Clinics, and Laboratories in the C-M Zone District to a permitted use from a use requiring a Director Review and Approval.
- Allow Storage Yards as a permitted use in the M-3 Zone District.

- Allow Public Utility Facilities, Major as a permitted use in the M-3 Zone District and allow Public Utility Facilities, Minor as a permitted use in the C-M, M-1, M-2 and M-3 zone districts.

Article 3 - Development and Operational Standards

- Section 822.3.050.I.3 - Swimming Pools, make the following deletion: The required enclosure shall be in place and approved by the Building Official before water is run into the pool. ~~822.3.060 – Height Measurement and Height Limit Exceptions~~
- Add a heading for Section 822.3.060 - Height Measurement and Height Limit Exceptions and address a subsection reference error. Also, define structural height consistent with Article 7 Definitions and with the prior Zoning Ordinance language and modify height for miscellaneous structures.
- Section 822.3.80.A.3 adds: *(Examples of land acquired for public use are road or public construction projects).*
- Chapter 822.3, Section 822.3.80.B.1 add the following text for Parcel Dimensions: *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.*
- Chapter 822.3 - Property Development and Use Standards, 822.3.80 - Parcel Standards and Exceptions, F.4 - Homesite Provisions for AE and AL Districts delete “ba” from F.1. (1) through (5).
- Chapter 822.3 - Property Development and Use Standards, 822.3.100.C.1.a - Setback Regulations and Exceptions add: *Where a front yard is proposed to be more than fifty (50) feet, a Site Plan Review shall be submitted and approved by the Director in compliance with provisions of Chapter 854.5 (Site Plan Review).*
- Chapter 822.3 - Property Development and Use Standards, 822.3.100.D.add subsection 3 - Exceptions.3 Hillside lots add hillside lot provisions to the R-1; R- 1-A; R-1-AH; R-1-B; R-1-C; R-1-E; R-1-EH; R-2; R-2-A; R-3 and R-3-A zone districts as provided for in the previous version of the Zoning Ordinance.
- Section 822.3.100.4 - Property Development and Use Standards, Setback Regulations and Exceptions, for Swimming Pools - add specific setback requirements for swimming pools as found in the prior Zoning Ordinance.
- Section 822.3.80.H – Setback Regulations and Exceptions for Accessory Structures, include the R-A Zone District.
- Section 822.3.80 – Setback Regulations and Exceptions into Required Yards add Agricultural District (AE and AL) exceptions for certain appurtenances

and architectural features as noted in the prior Zoning Ordinance.

- Section 822.3.130 – Address space between buildings to have consistency with the prior Zoning Ordinance.
- Section 828.3.040 – Table 3-7, adjust parking standards for industrial, manufacturing, processing and wholesale uses to allow one space for every two permanent employees, consistent with the prior Zoning Ordinance, to accommodate larger structures with mostly mechanized operations and a relatively small workforce to avoid excessive parking requirements.
- Section 828.3.060 – Modify text for Residential Hillside Lots to reference an existing section regarding setbacks and parking.

Article 4 – Standards for Specific Land Uses

- 834.4.025 - Agricultural Tourism – Correct a mis-reference and add a provision to process uses not permitted by right with a Director’s Review and Approval to match the prior Zoning Ordinance.
- 834.4.030 – Additional On-Site Dwellings – clarify permanent foundations, provide size clarifications for detached and attached Accessory Dwelling Units. Add Accessory Living Quarters to match the prior Zoning Ordinance.
- 834.4.415.a – For microbreweries, remove prohibition for fast food.

Article 5 – Land Use and Development Review Procedures

- Chapter 842.5, Section 842.5.020 provides prohibited uses or zone districts for certain uses permitted by an Unclassified Conditional Use Permit.
- Chapter 858.5 – For Temporary Use Permits, provide a minimum 180-day filing window.

Article 6 – Zoning Ordinance Administration

- Chapter 874.6 – Public Hearings – Match recent changes in State Law requiring 20-day notification for amendments to the zoning ordinance, zoning map or the General Plan.
- Chapter 876.6 – Appeals – Correct language and match appeal stipulations as described in the prior Zoning Ordinance. Also, clarify language for Appeal Determinations and Decisions.

Article 7 - Definitions

- For Agricultural accessory storage, structures, and uses, match language similar the prior Zoning Ordinance.
- Correct Agritourism to Agricultural Tourism.

- Add Agricultural Trucking Operations consistent with prior Zoning Ordinance.
- Add definition for Drug and Alcohol Treatment Facilities.
- For private garages, clarify the minimum size.
- Make clarifications for golf driving ranges and golf courses,
- Residential Care Homes – reference new definition for drug and alcohol treatment facilities.
- Delete definition of fast-food restaurants.
- For Outdoor Storage add contractor’s storage yards.
- For Supportive and Transitional Housing excludes Drug and Alcohol Treatment Facilities as they now have a separate definition and listing.

CONCLUSION:

The proposed amendments to the Ordinance provide additional clarity to the definition of public utility facilities and those utility facilities subject to an Unclassified Conditional Use Permit. Therefore, staff recommends approval of the proposed amendments to the text of the Ordinance as summarized in this staff report and shown in detail in Exhibit “A”.

PLANNING COMMISSION MOTIONS:

Recommended Action

1. Recommend that the Board of Supervisors approve Amendment to Text No. 390 amending various sections of the Fresno County Zoning Ordinance to correct errors, omissions and ambiguities following the 2024 Comprehensive Zoning Ordinance Update; and
2. Recommend the Board of Supervisors determine that the recommended actions are exempt from the California Environmental Quality Act; and
3. Direct the Secretary to prepare a Resolution forwarding the proposed amendments to the Zoning Ordinance to the Board of Supervisors with a recommendation for approval.

CWM:
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EXHIBIT "A"

- (1) Quote the provisions of this Zoning Ordinance being interpreted, include a specific citation(s), and explain their meaning or applicability in the particular or general circumstances that caused the need for interpretation;
- (2) Include a finding(s) stating the basis for the interpretation, which may include technological changes or new industry standards; and
- (3) Include a finding(s) documenting the consistency of the interpretation with the General Plan and any applicable specific plan.

b. Distribution of interpretations. Shall be distributed to the Board, Commission, County Counsel, Clerk of the Board, and Department staff.

- 2. Amendment of Zoning Ordinance.** Provisions of this Zoning Ordinance that are determined by the Director to need refinement or revision should be corrected by amending this Zoning Ordinance as soon as is practical. Until amendments can occur, the Director will maintain a record of official interpretations, available for public review, and indexed by the number of the Section that is the subject of the interpretation.

C. Appeals and referral.

- 1. Appeals.** Interpretations of this Zoning Ordinance by the Director shall be appealable, first to the Commission and then to the Board, in compliance with Chapter 876.6 (Appeals).
- 2. Referral.** The Director may also refer interpretations to the Commission for a determination.

802.1.040 - Official Version of Zoning Ordinance

A. Responsibility for maintaining official version.

1. The Clerk of the Board shall maintain the official version of this Zoning Ordinance.
2. In the event the County maintains an online version, an electronic version (e.g., Microsoft Word, PDF, etc.), and/or a printed (hard copy) version of the Zoning Ordinance or contracts with an outside vendor to provide online public access to the Zoning Ordinance, the printed (hard copy) version of the Zoning Ordinance shall be the controlling legal authority.
3. The County may provide an online version or an electronic version (e.g., Microsoft Word, PDF, etc.) of the Zoning Ordinance as a public service in order to enhance public access and interaction.
4. A disclaimer should be included indicating that the Zoning Ordinance and related materials that are posted to, or linked from, the County's website are provided as a

- G. Other development policies.** The County may adopt policies separate from this Zoning Ordinance that may affect the use and development of land. All applicable policies, procedures, and standards related to land development shall apply when appropriate as determined by the applicable review authority.

804.1.030 - Exemptions from Land Use Permit Requirements

The land use permit requirements of this Zoning Ordinance do not apply to the activities, uses of land, and/or structures identified by this Section.

- A. General requirements for exemption.** The activities, uses of land, and/or structures identified by Subsection B., below are exempt from the land use permit requirements of this Zoning Ordinance only when:
- 1. Compliance with applicable provisions.** The activity or use is established and operated in compliance with applicable development standards of Articles 2 (Zones, Allowable Land Uses, and Zone-Specific Standards), 3 (Development and Operational Standards), and 4 (Standards for Specific Land Uses); and
 - 2. Other applicable permits.** Permits or approvals required by regulations other than this Zoning Ordinance are obtained in compliance with Section 804.1.050 (Additional Permits and Approvals May be Required), below.
- B. Exempt activities and uses.** The following activities uses of land, and/or structures are exempt from the land use permit requirements of this Zoning Ordinance when in compliance with Subsection A., above.
- 1. Decks, paths, and driveways.** Decks, platforms, on-site paths, and driveways that are not required to have a Building Permit or Grading Permit and are not over 30 inches above natural grade.
 - 2. Fences and walls - residential zones.** Fences and walls in the residential zones are exempt from land use permit requirements as follows:
 - a. Interior lots:** Fences and walls up to three feet in height when located within the required front setback area, or up to ~~six~~ seven feet in height when located outside the required front setback area; and
 - b. Corner lots:** Fences and walls up to three feet in height when located within the required front setback area, street side setback area on a reverse corner lot, and within a corner cut-off area, as defined by this Zoning Ordinance. Fences and walls up to ~~six~~ seven feet in height, when located outside the required front setback area and corner cut-off areas. See Section 822.3.050 – Fences, Walls, and Hedges for additional fencing requirements.
 - 3. Governmental activities.** Any land use activities conducted by a City, County, State or an agency of the State, or the Federal government on land owned or leased by a governmental agency.

A. Allowed land uses.

1. Table 2-2 indicates the uses allowed within each agricultural zone and the planning permit required to establish each use, in compliance with Article 5 (Land Use and Development Review Procedures).
2. Agricultural uses represent the principal allowed use, and only those additional uses that are complementary to, and can exist in harmony with, the agricultural character of each zone may be allowed as accessory, conditionally permitted, and/or temporary uses.

B. Prohibited land uses. If a land use is not listed in a specific zone district or if a ~~Any~~ table cell associated with a listed land use with a is “blank”, means that ~~the listed~~ land use is prohibited in that specific zone district, unless listed as a permitted unclassified use in Chapter 842.5 or Chapter 846.5. Excludes unclassified uses.

C. Unclassified uses. Certain specified land uses are allowed as unclassified uses through an Unclassified Conditional Use Permit (Chapter 842.5) or Unclassified Director’s Review and Approval (Chapter 846.5).

D. Land uses not listed. For land uses not listed in Table 2-2, the provisions of Section 802.1.020 (Rules of Interpretation) shall apply.

E. Site Plan Review required. All construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) shall require Site Plan Review approval in compliance with Chapter 854.5 (Site Plan Review).

F. Applicable regulations. Where the last column in the tables ("Specific Use Regulations") includes a Section number, the regulations in the referenced section apply to the use; however, provisions in other Sections of this Zoning Ordinance may also apply.

G. Compliance with Airport Land Use Policy Plan. All land uses specified as “P” (Permitted use) in the following land use tables that are located on sites within an approach zone of an airport safety zone shall require a Director’s Review and Approval to ensure compliance with the County’s Airport Land Use Commission’s Airport Land Use Policy Plans, as administered by the Fresno Council of Governments.

808.2.030 – Williamson Act Contracts and Specified Agricultural Zones

A. Minimum Parcel Size for Lands Under Contract.

1. Properties under Contract shall be subject to the County of Fresno’s Interim Guidelines which include a parcel size minimum of 20 acres for prime farmland and 40 acres for non-prime farmland.
2. Homesite exception parcels shall maintain a minimum parcel size as required by state law (currently 10 acres).

**TABLE 2-2
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR AGRICULTURAL ZONES**

Land Use ¹	Permit Requirement by Zone ²				
	AE	AL	A-1 ³	A-2 ³	See Section
Agricultural Uses					
Agricultural Accessory Storage, Structures, and Uses	P	P	P	P	See Article 7 for limitations
Agricultural Commercial Center	C		C		834.4.040
Agricultural Processing, Area Products, including Cooperatives	C		C		
Agricultural harvesting, curing, processing, packaging, packing, sales, shipping for products produced on-site (i.e., not subject to Section 834.4.390).	P	P			
Agricultural processing, packaging, sales, shipping, etc. (products may be from on- or off-site holdings when owned by the same entity as the facility).	P	P			834.4.390
Animal Raising, Specialty Commercial	D		D	D	834.4.050
Animal Uses (includes fish and fur bearing in the A-2)	P	P	P	P	834.4.050
Aquaculture (includes Fish Farms, Commercial)	D	D	D	D	
Apiaries	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	834.4.070
Cattle Dairies and Feedlot Facilities (Does NOT exceed a capacity of 500 cattle)	D		D		834.4.110
Cattle Dairies and Feedlot Facilities (Does exceed a capacity of 500 cattle)	C		C		834.4.110
Crop Production	P	P	P	P	
Grain Elevators, Commercial	C		C		

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).
- 3 See Section 806.2.030.C for Obsolete and Deleted Zones.

**TABLE 2-2
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR AGRICULTURAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	AE	AL	A-1 ³	A-2 ³	See Section
Agricultural Uses (Continued)					
Hog/Swine Personal Use (4 max.)	P				834.4.050
Hog/Swine, Sheep, or Goat Feed Lots	C		C		834.4.050
Hog/Swine Ranches	C		C		834.4.050
Horticulture/Greenhouses	P	D	P	D	
Meat Processing, Commercial	C		C		834.4.230
Mushroom Growing	C	C	C		
Mushroom Growing, Incidental	C	C	C		
Poultry Raising, Large	D		D	D	834.4.290
Poultry Raising, Small	P		P	P	834.4.290
Poultry/Rabbit Processing	C		C		
Stock Yards/Feed Lots	C		C	C	
Value-added agricultural uses in addition to agricultural harvesting, curing, processing, packaging, packing, sales, and shipping for products produced on-site.	P				834.4.390
Commercial establishments for the processing of agricultural products and value-added uses not authorized under the by-right value-added uses above.	C				834.4.390
Wineries/Distilleries, Large	C		C	C	
Wineries/Distilleries, Small	D		D	D	834.4.410
Wholesale Limited Winery Distillery and Brewery	P	P			834.4.415
Micro Winery, Distillery and Brewery	P	P			834.4.415
Minor Winery, Distillery and Brewery	P	P			834.4.415
Agricultural Sales and Service Uses					
Agricultural Chemicals, Sales and Service	C		C		
Agricultural Auction /Sales Yards	C		C	C	
Agricultural Trucking Operations	D				
Building Materials Sales	C		C		
Commercial Dehydration Operations	C		C		
Contactors Storage Yard, Agricultural Services	D		D		
Dog Grooming (in conjunction with single-family residence)	D	D	D	D	
Farm Equipment and Machinery Sales, Rental, Storage and Maintenance	C		C		
Farm Labor Contractor Services	D		D		

**TABLE 2-2
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR AGRICULTURAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	AE	AL	A-1 ³	A-2 ³	See Section
Agricultural Sales and Service Uses (Continued)					
Feed and Farm Supplies Sales	C		C		
Horticultural Services	D	C	C	C	
Horticultural Services, Accessory	P	D	P		
Liquefied Petroleum Gas Distribution Sales, and Storage	C	C	C		
Plant Nurseries	D				834.4.180
Plant Nurseries, Private	P				834.4.180
Roadside Agricultural Stands, Permanent	D	D	D	D	834.4.370
Roadside Agricultural Stands, Temporary	P	P	P	P	834.4.370
Stables, Commercial	D	D	D	D	834.4.050
Stables, Private	P	P	P	P	834.4.050
Veterinary Clinics and Animal Hospitals	D	D	D	D	
Water Well Drilling/Pump Installation	P	P	P	P	
Welding and Blacksmith (as part of farm equipment sales and service).	P		P		
Residential Uses					
Accessory Structures	P	P	P	P	834.4.020
Additional On-Site Dwellings					
Accessory Dwelling Units	P	P	P	P	834.4.030.B
Second Dwelling Units	D	D	D	D	834.4.030.C
Child Day Care Home, (up to 14 children)	P	P	P	P	834.4.100
<u>Drug and Alcohol Treatment Facilities (HSC 11834.23) Six or fewer residents</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Art 7</u>
<u>Drug and Alcohol Treatment Facilities (HSC 11834.23) Seven or more residents</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>See Art 7</u>
Employee Housing (six or fewer residents)	P	P	P	P	

**TABLE 2-2
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR AGRICULTURAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	AE	AL	A-1	A-2	See Section
Residential Uses (Continued)					
Farmworker Housing, Complexes	P	P	P	P	834.4.160
Farmworker Housing, Temporary	P	P	P	P	834.4.150
Home Occupations, Class I	P	P	P	P	834.4.190
Home Occupations, Class II	D	D	D	D	834.4.190
Household Pets	P	P	P	P	
Kennels, Private	P	D	P	D	
Manufactured/Factory Built Housing	P	P	P	P	
Mobile Home, Temporary (If 2 nd Residence)	D	D	D	D	
Low Barrier Navigation Center					
Single-Family Dwelling	P	P	P	P	
Supportive Housing or <u>Transitional Housing (GC 65583(c)(3)) – subject to the restrictions and density of the underlying zone</u>	P	P	P	P	
Swimming Lessons	C		C		834.4.360
Temporary Uses	TUP	TUP			858.5
Transitional Housing-	P	P	P	P	
Nonresidential Uses					
Observatories	C	C	C	C	
Public Facilities	D	D	D	D	
Public Utility Facilities	C	C	C	C	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director’s Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

**TABLE 2-2
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR AGRICULTURAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	AE	AL	A-1	A-2	See Section
Communication Facilities					
Microwave Relay Structures	D	D	D	D	834.4.420
Satellite Dish Antenna	P	P	P	P	834.4.420
Education, Public Assembly, and Recreation Uses					
Agritourism -Agricultural Tourism	P	P			834.4.025
Assembly/Meeting Facilities	D	D	D	D	
Golf Courses and/or Driving Ranges	C	C			
Guest Ranches	C	C			
Historic and Monument Sites	P	P	P	P	
Off Road Vehicles	C	C			
Philanthropic/Charitable, Agricultural Institutions	D	D	D		
Racetracks	C	C			
Schools, Private	D	D	D	D	
Schools, Public	D	D	D	D	
Stables, Commercial	D	D	D	D	
Stables, Private	P	P	P	P	
Other					
Airports, Small/Private	C	C	C	C	
Antique Sales	D	D	D		
Interstate Interchange Commercial Centers	C		C		834.4.200
Interstate Interchange Impact Areas	D		D		
Kennels, Boarding and Training	C				
Kennels, Breeding and Personal, on sites with up to five acres.	C				
Kennels, Breeding and Personal, on sites with five or more acres.	D				
Kennels, Commercial	C	C	C	C	
Personal/RV Storage		C			834.4.270
Solar Energy System, Private	P	P	P	P	
Surface Mining Operations	C	C	C	C	
Temporary Mill/Chipping Facilities	P				834.4.380

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director’s Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.

808.2.040 – Agricultural Zone General Development Standards

New land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements in Table 2-3, in addition to the general development standards (e.g., landscaping, parking and loading, etc.) in Article 3 (Development and Operational Standards).

**TABLE 2-3
AGRICULTURAL ZONES GENERAL DEVELOPMENT STANDARDS
REQUIREMENTS BY INDIVIDUAL ZONE**

Development Feature	AE	AL
<i>Minimum dimensions required for each NEWLY CREATED parcel.</i>		
Minimum Parcel Size	20 acres (or by the stated zone designation: 20, 40, 80, 160, 320, 640 acres, as in AE-20 or AE-640), except as provided for in 822.3.080.F (Homesites). <i>Rezoning to AE-5 is not allowed.</i>	20 acres (or by the stated zone designation: 20, 40, 80, 160, 320, 640 acres, as in AL-20 or AL-640), except as provided for in 822.3.080.F (Homesites).
Minimum Parcel Width/Frontage:		
Interior	5.0 acres or more none; below 5.0 acres 165 ft.	5.0 acres or more none; below 5.0 acres 165 ft.
Corner	5.0 acres or more none; below 5.0 acres 165 ft.	5.0 acres or more none; below 5.0 acres 165 ft.
Reversed Corner	5.0 acres or more none; below 5.0 acres 165 ft.	5.0 acres or more none; below 5.0 acres 165 ft.
Siding on freeways/railroad ROW	5.0 acres or more none; below 5.0 acres 165 ft.	5.0 acres or more none; below 5.0 acres 165 ft.
Curve lots/cul-de-sacs	5.0 acres or more none; below 5.0 acres 165 ft. 90 ft. cul-de sac	5.0 acres or more none; below 5.0 acres 165 ft. 90 ft. cul-de sac
Minimum Parcel Depth	5.0 acres or more none. Minimum depth to width ration not to exceed 4:1	5.0 acres or more none.
<p>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 a section shall also be deemed to be equivalent to the corresponding and respective parcel areas required by the acreage designations. 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.</p>		
Maximum (Gross) Population Density	1 DU/based upon zone designation, as in 1/20 or 1/640 <u>Notwithstanding any other provision of this Division, all residences authorized for construction for which an application was accepted for processing prior to August 1, 2001 that exceed the density standards herein, shall be deemed conforming and not subject to the provisions of Section 870.6 (Nonconforming Uses)</u>	1 DU/based upon zone designation, as in 1/20 or 1/640 <u>Notwithstanding any other provision of this Division, all residences authorized for construction for which an application was accepted for processing prior to August 1, 2001 that exceed the density standards herein, shall be deemed conforming and not subject to the provisions of Section 870.6 (Nonconforming Uses)</u>

- H. R-2, R-2-A (Multi-Family Low Density) Zones.** The R-2 and R-2-A zones identify areas appropriate for low density multi-family residential uses, in order to provide for light, privacy, air, safety, and insulation against transmission of sound. The R-2 and R-2-A zones are consistent with the Medium-High Density Residential land use designation of the General Plan.
- I. R-3, R-3-A (Multi-Family Medium Density) Zones.** The R-3 and R-3-A zones identify areas appropriate for medium density multi-family residential uses. The standards for both zones are identical except that structure heights are limited to a single story in the R-3-A zone. The R-3 and R-3-A zones are consistent with the Medium-High Density Residential land use designation of the General Plan.
- ~~**J. R-4 (Multi-Family High Density) Zone.** The R-4 zone identifies areas appropriate for high density multi-family residential uses. The R-4 zone is consistent with the Medium-High Density Residential land use designation of the General Plan see Section 806.2.030.C for Obsolete and Deleted Zones.~~
- J. T-P (Trailer Park Residential) Zone.** The T-P zone identifies areas appropriate for the accommodation of residential mobile homes and manufactured housing. A T-P zone shall not be less than five acres in size. The T-P zone is consistent with variable land use designations of the General Plan.

810.2.020 – Residential Zone Land Uses and Permit Requirements

- A.** Allowed land uses.
1. Table 2-4 indicates the uses allowed within each residential zone and the planning permit required to establish each use, in compliance with Article 5 (Land Use and Development Review Procedures).
 2. Residential uses represent the principal allowed use, and only those additional uses that are complementary to, and can exist in harmony with, the residential character of each zone may be allowed as accessory, conditionally permitted, and/or temporary uses.
 3. The following types of residential projects shall be allowed by right pursuant to California Government Code section 65583.2(h) and (i): residential projects that include owner-occupied and/or rental multi-family residential units located on sites identified for rezoning in in Table 1A-8 of the 2023-2031 Housing Element in order to meet the lower income Regional Housing Needs Allocation (RHNA), provide appropriate densities, and incorporate a minimum of 20 percent of the units in the development as affordable to lower income households. Additionally, any site listed in Table 1A-8 that was rezoned on or after January 1, 2024, that is identified for lower income capacity must be developed at a minimum density of 20 units per acre pursuant to California Government Code section 65583.2(c)(3). (Amended by Ord. T-102-391 adopted 2025-08-19)

- B. Prohibited land uses.** If a land use is not listed in a specific zone district or if a ~~Any~~ table cell associated with a listed land use with a is “blank”, means that ~~the listed~~ land use is prohibited in that specific zone district, unless listed as a permitted unclassified use in Chapter 842.5 or Chapter 846.5. Excludes unclassified uses.
- C. Unclassified uses.** Certain specified land uses are allowed as unclassified uses through an Unclassified Conditional Use Permit (Chapter 842.5) or Unclassified Director’s Review and Approval (Chapter 846.5).
- D. Land uses not listed.** For land uses not listed in Table 2-4, the provisions of Section 802.1.020 (Rules of Interpretation) shall apply.
- E. Site Plan Review required.** Construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) may require Site Plan Review approval in compliance with Chapter 854.5 (Site Plan Review).
- F. Applicable Regulations.** Where the last column in the tables ("Specific Use Regulations") includes a Section number, the regulations in the referenced section apply to the use; however, provisions in other Sections of this Zoning Ordinance may also apply.

**TABLE 2-4
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES**

Land Use ¹	Permit Requirement by Zone ²					
	R-A	R-R	R-2 R-2-A	R-3 R-3-A	T-P	See Section
Residential						
Accessory Structures	P	P	P	P	P	834.4.020
Accessory Vending Machines, expanded			D	D	D	834.4.400
Accessory Vending Machines, regular			P	P	P	834.4.400
Additional On-Site Dwellings						
Accessory Dwelling Units	P	P	P	P		834.4.030. B
Second Dwelling Units	D	D				834.4.030. C
Child Day Care Center	C	C	C	C	C	834.4.100
Child Day Care, (up to 14 children)	P	P	P	P	P	834.4.100
Density Bonus			P	P		824.3.010
<u>Drug and Alcohol Treatment Facilities (HSC 11834.23) - six (6) or fewer residents</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Drug and Alcohol Treatment Facilities - (HSC 11834.23)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		

FRESNO COUNTY ORDINANCE CODE - DIVISION 6, ZONING ORDINANCE

Chapter 810.2

Residential Zones

<u>seven (7) or more residents</u>						
Employee Housing (six or fewer residents)	P	P	P	P		
Farmworker Housing Complexes	P	P				834.4.160
Fraternities/Sororities				D		
Home Occupations, Class I	P	P	P	P	P	834.4.190
Home Occupations, Class II	D	D	D	D	D	834.4.190
Household Pets	P	P	P	P	P	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review). For the R-2, R-2-A, R-3, R-3-A, ~~R-4~~ and T-P a Site Plan Review shall be required. A single-family residence in the R-2 and R-2-A is excepted from this requirement.

**TABLE 2-4
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²					
	R-A ³	R-R	R-2 R-2-A	R-3 R-3-A	T-P	See Section
Residential (Continued)						
Manufactured/Factory Built Housing	P	P	P	P	P	834.4.330
Mobile Home Parks					P	
Mobile Home Park Services					D	834.4.240
Mobile Home Planned Residential Developments					C	
Mobile Home, Temporary	D	D				834.4.330
Multi-Family Dwellings			P	P		834.4.430
Planned Residential Developments		C	C	C		834.4.280
Low Barrier Navigation Center			P	P		
Residential Care Homes				D		See Art. 7
Single-Family Dwelling	P	P	P	P		
Single Room Occupancy, Small			P	P		834.4.340
Single Room Occupancy, Large			C	C		834.4.340
Supportive Housing <u>or Transitional Housing (GC 65583(c)(3)) – subject to the restrictions and density of the underlying zone</u>	P	P	P	P		See Art. 7
Temporary Uses						
Transitional Housing	P	P	P	P		
Nonresidential						
Broadcasting Studios	C	C				
Contractors Storage Yard, Agricultural Services	D	D				
Hospitals/Sanitariums			C	C		
Kennel, Commercial	C	C				
Kennel, Private	D	D				
Observatories, up to 3,000 sq. ft.		D				
Observatories, 3,001 sq. ft. or greater		C				
Observatories, any size	C		C	C	C	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director’s Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

**TABLE 2-4
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²						
	R-A ³	R-R	R-2 R-2-A	R-3 R-3-A	R-4	T-P	See Section
Nonresidential (continued)							
Public Utility Facilities, <u>Large Major</u>	D	D	D	D	D	D	See Article 7
Public Utility Facilities, <u>Small Minor</u>	P	P	P	P	P	P	See Article 7
Rural Commercial Center		C					834.4.040
<u>Storage or parking of boats, trailers, recreational vehicles, or commercial vehicles, limited to the private non-commercial use by the occupants or the premises.</u>	<u>P</u>	<u>P</u>					
<u>Storage of Petroleum products for use by the occupants of the premises but not for resale or distribution.</u>	<u>P</u>	<u>P</u>					
Swimming Schools, Large	C	C					834.4.360
Swimming Schools, Small	D	D					834.4.360
Agricultural and Open Space Resources							
Agricultural accessory storage, structures, and uses.	P	P					
Agricultural product sales, produced on-site	P	P					
Animal uses, 20,000 sq. ft. or greater		P					834.4.050
Animal Uses, 36,000 sq. ft. or greater	P	P					834.4.050
Beekeeping	P	D					834.4.070
Commercial Crop Production	P	P					
Horticulture/ Greenhouses	C	C					834.4.180
Horticulture/ Greenhouses, Private	P	P					834.4.180

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for

**TABLE 2-4
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²						
	R-A ³	R-R	R-2 R-2-A	R-3 R-3-A	R-4	T-P	See Section
Agricultural and Open Space Resources (Continued)							
Hog/Swine Ranches	C	C					<u>834.4.050</u>
Plant Nurseries	C	C					
Plant Nurseries, Private	P	P					
Poultry Raising, Large	C	C					834.4.290
Poultry Raising, Small	D	D					834.4.290
Stables, Commercial		C					<u>834.4.050</u>
Stables, Private	P	P					<u>834.4.050</u>
Wholesale Limited Winery Distillery and Brewery		P					834.4.415
Micro Winery, Distillery and Brewery		D					834.4.415
Minor Winery, Distillery and Brewery		C					834.4.415
Landscaping/limited agriculture - Millerton Specific Plan Area (tertiary treated irrigation water)			C				834.4.440
Education, Public Assembly, and Recreation							
Clubs and Lodges			C	C	C		
Country Clubs and Golf Courses	C	C	C	C	C		
Libraries, Public			D	D	D		
Places of Worship	C	C	C	C	C		
<u>Public, Moderate Intensity Parks and Playgrounds</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>P</u>			<u>834.4.260</u>
<u>Public, High Intensity Parks</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>			<u>834.4.260</u>
Schools, Private	D	D	D	D	D		
Schools, Public	D	D	D	D	D		
Schools, Motorcycle Safety and Training		D					834.4.320
Recreational Vehicle Park						C	
Communication Facilities							
Microwave Relay Structures	D	D	D	D	D	D	834.4.420
Satellite Dish Antenna	P	P	P	P	P	P	834.4.420

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

**TABLE 2-4-1
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES**

Land Use ¹	Permit Requirement by Zone ²					
	R-1, R-1-B, R-1-C	R-1-A	R-1-AH	R-1-E	R-1-EH	See Section
Residential						
Accessory Structures	P	P	P	P	P	834.4.020
Additional On-Site Dwellings						
Accessory Dwelling Units	P	P	P	P	P	834.4.030.B
Second Dwelling Units	D	D	D	D	D	834.4.030.C
Child Day Care Center	C	C	C	C	C	834.4.100
Child Day Care, (up to 14 children)	P	P	P	P	P	834.4.100
Density Bonus	P					824.3.010
<u>Drug and Alcohol Treatment Facilities (HSC 11834.23) - six (6) or fewer residents</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Drug and Alcohol Treatment Facilities (HSC 11834.23) - seven (7) or more residents</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
Employee Housing (six or fewer residents)	P	P	P	P	P	
Farmworker Housing Complexes		C	C	C	C	834.4.160
Farmworker Housing, Temporary						
Home Occupations, Class I	P	P	P	P	P	834.4.190
Home Occupations, Class II	D	D	D	D	D	834.4.190
Household Pets	P	P	P	P	P	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director’s Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
Blank	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

**TABLE 2-4-1
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²					
	R-1, R-1-B, R-1-C	R-1-A	R-1-AH	R-1-E	R-1-EH	See Section
Residential (Continued)						
Manufactured/Factory Built Housing	P	P	P	P	P	834.4.330
Mobile Home Parks						
Mobile Home Park Services						834.4.240
Mobile Home Planned Residential Developments						
Mobile Home, Temporary						834.4.330
Multi-Family Dwellings						
Planned Residential Developments	C	C	C	C	C	834.4.280
Residential Care Homes						
Single-Family Dwelling	P	P	P	P	P	
Supportive Housing <u>or Transitional Housing (GC 65583(c)(3)) – subject to the restrictions and density of the underlying zone</u>	P	P	P	P	P	See Art. 7
Temporary Uses						
Transitional Housing	P	P	P	P	P	
Nonresidential						
Broadcasting Studios						
Contractors Storage Yard, Agricultural Services						
Hospitals/Sanitariums						
Kennel, Commercial						
Kennel, Private						
Observatories, up to 3,000 sq. ft.						
Observatories, 3,001 sq. ft. or greater						
Observatories, any size	C	C	C	C	C	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director’s Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for

**TABLE 2-4-1
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²					
	R-1, R-1-B, R-1-C	R-1-A	R-1-AH	R-1-E	R-1-EH	See Section
Nonresidential (continued)						
Public Utility Facilities, <u>Large Major</u>	D	D	D	D	D	See Article 7
Public Utility Facilities, <u>Small Minor</u>	P	P	P	P	P	See Article 7
Rural Commercial Center						834.4.040
Swimming Schools, Large	C	C	C	C	C	834.4.360
Swimming Schools, Small	D	D	D	D	D	834.4.360
Agricultural and Open Space Resources³						
Agricultural accessory storage, structures, and uses (private use).		P	P	P	P	
Agricultural product sales, produced on-site						
Animal uses, private 20,000 sq. ft. or greater		P	P	P	P	834.4.050
Animal Uses, 36,000 sq. ft. or greater (private use)		P	P	P	P	834.4.050
Beekeeping						834.4.070
Commercial Crop Production		C	C	C	C	
Horticulture/ Greenhouses						
Horticulture/ Greenhouses, Private		P(3)	P(3)	P(3)	P(3)	834.4.180
Landscaping/limited agriculture - Millerton Specific Plan Area (tertiary treated irrigation water)	C			C	C	834.4.440

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.

**TABLE 2-4-1
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²					
	R-1, R-1-B, R-1-C	R-1-A	R-1-AH	R-1-E	R-1-EH	See Section
Agricultural and Open Space Resources (Continued)³						
Stables, Private		P(3)	P(3)	P(3)	P(3)	834.4.050
Education, Public Assembly, and Recreation						
Clubs and Lodges						
Country Clubs and Golf Courses	C	C	C	C	C	
Libraries, Public	C	C	C	C	C	
Places of Worship	C	C	C	C	C	
<u>Public, Moderate Intensity Parks and Playgrounds</u>	<u>D</u>	<u>D</u>	<u>D</u>			<u>834.4.260</u>
<u>Public, High Intensity Parks</u>	<u>C</u>	<u>C</u>	<u>C</u>			<u>834.4.260</u>
Schools, Private	C	C	C	C	C	
Schools, Public	D	D	D	D	D	
Communication Facilities						
Microwave Relay Structures	D	D	D	D	D	834.4.420
Satellite Dish Antenna	P	P	P	P	P	834.4.420

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).
- 3 Crop production for personal use only shall be limited to hay crops, orchards, pasture crops, row crops, and vineyards. Storage of petroleum products only for use of the occupants of the premises, but not for resale or distribution.

**TABLE 2-5
RESIDENTIAL ZONES GENERAL DEVELOPMENT
STANDARDS REQUIREMENTS BY INDIVIDUAL ZONE**

Development Feature	R-A	R-R
<i>Minimum dimensions required for each NEWLY CREATED parcel.</i>		
Minimum Parcel Size	36,000 sq. ft.	2.0 acres (or by zone designation: 5.0 acres)
Minimum Parcel Width/Frontage:		<i>See Section 822.3.080-B.1 for parcels in the Sierra-North and Sierra-South Regional Plan Areas.</i>
Interior	130 ft.	165 ft.
Corner	130 ft.	165 ft.
Reversed Corner	130 ft.	165 ft.
Siding on freeways/railroad ROW	160 ft.	165 ft.
Curve lots/cul-de-sacs	90 ft.	90 ft.
Minimum Parcel Depth	170 ft.	170 ft.
Maximum (Gross) Population Density	1 DU/ 36,000 net sq. ft. parcel	1 DU/parcel
Setbacks Required	<i>These are minimum setbacks required for primary structures. See Section 822.3.100 (Setback Regulations and Exceptions) for setback measurement, allowed projections into setbacks, and exceptions. Note: In the RR District front yard setbacks are required for areas constructed primarily/specifically for tennis courts or other game areas</i>	
Front	35 ft.	35 ft.
<u>Front, curve lots/cul-de-sacs</u>	<u>25 ft.</u>	<u>25 ft.</u>
Side (each)	15 ft.	20 ft.
Street side	25 ft.	35 <u>25</u> ft.
Reversed corner (street side)	25 ft.	25 ft.
Rear	20 ft.	20 ft.
<u>Minimum Distance Between Structures Housing Livestock & Poultry to Human Habitation</u>	<u>40 ft.</u>	<u>40 ft.</u>
Accessory structures	See Section 834.4.020 (Accessory Structures)	
Maximum Parcel Coverage	30%	None
Minimum Distance Between Structures on the Same Parcel	6 ft. from main structure*	6 ft. from main structure*
Main Structure - Maximum Height	<i>Maximum height of structures without discretionary approval. See Section 822.3.060 (Height Measurement and Height Limit Exceptions) for possible increase in height limit.</i>	
	35 ft.	35 ft.
Accessory Structure - Maximum Height	12 ft.	25 ft.
Antennae, Vertical	See Section 834.4.420 (Wireless Telecommunication Facility Standards)	
Fences/Walls/Hedges	See Section 822.3.050.G (Fences, Walls, and Hedges – Residential Standards)	See Section 822.3.050.G (Fences, Walls, and Hedges – Residential Standards)
Landscaping	See Chapter 826.3 (Landscaping Standards)	
Off-Street Parking	See Chapter 828.3 (Parking and Loading Standards)	
Satellite Antennae	See Section 834.4.420 (Wireless Telecommunication Facility Standards)	
Signs	See Chapter 830.3 (Signs)	

Notes:

**TABLE 2-5
RESIDENTIAL ZONES GENERAL DEVELOPMENT STANDARDS
REQUIREMENTS BY INDIVIDUAL ZONE (Continued)**

Development Feature	R-1-A, R-1-AH	R-1-B
<i>Minimum dimensions required for each NEWLY CREATED parcel.</i>		
Minimum Parcel Size	20,000 sq. ft.	12,500 sq. ft. 18,500 sq. ft. (Within the Fig Garden Neighborhood Plan and only when designated Low Density Residential)
Minimum Parcel Width/Frontage:		
Interior	110 ft.	80 ft.
Corner	110 ft.	90 ft.
Reversed Corner	110 ft.	95 ft.
Siding on freeways/railroad ROW	130 ft.	100 ft.
Curve lots/cul-de-sacs	80 ft.	60 ft.
Minimum Parcel Depth	130 ft. 130 ft. (Parcels facing on streets shown on the Circulation Element) 150 ft. (Parcels backing on freeways or railroad rights-of-way)	110 ft. 120 ft. (Parcels facing on streets shown on the Circulation Element) 150 ft. (Parcels backing on freeways or railroad rights-of-way)
Maximum (Gross) Population Density	1 DU/ 20,000 net sq. ft. parcel	1 DU/ 12,500 net sq. ft. parcel
Setbacks Required	<i>These are minimum setbacks required for primary structures. See Section 822.3.100 (Setback Regulations and Exceptions) for setback measurement, allowed projections into setbacks, and exceptions. Note: Front yard setbacks are required for areas constructed primarily/specifically for tennis courts or other game areas.</i>	
Front	35 ft.	35 ft.
<u>Front, curve lots/cul-de-sacs</u>	<u>25 ft.</u>	<u>25 ft.</u>
Side (each)	10 ft.	20 10 ft.
Street side	25 ft.	35 20 ft.
Reversed corner (street side)	25 ft.	25 ft.
Rear	20 ft.	20 ft.
<u>Minimum Distance Between Structures housing Livestock & Poultry to Human Habitation</u>	<u>40 ft.</u>	
Accessory structures	See Section 834.4.020 (Accessory Structures)	
Maximum Parcel Coverage	30%	35%
Minimum Distance Between Structures on the Same Parcel	6 ft. from main structure*	6 ft. from main structure*
Main Structure - Maximum Height	<i>Maximum height of structures without discretionary approval. See Section 822.3.060 (Height Measurement and Height Limit Exceptions) for possible increase in height limit.</i>	
	35 ft.	35 ft.
Accessory Structure - Maximum Height	12 ft.	12 ft.
Antennae, Vertical	See Section 834.4.420 (Wireless Telecommunication Facility Standards)	
Fences/Walls/Hedges	See Section 822.3.050.G (Fences, Walls, and Hedges – Residential Standards)	See Section 822.3.050 (Fences, Walls, and Hedges)

**TABLE 2-5
RESIDENTIAL ZONES GENERAL DEVELOPMENT STANDARDS
REQUIREMENTS BY INDIVIDUAL ZONE (Continued)**

Development Feature	R-1-C	R-1-E, R-1-EH
<i>Minimum dimensions required for each NEWLY CREATED parcel.</i>		
Minimum Parcel Size	9,000 sq. ft.	37,500 sq. ft.
Minimum Parcel Width/Frontage:		
Interior	70 ft.	150 ft.
Corner	80 ft.	150 ft.
Reversed Corner	85 ft.	150 ft.
Siding on freeways/railroad ROW	90 ft.	160 ft.
Curve lots/cul-de-sacs	50 ft.	100 ft.
Minimum Parcel Depth	110 ft. 120 ft. (Parcels facing on streets shown on the Circulation Element) 130 ft. (Parcels backing on freeways or railroad rights-of-way)	200 ft.
Maximum (Gross) Population Density	1 DU/ 9,000 net sq. ft. parcel	1 DU/ 37,500 net sq. ft. parcel
Setbacks Required	<i>These are minimum setbacks required for primary structures. See Section 822.3.100(Setback Regulations and Exceptions) for setback measurement, allowed projections into setbacks, and exceptions. Note: Front yard setbacks are required for areas constructed primarily/specifically for tennis courts or other game areas.</i>	
Front	25 ft.	50 ft.
<u>Front, curve lots/cul-de-sacs</u>	<u>25 ft.</u>	<u>40 ft.</u>
Side (each)	7 ft.	15 ft.
Street side	15 ft.	35 ft.
Reversed corner (street side)	20 ft.	35 ft.
Rear	20 ft.	20 ft.
<u>Minimum Distance Between Structures housing Livestock & Poultry to Human Habitation</u>	<u>40 ft.</u>	<u>40 ft.</u>
Accessory structures	See Section 834.4.020 (Accessory Structures)	
Maximum Parcel Coverage	40%	30%
Minimum Distance Between Structures on the Same Parcel	6 ft. from main structure*	6 ft. from main structure*
Main Structure - Maximum Height	<i>Maximum height of structures without discretionary approval. See Section 822.3.060 (Height Measurement and Height Limit Exceptions) for possible increase in height limit.</i>	
	35 ft.	35 ft.
Accessory Structure - Maximum Height	12 ft.	12 ft.
Antennae, Vertical	See Section 834.4.420 (Wireless Telecommunication Facility Standards)	
Fences/Walls/Hedges	See Section 822.3.050 (Fences, Walls, and Hedges)	
Landscaping	See Chapter 826.3 (Landscaping Standards)	
Off-Street Parking	See Chapter 828.3 (Parking and Loading Standards)	
Satellite Antennae	See Section 834.4.420 (Wireless Telecommunication Facility Standards)	
Signs	See Chapter 830.3 (Signs)	

**TABLE 2-5
RESIDENTIAL ZONES GENERAL DEVELOPMENT STANDARDS
REQUIREMENTS BY INDIVIDUAL ZONE (Continued)**

Development Feature	R-1	R-2, R-2-A
<i>Minimum dimensions required for each NEWLY CREATED parcel.</i>		
Minimum Parcel Size	6,000 sq. ft.	6,600 sq. ft.
Minimum Parcel Width/Frontage:		
Interior	60 ft.	60 ft.
Corner	65 ft.	65 ft.
Reversed Corner	70 ft.	70 ft.
Siding on freeways/railroad ROW	80 ft.	80 ft.
Curve lots/cul-de-sacs	40 ft.	40 ft.
Minimum Parcel Depth	100 ft. 120 ft. (Parcels facing on streets shown on the Circulation Element) 130 ft. (Parcels backing on freeways or railroad rights-of-way)	100 ft. 120 ft. (Parcels facing on streets shown on the Circulation Element) 130 ft. (Parcels backing on freeways or railroad rights-of-way)
Maximum (Gross) Population Density	1 DU/ 6,000 sq. ft. <u>parcel</u>	1 DU/2,175 sq. ft. (Parcels with less than 4,000 sq. ft. –no more than 1 DU) (Parcels with more than 4,000 sq. ft., but less than 6,000 sq. ft.– no more than 2 DU’s)
Setbacks Required	<i>These are minimum setbacks required for primary structures. See Section 822.3.100 (Setback Regulations and Exceptions) for setback measurement, allowed projections into setbacks, and exceptions. Note: Front yard setbacks are required for areas constructed primarily/specifically for tennis courts or other game areas.</i>	
Front	20 ft.	20 ft.
<u>Front, curve lots/cul-de-sacs</u>	<u>20 ft.</u>	<u>20 ft.</u>
Side (each)	5 ft.	5 ft.
Street side	10 ft.	10 ft.
Reversed corner (street side)	10 ft.	10 ft.
Rear	20 ft.	20 ft.
Accessory structures	See Section 834.4.020 (Accessory Structures)	
Maximum Parcel Coverage	40%	50%
Minimum Distance Between Structures on the Same Parcel	6 ft. from main structure*	10 ft. for main structures** 6 ft. for accessory structures
Main Structure - Maximum Height	<i>Maximum height of structures without discretionary approval. See Section 822.3.060 (Height Measurement and Height Limit Exceptions) for possible increase in height limit.</i>	
	25 ft.	35 ft. (R-2) 20 ft. (R-2-A)
Accessory Structure - Maximum Height	12 ft.	12 ft.
Antennae, Vertical	See Section 834.4.420 (Wireless Telecommunication Facility Standards)	
Fences/Walls/Hedges	See Section 822.3.050 (Fences, Walls, and Hedges)	
Landscaping	See Chapter 826.3 (Landscaping Standards)	
Off-Street Parking	See Chapter 828.3 (Parking and Loading Standards)	

not be dispersed into the smaller shopping areas. The C-4 zone is consistent with the Central Business Commercial land use designation of the General Plan.

- H. C-6 (General Commercial) Zone.** The C-6 zone is intended to provide for a wide range of uses allowed in the commercial zones which are not considered appropriate in the neighborhood, community, or central trading zones. Typical uses include repair, rental, sales, storage, and overnight lodging. The C-6 zone is consistent with the Service Commercial land use designation of the General Plan.
- I. RCC (Rural Commercial Center) Zone.** The RCC zone is intended to provide for an array of commercial activities ranging from a single commercial use to a group of uses serving a rural residential area and providing area residents with convenience goods, personal services, and general merchandise for their living needs. The RCC zone is intended to provide visual compatibility with the surrounding development pattern and protect the rural residential environment. The RCC zone is applicable only to parcels designated with this zone prior to September 20, 1988. The RCC zone is consistent with the Rural Settlement land use designation of the General Plan.
- J. R-P (Residential and Professional Office) Zone.** The R-P zone is intended to serve as a transitional zone with residential neighborhoods being protected from adverse impacts associated with neighborhood shopping centers, community shopping centers, or other adjacent nonresidential zones, with no more than one primary dwelling unit or maximum number of multi-family dwellings on a single parcel. The R-P zone is consistent with the Office Commercial land use designation of the General Plan.

812.2.020 – Commercial Zone Land Uses and Permit Requirements

A. Allowed land uses.

1. Table 2-6 indicates the uses allowed within each commercial zone and the planning permit required to establish each use, in compliance with Article 5 (Land Use and Development Review Procedures).
2. Commercial uses represent the principal allowed use, and only those additional uses that are complementary to, and can exist in harmony with, the commercial character of each zone may be allowed as accessory, conditionally permitted, and/or temporary uses.

B. Prohibited land uses. If a land use is not listed in a specific zone district or if a ~~Any~~ table cell associated with a listed land use with a is “blank”, means that the listed land use is prohibited in that specific zone district, unless listed as a permitted unclassified use in Chapter 842.5 or Chapter 846.5. Excludes unclassified uses.

C. Unclassified uses. Certain specified land uses are allowed as unclassified uses through an Unclassified Conditional Use Permit (Chapter 842.5) or Unclassified Director’s Review and Approval (Chapter 846.5).

**TABLE 2-6
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR COMMERCIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	C-P	C-R	C-1	C-2	See Section
Services (Continued)					
Repair and Maintenance, Consumer Products			D	P	
Restaurants		<u>P</u>	P	P	834.4.415a
Veterinary Clinics and Small Animal Hospitals				<u>C</u>	834.4.350
Transportation and Telecommunication Facilities					
Broadcast/Recording Studios	P				
Parking Lots/Garages			C	D	
Parking Lots/Garages, Short Term Parking				C	
Public Utilities, Major	C	C	C	C	
Public Utilities, Minor	P	D	P	P	
Residential					
Home Occupations, Class I					834.4.190
Home Occupations, Class II					834.4.190
Mixed Use			C	C	
Multi-Family Dwellings	P				834.4.440
Accessory Dwelling Units	P				834.4.030.B
Supportive Housing (GC 65650)	P				
<u>Supportive Housing and Transitional Housing (GC 65583(c)(3)) – subject to the restrictions and density of the underlying zone</u>	<u>P</u>				<u>See Article 7</u>
Low Barrier Navigation Center	P				
Nonresidential					
Microwave Relay Structures	D	D	D	D	834.4.420
Observatories	C	C	C	C	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director’s Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit shall be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

**TABLE 2-6
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR COMMERCIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	C-3	C-4	C-6	R-P	See Section
Retail Trade (Continued)					
Art, Antiques, Collectibles, and Gifts	P	P	P		
Bakeries, Retail	P	P	P		
Building Material Stores			C		834.4.450
Building Material Stores, All Sales & Storage Indoors			P		834.4.450
Confectionery Stores	P	P	P		
Drive-in and Drive-up Uses/Services	C	D	P		834.4.130
Drive Through Kiosks	P	P	P		834.4.130
Drive Through Uses/Services	C	D	P		834.4.130
Electrical Supplies			P		
Farmer's Markets	P	P	P	D	834.4.170
Farm Equipment and Supplies Sales	P	P	P		
Flea Markets, Outdoor Auction Sales, and Swap Meet Activities			C		
Fruit and Vegetable Stores	P	P	P		
Furniture, Furnishings, and Equipment Stores, Large	P	P	P		
Furniture, Furnishings, and Equipment Stores, Small	P	P	P		
Garden Supply Stores	P	P	P		
Hardware Stores	P	P	P		
Health Food Stores	P	P	P		
Hobby Shops	P	P	P		
Horticulture/Greenhouses.	C	D	P		834.4.180
Ice Storage	P		P		
Leather Goods and Luggage Stores	P	P	P		

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit shall be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

**TABLE 2-6
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR COMMERCIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	C-3	C-4	C-6	R-P	See Section
Retail Trade (Continued)					
Swimming Pool Supplies and Sales	P		P		
Temporary Uses	TUP	TUP	TUP	TUP	858.5
Fireworks Stands	P	P	P	P	834.4.175
Tobacco Shops	P	P	P		
Toy Stores	P	P	P		
Tropical Fish Raising/Sales	P	P	P		
Variety and Notion Shops	P	P	P		
Vending Machines	D	P	P		
Video Stores	P	P	P		
Services					
Alcohol Sales (on-site)	P	P	P		
Auction House		P	D		
Automated Teller Machines	P	P	P	P	
Banks and Financial Services	P	P	P	C	
Bars and Alcoholic Beverage Drinking Places	C	D	D		834.4.080
Cafeteria	P	P			
Child Day Care Centers	D	P	P	D	834.4.100
Cleaning and Dyeing Shops, (Retail Only, dry cleaning clothes in enclosed machines, using non-flammable cleaning compounds)	P	P	P		
Copy Services	P	P	P		
Drive-in and Drive-up Uses/Service	P	<u>P</u>	P		834.4.130
<u>Drive-Through Kiosks</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>834.4.130</u>
Drive-Through Uses/Service	P	<u>P</u>	P		834.4.130
Equipment Rental/Sales			P		
Farm Equipment & Services			P		
Frozen Food Lockers	P		P		

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit shall be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

**TABLE 2-6
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR COMMERCIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	C-3	C-4	C-6	R-P	See Section
Services (Continued)					
Restaurants	P	P	P		834.4.415a
Restaurants, Fast Food	P	P	P		
Sign Making Shops		P	P		
Taxidermists		P	P		
Veterinary Clinics and Small Animal Hospitals	C	D	P		834.4.350
Transportation and Telecommunication Facilities					
Broadcast and Recording Studios	P	P	P		
Parking Lots/Garages	D	P	P	C	
Parking Lots/Garages, Short Term Parking	C	D	P		
Public Utilities, Major	D C	D C	D	C	
Public Utilities, Minor	P	P	P	D	
Transit Stations and Terminals	C	C	D		
Truck Parking			C		
Residential					
Accessory Dwelling Units		P	C	P	834.4.030.B
Apartment Hotels		P	D		
Caretaker Housing		D	D		Per State law
Employee Housing (six or fewer residents)				P	
Emergency Shelters		P	P		834.4.140
Home Occupations, Class I				P	834.4.190
Home Occupations, Class II				D	834.4.190
Low Barrier Navigation Center		P		P	
Mixed Use	C	C	C	C	
Model Home Display			P		
Multi-Family Dwellings		P	C	P	
Single-Family Dwellings				P	
Single Room Occupancy, Small		P			834.4.340
Single Room Occupancy, Large		C			834.4.340
Supportive Housing (GC 65650) <u>in multifamily development</u>		P		P	
Transitional Housing <u>in multifamily development</u>				P	
Nonresidential					
Microwave Relay Structures	D	D	D		834.4.420
Observatories	C	C	C	C	

- B. Prohibited land uses.** If a land use is not listed in a specific zone district or if a ~~Any~~ table cell associated with a listed land use with a is “blank”, means that ~~the listed~~ land use is prohibited in that specific zone district, unless listed as a permitted unclassified use in Chapter 842.5 or Chapter 846.5. Excludes unclassified uses.
- C. Unclassified uses.** Certain specified land uses are allowed as unclassified uses through an Unclassified Conditional Use Permit (Chapter 842.5) or Unclassified Director’s Review and Approval (Chapter 846.5).
- D. Land uses not listed.** For land uses not listed in Table 2-8, the provisions of Section 802.1.020 (Rules of Interpretation) shall apply.
- E. Site Plan Review required.** All construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) and prior to establishment of any use/new use shall require Site Plan Review approval in compliance with Chapter 854.5 (Site Plan Review).
- F. Applicable Regulations.** Where the last column in the tables ("Specific Use Regulations") includes a Section number, the regulations in the referenced section apply to the use; however, provisions in other Sections of this Zoning Ordinance may also apply.

**TABLE 2-8
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR INDUSTRIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	C-M	M-1	M-2	M-3	See Section
Manufacturing and Processing (Continued)					
Handcraft Industries, Small – Scale Manufacturing.		P	P	P	
Laboratories	P	P	P	P	
Laundries and Dry Cleaning Plants	P	P	P	P	
Lumber and Wood Products	P	P	P	P	834.4.450
Lumber and Wood Products, Including Planing Mill		P	P	P	834.4.450
Machinery Manufacturing, General (No Punch Presses and/or Drop Hammers greater than 20 tons)	D	P	P	P	834.4.450
Machinery Manufacturing, Heavy (With Punch Presses and/or Drop Hammers greater than 20 tons)		C	C	C	834.4.450
Medical marijuana cultivation facilities		P	P	P	Chapter 6.60
Metal Industries			C	D	
Meat packing and processing (No On-Site Animal Slaughtering)	C	D	P	P	834.4.450
Meat processing, commercial (With On-Site Animal Slaughtering)				C	834.4.450
Monument and Tombstone Works		P	P	P	
Paper Products Manufacturing		P	P	P	834.4.450

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director’s Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

1 See Article 7 for definitions of the land uses listed.

**TABLE 2-8
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR INDUSTRIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	C-M	M-1	M-2	M-3	See Section
Manufacturing and Processing (Continued)					
Paving and Roofing Materials Manufacturing				C	834.4.450
Petroleum Bulk Plants	C	C	C	C	834.4.450
Petroleum Refining and Related Industries				C	834.4.450
Pharmaceutical Manufacturing	P	P	P	P	834.4.450
Plastics and Rubber Products	C	P	P	P	834.4.450
Plastics, Other Synthetics, and Rubber Product Manufacturing				C	834.4.450
Printing and Publishing	P	P	P	P	
Recycling Facilities – Large Collection Facility		P	P	P	834.4.300, 834.4.450
Recycling Facilities – Small Collection Facility		P	P	P	834.4.300
Recycling Facilities – Heavy Processing Facility				C	834.4.300, 834.4.450
Recycling Facilities – Light Processing Facility			P	P	834.4.300
Recycling Facilities – Reverse Vending Machines		P	P	P	834.4.300
<u>Solid Waste Transfer Stations and Solid Waste Processing Facilities</u>				<u>C</u>	
Structural Clay and Pottery Products Manufacturing	P	P	P	P	834.4.450

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director’s Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit shall be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

**TABLE 2-8
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR INDUSTRIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	C-M	M-1	M-2	M-3	See Section
Motor Vehicle Retail Trade and Services					
<u>Motor Vehicle Dismantling</u>				<u>C</u>	
Motor Vehicle Parts and Sales	P	P	P	P	
Motor Vehicle Repair and Maintenance (Only Within an Enclosed Structure)	P	P	P	P	
Motor Vehicle Sales	P	P	P	<u>P</u>	
Motor Vehicle Service Stations	P	P	P	P	
Motor Vehicle Washes, All	P	P	P	P	
Motorcycle Shops	P	D			
Truck Repairing and Overhauling (Only Within Completely Enclosed Structure)	P	P	P	P	834.4.450
<u>Truck Service Stations</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit shall be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

**TABLE 2-8
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR INDUSTRIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	C-M	M-1	M-2	M-3	See Section
Retail Trade					
Accessory Retail Uses (Only Ancillary to an Industrial Use)	P	P	P	P	See Article 7
Bakeries, Retail	P				
Building Material Stores	P	P	P	P	834.4.450
Cleaning and Dyeing Shops, (Retail Only, Dry Cleaning Clothes In Enclosed Machines, Using Non-Flammable Cleaning Compounds)	P				
Convenience Stores <u>with Automotive Service Stations</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Department Stores	P				
Electric Supply Houses	P	P	P	P	
Equipment Rental/Sales Establishment	P	P	P	P	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit shall be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

**TABLE 2-8
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR INDUSTRIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	C-M	M-1	M-2	M-3	See Section
Services					
Advertising Structures	P	P	P	P	
Animal Hospitals/Veterinary Clinics	C	P	P	P	
Auction Houses	P	C			
Automated Teller Machines (ATM's), Drive-Up	P	P	P	P	
Automated Teller Machines (ATM's), Walk-Up	P	P	P	P	
Banks and Financial Services	P	P	P	P	
Bars and Alcoholic Beverage Drinking Places	P	P	P	P	834.4.080
Business Support Services	P				
Carpet and Rug Cleaning Plants	P				834.4.450
Cleaning and Dyeing Shops	P				
Copy Services	P				
Delicatessens	P	P	P	P	
Drive-Through Uses/Service	P	P	P	C P	<u>834.4.130</u>
Equipment Rental/Sales	P	P	P		
Farm Equipment Services	P				
Kennels	C	P	P	P	
Laboratories	P	P	P		

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit shall be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

**TABLE 2-8
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR INDUSTRIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	C-M	M-1	M-2	M-3	See Section
Services (Continued)					
Laundry and Dry Cleaning, Drop- Off/Pick Up Only	D				
Medical Services – Clinics, and Laboratories	D <u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Mini Storage Facilities	P	P	P	P	834.4.450
Mortuaries and Funeral Parlors	C				
Offices, Business	P	P	P	P	
Offices, Corporate	P	P	P	P	
Offices, Professional	P	P	P	P	
Personal Services (No Adult Businesses)	P	P	P	P	
Printing and Publishing	P	P	P	P	
Restaurants	P	P	P	P	
Restaurants, With On-Site Consumption of Alcohol	C	C	C	C	
Sign Painting	P				
Storage Yards	P	P	P	<u>P</u>	834.4.450
Taxidermists	P				
Vehicle and Freight Terminals	P	P	P	P	834.4.450
Warehousing	P	P	P	P	834.4.450
Wholesaling and Distribution	P	P	P	P	834.4.450

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director’s Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit shall be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

**TABLE 2-8
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR INDUSTRIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²				
	C-M	M-1	M-2	M-3	See Section
Transportation and Telecommunication Facilities					
Broadcast and Recording Studios	P				
Communication Equipment Structures/Buildings	P	P	P		
Microwave Relay Structures	D	D	D	D	834.4.420
Parking Lots/Garages	P	P	P	P	
Public Utility Facilities, <u>Major</u>	P	P	P	D P	
Public Utility Facilities, <u>Minor</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Satellite Dish/Antenna, Ground or Surface Mounted	P	D	D	P	
Satellite Dish/Antenna, Mast or Tower Mounted	C	C	C	C	
Residential					
Caretaker	D	D	P	P	
Emergency Shelters	P	P			834.4.140
Nonresidential					
Observatories	C	C	C	C	
Other					
Community Gardens	D	P	P	P	
Planned Industrial Developments	C	C	C	C	834.4.230

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit shall be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

Article 3

Development and Operational Standards

CHAPTER 820.3 - PERFORMANCE STANDARDS	1
820.3.010 - Purpose of Chapter.....	1
820.3.020 - Applicability.....	1
820.3.030 - Air Quality	1
822.3.040 - Density	2
820.3.050 - Easements.....	3
820.3.060 - Electrical Interference	3
820.3.070 - Energy Conservation	4
820.3.080 - Exterior Light and Glare	4
820.3.090 - Fault Hazard Areas.....	5
820.3.100 - Noise	5
820.3.110 - Odor	8
820.3.120 - Specific Plan Lines.....	8
820.3.130 - Structures, Temporary	8
820.3.140 - Subsidence Areas	8
820.3.150 - Vibration	8
CHAPTER 822.3 - PROPERTY DEVELOPMENT AND USE STANDARDS.....	10
822.3.010 - Purpose and Applicability	10
822.3.020 - Access	10
822.3.030 - Dedications and Improvements Required.....	10
822.3.040 - Environmental Compliance Regulations	11
822.3.050 - Fences, Walls, and Hedges.....	12
822.3.060 - Height Measurement and Height Limit Exceptions	17
822.3.070 - Parcel Coverage	19
822.3.080 - Parcel Standards and Exceptions	19
822.3.090 - Screening and Buffering	24
822.3.100 - Setback Regulations and Exceptions	27
822.3.110 - Size of New Zones	36
822.3.120 - Solid Waste/Recyclable Materials Storage.....	36
822.3.130 - Space Between Structures	39
CHAPTER 824.3 - AFFORDABLE HOUSING INCENTIVES - DENSITY BONUS	40
824.3.010 - Purpose of Chapter	40
824.3.020 - Eligibility for Bonus, Incentives, or Concessions	40
824.3.030 - Allowed Density Bonuses	41
824.3.040 - Allowed Incentives or Concessions	46
824.3.050 - Parking Requirements in Density Bonus Projects	49
824.3.060 - Bonus and Incentives for Developments with Child Care Facilities	50

- b. Where the difference in vertical elevation between the top and the toe of the slope is six feet or more, and
 - c. Where the grade of the slope between the property line and the toe of said slope is two feet horizontal to one foot vertical (2:1) or greater.
- 2. **Swimming Pools.** The requirements in Subsection **H I** below apply.
- 3. **Permitted Fences, Hedges, and Walls.**
 - a. Fences, hedges and walls, not greater than seven 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 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 in the ("R-1-A" and "R-1-AH"), ("R-1-E" & "R-1-EH"), ("R-1-B"), ("R-1-C"), ("R-1"), ("R-2" AND "R-2-A"), ("R-3" & "R-3-A"), and ("R-4") Zone Districts, fences not greater than seven feet in height shall be allowed in the required front yard when:
 - (1) Not located in a corner cut-off area, and
 - (2) The fence and gates have not less than 70 percent of the vertical surface open to permit the transmission of light, air, and vision; and is constructed of either: vertical steel tubing or wrought iron, may incorporate brick or block columns, or gates shall not swing towards the public right-of-way.
 - (3) When a fence restricts the main access to a residence, a minimum four foot wide opening or gate shall be required.
 - (4) Locked gates shall be equipped with a knox-box or similar access system to permit emergency personnel access.
 - c. Fences, walls, lighting, or other associated appurtenances over seven (7) feet in height to enclose/illuminate tennis courts or other game areas shall be permitted to the rear of the required front yard subject to a Director Review and Approval (see DRA Chapter 846.5). See setback requirements for areas constructed specifically for tennis courts and game areas in Table No. 2-5 of Article 2, Chapter 810.2.

H. Rural Residential Zone Fence Requirements.

- 1. **Permitted Fences, Hedges, and Walls.**

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.

- 3. Swimming Pools. The requirements in Subsection I below apply.

I. Swimming pools.

- 1. Swimming pools shall be entirely enclosed by fences or walls, in compliance with the specifications and standards of the County Ordinance Code, Title 15 (Buildings and Construction), except as provided in this Subsection.
- 2. Swimming pool enclosures shall not be required when either of the following conditions apply:
 - a. There exists a natural barrier restricting physical access to the swimming pool that is essentially equivalent in effect to the required enclosures as determined by the Director; or
 - b. The parcel is under one ownership of at least 20 acres and the swimming pool is located a minimum of 300 feet from any property line.
- 3. The required enclosure shall be in place and approved by the Building Official before water is run into the pool. 822.3.060 ~~Height Measurement and Height Limit Exceptions~~

822.3.060 - Height Measurement and Height Limit Exceptions

All structures shall meet the standards in this Section relating to height, except for fences and walls, which shall comply with Section ~~822.3.040~~ 822.3.050 (Fences, Walls, and Hedges).

- A. **Maximum height allowed.** The height of structures shall not exceed the standards established by the applicable zone in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards), except as otherwise provided in this Section.
- B. **Height measurement.** Height shall be measured as the vertical distance from the adjoining curb level to the highest point of the structure, exclusive of chimneys and ventilators; provided, however, that where structure(s) is set back from the street line, the height shall be measured from the average elevation of the finished grade at the front of the structure(s) as the vertical distance from the finished grade on any side to the highest point of the roof.
- C. **Allowed structure height increases.** The maximum structure height development standards established by Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards) may be

increased as specified by this Section, provided the increase shall not conflict with airport safety regulations or conditions of an approved land use permit.

1. **Assembly and meeting facilities.** Assembly and meeting facilities in zones that impose a height limitation of 35 feet or less may exceed the 35-foot height limit by up to 25 feet when the required front, side, and rear setbacks are increased an additional one foot in excess of minimum requirements for each four feet in height above 35 feet.
2. **Miscellaneous structures.** The maximum structure height specified in a zone may be exceeded by no more than 50 percent for the following structures, except that a greater maximum height may be specified in the conditions of an approved land use permit:
 - a. Barns, silos, grain elevators, and other farm structures in the RC and RE zone districts.
 - b. Birdhouses (in agricultural zone districts).
 - c. Cooling towers, smokestacks, or other structures that are required by allowed industrial processes in industrial zones.
 - d. Cupolas, domes, skylights, ~~and gables~~ (in agricultural, residential and commercial zone districts).
 - e. Distribution and transmission cables and towers.
 - f. Elevator housings.
 - g. Fire and hose towers.
 - h. Fire or parapet walls.
 - i. Flag poles.
 - j. Mechanical equipment and its screening to include roof-mounted wireless telecommunications support facilities.
 - ~~k. Monuments.~~
 - k. Noncommercial antennae up to 65 feet in residential zones (see Section 846.5.020, Unclassified Conditional Use Permit Director's Review and Approval).
 - l. Observation towers (in agricultural zone districts).
 - ~~m. Ornamental towers and spheres.~~
 - m. Radio and television station towers.
 - n. Residential chimneys, flues, smokestacks, and enclosures.

- o. Solar energy collectors. These structures shall be set back from all property lines and habitable structures at least 100 percent of the height of the structure.
- p. Stairway housing.
- q. Water tanks and water towers.
- r. Other roof structures and mechanical equipment similar to those listed above.

Note: The above-listed uses are in addition to those uses specified Section 834.4.420 (Wireless Telecommunication Facility Standards)

822.3.070 - Parcel Coverage

All structures hereafter designed or erected and existing structures which may be altered, maintained, moved, reconstructed, or enlarged, shall not exceed the maximum parcel coverage regulations specified in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards).

822.3.080 - Parcel Standards and Exceptions

- A. Parcels.** Except as stated in this Section, no structures shall be erected or located on a parcel unless the parcel conforms with the area regulations of the zone in which it is located.
1. After the effective date of any ordinance by which any area is first zoned for any zone, no land in the zone may be divided by the recordation of any map or by voluntary sale, contract of sale, or conveyance of any kind which creates a new parcel of land under separate ownership which consists of less than the minimum parcel area required for the zone of which the parcel is a part.
 2. If part of an existing parcel of land is acquired for public utility use, the property development standards of the zone in which the parcels are located shall apply, except that parcel area standards shall not apply for the public utility parcel. Public utility parcels shall not attain a nonconforming status.
 3. If part of an existing parcel of land is acquired for public use, the remainder of the parcel shall be considered a nonconforming parcel. A parcel having an established nonconforming parcel area status before the acquisition shall retain that status after the acquisition. The property development standards, except for parcel area, of the zone in which the above parcel(s) are located shall be met. (Examples of land acquired for public use are road or public construction projects).
 4. When an unimproved parcel of land that is nonconforming as to parcel area is or was owned by a person who is or was also the owner of an adjoining parcel of land located in the same zone on or after March 1, 1991, the parcel for the purposes of this Section shall not be considered a developable parcel for which a Building Permit may be issued, unless one of the following actions occurs:

- a. The owner of the nonconforming parcel merges already acquired parcel(s) in compliance with County Ordinance Code Section 17.72.055 to create a new parcel of land which consists of the minimum parcel area required by the zone of which the parcel(s) are a part, except where the merged parcel(s) constitute the entire contiguous ownership of the applicant for the Building Permit and the new parcel remains substandard as to parcel area, then the newly created parcel shall be considered a developable parcel for which a Building Permit may be issued; or
 - b. A determination of non-merger is made in compliance with the provisions of County Ordinance Code Chapter 17.74.
 5. Despite the preceding requirements, the following shall apply to the Sierra-North Regional Plan area:
 - a. All existing legally created contiguous parcels of record under the same ownership which were created after June 8, 1960, which are less than the minimum parcel size of the zone adopted on May 4, 1982, shall be considered developable parcels for which Building Permits may be issued.
 - b. Parcels smaller than required by the zones adopted or initiated on May 4, 1982, which were shown on a tentative parcel or tract map accepted for processing by March 30, 1982, shall, upon subsequent recordation of the map, be deemed legal parcels consistent with the Sierra-North Regional Plan.
 - c. Within the Eastside Rangeland, Specific Plan Reserve, and Public Lands and Open Space land use designations, all legally created parcels under a single ownership of 40 acres or (quarter/quarter section) or smaller and zoned A-1, A-2, AE-5, or R-E at the time of Plan adoption, may be divided one time to create up to four parcels, with a minimum parcel size of five acres or half of a quarter of a quarter/quarter section.
 - d. Parcels created in compliance with Subparagraph b and c above cannot be further divided.
 6. Despite the preceding requirements, the following shall apply to the Sierra-South Regional Plan area: all existing legally created contiguous parcels of record under the same ownership which were created after June 8, 1960, which are less than the minimum parcel size of the zone adopted on September 25, 1984, shall be considered developable parcels for which Building Permits may be issued.

B. Parcel Dimensions

1. Every parcel shall have a minimum frontage width not less than the required minimum parcel width in the zone under consideration. Curve parcels and cul-de-sac parcels shall conform to the particular zone wherein provisions are specified for the parcels. Every parcel shall also have a minimum width and depth not less than that prescribed in the zone under consideration. For parcels zoned Rural Residential 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.

2. Each dimension is minimum only. One or both shall be increased to attain the minimum parcel area required.
3. Where a parcel has a minimum width or depth less than that prescribed by this Zoning Ordinance, and the parcel was of record under one ownership at the time that the area was first zoned whereby the parcel became nonconforming, the parcel may be used subject to all other property development standards of the zone in which the parcel is located.
4. If part of an existing parcel of land is acquired for public utility use, the property development standards of the zone in which the parcels are located shall apply, except that parcel dimension standards shall not apply for the public utility parcel. Public utility parcels shall not attain a nonconforming status.
5. If part of an existing parcel of land is acquired for public use, the remainder of the parcel shall be considered a nonconforming parcel. A parcel having an established nonconforming parcel dimension status before the acquisition shall retain that status after the acquisition. The property development standards, except for parcel dimensions, of the zone in which the above parcels or parcels are located shall be met.
6. When an unimproved parcel of land that is nonconforming as to parcel width, width to depth ratio, public road frontage requirements, or parcel depth is or was owned by a person who is or was also the owner of an adjoining parcel of land located in the same zone on or after March 1, 1991, the parcel for purposes of this Zoning Ordinance shall not be considered a developable parcel for which a Building Permit may be issued, unless one of the following actions occurs:
 - a. The owner of the nonconforming parcel merges already acquired parcels in compliance with County Ordinance Code Section 17.72.055 to create a new parcel of land which consists of the minimum parcel dimensions required by the zone of which the parcel(s) are a part, except where the merged parcel(s) constitute the entire contiguous ownership of the applicant for the Building Permit and the new parcel remains substandard as to parcel width, width to depth ratio public road frontage, or parcel depth, then the newly created parcel shall be considered a developable parcel for which a Building Permit may be issued; or
 - b. A determination of non-merger is made in compliance with County Ordinance Code Chapter 17.74.

C. Parcel Line, Front

1. On an interior parcel, the front parcel line is the property line abutting the street.
2. On a corner or reversed corner parcel, the front parcel line is the shorter property line abutting a street.

- (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.
 - b. Each homesite created pursuant to this Subsection F. shall be subject to execution of a Declaration of Intent and Acknowledgement of Penalty for Unlawful Conveyance.
 - c. 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 Subsections 822.3.080-A.5.c and 822.3.080-A.6.
 - d. Parcels under Williamson Act Contract are subject to minimum parcel sizes as required by the Act – homesite exception parcels currently 10 acres minimum.
2. The creation of lots less than the minimum parcel size of the zone district, but not less than five acres, may be considered as a part of the Conditional Use Permit for off-site rock, sand, and gravel trucking operations.
3. All parcels approved for creation through the former Agricultural Assessment process shall be deemed conforming and all legally created parcels shall not merge.
4. Despite any other provision of this Division, all parcels not in compliance with the above F.1.b a.(1) through (5) of this Subsection shown on map applications accepted for processing prior to the effective date of August 1, 2001 shall upon subsequent recordation of the map and/or certificate be deemed conforming.

822.3.090 - Screening and Buffering

This Section provides standards for multi-family and non-residential land uses for the screening and buffering of adjoining land uses, equipment, and outdoor storage areas, and surface parking areas.

A. Screening between different land uses.

1. An opaque screen consisting of plant material, and a solid masonry wall, a minimum of six feet in height, shall be installed along parcel boundaries whenever a commercial, industrial, or institutional development adjoins a residential zone.
2. The maximum height of walls shall comply with the provisions of Section 822.3.040 (Fences, Walls, and Hedges).
3. The walls shall be architecturally treated or landscaped on both sides to avoid the appearance of unfinished precision block, subject to the approval of the Director.

parcel, exclusive of required setback areas. The replacement space shall have minimum dimensions of eight feet by eight feet and shall be so located that it is suitable for general use by the occupant of the premises.

D. Exceptions. The setback requirements as specified for the zone shall apply with the addition of the following:

1. Schools, places of assembly, and institutions at property boundaries.

- a. No structure shall be erected, structurally altered, or used for a school, place of assembly, hospital, public structure, or other similar use, allowed either as a matter of right or under the Director’s Review and Approval or Conditional Use Permit regulations of this Zoning Ordinance, unless the structure(s), when fronting on a street, have a front setback not less than that prescribed by the zone in which the structure is located.
- b. Side and rear setbacks may be used for required off-street parking, as determined appropriate by the Director. If the parking area abuts property classified as a residential zone, then a solid masonry wall not less than five feet or more than six feet in height shall be erected on the property line abutting the area used for off-street parking. For regulations, the provisions of Section 822.3.050 (Fences, Walls, and Hedges) shall apply.

2. State Responsibility Areas (SRA). All structures and accessory structures located within SRA as defined by the California Department of Forestry (CDF) shall set back from all property lines, structures, and the center of the road in compliance with the County Fire Safe Regulations (County Ordinance Code Section 15.60) for purposes of providing an adequate structure defensible space.

3. Hillside Lots. Hillside Lots. This provision shall be made applicable to the following districts: R-1; R- 1-A; R-1-AH; R-1-B; R-1-C; R-1-E; R-1-EH; R-2; R-2-A; R-3 and R-3-A.

a. (Front Yard) 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.

b. (Side Yard) 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. (Rear Yard) 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.

4. Swimming Pools.

- a. 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.
- b. 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.
- c. 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, Walls, and Hedges." Section 822.3.050).

merger, lot line adjustment, or parcel map to move or eliminate the property line in question.

3. The lot line adjustment process may be used if the parcels will still meet the development standards of the zone in which the parcels are located.

G. Nonconforming parcels. Legally created, nonconforming lots having either a substandard width or depth, may utilize the side or front setback requirement of another most restrictive zone district where the substandard width or depth is allowed (use the closest compatible district with dimensions at or above the subject parcel dimensions). Where both width and depth are substandard, this provision shall apply to both the front and side setbacks. This provision shall apply to all districts that allow residential uses except for the R-1-E and R-1-EH Districts.

H. Accessory structures.

Residential Districts

1. Accessory buildings in side or rear yards for applicable Residential Zone Districts (R-1, R-1-A, R-1-AH, R-1-B, R-1-C, R-1-E, R-1-EH) shall meet the following standards:
 - a. Any accessory building located less than sixty (60) 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 sixty (60) 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. For residential zone districts, aggregate area of accessory buildings permitted in required yards on any one parcel shall not exceed six hundred and fifty (650) square feet except that additional area may be approved subject to Director Review and Approval Procedures of Chapter 846.5. This provision shall be made applicable to the following districts: R-1; R-1-A; R-1-AH; R-1-B; R-1-C; R-1-E; R-1-EH; R-2; R-2-A; R-3; R-3-A; and ~~R-4~~ R-A.
3. The RR (Rural Residential) Zone District shall meet the provisions for accessory buildings in the AE and AL Zone Districts as defined in Section 822.3.100.H.4 below. The RR

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.

Agricultural Districts

4. The following projections shall be permitted in required yards for the A-E and A-L Districts:

- a. Cornices, eaves, belt courses, sills, fireplace chimneys and other similar architectural feature 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 (does not include slabs or flatwork) which do not extend above the level of the first floor of the building (see Article 7, Definitions) 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. NOTE: this provision does not apply to uncovered concrete slabs, similar flatwork, etc.
- 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.

822.3.110 - Size of New Zones

The size of new zones shall be as specified in the zone regulations.

822.3.120 - Solid Waste/Recyclable Materials Storage



822.3.130 - Space Between Structures

All structures hereafter designed or erected and existing structures which may be altered, moved, reconstructed, or enlarged, shall comply with the space between structure requirements specified in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards).

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.

**TABLE 3-7
PARKING REQUIREMENTS BY LAND USE**

Uses	Number of Spaces Required
Industry, Manufacturing & Processing, Wholesaling (4)	
Industrial use of any type, unless otherwise listed below, including a warehouse or structure used exclusively for storage purposes, wholesale house or distributor not having a business office on the premises	<ul style="list-style-type: none"> • 2 spaces for each 1,000 s.f. of GFA for the first 25,000 s.f.; and one space for each 1,000 s.f. thereafter. <u>(1) 1 space for every two permanent employees</u> • Plus, 1 for each permanent salesperson • Plus, 1 for each facility vehicle
Machinery sales and wholesale stores	<ul style="list-style-type: none"> • 1 for each 800 s.f. of GFA
Public facility (e.g., communication equipment structure or electrical substation)	<ul style="list-style-type: none"> • For a facility open to the public, 3 s.f. of parking area for every 1 s.f. of GFA or fraction thereof, located within 300 feet of the property served • For a facility not open to the public, 1 per 2 employees, based on the maximum number of employees on duty at any one time • For a facility with a portion of the area open to the public, the requirements of the above two provisions shall be used as a basis for determining the respective amount of parking.
Storage or mini storage facility	<ul style="list-style-type: none"> • Mini-storage office: 1 for each 250 s.f. of office area with 4 minimum. • Additional requirements: <ul style="list-style-type: none"> ○ A parking lane shall be provided adjacent to the storage structure's openings that is a minimum of 9 feet in width and outlined (painted). The parking lane is for temporary parking only (30 minutes maximum) and this time restriction shall be clearly marked with signs. ○ Driveways adjacent to the parking lane shall be a minimum width of 15 feet for one-way and 24 feet for two-way.)
Recreation, Education & Public Assembly Uses⁽⁴⁾	
Bowling alley and billiard hall	<ul style="list-style-type: none"> • 5 for each bowling lane; and • 2 for each billiard table
Commercial recreation and similar indoor uses	<ul style="list-style-type: none"> • 1 for each 4 persons of the facility's allowed maximum attendance
Commercial recreation and similar outdoor uses (e.g., shooting range, race track, miniature golf course, pitch and putt course, or zoo)	<ul style="list-style-type: none"> • 1 for each 4 persons of the facility's allowed maximum attendance
Commercial swimming pools and swimming schools	<ul style="list-style-type: none"> • 1 for each 500 s.f. of water surface area • 10 minimum.
Dance hall, skating rink, natatorium, or other similar use	<ul style="list-style-type: none"> • 1 for each 50 s.f. of dance floor area, or • 1 for each 100 s.f. of GFA for any structure, whichever is greater
Golf course and driving range, but not to include miniature golf course	<ul style="list-style-type: none"> • 4 for each hole on all golf courses; and • 1 for each tee for driving ranges
Library	<ul style="list-style-type: none"> • For libraries without public meeting rooms, 1 per 250 s.f. of GFA • For libraries with public meeting rooms, 1 per 250 s.f. of GFA (excluding meeting rooms; and • 1 per 5 permanent seats or 1 per 40 s.f. of meeting room area, whichever is greater

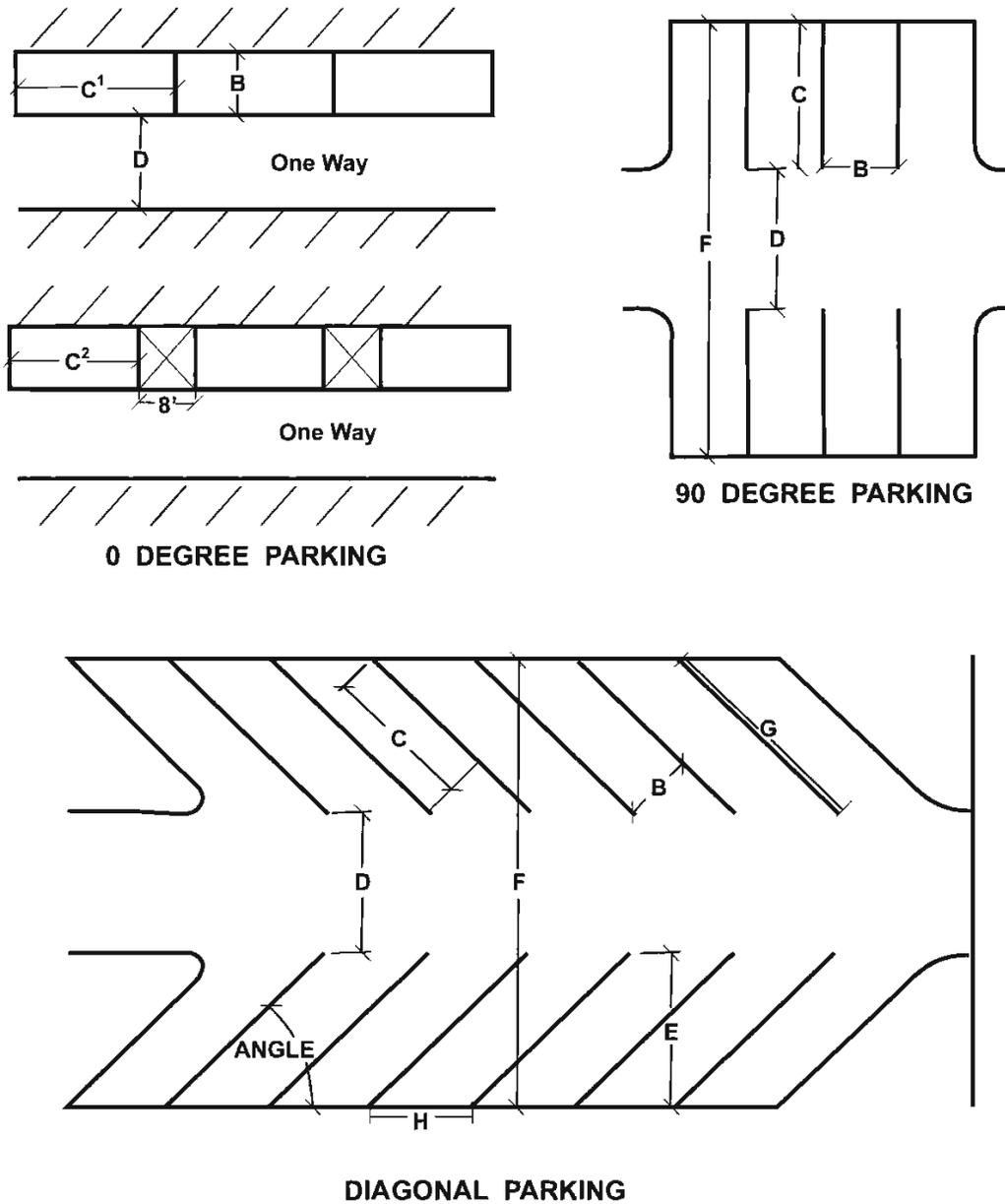
**TABLE 3-7
PARKING REQUIREMENTS BY LAND USE**

Uses	Number of Spaces Required
Residential Uses	
Accessory Dwelling Unit	<ul style="list-style-type: none"> See Section 834.4.030(E)
Caretaker housing	<ul style="list-style-type: none"> 2, with at least one covered
Club; fraternity or sorority house; rooming or boarding house; or similar structure designed or intended to house for sleeping, guests, members, or employees (3)	<ul style="list-style-type: none"> 1 for each bed (4)
Convalescent home, rest home, or residential care facility for 7 or more people	<ul style="list-style-type: none"> 1 for each 400 s.f of GFA, plus 1 for each 3 employees
Dependent housing	<ul style="list-style-type: none"> 2 for each unit
Mobile home park/Trailer park	<ul style="list-style-type: none"> 1 for each space; and 1 guest space for each 10 spaces, or fraction thereof
Motel, hotel, apartment hotel, motor court, or boarding house	<ul style="list-style-type: none"> 1 for each unit/room.
Multi-family dwelling	<ul style="list-style-type: none"> 1 for each unit/room. <u>One (1) covered parking space for each unit on the same lot with the main building which they are intended to serve (3)</u>
Second dwelling unit	<ul style="list-style-type: none"> 2, one shall be covered (3)
Single-family dwelling	<ul style="list-style-type: none"> 2, one shall be covered on the same site with the primary structure for all residential zones (3). Provision does not apply to the R-A zone or any agricultural zone.
Short-Term Private Home Rental	<ul style="list-style-type: none"> 1 for each bedroom
Retail Trade (See Note #3 below)	
Retail uses of any type, unless otherwise listed below	<ul style="list-style-type: none"> 1 for each 225 s.f. of GFA
Automobile sales and repair	<ul style="list-style-type: none"> 1 for each 400 s.f. of GFA
Boat sales, mobile home sales, retail nurseries, and other open uses not in a structure	<ul style="list-style-type: none"> 1 for each 2,000 s.f., or portion thereof, for open area devoted to display or sales; for the first 10,000 s.f.; and 1 for each 5,000 s.f., or portion thereof, over 10,000 s.f.; and 1 for each facility vehicle
Food establishments with take-out provisions only	<ul style="list-style-type: none"> 1 for each 200 s.f. of GFA; and 1 for each facility vehicle 4 minimum.
Restaurant, drive-ins, cafe, night club, tavern, and other similar places where food or refreshments are dispensed	<ul style="list-style-type: none"> Facilities less than 1,000 s.f. of GFA, 1 for each 200 s.f. of GFA Facilities with 1,000 s.f., or more but less than 4,000 s.f. of GFA, 1 for each 100 s.f. of GFA Facilities greater than 4,000 s.f. of GFA, 40 plus 1 for each 50 s.f. of GFA in excess of 4,000 s.f.
Retail Stores, General Merchandise	<ul style="list-style-type: none"> 1 for each 225 s.f. of GFA 4 minimum.
Shopping centers (projects over 200,000 s.f. of floor area)	<ul style="list-style-type: none"> 1 for each 200 s.f. of GFA up to 100,000 sf; and 1 for each 250 s.f. of GFA for square footage above 100,000 s.f.
Wholesale commercial nurseries	<ul style="list-style-type: none"> 1 for each 500 s.f. of display area
Services General	

2. The landscaping shall be properly maintained in compliance with Chapter 826.3 (Landscaping Standards).
 3. No structure shall be erected, nor shall any property be used unless a site plan for the development has been submitted to and approved by the Director in compliance with Chapter 854.5 (Site Plan Review).
- F. Lighting standards.** Lighting where provided to illuminate the parking, sales, or display areas shall be hooded and so arranged and controlled so as not to cause a nuisance either to highway traffic or to the living environment. The amount of light shall be provided in compliance with adopted Department standards.
- G. Tandem parking restrictions.** No parking space shall be so located as to require the moving of any vehicle on the premises to enter or leave any other stall. The preceding sentence does not apply if a parking facility has an attendant always present during the use of the facility.
- H. Backing out restrictions.** Vehicle parking so arranged as to require the backing out of motor vehicles from a parking space, garage, or other structure onto a street, as designated on the Circulation Element of the General Plan, shall be prohibited when either or both of the following conditions exist:
1. The property is located adjacent and contiguous to the public alley.
 2. The width of the parcel or the nature of the design of the existing or proposed structures ensures that vehicles leaving the property may do so by moving in a forward direction with relation to the street.
- I. Backing into pedestrian accessway restrictions.** In no case shall parking spaces be so arranged that ingress or egress from a parking space requires backing into a public or private pedestrian accessway, or from a public alley.
- J. Efficient use of parking facility.** Parking areas for any use shall be placed in the location with relation to the parking generator as to provide for the efficient use of the parking facility. On-site parking areas shall be noted by an appropriate sign located both at the parking generator and at the parking facility.
- K. Access to individual parking spaces.** All access to individual parking spaces on a parcel or portion of a parcel designated for parking shall be from the parcel or portion of a parcel.
- L. Parking facility egress design.** All off-street parking facilities for non-residential 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.
- M. Residential Hillside Lot Exception.** ~~On a single family residential lot having a grade of more than 25 percent (measured from the curb line to a point midway between the side lot~~

~~lines at a distance of 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 feet from the front lot line and further provided it shall have no doors or other openings equipped in a manner that when open or being opened they will project beyond the front lot line. See Setback Regulations and Exceptions Subsection 822.3.100.D.3, Hillside Lots.~~

Figure 3-5: Typical Parking Configurations



- (5) Each sign shall be located a minimum of 10 feet from the paved portion of the adjacent road and outside of the public road rights-of-way. In no instance shall signs be located within required rear or interior side yards.
- (6) Signs are prohibited in corner cut-off areas, the locations of which are described in Subsection 822.3.100.E. For purposes of establishing corner cut-off areas, the property line shall be considered to be not less than 30 feet from the centerline of the adjacent roadway.
- ~~(8)~~ (7) Before any sign is erected on any parcel, a site plan shall have been submitted to and approved.

b. Temporary produce stand approach signs.

- (1) The number of signs shall be limited to two along each public roadway to which the produce stand has direct access.
- (2) Each sign shall not exceed 16 square feet in area, exclusive of architectural features. The sign shall not exceed 10 feet in height.
- (3) Internally illuminated or floodlighted signs shall be prohibited, but reflective materials may be used.
- (4) The signs shall be located within 1,300 feet of the produce stand structure.
- (5) Each sign shall be located a minimum of 10 feet from the paved portion of the adjacent road and outside of the public road rights-of-way. In no instance shall signs be located within required rear or interior side yards.
- (6) The signs shall be prohibited in corner cut-off areas, the location of which are described in Section 822.3.090. For purposes of establishing corner cut-off areas, the property line shall be considered to be not less than 30 feet from the centerline of the adjacent roadway.

3. Rental Signs. "For Rent" and "For Sale" signs shall be permitted.

4. Signs for Specific Uses. Signs for institutional uses including churches, hospitals, rest homes, private clubs and similar uses shall be permitted subject to the provisions of Section 830.3.080 and Section 830.3.090 A through L above. Off-site directional signs for major recreational uses, hospitals, and colleges permitted under shall be subject to the provisions of Section 830.3.080 and Section 830.3.090 A through L above.

N. Temporary off-site political signs. A temporary off-site political sign shall be allowed in any zone subject to the following limitations:

1. Political signs shall be removed within 30 days following the election.

834.4.010 – Purpose of Article

This Article provides locational, site planning, developmental, and operational standards for land uses that are allowed by Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards) within individual or multiple zones. These uses require special standards to ensure their compatibility with adjacent land uses and to avoid problems for the community.

834.4.020 - Accessory Structures

- A. Purpose.** This Section specifies how property development standards are applied to different accessory structures based on the placement of the accessory structure on the subject property and its relationship to the primary structure.
- B. Standards.** Accessory structures shall be subject to all of the following requirements and limitations:
1. Where an accessory structure is part of, or joined to the primary structure by a common wall, or where any accessory structure has sleeping or living accommodations, the accessory structure shall be deemed a primary structure for purposes of applying the property development standards of this Zoning Ordinance.
 2. Where an accessory structure, either attached to or detached from the primary structure, is less than six feet from the primary structure, the accessory structure shall be deemed a primary structure for purposes of applying the property development standards of this Zoning Ordinance.
 3. Where an accessory structure is detached and separated from the primary structure by six feet or more, the accessory structure shall not be considered a primary structure for purposes of applying the property development standards of this Zoning Ordinance.
 4. Where an accessory structure is attached to the primary structure by a breezeway roof with an intervening space of six feet or more and where the space is open on at least two sides, the accessory structure shall not be considered a primary structure for purposes of applying the property development standards of this Zoning Ordinance.
- C. Special Setbacks.** See Section 822.3.100 setbacks for accessory structures.

834.4.025 – Agricultural Tourism

- A. Purpose.** ~~This Section specifies how property development standards are applied to different accessory structures based on the placement of the accessory structure on the subject property and its relationship to the primary structure.~~ This Section specifies businesses conducted on a working agri-business, agricultural, or horticultural operation for the purpose of enjoyment, involvement, and education of visitors and to generate supplemental farm income. The scope and duration of permitted activities are defined in Standards below

detached Accessory Dwelling Units meets all the following requirements:

- i. Has side and rear setbacks of at least four feet; and
- ii. Is 800 square feet or smaller in size.

6. Standards Applicable to All Accessory Dwelling Units. The following standards apply to all Accessory Dwelling Units and Junior Accessory Dwelling Units constructed on or moved to a new site and to the remodeling or rebuilding of existing single-family dwelling or multi-family structure to create an Accessory Dwelling Unit.

- a. **Parcel Size and Width.** No minimum parcel size or parcel width shall apply for the construction of an Accessory Dwelling Unit.
- b. **Access.** Every Accessory Dwelling Unit shall have direct exterior access independent of the exterior access of the primary dwelling.
- c. **Fire Sprinklers.** Fire sprinklers are required in an Accessory Dwelling Unit if they are required in the primary dwelling.
- d. **Permanent Foundations.**
 - (1) All Accessory Dwelling Units shall be permanently attached to a permanent foundation when installed or constructed in a residential zone district.
 - (2) A recreational vehicle, commercial coach, trailer, motor home, camper, camping trailer, or boat shall not be used as an Accessory Dwelling Unit.
- e. **Nonconforming Conditions.** The correction of nonconforming zoning conditions is not required in order to establish an Accessory Dwelling Unit on a parcel with a primary dwelling.
- f. **~~6.~~ Design.**
 - (1) Accessory Dwelling Units shall be designed and constructed to architecturally and aesthetically match the existing single-family dwelling in terms of exterior materials and colors, building elements, structure mass, and roof pitch, as well as any applicable design guidelines.
 - (2) Within any historic district zone or historic district overlay zone, the design of Accessory Dwelling Units shall be consistent with the design and development guidelines applicable to such zones.
 - (3) If the Accessory Dwelling Unit is a manufactured home, the manufactured home shall be erected and permanently attached on a permanent foundation and shall be made to match the primary dwelling in terms of architectural

style, exterior materials and colors, and roof pitch.

- g. ~~e.~~ **No Separate Conveyance.** An Accessory Dwelling Unit may be rented, but no Accessory Dwelling Unit, unless otherwise permitted by State law, may be sold or otherwise conveyed separately from the parcel and the primary dwelling in the case of a single-family parcel or from the parcel and all of the dwellings in the case of a multi-family parcel.
 - h. ~~f.~~ **Rental Term.** No Accessory Dwelling Unit may be rented for a term that is shorter than 30 days.
 - i. ~~g.~~ **Impact Fees.** No impact fees (including school fees) shall be charged to an Accessory Dwelling Unit that is less than 750 square feet in size. Any impact fee charged to an Accessory Dwelling Unit 750 square feet or greater shall be charged proportionately in relation to the square footage of the primary dwelling unit (e.g. the floor area of the primary dwelling, divided by the floor area of the Accessory Dwelling Unit, times the typical fee amount charged for a new dwelling. For the purposes of this paragraph, impact fees do not include any connection fee or capacity charge for water or sewer service.
- 7. Additional Standards Applicable to Attached and Detached Accessory Dwelling Units.** The following standards apply only to attached and detached Accessory Dwelling Units.

a. **Size.**

- (1) **Detached.** May not exceed 850 square feet if it has fewer than two bedrooms or 1,000 square feet if it has two bedrooms. No more than two bedrooms are allowed. A detached ADU shall not exceed 50% of the floor area of the primary dwelling and have a maximum of 1,200 square feet.
- (2) **Attached.** May not exceed 850 square feet if it has fewer than two bedrooms or 1,000 square feet if it has two bedrooms. No more than two bedrooms are allowed. An attached Accessory Dwelling Unit shall not exceed 50 percent of the floor area of the primary dwelling. An attached Accessory Dwelling Unit shall not exceed 50 percent of the floor area of the primary dwelling to a maximum of 1,200 square feet.

b. **Height.**

- (1) **Single-Story Attached or Detached.** A single-story attached or detached Accessory Dwelling Unit shall not exceed 16 feet in height above grade, measured to the peak of the structure.
- (2) **Two-Story.** ~~An attached or~~ A detached Accessory Dwelling Unit that is constructed with a second story shall be permitted in the AE, AL, A-2, R-R, R-C and R-S zone districts not ~~exceed~~ exceeding the maximum allowable structure height for the area in which it is located. Two-story

- (1) **Detached.** May not exceed 850 square feet if it has fewer than two bedrooms or 1,000 square feet if it has two bedrooms. No more than two bedrooms are allowed. A detached ADU shall not exceed 50% of the floor area of the primary dwelling and have a maximum of 1,200 square feet.
 - (2) **Attached.** May not exceed 850 square feet if it has fewer than two bedrooms or 1,000 square feet if it has two bedrooms. No more than two bedrooms are allowed. An attached Accessory Dwelling Unit shall not exceed 50 percent of the floor area of the primary dwelling. An attached Accessory Dwelling Unit shall not exceed 50 percent of the floor area of the primary dwelling to a maximum of 1,200 square feet.
- b. **Height.**
- (1) **Single-Story Attached or Detached.** A single-story attached or detached Accessory Dwelling Unit shall not exceed 16 feet in height above grade, measured to the peak of the structure.
 - (2) **Two-Story.** ~~An attached or A~~ detached Accessory Dwelling Unit that is constructed with a second story shall be permitted in the AE, AL, A-2, R-R, R-C and R-S zone districts not ~~exceed~~ exceeding the maximum allowable structure height for the area in which it is located. Two-story attached Accessory Dwelling Units shall not exceed the height provisions as provided for in State Law.
- c. **Passageways.** No passageway, breezeway, or similar connection between structures on the parcel shall be required in conjunction with the construction of an Accessory Dwelling Unit.
- d. **Utilities.** Attached and detached Accessory Dwelling Units shall require new, separate utility connections directly between the Accessory Dwelling Unit and the utility provider.
- e. **Parking.**
- (1) One off-street parking space is required for each attached and detached Accessory Dwelling Unit. The parking requirement for an attached or detached Accessory Dwelling Unit shall be in addition to the parking requirement for the existing residence on the property. This space may be provided as tandem parking, including on an existing driveway. No parking shall be permitted in the front yard other than on the paved driveway. Parking spaces may also be provided through a mechanical vehicle parking lift.
 - (2) **No Replacement.** When a garage, carport, or covered parking structure providing required parking for the primary residence or residences is demolished to allow for the construction of an Accessory Dwelling Unit or is converted to an Accessory Dwelling Unit, those parking spaces are not

- a. The second dwelling unit may be either attached to or detached from the primary dwelling unit.
- b. The second dwelling unit shall not exceed 2,000 square feet in size.

D. Accessory Living Quarters. Accessory Living Quarters are allowed in all Districts that allow a Single Family Residence, provided the parcel does not contain an Accessory Dwelling Unit or a Secondary Dwelling Unit. Accessory Living Quarters are allowed subject to the following standards:

1. General provisions.

- a. Accessory living quarters shall be located within an accessory building on the same premises with the primary residence.
- b. The accessory living quarters shall not exceed 50% of the living area of the primary residence up to a maximum size of 1,200 square feet.
- c. Occupancy of the accessory living quarters shall be limited to family members or temporary guests of the occupant of the primary residence.
- d. The accessory living quarters shall not include a kitchen. A bar sink and an undercounter refrigerator are allowed, but no cooking devices are permitted.
- e. The accessory living quarters shall not be rented separately from the primary residence.
- f. A covenant, between the County and the property owner, specifying the limited use of this unit, shall be recorded with the County Recorder prior to the issuance of permits.

834.4.040 - Agricultural Commercial and Rural Commercial Centers

A. Purpose. These regulations are intended to provide the agricultural and rural residential communities with necessary services within commercial centers.

B. Commission's and Board's actions. The Commission's action on an Agricultural Commercial or Rural Commercial Center is final unless appealed to the Board.

C. Standards. The following standards apply to Agricultural Commercial and Rural Commercial Centers:

1. The centers may consist of a single use or multiple uses.
2. The location of the centers shall be on sites adequate in size to provide the necessary support services and facilities in compliance with health and safety regulations.

- f. All Farmworker Housing Complexes not connected to community sewer or water shall meet the minimum on-site County separation requirements for well and septic systems and the Fresno County adopted LAMP requirements including any available variance provisions.
- g. All units constructed shall meet the minimum required building and safety code requirements.
7. Conversion - The housing units shall not be converted to any other use unless the conversion is approved by the County of Fresno. Any conversion shall be subject to the applicable zoning ordinance standards at the time of the conversion.
8. The Planning Commission may authorize additional beds or units or a combination of group quarters and Farmworker Dwelling Units beyond the limits set in this section through the conditional use permit process, based on the Commission's ability to making specific findings as outlined in Section 842.5.050.B (Required Findings – Conditional Use Permit).
9. Permanent units or spaces designed for use by a single family or household and Farmworker Housing Complexes require the completion of a Farmworker Housing verification form prior to building permit application submittal. The verification form shall include information regarding the housing type, number of dwelling units or beds, estimated length of occupancy, estimated maximum number of occupants, anticipated occupants' employment information, or other information that established that the accommodations are to be maintained in connection with any work or place where work is performed and proof that a permit to operate from the California Department of Housing and Community Development (HDC) has been obtained and maintained.

~~9. Permanent units or spaces designed for use by a single family or household and Farmworker Housing Complexes require the completion of a Farmworker Housing verification form prior to building permit application submittal. The verification form shall include information regarding the housing type, number of dwelling units or beds, estimated length of occupancy, estimated maximum number of occupants, anticipated occupants' employment information, or other information that established that the accommodations are to be maintained in connection with any work or place where work is performed and proof that a permit to operate from the California Department of Housing and Community Development (HDC) has been obtained and maintained.~~

C. Eligible Agricultural Employee Housing Development.

An Eligible Agricultural Employee Housing Development defined in and that satisfies the requirements of Section 17021.8 of the California Health and Safety Code, and as may be amended, is allowed in any of the following zone districts that permit agricultural land uses R-A, R-1-A, R-R, R-1-A, R-1-AH, R-1-E, R-1-EH, AE, AL, RE and O. An

Eligible Agricultural Employee Housing Development is subject to the minimum County standards identified in Section 834.4.160.B.5 above.

834.4.170 - Farmer's Markets

- A. Purpose.** This Section provides use and development regulations for Farmer's Markets as defined in Article 7 (Definitions) for sites which serve the community. Proposals shall have a limited operational time period and shall comply with the standards listed in Section B below.
- B. Standards.** Farmer's Markets shall be allowed in the C-3, C-4 and C-6 Zone Districts as a permitted use and in the R-P Zone District with approval of a Director Review and Approval. All Farmer's Markets shall be subject to the following standards:
1. Proposals for new Farmer's Markets must be on an existing and developed commercial site and shall receive approval through a Site Plan Review per the requirements of Chapter 854.5.
 - a. An Operational Statement and Site Plan shall be submitted by the property owner or operator and the Farmers Market shall be operated in a manner consistent with the Operational Statement and Site Plan submitted.
 - b. The Farmers Market shall be operated by the property owner or an authorized operator identified in writing by the property owner.
 2. For products sold at Farmer's Market events, only the producer or the producers' parents, children, grandparents and grandchildren or a relative regularly residing in the producer's household or an employee of the producer may sell products at the market.
 - a. An employee is any person employed by the producer at a regular salary or wage, on either a full or part time basis.
 - b. Proof of status of an employee is provided by an authorized agreement proving that the person selling is an employee of the Qualified Seller.
 - c. An employee may not sell for more than one Qualified Seller at a time.
 - d. A person who is reselling or for whom show compensation is primarily based on a commission on sales is not considered an employee.
 3. 2 The sale and inventory of prepackaged food, provided that such food sales and inventory comply with the requirements of the Department Public Health, Environmental Health Division, and is from an "approved source" and is not a "potentially hazardous food" as defined by the California Health and Safety Code is permitted.

4. ~~3.~~ Nonagricultural product sales are the on-site sale of nonagricultural products (crafts, jewelry, etc.) produced on and off the property, where the total inventory and sales area for such products is limited to 10% of the total sales area.
5. ~~4.~~ Prior to operation, clearance from the local fire district must be obtained and provided to Fresno County Department of Public Works and Planning.
6. ~~5.~~ Portable restrooms and hand washing facilities shall be provided for every Farmers Market event.
7. ~~6.~~ All roadside parking areas shall be operated pursuant to General Parking Regulation as specified in the CA Vehicle Code. Specifically, parallel parking only (no diagonal or other non-parallel parking. No blocking driveways).
8. ~~7.~~ The operator and/or property owner shall provide adequate controls or measures to prevent dust, odor or light.

834.4.175 - Fireworks Stands, Temporary/Seasonal

- A. Purpose. This Section provides the allowable locations, zone districts and procedures for establishing seasonal fireworks stands in the unincorporated areas of Fresno County.
- B. Allowable locations and Zone Districts. Temporary seasonal fireworks stands are permitted in the following zone districts and locations.
 1. Commercial (C-1, C-2, C-3, C-4, C-6, CM, AC, RCC, etc.) Zone Districts.
 2. Industrial (M-1, M-2, M-3) Zone Districts.
 3. Professional Office (RP, CP) Districts.
 4. On any parcel that has an existing legal non-conforming retail use.
 5. On any parcel that has an approved CUP or DRA for a commercial use, or for a place of general public assemblage (i.e., church, club, school, Ag Commercial Center or Rural Commercial Center).
- C. Approval Procedures. The selling of safe and sane fireworks shall be permitted in compliance with County Ordinance Code Section 8.36 which includes procedures and conditions for issuance or denial, prohibition on violating permit conditions, prohibited locations, and duration of sales.

- (6) Access drives shall not be less than 25 feet in width; or 32 feet in width if vehicle parking is allowed on one side of the access drive; and not less than 40 feet in width if vehicle parking is allowed both sides of an access drive.
- d. Rural Residential and Foothill Rural Residential Planned Developments may be allowed under one of the following designs:
- (1) Rural Residential Planned Developments with a minimum parcel size of two net acres may be allowed when developed in compliance with all of the following:
- (a) Development shall be restricted to single-family dwelling types, including single mobilehome occupancy.
 - (b) Individual wells and septic systems shall be required for development in compliance with the County Code.
 - (c) The ratio of parcel depth to parcel width shall not exceed four to one.
 - (d) Common use areas may be provided on parcels within the planned development. The common areas shall not include road and canal rights-of-way, reservations, permanent water bodies, or areas developed with structures, streets, tennis courts, parking lots, or other similar uses that are not of an open character, except on those portions of parcels in excess of a minimum parcel size of two net acres. The developer shall provide for the perpetual maintenance of all common areas and facilities in a manner acceptable to the County.
 - (e) Rural Residential Planned Developments with a minimum parcel size of 36,000 square feet and parcel widths less than 165 feet may be allowed with a community sewer system.
 - (f) ~~(g)~~ The overall project density shall not exceed one single-family dwelling per two acres.
 - (g) ~~(h)~~ The minimum parcel size shall be 36,000 square feet exclusive of common areas.
 - (h) ~~(i)~~ Individual wells shall be required. Individual septic systems or a community sewer system may be utilized in compliance with the County Code.
 - (i) ~~(j)~~ The ratio of parcel depth to parcel width shall not exceed four to one.
 - (j) ~~(k)~~ Common use areas may be provided on parcels or in outlots within the Planned Development. Those portions of the common use area which are

occupied by road and canal rights-of-way, reservations, or areas developed with structures, streets, tennis courts, parking lots, or other similar uses that are not of an open character, shall not be included in determining the maximum allowed density.

- (k) ~~(k)~~ Outlots shall be held in equal shares of undivided interest among all parcel owners in the subdivision.
- (l) ~~(m)~~ The developer shall provide for the perpetual maintenance of all common areas and facilities in a manner acceptable to the County. Permanent active and passive open space shall be considered as common area. Landscaping shall be drought-tolerant and shall comply with the provisions of Section 826.3.010 (Water Efficient Landscaping).

2. Planned office developments.

- a. Planned office developments may include the following office uses:
 - (1) Administrative.
 - (2) Business.
 - (3) General.
 - (4) Medical or Dental.
 - (5) Professional, other than Veterinarian.
- b. There shall be no residential uses, retail sales, storage of stock in trade or storage of equipment not used exclusively in the offices.
- c. The applicable zone-driven standards relating to structure height, off-street parking, and outdoor signs shall apply with the following modifications:
 - (1) Required parking stalls and improvements necessary for ingress and egress from the street may be located within the common open area, provided that 20 percent of the net area of the parcel is maintained as landscaped areas.
 - (2) One free standing sign for each Planned Development project shall be allowed, subject to zone-driven size requirements. The sign may be placed at any location on the original parcel and may contain the names of any office uses established on parcels created, in compliance with Chapter 830.3 (Signs).
- d. Layout of parking areas, service areas, entrances, exits, yards, courts and landscaping, and control of signs, lighting, noise, or other potentially adverse

year, 150 trips per event maximum. Subject to Agricultural Tourism Standards unless superseded by these provisions, Limited Site Plan Review (subject to Traffic Safety Guidelines) required. Applicant must provide Letter of Exemption or demonstrate the winery has been issued Waste Discharge Requirements from the California Regional Water Quality Control Board.

C. Specific Standards Commercial District Micro and Minor Breweries.

1. Micro and minor breweries may be permitted in conjunction with a bar or restaurant subject to the provisions of Section 834.4.080 above.
2. Micro and minor breweries shall be licensed by the State of California Department of Alcohol and Beverage Control with a Type 23 Small Beer Manufacturer license (or current equivalent).
3. All production raw material (e.g. grains, hops, fruit, and other produce) may be brought from off site.

834.4.415.a - Specific Standards Microbreweries and Brew Pubs in Commercial Districts

A. Applicability. Microbreweries and Brew Pubs, where allowed by Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards), may be permitted subject to the standards listed below.

B. Standards. Microbreweries shall be subject to all of the following requirements and limitations:

1. Microbreweries and Brew Pubs may be permitted in conjunction with a bar or restaurant ~~(no fast food)~~ subject to the provisions listed below:

Annual Barrel* Production with Urban Services	Permitting Tier	Annual Barrel Production on Private Well and Sewage	Permitting Tier
5,000	P	1,000	P
10,000	D	5,000	D
15,000	C	10,000	C

2. Microbreweries shall be licensed by the State of California Department of Alcohol and Beverage Control with a Type 23 Small Beer Manufacturer license (or current equivalent).
3. Brew Pubs shall be licensed by the State of California Department of Alcohol and Beverage Control with a Type 75 Small Beer Manufacturer license (or current equivalent).

B. Review of application.

1. Each application shall be reviewed for compliance with the requirements of this Chapter.
2. No permit shall be granted unless the proposal meets all applicable requirements of this Chapter.

C. Completion of all improvements required.

1. Before a Certificate of Occupancy Permit shall be issued, all required on-site (outside the County right-of-way) and off-site (within the County right-of-way) improvements shall have either been completed or, if not completed, the permittee shall have entered into an agreement with the County to complete the work within 180 days from the date of the issuance of the permit.
2. The Director may extend the completion date for one additional 180-day period upon written request of the permittee upon a showing of good cause therefore.
3. The agreement shall be secured either by cash deposited with the County, a cash deposit in an irrevocable escrow approved by the Director, or other financial security approved by the Director as the equivalent thereof in compliance with Chapter 868.6.070 (Performance Guarantees).
4. The security shall be in the amount of 100 percent of the estimated cost of completion to be determined by the Director.
5. In the event the work is not completed within the period provided or any extension, the County shall be authorized to take all necessary action to enforce the agreement including the use of the security to cause the completion of all required improvements.
6. ~~5.~~ Monies deposited with the County or in escrow may be partially released to the depositor by the Director during the progress of the work so long as the same ratio of security is maintained on deposit to secure all uncompleted work.

838.5.050 - Building Permit General Conditions

A. Applicability.

1. The provisions of this Section shall not apply to structures or uses exempted by this Chapter.
2. No Building Permit shall be issued or Conditional Use Permit, Director’s Review and Approval, Minor Deviation, Site Plan Review, or a Variance approved for any use which would be forbidden by a proposed change in the subject zone or zoning regulation(s).

5. Without the application fee/deposit, the application shall not be deemed complete.
6. The County is not required to continue processing any application unless all fees/deposits are paid in full.

B. Refunds and withdrawals.

1. Recognizing that filing fees are used to cover County costs of public hearings, mailing, posting, transcripts, and staff time involved in processing applications, no refunds for denied projects are allowed.
2. ~~3.~~ In the case of a withdrawal, the Director may authorize a complete or partial refund based upon the pro-rated costs to-date and determination of the status of the application at the time of withdrawal.

838.5.090 - Initial Application Review

All applications filed with the Department shall be initially reviewed and processed as follows.

- A. **Notification of applicant.** As required by Government Code Section 65943, within 30 calendar days of application filing, the applicant shall be informed in writing, either that the application is complete and has been accepted for processing, or that the application is incomplete and that additional information, specified in the Director’s letter, shall be provided.
- B. Submittal of additional information.
 1. When an application is incomplete, the time used by the applicant to submit the required additional information shall not be considered part of the time within which the determination of completeness shall occur.
 2. The additional specified information shall be submitted in writing or electronically, as required.
 3. The review of the any information resubmitted by the applicant shall be accomplished in compliance with this Section, along with another 30-day period of review for completeness.
- C. **Available for public review.** After an application, has been accepted as complete, in compliance with the Freedom of Information Act the application may be made available for public review as requested.
- D. **Environmental Information.** After an application has been accepted as complete, additional information may be needed for the environmental review of the project in compliance with the California Environmental Quality Act (CEQA) and the County’s CEQA guidelines.

CHAPTER 842.5 - CONDITIONAL USE PERMITS

842.5.010 - Purpose of Chapter

The purpose of this Chapter is to allow for activities requiring a Conditional Use Permit or an Unclassified Conditional Use Permit and which are so unique that their effect on the surrounding environment cannot be determined before being proposed for a particular location. At the time of application, a review of the configuration, design, location, and potential effect of the proposed activity shall be conducted by comparing it to established development and site standards. This review shall determine whether the proposed use should be allowed by weighing the public need for and the benefit(s) to be derived from the proposed use, against the potential negative effects it may cause.

842.5.020 - Applicability

- A. Conditional Use Permits for Uses listed in Article 2.** The land use activities listed in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards) may be allowable subject to the approval of a Conditional Use Permit, also referred to as a “Classified” Conditional Use Permit.
- B. Unclassified Conditional Use Permits for specified uses.** In addition, to those uses allowed subject to a “Classified” Conditional Use Permit listed in Article 2, all of the following uses may be allowed in any zone through the approval of an Unclassified Conditional Use Permit, except for any use, including a power generating plant, that utilizes coal, coke, or other coal based fuel as an industrial fuel source, or where expressly prohibited. For purposes of the Zoning Ordinance, the Conditional Use Permit and Unclassified Use Permit shall be treated and processed in the same manner:
1. Airport or aircraft landing facilities, provided, however, no review of the permit shall be required in any of the following areas: Section 28, T. 13 S., R. 14 E.; Section 4, T. 15 S., R. 17 E.; Section 21, T. 17 S., R. 17 E.; Section 34, T. 19 S., R. 17 E.; M.D.B and M; (Prohibited in Residential, Open Space and Commercial Zone Districts);
 2. Ambulance substations (Prohibited in the O, P and TPZ zone districts);
 3. Cemeteries (Prohibited in Multifamily Residential, T-P, and Commercial Zone Districts);
 4. Convents and rectories, when connected with other religious institutions (e.g., places of worship or schools) (Prohibited in O, P and TPZ zone districts);
 5. Development of natural resources with necessary structures, apparatus, or appurtenances related to the subject development. For surface mining operation see the provisions of Section 834.4.220 (Development of Material Extraction Sites) (Prohibited in Residential, Commercial and P Zone Districts);
 6. Golf courses and driving ranges;

7. Governmental facilities;
8. Health spas (Prohibited in the O, P, Industrial and TPZ zone districts);
9. Hospitals (Prohibited in the O, P, and TPZ zone districts);
- ~~10. Interstate freeways interchange commercial development as identified in Section 834.4.200 (Interstate Freeway Interchange Commercial Development);~~
10. Observatories;
11. Oil and gas development uses in compliance with Section 834.4.250 (Oil Drilling/Extraction Standards);
12. Parks, including facilities appropriate and incidental to parks (Section 834.4.260);
13. Power production, storage and generation facilities (includes utility-scale photovoltaic facilities subject to the County's adopted Solar Facility Guidelines, wind farms and hydroelectric facilities subject to County jurisdiction) including without limitation any associated facilities for the storage or transmission of electrical energy (Amended by Ord. T-100-389 adopted 2024-12-17);
14. Private clubs and lodges (Prohibited in O, P and TPZ zone districts);
15. Public utility and public services, structures, and uses, except as otherwise provided in this Chapter;
16. Radio or television antennas and transmitters (commercial);
17. Residential facilities caring for seven or more, subject to the population density standards of rest homes (Section 834.4.310 Rest Home Standards) (Prohibited in zones that do not permit single or multifamily residential uses);
18. Rest homes;
19. Rifle and pistol practice range, skeet field, archery range, or other similar place (Prohibited in Residential and C-P, C-1, R-P, P and TPZ zone districts);
20. Special Event Facility
21. Solid waste disposal facilities;
22. Solid waste processing facilities;
23. Solid waste transfer stations (Prohibited in Residential and C-P, C-1, R-P, P and TPZ zone districts);

24. Small oil refineries limited to removal of entrained crude oil from natural gas; separation of crude oil into naphtha, kerosene, fuel oil, and diesel oil; blending of naphtha and kerosene to produce jet fuel and gasoline; and reforming of heavy naphtha in the presence of a catalyst to produce unleaded gasoline (Prohibited in Residential and C-P, C-1, R-P, P and TPZ zone districts);
25. Stadia (Prohibited in Residential and C-P, C-1, R-P, P and TPZ zone districts); and
26. Wireless Telecommunication Facilities (Section 834.4.420).

842.5.030 - Application Filing, Processing, and Review

- A. Filing.** An application for a Conditional Use Permit, together with the required fee in compliance with the Master Schedule of Fees, shall be filed with the Department in compliance with Chapter 838.5 (Application Filing, Processing, and Fees).
- B. Contents.** The application shall be accompanied by detailed and fully dimensioned plans, architectural drawings/sketches, elevations, floor plans, landscape plans, and/or any other data/materials specified in the most up-to-date Department handout for Conditional Use Permit applications.
- C. Project review procedures.** Following receipt of a completed application, the Director shall make an investigation of the facts bearing on the case to provide the information necessary for action consistent with the purpose of this Chapter.
- D. Review authority.** The Commission shall be the applicable review authority for reviewing Conditional Use Permits.
- E. Notice and hearings.**
 1. A public hearing shall be required for the Commission’s decision on a Conditional Use Permit.
 2. A public hearing shall be scheduled once the Director has determined the application complete.
4. Notice of the public hearing shall be given and the hearing shall be conducted in compliance with Chapter 874.6 (Public Hearings).

842.5.040 - Project Review

Each Conditional Use Permit application shall be analyzed to ensure that the application is consistent with the intent and purpose of this Chapter.

842.5.050 - Findings and Decision

- A. Commission’s action.**

- B. Modifications by Director.** Minor modifications to an approved permit may be approved by the Director, in compliance with Section 868.6.100.

842.5.090 - Mapping

- A. Mapping required.** Within 30 days following the granting of a Conditional Use Permit, the Department shall indicate on the Zone Map the parcel(s) affected by the Conditional Use Permit.

- B. File number of the permit.** The indication shall show the file number of the permit.

842.5.100 - Post Decision Procedures

The procedures relating to changes, performance guarantees, and revocation that are identified in Article 6 (Zoning Ordinance Administration) and those identified in Chapter 868.6 (Permit Implementation, Time Limits, Extensions and Revocation) shall apply following the decision on a Conditional Use Permit application. Provisions for additional time to exercise certain approved Conditional Use Permits prior to expiration within the boundaries of a County-adopted Specific Plan are noted in Subsection 868.6.~~2020~~.A.4.

D. Development Proposals.

If a project involves both a request for Reasonable Accommodation and some other discretionary or ministerial approval, a requestor may submit the RA request for separate processing.

E. Initial Processing and Routing.

The law requires the Reasonable Accommodation process to be iterative and interactive. Department staff will assist requestors in completing their RA Request as needed to ensure that the process is accessible to persons with disabilities and will route all RA requests to the Review Authority.

852.5.040 - Review and Processing

A. Application Review. The Review Authority will approve, approve with conditions, or deny an RA Request in accordance with the required findings in subsection 852.5.050 below.

B. ~~C.~~ Decision.

a. Request for Further Information. The Review Authority may request further information from the individual making an RA Request consistent with state and federal disability laws, including the Acts, and this subsection 855-O(4), specifying in detail the further information required.

b. Decision and Timing. The Review Authority will issue a written decision within 30 days of its receipt of a complete RA Request (including any additional information required under subsection 4.e.2.A. above). The written decision must: explain in detail the basis of the decision under the required findings in subsection 4.f., give notice of the applicant's right to appeal the decision, and be sent to the applicant by first-class mail with return receipt requested.

C. ~~D.~~ Compliance with other Regulations. An approved accommodation does not affect any person's obligations to comply with all other applicable regulations not at issue in the requested accommodation.

D. ~~E.~~ Confidentiality. All information concerning an RA Request will be kept confidential and will not be shared with other persons who are not directly involved in the interactive process or decision making about the RA Request unless disclosure is:

a. Required to make or assess the decision to grant or deny the request for accommodation or modification.

b. Required to administer or implement the requested accommodation or modification.

- c. Authorized by the individual with the disability in writing; or
- d. Required by law.

E. ~~F.~~ **Finality.** The decision of the Review Authority is final.

852.5.050 – Findings and Decision

A. Required Findings. Prior to approval of an RA Request, the following findings must be made consistent with the Acts:

1. The housing which is the subject of the RA Request will be used by a person with disabilities protected under the Acts.
2. As applicable, the requested accommodation is necessary to afford a person with disabilities protected under the Acts with equal opportunities to use or enjoy a dwelling or housing opportunity.
3. The requested accommodation would not impose an undue financial or administrative burden on the County.
4. The requested accommodation would not require a fundamental alteration in the nature of the County's policies, practices, or procedures, including consideration of alternatives which may provide an equal level of benefit.
5. The requested accommodation will not result in a direct and significant threat to the health or safety of other persons or substantial physical damage to the property of others.

852.5.060 - Appeals

A. Notice of Appeal. The action of the Review Authority is final unless appealed within fifteen (15) business days of the date of mailing of the Review Authority's written decision. The notice of appeal must be in writing.

B. Appeal Procedure. The Review Authority will schedule the appeal to be heard by the County Hearing Officer (established by section 2.81.010 of the Fresno County Code of Ordinances) within thirty (30) calendar days from the date that the Review Authority receives the notice of appeal. The appeal hearing shall be confidential and be held in a manner with the Acts. Where the Acts are inconsistent with the procedural and evidentiary requirements of Chapter 2.81 of the Fresno County Code of Ordinances, the Hearing Officer shall comply with the requirements of the Acts. The decision of the Hearing Officer is final and shall be mailed by first-class mail to the applicant with return receipt requested.

5. **Off-street parking.** Location, number of individual spaces and dimensions of parking area, and internal circulation patterns;
6. **Property dimensions.** Bearings in DMS format and distances in decimal feet;
7. **Signs.** Location, size, material, and height;
8. **Streets.** Street dedications and improvements, in compliance with Section 822.3.030 (Dedications and Improvements Required);
9. **Structures.** Location, elevations, size, height, and existing/proposed use;
10. **Utilities.** Location of existing and proposed utilities;
11. **Walls and fences.** Location, height and materials;
12. **Yards and space between structures; and**
13. **Other data.** Other data as may be required to allow the Director to make the required determinations.

854.5.030 - Director's Action

Within 50 days following the Director's determination of completeness in compliance with Section 838.5.100 (Initial Application Review), the Director shall approve, or approve with requirements deemed necessary to protect the public health, safety, and welfare the Site Plan Review application.

854.5.050 - Action on Site Plan Review

- A. **Dated and signed by Director.** The approved Site Plan Review including any requirements shall be dated and signed by the Director.
- B. ~~C.~~ **Mailed to applicant.** One copy of the approved Site Plan Review including any requirements shall be mailed to the applicant.

854.5.060 - Revisions

Revisions requested by the applicant to an approved Site Plan Review shall be made in compliance with the procedure specified in Section 868.6.100 (Changes to an Approved Project).

854.5.070 - Occupancy Permit

An Occupancy Permit for a structure or use as shown on an approved Site Plan Review shall not be issued until all proposed structures and other stated improvements in an indivisible project or phase of a divisible project are completed, or the Director authorizes its issuance upon determining that all on-site and off-site requirements relating to the structure(s) or use have been or will be met.

- 2. Application before operation.** The application shall be filed with the Department at least ~~30~~ **180** days before the date that the proposed temporary use is scheduled to take place.
- B. Contents.** The application shall be accompanied by detailed and fully dimensioned plans, architectural drawings/sketches, and/or any other data/materials specified in the most up-to-date Department handout for Temporary Use Permit applications.
- C. Evidence.** It is the responsibility of the applicant to establish evidence in support of the findings required by Section 858.5.080 (Findings and Decision), below.
- D. Project review procedures.** Following receipt of a completed application, the Director shall make an investigation of the facts bearing on the case to provide the information necessary for action consistent with the purpose of this Chapter.
- E. Notice required.** For Events listed under Subsection 858.5.050.B.1 (amusement rides, arts and crafts exhibits, auctions, carnivals, circuses, community clean-ups, concerts, fairs, farmer's markets, festivals, flea markets, food events including farmer's markets, outdoor entertainment/sporting events, rodeos, rummage sales, secondhand sales, and swap meets) notice shall be sent to all property owners located within a radius of a minimum of 300 feet of the external boundaries of the subject parcel in compliance with Chapter 874.6 (Public Hearings).
- F. No public hearing required.** A public hearing shall not be required for the Director's decision on a Temporary Use Permit application, unless the application is referred to the Commission in compliance with Subsection 858.5.070 B. (Commission referral), below.

858.5.070 - Review Authority

- A. Director's authority.** The Director may approve, approve with conditions deemed necessary to protect the public health, safety, and welfare, or deny a Temporary Use Permit.
- B. Commission referral.**
1. When, in the opinion of the Director, the Temporary Use Permit application submitted is of significant consequence or magnitude or involves potential public controversy, the Director may refer the application to the Commission for review and final decision.
 2. The referral shall be placed on the agenda of the next available regular Commission meeting following the Director's referral.

858.5.080 - Findings and Decision

- A. Director's review.** The Director shall review all applications and shall record the decision in writing with the findings on which the decision is based.

4. The granting of the Minor Deviation will not be contrary to the objectives of the General Plan.

D. Required Variance findings. The applicable review authority may approve an application, with or without conditions, only if all of the following findings are first made:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification;
2. The Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification;
3. The granting of the Variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located; and
4. ~~S.~~ The granting of the Variance will not be contrary to the objectives of the General Plan.

860.5.070 - Denial of Minor Deviation

The Director’s decision to deny a Minor Deviation application shall not prohibit or affect the right of the applicant to file an application for a Variance in compliance with Subsection 860.5.030 B. (Variances), above.

860.5.080 - Precedents

Each application shall be reviewed on an individual case-by-case basis and the granting of a prior Variance or Minor Deviation is not admissible evidence for the granting of a new Variance or Minor Deviation.

860.5.090 - Burden of Proof

The burden of proof to establish the evidence in support of the findings, required by Section 860.5.060 (Findings and Decision), above, is the responsibility of the applicant.

860.5.100 - Conditions of Approval

In approving a Variance or Minor Deviation application, the review authority may impose conditions deemed reasonable and necessary to ensure that the approval would be in compliance with the findings required by Section 860.5.060 (Findings and Decision), above.

CHAPTER 874.6 - PUBLIC HEARINGS

874.6.010 - Purpose of Chapter

The purpose of this Chapter is to specify procedures for hearings before the Director, Commission, and Board.

874.6.020 - Notice of Hearing

When an amendment, appeal, permit, approval, or other matter requires a public hearing, the public shall be provided notice of the hearing(s) in compliance with State law (Government Code Sections 65090, 65091, 65094 and 66451.3 and Public Resources Code 21000 et seq.).

A. Notice of a public hearing shall include:

1. The date, time, and place of the hearing, the name of the hearing body (review authority), and the phone number and street address of the Department where an interested person may call or visit to receive additional information;
2. A general explanation of the matter to be considered and a general description, in text and/or by diagram, of the location of the property that is the subject of the hearing;
3. A statement that persons wishing to be heard on the matter may attend and be heard; and
4. If a proposed Negative Declaration, Mitigated Negative Declaration, or final Environmental Impact Report has been prepared for the project in compliance with the California Environmental Quality Act (CEQA), the notice shall include a statement that the hearing body shall also consider approval of the proposed Negative Declaration or Mitigated Negative Declaration or certification of the final Environmental Impact Report.

B. Giving of notice. Notice of a public hearing required by this Chapter for an amendment, appeal, permit, approval, or other matter shall be given as follows, as required by State law.

1. **Mailed notice required for Amendments (General Plan, Zoning Map, or this Zoning Ordinance), Conditional Use Permits, Director's Review and Approvals, and Variances.**
 - a. Notices for Amendments (General Plan, Zoning Map, or this Zoning Ordinance) shall be mailed, or delivered, at least 20 days before the hearing and in compliance with the requirements of State Law and the California Environmental Quality Act (CEQA). Conditional Use Permits, Director's Review and Approvals, and Variances, **notices** shall be mailed, or delivered, at least 10 days before the hearing and in compliance with the requirements of the California Environmental Quality Act (CEQA). If mailed, the notice shall be transmitted through the United States mails with postage prepaid, to all of the

CHAPTER 876.6 - APPEALS

876.6.010 - Purpose of Chapter

- A. Purpose.** The purpose of this Chapter is to provide procedures for filing of appeals of the determinations by the Department staff or Director, or the decisions of the Director or Commission.
- B. Eligible appellants.**
- 1. All appeals, except Variances/Minor Deviations.** Any appeal, except for those relating to Variances/ Minor Deviations, may be filed by an applicant, any person aggrieved, a County Department Director, or any member of the Board.
 - 2. Variance/Minor Deviations appeals.** Variances/Minor Deviations may be appealed by an aggrieved applicant, a County Department Director, any member of the Board, or by an aggrieved property owner resident or property owner located within 300 feet of the external boundaries of the subject property. Exception: Residents and property owners in the RC, TPZ, AE, AL, A 2, R-R, R A, AC, and RCC Districts shall have the right of appeal if any part of their property is within one mile of the external boundaries of the subject property measured along a direct line.
 - 3. Site Plan Review appeals.** Appeal of a Site Plan Review shall be limited to its conditions of approval and/or operational characteristics and not the use itself.

876.6.020 - Appeal of Determinations and Decisions

Determinations and decisions that may be appealed and the authority to act on an appeal shall be as follows:

- A. Department staff.** Any final decision or determination made under an express delegation of authority granted by this Zoning Ordinance rendered by the Department staff may be appealed to the Director.
- B. Director.** Any final decision or determination made under an express delegation of authority granted by this Zoning Ordinance rendered by the Director may be appealed to the Commission, except for determinations made by the Director on a Substantial Development, which may only be appealed to the Board.
- C. Commission appeals.** Any decision rendered by the Commission may be appealed to the Board, except for the Commission's action on an appeal of a Director's Review and Approval, which is not eligible for an appeal to the Board.
- D. Board considerations.** The decision of the Board shall be final and shall become effective upon adoption of the resolution by the Board.

Affordable housing incentives (Density Bonus). A density increase over the otherwise maximum allowable residential density specified in the General Plan and this Zoning Ordinance. See Government Code Section 65915 and Section 824.3.101.

Affordable rent. An amount based on the Section B existing program fair market rates established in compliance with 24 Code of Federal Regulations (CFR) Part 882 effective at the time of occupancy less the utility allowance then in effect.

Affordable unit. An ownership or rental-housing unit, including senior housing, occupied by and available to households of low and very low incomes at an affordable housing cost, adjusted for household size, with deed restrictions as identified in Chapter 824.3 (Affordable Housing Incentives – Density Bonus).

Accessory vending machines, regular. Food, drink, cigarette, and similar vending machines as an accessory use; provided, the machines are located within the main structure and their use is intended primarily for persons residing on the premises.

Adult businesses. Those businesses defined in Ordinance Code Section 6.33.020 (Definitions), and subject to the provisions of Ordinance Code Chapter 6.33 (License Requirements for Adult Businesses).

Advertising structures. Any notice or advertisement, pictorial or otherwise, and all similar structures used as an outdoor display, regardless of size and shape, for the purposes of making anything known, the origin or place of sale of which is not on the same property with the advertising structure.

Agricultural accessory storage, structures, and uses. The maintenance and storage of agricultural equipment, accessory uninhabited structures, and related land uses designed to support the planting, maintenance, and harvesting of crops, and/or the raising of farm animals for food production, when carried on as a clearly secondary occupation in conjunction with and located on property supporting a bonafide agricultural operation where no more than ten (10) percent of the total land use used and 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. Illustrative examples include the following:

1. The maintenance, manufacturing, rental, repair, sale, servicing, or storage of agricultural equipment, implements, and machinery of all kinds;
2. The manufacture, sale, or storage of farm supplies of all kinds, including but not limited to agricultural minerals, fertilizers, and insecticides;
3. The transportation of agricultural equipment, products, or supplies together with the maintenance, repair, servicing, and storage of the necessary trucks and equipment;
4. Horticultural and landscaping services, when operated in conjunction with horticultural nurseries;
5. The maintenance, repair, storage, and use of scrapers, tractors, and land leveling and development equipment when operated in conjunction with, or as part of, a bonafide agricultural operation; and

6. The storage of petroleum products for use by the occupants of the premises but not for distribution or resale.

Agricultural auction and sales yards. Commercial establishments providing for the public sale of farm animals, equipment, implements, products, and/or supplies.

Agricultural chemicals, sales, and service. Commercial establishments designed for the processing, sale, storage, and off-site application of agricultural chemicals, including but not limited to fertilizers, insecticides (flammable and inflammable types), and pesticides.

Agricultural commercial centers. Commercial establishments intended to provide agricultural and rural residential communities with necessary food and services within clearly defined commercial areas, which may consist of a single or multiple use. Allowable uses may include medical offices, nurseries, and variety stores.

Agricultural processing, area products, including cooperatives. Commercial establishments processing agricultural products not operated in conjunction with a bonafide agricultural operation including agricultural cooperatives which receive agricultural products from parcels owned or operated by members of the cooperative.

Agricultural product sales, on site. The sale of agricultural products, including flowers, fresh fruit, herbs, nuts, plants, and vegetables, grown on the premises.

Agritourism Agricultural Tourism. A business conducted on a working agri-business, agricultural, or horticultural operation for the purpose of enjoyment, involvement, and education of visitors and to generate supplemental farm income. Agritourism uses may include, but are not limited to, corn mazes, farmers' markets, farm tours (flower, garden, herb), farm-related arts and crafts, farm-related cooking classes, farm-related festivals, fruit and vegetable stands, and special events, hay rides, horse farms, petting zoos (domesticated animals), pumpkin patches, rodeos, tree and Christmas tree farms, and "you-pick" operations.

Agricultural trucking operations. A facility for the maintenance and storage of trucks and trailers when such vehicles are devoted exclusively to the transportation of agricultural products, supplies, and equipment.

Aircraft. Any contrivance, now known or invented in the future, for use or designed for navigation of or flight in the air or outer space, including missiles.

Airport or aircraft landing facilities. Any area of land or water used for the landing and take-off of aircraft as well as any appurtenant areas used for airport structures, aircraft operations, and related facilities, including aprons and taxiways, control towers, hangers, safety lights, and structures. These facilities may also include parachute jump areas and FAA-certified parachute lofts; and facilities for aircraft manufacturing, maintenance, repair, and reconditioning. Public airports may include aircraft sales and dealerships, beauty and barber shops, car rental establishments, gift shops, hotels and motels, restaurants and bars, tobacco and newsstands, and other similar commercial uses serving the air-traveling public and airport employees. Also includes agricultural, personal, restricted, and public use landing strips, defined as follows:

Driveway. Vehicular access to an off-street parking or loading space/facility.

Drug and Alcohol Treatment Facilities. As defined in Section 11834.23 of the California Health and Safety Code, which permits by right any state-licensed alcohol or other drug recovery or treatment facilities, as that term is defined in Section 11834.02, serving six or fewer residents, in any zone district in which single-family uses are permitted, including in agricultural, rural residential, and single-family residential zones. Such facilities are permitted to furnish incidental medical services to residents under the supervision of a physician, including without limitation testing residents' drug and alcohol levels, monitoring residents' health and vitals, and the prescription, storage, and dispensation of controlled substances used to treat withdrawals for self-administration by residents. An increase above the six-resident threshold would be considered institutional and require a conditional use permit.

Drug stores. See “Pharmacies or prescription pharmacies.”

Drug stores, super. See “Superdrug stores.”

Duplexes. See “Multi-family dwellings.”

Dwellings. A structure or portion of a structure designed and used exclusively for residential occupancy and allowed home occupations, including single-, two-, and multi-family dwellings, but not including boarding or lodging houses, hotels, motels, or trailers (with or without wheels) except in the “T-P” zone district. See “Multi-family dwellings” and “Single-family dwellings.”

Dwellings, multiple. See “Multi-family dwellings.”

Dwellings, one family. See “Single-family dwellings.”

Dwelling groups. See “Multi-family dwellings.”

E

Easement. A space on a parcel of land reserved for or used for public or private uses. Private or public easements for road or access purposes that are recorded on a parcel or subdivision map shall be used in determining structure setback lines.

Educational institutions. See “Schools.”

Electric distribution substations. See “Public utility facilities.”

Electric supply houses. See “Retail stores, general merchandise.”

Electric transmission substations. See “Public utility facilities.”

Emergency shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. As required per California Health and Safety Code Section 50801(e), no individual or households may be denied emergency shelter because of an

Freeway or expressway. A highway for through traffic with full or partial control of access and generally with grade separations at intersections.

Freeway, landscaped. A freeway which is landscaped and maintained by a public authority.

Frontage. A portion of a parcel of property which abuts a dedicated public street or highway.

Frontage street, service road, or outer highway. Roads which parallel freeways, expressways or important highways, providing for access to abutting property or for circulation, and being separated from the highway by a dividing strip.

Front wall. The wall of a structure located nearest the street which the structure fronts, but excluding certain architectural features (e.g., cornices, canopies, eaves, or other similar embellishments).

Frozen food lockers. Service establishments which offer large scale reach-in/walk-in freezers and cold storage boxes/rooms and other similar types of secured accommodations capable of storing beverage, ice, food, and other perishable materials for the food service industry as well as retail and wholesale outlets.

Fruit and vegetable stores. See “Retail stores, general merchandise.”

Furniture/fixtures manufacturing, cabinet shops. Manufacturers producing: wood and metal household furniture and appliances; bedsprings and mattresses; all types of office furniture and partitions, shelving, lockers and store furniture; and miscellaneous drapery hardware, window blinds and shades. Includes wood and cabinet shops, but not sawmills or planing mills, which are instead included under “Lumber and wood products manufacturing.”

Furniture, furnishings, and equipment stores, large. Retail establishments primarily selling: home furnishings including draperies, floor coverings, furniture, glass and chinaware, refrigerators, stoves, other household electrical and gas appliances including televisions and home sound systems and outdoor furniture including lawn furniture, spas, and hot tubs, and containing 15,001 square feet or more of floor area. Also includes the retail sale of office furniture and pianos.

Furniture, furnishings, and equipment stores, small. Same as above, but containing a maximum of 15,000 square feet of floor area.

Furniture upholstery shops. See “Repair and maintenance – consumer products.”

G

Garages, private. A detached accessory structure or a portion of a main structure on the same parcel as a dwelling for the housing of motor vehicles of the occupants of the dwelling, including carports. All parking spaces contained within the garage shall be a minimum of eight and one-half (8 1/2) feet wide by twenty (20) feet long. See “Accessory uses and structures (residential).”

Garages, public. Any garage other than a private garage. See “Parking lots/garages.”

Garages, repair. See “Motor vehicle repair and major maintenance.”

Garages, storage. Any premises used exclusively for the storage of motor vehicles. See “Parking lots/garages.”

Garbage. Any waste food material of an animal or vegetable nature, including that which may be used for the fattening of livestock.

Garden supply stores. See “Retail stores, general merchandise.”

General Plan. The Fresno County General Plan, including all elements, adopted in compliance with Government Code, Title 7, Division 1, Chapter 3.

Glass products manufacturing. Manufacturing establishments producing flat glass and other glass products which are blown, pressed, or shaped from glass produced in the same establishment. Includes large-scale artisan and craftsman type operations producing primarily for the wholesale market.

Golf courses. A commercial or members-only facility for playing golf, with three to 18 holes, and accessory facilities and uses which may include: a clubhouse with bar and/or restaurant, locker and shower facilities; driving ranges; “pro shops” for on-site sales of golfing equipment; and golf cart repair, sales, and storage facilities. Does not include driving ranges separate from golf courses, miniature golf courses, or other similar commercial enterprises, unless specifically allowed.

Golf courses, country clubs. Public and private golf courses and country clubs, and accessory facilities and uses including: clubhouses with bar and restaurant, locker and shower facilities; driving ranges (driving ranges separate from golf courses are instead classified under “Outdoor recreation, commercial” [\(in specified commercial districts\)](#); “pro-shops” for on-site sales of golfing equipment; and golf cart storage and sales facilities.

Golf courses, miniature. See “Outdoor recreation, commercial.”

Golf driving ranges. An area designated for hitting golf balls for practice drives. This activity is included under the definition of “Golf courses” if part of a golf course. [As a stand-alone use, driving ranges may include those accessory facilities \(clubhouse, restaurant, locker or shower\) also associated with golf courses.](#)

Government Code. The State of California Government Code.

Governmental facilities. Administration, clerical, maintenance, protection, or public contact and/or service facilities and offices of a local, State, or Federal government agency. Also, includes post offices, but not bulk mailing distribution centers, which are under “Truck terminals.”

Grade. The gradient, the rate of incline or decline expressed as a percent (e.g., a rise of 25 feet in a horizontal distance of 100 feet would be expressed as a grade of 25 percent). See “Slope”.

Grain elevators, commercial. A structure equipped with mechanical lifting devices and used for collecting, storing, and discharging grain. See “Warehousing.”

(Department of Health Services); ~~alcoholism or drug abuse recovery or treatment facilities (Department of Drug & Alcohol)~~; and convalescent homes and nursing homes (Department of Public Health); pediatric day health and respite care facilities; intermediate care facilities for the developmentally disabled and congregate living health facilities; guest homes and rest homes. Does not include child care facilities (“Child Care Facilities”). See “Drug and Alcohol Treatment Facilities” as a separate listed use.

3. **Family care homes.** Any facility, place, or structure which is maintained and operated to provide non-medical residential care for children, adults, or children and adults, including the physically handicapped, mentally impaired, incompetent persons, or abused or neglected children. Includes adult residential facilities, adult day care facilities, day treatment facilities, group homes, residential care facilities for the chronically ill, facilities for wards of the Court, and residential care facilities for AIDS patients (Department of Social Services); intermediate care facilities (Department of Health Services); convalescent homes and nursing homes (Department of Public Health); intermediate care facilities for the developmentally disabled and congregate living health facilities. Does not include “Child day care facilities.”
4. **Senior care facilities.** Residential facilities that provide social and personal care with little or no medical care for persons who are at least 62 years of age, or are at least 55 years of age who meet the qualifications found in Section 51.3 of the California Civil Code. Also, includes residential care facilities for the elderly (Department of Social Services); guest homes and rest homes.

Residential care facilities. Any family home or similar facility, serving seven or more individuals, including foster homes, and mental hygiene homes, for the 24-hour non-medical care including, but not limited to, the physically handicapped, mentally impaired, or incompetent persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or protection of the individual. A residential care facility serving six or fewer individuals shall meet the Zoning Ordinance requirements of a single-family dwelling in the same zone district.

Rest homes. Any facility, place, or structure, serving seven or more individuals, which is maintained and operated to provide nonmedical residential care, day treatment, or adult day care for children, adults, children and adults, or seniors, including the physically handicapped, mentally impaired, incompetent persons, abused or neglected children. These facilities are licensed by the State of California and only subject to State regulations. Includes adult residential facilities, adult day care facilities, day treatment facilities, foster family homes, group homes, residential care facilities for the chronically ill, residential care facilities, small family homes, social care facilities, social rehabilitation facilities, community treatment facilities, wards of the Court, and residential care facilities for AIDS patients (Department of Social Services); intermediate care facilities (Department of Health Services); alcoholism or drug abuse recovery or treatment facilities (Department of Drug & Alcohol); and convalescent homes and nursing homes (Dept of Public Health); pediatric day health and respite care facilities; intermediate care facilities for the developmentally disabled and congregate living health facilities; guest homes and rest homes. Does not include child care facilities (“Child care facilities”).

Residential Facility. Any family dwelling unit, or similar facility including foster homes, and mental hygiene homes, for the 24-hour nonmedical care including, but not limited to, the physically handicapped, mentally impaired, or incompetent persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or protection of the individual. A

residential facility serving six or fewer persons shall meet the Zoning Ordinance requirements of a single-family dwelling unit in the same zone district.

Residentially-zoned property. Property which has an underlying residential zoning. Unless a provision of the Overlay Zone regulations specifies otherwise, the term “residentially-zoned property” shall not include R-A and R-R zoned property.

Restaurants. Retail establishments (aka cafes, coffee houses/shops, delicatessens, dinners, food services, etc.) engaged in the business of selling food and beverages generally prepared on-site for on-premise consumption. Restaurants generally have the following characteristics: all food and beverages are served to the customer at a fixed location (e.g., booth, counter, or table); the food and beverages are ordered from individual menus; and the food and beverages are paid for by the customer after service and consumption. These restaurants may also provide food and beverages on a take-out basis, where the take-out is clearly secondary to the on-premise service.

~~**Restaurants, fast food.** Retail establishments that sell ready to consume food and beverage products for on or off premise consumption and whose design or operation includes three or more of the following characteristics:~~

- ~~1. — Foods are usually served in paper, plastic, or disposable containers;~~
- ~~2. — Foods can be served directly to the consumer in a motor vehicle either by a carhop or by other means which eliminate the need for a customer to exit the motor vehicle;~~
- ~~3. — The consumption of food within a motor vehicle parked upon the premises or at other facilities on the premises outside the restaurant is allowed or encouraged;~~
- ~~4. — The facilities for on premises consumption of food are insufficient for the volume of food sold in the restaurant;~~
- ~~5. — Table service is not provided; and/or~~
- ~~6. — A restaurant that has as its principal business the sale of prepared and/or ready to eat food or beverage for consumption on or off the premises, and that is affiliated with three or more other restaurants with a similar name, trademark, trade name, trade style or type of food service, by commonality of ownership, control or contract arrangement, or which is advertised to give the appearance of affiliation.~~

Retail stores. See “Retail stores, general merchandise.”

Storage, indoor. The storage of various materials entirely within an enclosed structure, as the primary use of the structure. The storage of materials, supplies, and products clearly secondary and incidental to a primary use is not considered a land use separate from the primary or main use.

Storage, outdoor. The storage of various materials outside of a structure, other than permanently installed fencing, either as an accessory or primary use, including cotton compresses, feed and fuel yards, petroleum bulk plants, ~~and~~ transit storage, and contractor's storage yards.

Storage, personal/RV. Facilities that permit self-service on-site personal storage, mini-storage, and recreational vehicle storage. The facility may include a caretaker's residence. See "Mini-storage facilities."

Storage, self-service, personal storage facilities. A structure or group of structures containing generally small, individual, compartmentalized stalls or lockers rented as individual storage spaces and characterized by low parking demand. Also, known as "Mini-storage."

Storage yards. See "Storage, outdoor."

Story. A space in a structure between the surface of any floor and the surface of the floor next above, or if there is no floor above, then the space between the floor and the ceiling or roof above.

Story, first. The lowest story in a structure which qualifies as a story, as defined here. The floor level in a structure having only one floor level shall be classified as a first story, provided the floor level has more than half its height above the average adjoining finished grade. See "Basement."

Story, one-half. See "Half story."

Street. A public thoroughfare or right-of-way dedicated, deeded or condemned, other than an alley, to afford as the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare, except as excluded in this Zoning Ordinance.

Street, local. Any street dedicated to serving as the principal means of access to property, which street is now shown as a Major or Secondary Highway or Major Traffic Street on the General Plan.

Street, side. A street bounding a corner or reversed corner parcel and which extends in the same general direction as the line determining the depth of the parcel.

Street center line. The center line of a street right-of-way as established by official surveys.

Street line. The boundary line located between the street right-of-way and abutting property.

Structural alteration. A change in the supporting members of a structure (e.g., a bearing wall, column, beam or girder, floor or ceiling joist, roof rafters, roof diaphragms, foundations, piles, or retaining walls) or similar components.

or food). Superdrug stores are not limited to the number of registered pharmacists but have a minimum gross floor area of 10,000 square feet.

Supermarkets. Retail establishments, including groceries and grocery stores, having 15,000 or more square feet of floor area, devoted principally to the sale of beverages, food, and household products.

Supportive housing. Housing with no limit on length of stay, that is occupied by the target population as defined in Government Code ~~Section~~ Sections 65650 and 65651 and that is linked to on- site or off-site services that assist the supportive housing resident in retaining the housing, improving his/her health status, and maximizing his/her ability to live, and when possible, work in the community. Supportive housing units are residential uses subject to those requirements and restrictions that apply to other residential uses of the same type in the same zone and must meet the underlying zoning district's development standards, including density. For Supportive Housing in Agricultural or Single-Family Zone Districts, the use must function as a single-family living unit. For those districts in which residential uses are permitted only with approval of a discretionary land use permit, such a permit must be obtained to permit the establishment of supportive housing. Excludes Drug and Alcohol Treatment Facilities as defined in Section 11834.23 of the Health and Safety Code. See "Drug and Alcohol Treatment Facilities."

Surface mining operations. Commercial facilities supporting the process of mining minerals on lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incidental to an underground mine in compliance with Section 834.4.220 (Development of Material Extraction Sites). Surface mining operations include, but are not limited to, in place distillation, leaching, or retorting, the production and disposal of mining waste, prospecting and exploratory activities, borrow pitting, streambed skimming, and segregation and stockpiling of mined materials and recovery of same. A surface mining operation may include the use of equipment, facilities, and structures necessary or convenient for the extraction, processing, storage, and transport of mined materials.

Swimming pool supplies and sales. See "Retail store, general merchandise."

Swimming pools. A permanent indoor or outdoor structure(s) where a Building Permit is required, providing amusement/entertainment/recreational services related to use of a swimming pool(s) and related amenities (e.g., bathrooms, dressing rooms, lockers, showers, wading pools, etc.). A fee or admission may be charged.

Swimming schools. A school for the teaching of swimming as a one-on-one or group program, operated in conjunction with a single-family residence, and limited to a maximum of 15 students at any one time.

Swimming schools, large. A school for the teaching of swimming as a one-on-one or group program, operated in conjunction with a single-family residence, for five or more children per day, up to a maximum of 10 children per day, when authorized in compliance with Section 834.4.360.

Swimming schools, small. A school for the teaching of swimming as a one-on-one or group program, operated in conjunction with a single-family residence, and limited to a maximum of four children per day, when authorized in compliance with Section 834.4.360.

Timberland. Privately owned land, or land acquired for State forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

Tire recapping, retreading, and rebuilding. See “Plastics and rubber products manufacturing.”

Tobacco shops. See “Retail store, general merchandise.”

Toe of slope. The point or line of initial break where the terrain changes to an upward direction.

Top of slope. The point or line of initial break where the terrain changes to a downward direction.

Tourist courts. See “Hotels/motels.”

Toy stores. See “Retail store, general merchandise.”

Trading areas. The area served by an existing commercial development or to be served by the proposed commercial development and from which the development draws its support.

Trailer. A vehicle without motive power, designed and constructed to travel on the public thoroughfares in compliance with the provisions of the State Vehicle Code and to be used for human habitation or for carrying property. Trailer shall include semi-trailer, “Mobilehome,” “Travel trailer,” “Camping trailer,” “Trailer, commercial,” and “Trailer, utility.”

Trailer, commercial. A “Trailer” designed for and intended to be used for industrial, professional, or commercial purposes (i.e., nonresidential occupancy).

Trailer courts or trailer parks. See “Mobile home parks.”

Trailer, utility. A “Trailer” for carrying property.

Transient occupant. A person who is receiving accommodations for a price, with or without meals, for a period of not more than 180 continuous days in any one year.

Transit stations and terminals. Passenger stations for vehicular and rail mass transit systems; also terminal facilities providing “minor” maintenance and service for the vehicles operated in the transit system. Includes buses, taxis, and railway facilities.

Transitional housing. Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculation of the assistive unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of assistance. Transitional housing units are residential uses subject to those requirements and restrictions that apply to other residential uses of the same type in the same zone. [For Transition Housing in Agricultural or Single-Family Zone Districts, the use must function as a single family living unit.](#) For those districts in which residential uses are permitted only with approval of a discretionary land use permit, such approval must be obtained to permit the establishment of transitional housing. [Excludes Drug and Alcohol Treatment Facilities as defined in Section 11834.23](#)

of the Health and Safety Code. See “Drug and Alcohol Treatment Facilities.”

Transportation product assembly. Establishments primarily engaged in manufacturing or assembling complete equipment for transporting people and goods. Includes: passenger automobiles, trucks, commercial cars and busses, and special-purpose motor vehicles; chassis or passenger car bodies; boat building and repairing; aircraft manufacturing; bicycles, motorcycles, and parts.

Travel trailer parks. See “Recreational vehicle parks.”

Tropical fish raising and sales. See “Retail store, general merchandise.”

Truck camper. A “Recreational Vehicle” in which the habitable portion is attached to and rests upon but is not integrally a part of the means of locomotion/power.

Truck parking. Service establishments engaged in the business of short-term (less than 24 hours) storage of currently licensed and operative heavy-duty (generally weighing more than 2½ tons) buses, recreational vehicles, trucks, and other motor vehicles for clients. Includes day use public and commercial garages, parking lots, and parking structures, except when accessory to a principal use. Excludes sites where vehicles are stored for rental or leasing.

Truck repairing and overhauling. See “Motor vehicle repair and major maintenance.”

Truck stops. Retail establishments that provide convenience services primarily for the trucking community. These services include but are not limited to beverages, food, fuel, and retail services. See “Motor vehicle service stations, heavy trucks.”

Truck service stations. Retail establishments that provide especially for the servicing of trucks, with incidental operations similar to those allowed for “Motor vehicle service stations.” See “Motor vehicle service stations, heavy trucks” and “Truck stops.”

Truck and trailer sales lots. An open area where trucks and/or trailers are offered for sale, lease, and/or rent and where no repairs, rebuilding, repainting, or remodeling are done. See “Motor vehicle rentals” and “Motor vehicle sales.”

U

Urban area. Any land which is included in the “R-1-A,” “R-1-AH,” “R-1-B,” “R-1-C,” “R-1,” “R-2,” “R-2-A,” “R-3,” “R-3-A,” “R-4,” “T-P,” “C-P,” “C-1,” “C-2,” “C-3,” “C-4,” “C-6,” “C-R,” “C-M,” “M-1,” “M-2,” “M-3,” and “P” zones.

Urban parcel. Any parcel which lies, in whole or in part, within the boundaries of an urban area, as defined above.

Used materials storage yards. Any parcel or a portion of any parcel used for the storage of used materials. This shall not include “Junk yards” or “Vehicle wrecking yards.”

Utility easement. See “Easement.”