

# EXHIBIT 7 - Planning Commission Staff Report - January 25, 2024

## FRESNO COUNTY ORDINANCE CODE - DIVISION 6, ZONING ORDINANCE

Chapter 806.2

Zones Established, Zone Map Adopted

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5. Allowed subject to the approval of a Temporary Use Permit (Chapter 858.5), and shown as "TUP" uses in the tables.

6. 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).

7. Not allowed in particular zones, and shown as a "blank" (i.e., empty cell) in the tables.

**C. Obsolete and Deleted Zones.** The following Zone Districts are considered obsolete or deleted. Obsolete Zone Districts may exist on the County-adopted zone map but applications to expand areas or propose additional parcels with these districts will not be accepted. Deleted districts have been removed as they no longer exist in unincorporated areas.

1. The A-1, A-2, AE-5 and R-A Zone Districts are obsolete districts and will not be expanded through the rezoning process.
2. The R-4 District no longer exists in the unincorporated areas and has been deleted from the Zoning Ordinance.

## CHAPTER 808.2 – AGRICULTURAL ZONES

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### 808.2.010 – Purpose of Individual Agricultural Zones

The purposes of the individual agricultural zones and the manner in which they are applied are as follows.

#### A. AE (Exclusive Agricultural) Zone.

1. The AE zone is intended to protect agricultural land and provide for those uses which are necessary and an integral part of an agricultural operation. This zone is intended to protect the general welfare of the agricultural community from encroachments of non-related agricultural uses.
2. The AE zone shall be accompanied by an acreage designation which establishes the minimum size of parcels that may be created within the zone, including designations of 640, 320, 160, 80, 40, and 20 acres. The AE zone is consistent with the Agriculture, Irrigated Agriculture, and Westside/Eastside Rangeland land use designations of the General Plan.
3. [See Section 806.2.030.C for Obsolete and Deleted Zones regarding AE-5.](#)

#### B. AL (Limited Agricultural) Zone.

1. The AL zone is intended to protect the general welfare of the agricultural community by limiting intensive uses in agricultural areas which may be incompatible with other less intensive agricultural operations.
2. The AL zone shall be accompanied by an acreage designation which establishes the minimum size of parcels that may be created within the zone, including designations of 640, 320, 160, 80, 40, and 20 acres. The AL zone is consistent with the Agriculture and Irrigated Agriculture land use designations of the General Plan. [See Section 806.2.030.C for Obsolete and Deleted Zones.](#)

**C. A-1 (Agricultural) Zone.** The A-1 zone is intended to provide for the development of those unincorporated parcels in the County which are not included in other zones. The A-1 zone is consistent with variable land use designations of the General Plan. [See Section 806.2.030.C for Obsolete and deleted Zones.](#)

**D. A-2 (General Agricultural) Zone.** The A-2 zone is intended to protect those parcels requiring more protection than the A-1 zone provides, which do not by their nature require an exclusive or limited agricultural zoning. The A-2 zone is consistent with variable land use designations of the General Plan. [See Section 806.2.030.C for Obsolete and deleted Zones.](#)

### 808.2.020 – Agricultural Zone Land Uses and Permit Requirements

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

Land Use <sup>1</sup>	Permit Requirement by Zone <sup>2</sup>				
	AE	AL	A-1 <sup>3</sup>	A-2 <sup>3</sup>	See Section
<b>Agricultural Uses</b>					
Agricultural Accessory Storage, Structures, and Uses	P	P	P	P	
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	
Cattle Dairies and Feedlot Facilities (Does <b>NOT</b> 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.](#)

Farm Equipment and Machinery Sales, Rental, Storage and Maintenance	C		C		
Farm Labor Contractor Services	D		D		

**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 [See Section 806.2.030.C for Obsolete and Deleted Zones.](#)

- 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. [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 <sup>1</sup>	Permit Requirement by Zone <sup>2</sup>				
	AE	AL	A-1	A-2	See Section
<b>Residential Uses (Continued)</b>					
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 <sup>nd</sup> Residence)	D	D	D	D	
<u>Low Barrier Navigation Center</u>					
Single-Family Dwelling	P	P	P	P	
<u>Supportive Housing (GC 65650)</u>	P	P	P	P	
Swimming Lessons	C		C		834.4.360
Temporary Uses	TUP	TUP	TUP	TUP	858.5
Transitional Housing	P	P	P	P	
<b>Nonresidential Uses</b>					
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	
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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).

## CHAPTER 810.2 – RESIDENTIAL ZONES

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### 810.2.010 – Purpose of Individual Residential Zones

The purposes of the individual residential zones and the manner in which they are applied are as follows.

- A. R-A (Single Family Residential Agricultural) Zone.** The R-A zone identifies areas appropriate for lower density development and small-scale agricultural uses, with not more than one primary dwelling unit per parcel. The R-A zone is consistent with the Low-Density Residential land use designation of the General Plan; [see Section 806.2.030.C for Obsolete and Deleted Zones.](#)
- B. R-R (Rural Residential) Zone.** The R-R zone identifies areas appropriate for large lot single-family uses, including limited agricultural activities (e.g., greenhouses, fruit and nut trees, and vines), within a semi-rural environment, with not more than one primary dwelling unit per parcel. The R-R zone is consistent with the Rural Residential, Foothill Rural Residential, and Mountain Urban land use designations of the General Plan.
- C. R-1-A, R-1-AH (Single Family, Low Density Residential) Zones.** The R-1-A and R-1-AH zones identify areas appropriate for large lot single-family uses with urban standards, with not more than one primary dwelling unit per parcel. The R-1-A and R-1-AH zones are consistent with the Low-Density Residential land use designation of the General Plan;
- D. R-1-B (Single Family, Low Density Residential) Zone.** The R-1-B zone identifies areas appropriate for large lot single-family uses with urban standards, with not more than one primary dwelling unit per parcel. The R-1-B zone is consistent with the Low-Density Residential land use designation of the General Plan.
- E. R-1-C (Single-Family Residential Medium Density) Zone.** The R-1-C zone identifies areas appropriate for conventional single-family uses, with not more than one primary dwelling unit per parcel, unless within a planned development. The R-1-C zone is consistent with the Medium Density Residential land use designation of the General Plan.
- F. R-1-E, R-1-EH (Single-Family Residential Low Density) Zones.** The R-1-E and R-1-EH zones identify areas appropriate for single-family residential estate uses, with not more than one primary dwelling unit per parcel. The standards for both zones are identical except that horses are an allowed use in the R-1-EH zone. The R-1-E and R-1-EH zones are consistent with the Low-Density Residential land use designation of the General Plan.
- G. R-1 (Single-Family Residential Medium Density) Zone.** The R-1 zone identifies areas appropriate for conventional single-family uses, with not more than one primary dwelling unit per parcel, unless within a planned development. The R-1 zone is consistent with the Medium Density Residential land use designation of the General Plan.

- 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](#).
- K. 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.

**B. Prohibited land uses.** Any table cell with a “blank” means that the listed land use is prohibited in that specific zone. 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.



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

Land Use <sup>1</sup>	Permit Requirement by Zone <sup>2</sup>						
	R-A <sup>3</sup>	R-R	R-2 R-2-A	R-3 R-3-A	R-4	T-P	See Section
<b>Residential (Continued)</b>							
Manufactured/Factory Built Housing	P	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	P		834.4.430
Planned Residential Developments		C	C	C	C		834.4.280
<u>Low Barrier Navigation Center</u>			P	P			
Residential Care Homes				D	D		
Single-Family Dwelling	P	P	P	P	P		
Single Room Occupancy, Small			P	P	P		834.4.340
Single Room Occupancy, Large			C	C	C		834.4.340
Supportive Housing (GC 65650)	P	P	P	P	P		
Temporary Uses	TUP	TUP	TUP	TUP	TUP	TUP	858.5
Transitional Housing	P	P	P	P	P		
<b>16B Nonresidential</b>							
Broadcasting Studios	C	C					
Contractors Storage Yard, Agricultural Services	D	D					
Hospitals/Sanitariums			C	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	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). 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.

[3 See Section 806.2.030.C for Obsolete and Deleted Zones.](#)

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

Land Use <sup>1</sup>	Permit Requirement by Zone <sup>2</sup>						
	R-A <sup>3</sup>	R-R	R-2 R-2-A	R-3 R-3-A	R-4	T-P	See Section
<b>Nonresidential (continued)</b>							
Public Utility Facilities, Large	D	D	D	D	D	D	See Article 7
Public Utility Facilities, Small	P	P	P	P	P	P	See Article 7
Rural Commercial Center		C					834.4.040
Swimming Schools, Large	C	C					834.4.360
Swimming Schools, Small	D	D					834.4.360
<b>Agricultural and Open Space Resources</b>							
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 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 exempted from this requirement.
- 3 See Section 806.2.030.C for Obsolete and Deleted Zones.

**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.
- 3 [See Section 806.2.030.C for Obsolete and Deleted Zones.](#)

**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:		
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.	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.
Side (each)	15 ft.	20 ft.
Street side	25 ft.	35 ft.
Reversed corner (street side)	25 ft.	25 ft.
Rear	20 ft.	20 ft.
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:**

\*Where an accessory structure is used for garage purposes and where the garage is located within the area defined by the projection of the side lines of any main structure, and where vehicular access to the garage faces any main structure and falls entirely or in part, within that area, the garage shall be located not less than 25 feet from the main structure.

**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.	1 DU/12,500 net sq. ft.
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. <u>Note: Front yard setbacks are required for areas constructed primarily/specifically for tennis courts or other game areas.</u></i>	
Front	35 ft.	35 ft.
Side (each)	10 ft.	20 ft.
Street side	25 ft.	35 ft.
Reversed corner (street side)	25 ft.	25 ft.
Rear	20 ft.	20 ft.
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)
Landscaping	See Chapter 826.3 (Landscaping Standards)	
Off-Street Parking	See Chapter 828.3 (Parking and Loading Standards)	

**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.	1 DU/37,500 net sq. ft.
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. <u>Note: Front yard setbacks are required for areas constructed primarily/specifically for tennis courts or other game areas.</u></i>	
Front	25 ft.	50 ft.
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.
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)	

**Notes:**

\*Where an accessory structure is used for garage purposes and where the garage is located within the area defined by the projection of the side lines of any main structure, and where vehicular access to the garage faces any main

**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.	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. <u>Note: Front yard setbacks are required for areas constructed primarily/specifically for tennis courts or other game areas.</u></i>	
Front	20 ft.	20 ft.
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)	



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

Development Feature	R-3, R-3-A	R-4
<i>Minimum dimensions required for each NEWLY CREATED parcel.</i>		
Minimum Parcel Size	7,500 sq. ft.	10,000 sq. ft.
Minimum Parcel Width/Frontage:		
Interior	60 ft.	65 ft.
Corner	65 ft.	75 ft.
Reversed Corner	70 ft.	80 ft.
Siding on freeways/railroad ROW	110 ft.	45 ft.
Curve lots/cul-de-sacs	45 ft.	45 ft.
Minimum Parcel Depth	110 ft. 120 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 major or secondary highways) 150 ft. (Parcels backing on freeways or railroad rights of way)
Maximum (Gross) Population Density	1 DU/1,500 sq. ft. (with both community water supply and public sewage disposal systems) (As determined by the Health Department upon the basis of soil analysis tests for parcels without both community water supply and public sewage disposal systems, but not less than 1 DU/1,500 sq. ft.) Exceptions noted in Section 820.3.040.B	1 DU/1,000 sq. ft. (Where both community water supply and public sewage disposal systems exist, there shall be a minimum of one thousand (1,000) square feet of lot area for each dwelling unit.) (Where community water supply or a private water supply and individual sewage disposal systems exist, the minimum lot area for each dwelling unit shall be determined by the County Health Department upon the basis of soil analysis tests approved by the County Health Department. In no case shall the minimum lot area be less than one thousand (1,000) square feet for each dwelling unit.) Exceptions noted in Section 820.3.040.C
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. <u>Note: Front yard setbacks are required for areas constructed primarily/specifically for tennis courts or other game areas.</u></i>	
Front	15 ft.	15 ft.
Side (each)	5 ft.	5 ft. (For structures over 35 feet in height, required side and rear yards shall be increased at the rate of three inches for each foot of structure height above 35 feet.)
Street side	10 ft.	10 ft.

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

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

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

Land Use <sup>1</sup>	Permit Requirement by Zone <sup>2</sup>				
	C-P	C-R	C-1	C-2	See Section
<b>Services (Continued)</b>					
Repair and Maintenance, Consumer Products			D	P	
Restaurants			P	P	834.4.415a
Veterinary Clinics and Small Animal Hospitals					834.4.350
<b>Transportation and Telecommunication Facilities</b>					
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	
<b>Residential</b>					
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>Low Barrier Navigation Center</u>	<u>P</u>				
<b>Nonresidential</b>					
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 <sup>1</sup>	Permit Requirement by Zone <sup>2</sup>				
	C-3	C-4	C-6	R-P	See Section
<b>Retail Trade (Continued)</b>					
Swimming Pool Supplies and Sales	P		P		
Temporary Uses	TUP	TUP	TUP	TUP	858.5
<u>Fireworks Stands</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>834.4.175</u>
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		
<b>Services</b>					
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		P		834.4.130
Drive-Through Uses/Service	P		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 <sup>1</sup>	Permit Requirement by Zone <sup>2</sup>				
	C-3	C-4	C-6	R-P	See Section
<b>Services (Continued)</b>					
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
<b>Transportation and Telecommunication Facilities</b>					
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	D	D	C	
Public Utilities, Minor	P	P	P	D	
Transit Stations and Terminals	C	C	D		
Truck Parking			C		
<b>Residential</b>					
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	<u>P</u>		834.4.140
Home Occupations, Class I				P	834.4.190
Home Occupations, Class II				D	834.4.190
<u>Low Barrier Navigation Center</u>		<u>P</u>		<u>P</u>	
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)		P		P	
Transitional Housing				P	
<b>Nonresidential</b>					
Microwave Relay Structures	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

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

Land Use <sup>1</sup>	Permit Requirement by Zone <sup>2</sup>				
	C-M	M-1	M-2	M-3	See Section
<b>Motor Vehicle Retail Trade and Services</b>					
Motor Vehicle Parts and Sales	P	<u>P</u>	<u>P</u>	<u>P</u>	
Motor Vehicle Repair and Maintenance (Only Within an Enclosed Structure)	P	P	P	P	
Motor Vehicle Sales	P	<del>D</del> <u>P</u>	<del>D</del> <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

**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 <sup>1</sup>	Permit Requirement by Zone <sup>2</sup>				
	C-M	M-1	M-2	M-3	See Section
<b>Retail Trade (Continued)</b>					
Retail Stores, General Merchandise (under 5,000 sf.)	P	P	P		
Secondhand Stores (Only Within Completely Enclosed Structure)	P				
Sporting Goods	P				
Temporary Uses	TUP	TUP	TUP	TUP	858.5
<u>Fireworks Stands</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>834.4.175</u>
Toy Stores	P				
Variety and Notion Shops	P				
Vending Machines, Food and Dairy Products (Walk In, Reach In), On Premise Sales (Located Inside of a Structure)	P				
Vending Machines, Food and Dairy Products (Walk In, Reach In), On Premise Sales (Located Outside of a Structure)	P	P	P		
Video Stores	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 <sup>1</sup>	Permit Requirement by Zone <sup>2</sup>				
	C-M	M-1	M-2	M-3	See Section
<b>Transportation and Telecommunication Facilities</b>					
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	P	P	P	D	
Satellite Dish/Antenna, Ground or Surface Mounted	P	D	D	P	
Satellite Dish/Antenna, Mast or Tower Mounted	C	C	C	C	
<b>Residential</b>					
Caretaker	D	D	P	P	
Emergency Shelters	P	<u>P</u>			834.4.140
<b>Nonresidential</b>					
Observatories	C	C	C	C	
<b>Other</b>					
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).



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- 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 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 or structures over seven feet in height to enclose tennis courts or other game areas shall be permitted to the rear of the required front yard subject to Director Review and Approval. The review shall include consideration of the effects of mass, noise, and lighting upon surrounding residences.~~ 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.**

- a. Fences, hedges and walls, not greater than seven (7) 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 four (4) feet in height shall be permitted in any required front yard, or in the required side yard on the street side of a reversed corner lot. However, fences not greater than seven (7) feet in height shall be allowed in the above referenced yard areas when not located in a corner cut off area, and when the fence has not less than 70 percent of the vertical surface open to permit the transmission of light, air, and vision. When said fence encloses the main access to the residence, a minimum four foot wide opening or gate is required.
- c. ~~Fences or walls over seven (7) feet in height to enclose tennis courts or other game areas shall be permitted to the rear of the required front yard subject to Director Review and Approval. The review shall include consideration of the effect of mass, noise, and lighting upon surrounding residences.~~ 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.

**2. Corner Cut-Off Areas.**

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

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

District shall also include an additional provision that the aggregate area of accessory buildings permitted in required yards on any one parcel shall not exceed five hundred (500) square feet except that additional area may be approved subject to Director Review and Approval Procedures of Chapter 846.5.

Agricultural Districts

4. Accessory buildings in side yards for the AE (Exclusive Agricultural) and AL (Limited Agricultural) Zone Districts shall meet the following standards:
  - a. Any accessory building located less than one hundred (100) feet from the front property line shall have the same minimum side yard as that required for the main building, regardless of whether or not said accessory building is attached to the main building.
  - b. An accessory building may be located on a side property line when said building is located one hundred (100) feet or more from the front property line.
  - c. An accessory building located in the side yard or its projection to the rear property line when abutting a street shall be at least twenty (20) feet from the property line on the side street.
  - 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 parcel.
5. For the R-A (Single Family Residential Agricultural) Zone District, setbacks for accessory buildings shall meet the Residential Standards of Sections 822.3.100.H.1 and 822.3.100.H.2 above.
6. For the A-2 (General Agricultural) Zone District, setbacks for accessory buildings shall meet the Residential Standards of Sections 822.3.100.H.1 and 822.3.100.H.2 above.
7. For the A-1 (Agricultural) Zone District, setbacks for accessory buildings shall meet the Residential Standards of Sections 822.3.100.H.1 and 822.3.100.H.2 above.

**I. Exceptions - Permitted Projections into Required Yards.**

Residential Districts

1. The following projections shall be permitted in required yards for applicable Residential and Recreational Zone 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, R-P, and R-E):
  - a. Cornices, eaves, belt courses, sills, fireplace chimneys and other similar architectural features may extend or project into a required side yard not more than five (5) inches for one (1) foot of the width of such required side

yard and may extend or project into a required front or rear yard not more than thirty (30) inches.

- b. Uncovered, unenclosed porches, platforms or landing places (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.

Rural Residential

2. The following projections shall be permitted in required yards for the Rural Residential District:

- a. Cornices, eaves, belt courses, sills, fireplace chimneys and other similar architectural features may extend or project into a required side yard not more than five (5) inches for one (1) foot of the width of such required side yard and may extend or project into a required front or rear yard not more than forty-eight (48) 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.

C-P Administrative and Professional Office District

3. The following permitted projections into required yards for nonresidential uses

abutting residential or agricultural districts.

- a. Cornices, eaves, belt courses, fireplace chimneys, sills and other similar architectural features may extend or project into a required yard not more than thirty (30) inches.
- b. Open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project into a required front yard not more than thirty (30) inches.
- c. Uncovered, unenclosed porches, platforms or landing places which do not extend above the level of the first floor of the building may extend into any front yard a distance of not more than six (6) feet, and may extend into any required side or rear yard not more than three (3) feet; provided, however, that an openwork railing, not more than thirty six (36) inches in height, may be installed or constructed on any such porch, platform or landing place. Open work fences, hedges, landscape architectural features, or guard railings for safety protection around depressed ramps, not more than three and one half (3 2) feet in height, may be located in any required front, side or rear yard.

**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**

This Section provides standards for the provision of solid waste (refuse) and recyclable material storage areas in compliance with State law (California Solid Waste Reuse and Recycling Access Act, Public Resources Code Sections 42900 through 42911).

- A. All structures and uses.** All structures and uses within the multi-family (with five dwelling units or more), commercial, industrial, institutional zones shall provide refuse and recyclable material enclosures subject to the review and approval of the Director.
- B. Location requirements.** Refuse and recyclable materials enclosures shall be located in the following manner:
  - 1. Combined together.** Recycling baskets refuse and green waste carts, and future recycling carts shall be adjacent/combined with one another. They may be located on the outside of a structure in an approved fence/wall enclosure, a designated interior court or yard area with appropriate access or in a side or rear setback, with appropriate screening, in compliance with Subparagraph C. (4) (Be screened), below. Storage area(s) shall not be located in a required front or street side setback, parking space, landscaped or open space areas, or any open area(s) required by the County Ordinance Code.
  - 2. Unobstructed access.** Driveways or aisles shall provide unobstructed access for collection vehicles and personnel and provide at least the minimum clearance, as

1. Grant a density bonus, incentive, or concession, or waive or reduce development standards, if the bonus, incentive, concession, waiver, or reduction would have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2), upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact; or
2. Grant a density bonus, incentive, or concession, or waive or reduce development standards, if the bonus, incentive, concession, waiver, or reduction would have an adverse impact on any real property that is listed in the California Register of Historical Resources.

### **824.3.140 – Streamlined Review and Approval for Eligible Housing Developments**

Per the requirements of Senate Bill (SB) 35, a streamlined review and approval for eligible housing developments upon meeting certain criteria. Qualifying projects must be approved ministerially within 60 days (if the development includes less than 150 housing units) or within 90 days (if the development includes more than 150 housing units). Ministerial projects are not subject to CEQA.

#### Qualifying Projects:

Housing development projects proposed within localities that fail to meet its RHNA goals to be permitted on a ministerial basis, upon satisfaction of the following criteria:

- Project is a multifamily housing development consisting of two or more units per Article 4, Chapter 834.4.430.
- Project dedicates either 10% or 50% of units affordable to 80% of average median income (AMI).
- Project site is on land zoned for residential or mixed-use residential use.
- Project site is on land in an urbanized area where 75% of the perimeter of site is developed. Per Census Bureau criteria updated in 2020, an urbanized area is an area that encompasses at least 5,000 people or at least 2,000 housing units.
- Project is consistent with objective zoning and design review standards.
- Project site is not located on or in any of the following: (1) prime farmland or farmland of statewide importance, (2) wetlands, (3) within a very high fire severity zone, (4) a hazardous waste site, (5) within a delineated earthquake fault zone, (6) within a flood plain, (7) within a floodway, (8) identified for conservation in an adopted natural community conservation plan, (9) habitat for protected species or (10) lands under conservation easement.

- Project applicant / developer shall provide supporting evidence that the project does not propose demolition of (1) housing subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, or (2) housing subject to rent or price control, or (3) housing occupied by tenants within the past 10 years.



## CHAPTER 826.3 - LANDSCAPING STANDARDS

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### 826.3.010 - Water Efficient Landscaping

The design, installation, and maintenance of landscaping shall comply with the California Code of Regulations Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELo).

### 826.3.020 – Commercial/Industrial/Warehousing Landscaping Standards

- A. Frontage Buffers.** A combination of drought tolerant trees and groundcover shall be utilized. Trees shall be used as part of the solid screen buffering treatment. Trees shall be evergreen, drought tolerant, minimum 24-inch box, and placed at no greater than 40-feet on center. Spacing to be determined by the specific species of tree. Trees shall be maintained ensuring any unhealthy or dead trees are replaced timely as needed. Landscaping shall comply with MWELo.
- B. Automobile/Employee Parking Areas.** Automobile parking areas for developments greater than ~~{??}~~ **50,000** square feet shall be planted with trees or developed with photovoltaic solar shade structures to provide at least 35% shade coverage at full growth. Trees shall be drought tolerant and of a variety to provide the required shade coverage within 15 years. Landscaping shall comply with MWELo.

# Article 4

## Standards for Specific Land Uses

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**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.

**B. Standards.** Agricultural tourism activities and uses that are clearly secondary and incidental to a working agricultural, horticultural or agri-business operation shall be permitted provided that all of the following standards are met:

1. Lighting:

- a. All outdoor lighting shall be hooded and directed so as not to shine towards public roads or surrounding properties.

2. Traffic and Access:

- b. The first 100 feet of the access driveway shall have a minimum width of 18 feet, and be improved with acceptable paving (asphalt, asphalt/concrete, gravel, etc.) or other materials deemed acceptable by the Director of the Department of Public Works and Planning; and
- c. The agricultural tourism use does not generate more than 100 trips per day, or if, with acceptable ride sharing plan, trips will be reduced to no more than 100 trips per day; or
- d. The agricultural tourism use is limited to no more than 30 days per year; the facility does not generate more than 150 trips per day, or up to 200 trips per day if deemed acceptable by the Director of the Department of Public Works and Planning. Acceptability will be based on distribution of trips throughout day (minimal peak hour traffic conflicts or activity concentration), and trip generation of primarily passenger vehicles.
- e. Access to the site shall occur from a County-maintained public road and must be located within ¼ mile of a classified road as shown on the Transportation and Circulation Element of the General Plan unless deemed acceptable by the Director of the Department of Public Works and Planning. Acceptability of uses on local roads will be based on condition and adequacy of the road for the intended use, and anticipated truck or bus traffic generated as a result of either said use or allowable special events associated with said use.

3. Parking – General:

- a. There shall be at least one off-street parking space for each two permanent employees, and
- b. The provisions of Chapter 828.3 shall apply.

4. Parking – Special Events: Parking associated with all special event activities shall be provided on-site and improved with acceptable dust palliative and stabilized to reduce

particulate emissions in accordance with all County and San Joaquin Valley Air Pollution Control District Standards.

5. Buffering - The following standards are applicable to properties within three hundred feet of an existing residence:

- a. All lighting shall be setback a minimum of fifty (50) feet from the property line boundary; and
- b. Hours of operation of an agricultural-tourism use shall be limited to the hours of 7:00 a.m. to 10:00 p.m.; and
- c. All uses shall comply with the noise standards contained in Title 8, Section 40 of the County Ordinance Code.

6. Special Events - Agricultural-tourism Special Events that are clearly secondary and incidental to the agricultural-tourism activity shall be permitted subject to the following:

- a. Special and promotional events shall be limited to 25 events per year and last no longer than three consecutive days; and
- b. Not exceed 150 people on a parcel of land 20-acres or larger in size; or
- c. Not exceed 125 people on a parcel of land 15-19 acres in size; or
- d. Not exceed 63 people on a parcel of land 10-14 acres in size.

7. On-site and Off-site Improvements - To review the proposed project for conformance with the aforementioned standards, and to determine necessary on and off-site improvements, a Site Plan Review shall have been submitted for review and approval by the Director of the Department of Public Works and Planning in accordance with Chapter 854.5 (Site Plan Review) of the Fresno County Zoning Ordinance.

### **834.4.030 - Additional On-Site Dwellings**

- A. Purpose.** This Section provides standards for the development of additional on-site dwelling units (i.e., accessory dwelling units, second dwelling units, and accessory living quarters). Depending on the location and size of the unit, additional on-site dwellings are either allowed by right or are subject to Director Review and Approval.

**B. Accessory Dwelling Units.** Accessory ~~housing~~ **dwelling** units shall be allowed in any zone in which they are listed as allowed by Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards), provided the parcel does not contain a second unit or accessory living quarters, subject to all of the following conditions and as modified periodically by the State of California:

1. **Purpose.** The purpose of this Section is to provide regulations for the development of Accessory Dwelling Units and Junior Accessory Dwelling Units through a ministerial process consistent with Government Code Sections 65852.2 and 65852.22. Accessory Dwelling Units expand housing opportunities by increasing the number of housing units available within existing neighborhoods and provide housing generally at lower cost. This Section provides standards to minimize adverse impacts on the public health, safety, and general welfare that may be associated with Accessory Dwelling Units.
2. **Applicability.** Any construction, establishment, alteration, enlargement, or modification of an Accessory Dwelling Unit shall comply with the requirements of this Section and the County's Building Code. An Accessory Dwelling Unit or Junior Accessory Dwelling Unit that conforms to the standards of this Section shall not be:
  - a. Deemed to be inconsistent with the General Plan designation and zone for the parcel on which the Accessory Dwelling Unit or Junior Accessory Dwelling Unit is located.
  - b. Deemed to exceed the allowable density for the parcel on which the Accessory Dwelling Unit or Junior Accessory Dwelling Unit is located.
  - c. Considered in the application of any County ordinance, policy, or program to limit residential growth.
  - d. Required to correct a nonconforming zoning condition. This does not prevent the County from enforcing compliance with applicable building standards in compliance with Health and Safety Code Section 17980.12.
3. **Prohibited Areas/Sites.** Accessory dwelling units and junior accessory dwelling units shall be prohibited in the following areas:
  - a. ~~State Responsibility Areas with a High Fire Hazard Classification.~~
  - a. Low Water Area, as depicted on County of Fresno Low Water Area Map; generally located east of the Friant-Kern Canal or west of Interstate 5.
  - b. Parcels less than two (2) acres with private well and septic system.
4. **Types.** An Accessory Dwelling Unit approved under this Section may be one of the following types:

procedures that apply to Building Permit generally. The County shall issue a ministerial permit within 60 days from the date that the County received a completed application, unless either:

- (a) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or
- (b) The County requires corrections to the Building Permit application, in which case the 60-day time period is tolled until the applicant resubmits a corrected application, or,
- (c) The application to create a Junior Accessory Dwelling Unit is submitted with a permit application to create a new single-family dwelling on the parcel. The County may delay acting on the permit application for the Junior Accessory Dwelling Unit until the County acts on the permit application to create the new single-family dwelling, but the application to create the Junior Accessory Dwelling Unit will still be considered ministerial without discretionary review or a hearing.

**C. Second dwelling units (discretionary land use permit).** Second dwelling units (~~also known as accessory dwelling units~~) exceeding the location or size limitations of an Accessory Dwelling Unit shall be allowed in any zone in which they are listed as allowed by Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards), provided the parcel does not contain an accessory housing unit or accessory living quarters, subject to all of the following conditions:

**1. General provisions.**

- a. A covenant running with the land between the County and the applicant shall be recorded with the County Recorder before the issuance of any Building Permits requiring that one of the dwelling units shall be occupied by an owner of record. If neither of the units is occupied by the property owner, the approval of the second dwelling unit shall terminate immediately and the unit shall not be rented, leased, or occupied as a separate dwelling.
- b. The second dwelling unit may be rented but shall not be sold separately from the primary dwelling unit.
- c. A dwelling unit shall exist on the site before a second dwelling unit may be authorized, unless detailed design data demonstrates that no adverse impacts to surrounding development will result from the waiver of this provision. The primary dwelling unit need not be the original structure on the site.
- d. All property development standards of the zone in which the property is located shall apply, except for the following additional off-street parking requirements:



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.
4. Prior to operation, clearance from the local fire district must be obtained and provided to Fresno County Department of Public Works and Planning.
5. Portable restrooms and hand washing facilities shall be provided for every Farmers Market event.
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).
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.

2. All other previously granted Conditional Use Permits for oil and gas development uses remain in effect unless otherwise stipulated by other Zoning Ordinance regulations.

### 834.4.260 - Park Standards

#### A. Purpose and allowed uses.

1. Parks, where allowed by Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards), may be developed with varying intensities depending upon location and intended use.
2. In no case shall uses separately identified in this Zoning Ordinance (e.g., golf courses, natatoriums, and racetracks) be considered inherently included in a park.
3. The uses may be developed in conjunction with a park when they are otherwise allowed by, and subject to the provisions of the zone in which they are located.
4. Parks in this context shall not include other uses identified as parks (e.g., trailer parks, travel trailer parks, recreational vehicle parks, swim parks, or amusement parks); however, camping areas within parks may include sites for recreational vehicles when the areas are incidental to the park use.

#### B. **Prohibited uses.** Activities conducted primarily or largely for the benefit of spectators ([stadia](#)) and activities appropriate to an amusement park shall be prohibited.

#### C. **Park intensities.** Parks shall be identified by the following intensity types (higher intensity parks shall include uses allowed in lower intensity parks):

1. **Low intensity parks.** Low intensity parks shall have no permanent facilities, except restrooms, and uses shall be limited to those in which users bring in and carry out all equipment (e.g., fishing and picnicking needs). Low intensity parks are intended to remain in a semi-natural state;
2. **Moderate intensity parks.** Moderate intensity parks may be allowed to develop with picnic facilities, paved trails and drives, playground equipment, game playing areas, and park administration and service structures and yards; and
3. **High intensity parks.** High intensity parks may be allowed to develop with bath houses, craft rooms, food preparation and food sales areas, general stores for use only by park users, marinas, night lighting, outdoor amplification, and stages and dance floors, and may include event uses provided the uses are for participatory fun and recreation.

### 834.4.270 – Personal/RV Storage.

#### A. Purpose and allowed uses.

**6. Ancillary uses for value added uses approved with a Conditional Use Permit.**

Value-added agricultural uses and facilities that are not authorized under the by-right value-added uses, and are subject to a Conditional Use Permit application, may also include ancillary uses and facilities that are operated in association with a value-added agricultural processing facility.

- C. Activities subject to a Conditional Use Permit.** Commercial establishments for the processing of agricultural products when said product is not operated in conjunction with, or as part of, the same bona fide agricultural operation, including agricultural cooperatives which receive agricultural products from parcels owned or operated by members (or on-members) of those cooperatives, shall be subject to both Chapter 854.5 (Site Plan Review) and Chapter 842.5 (Conditional Use Permits). This section shall also apply to those value-added agricultural uses and facilities that cannot meet the by-right value-added standards cited above in Section B.

**834.4.400 - Walk-in, Reach-in, Cold Storage Box Standards**

- A. Purpose.** Walk-in, reach-in, cold storage boxes designed to hold refrigerated food for sale upon, and to occupants of apartment complexes, where allowed by Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards), shall be subject to all of the requirements of this Section.
- B. Standards.** Walk-in, reach-in, cold storage boxes shall be subject to all of the following requirements and limitations:
1. Advertising signs shall be prohibited.
  2. Cold storage boxes shall be completely screened from adjacent properties and public road rights-of-way.
  3. Lighting shall not be directed toward or illuminate any apartment unit, adjacent properties, or public or private road rights-of-way.
  4. The operation shall be limited to either the resident manager, property manager, or the property owner.

**834.4.410 – Wineries, Breweries and Distilleries (Small) Standards for Agricultural and Rural Residential Districts**

- A. Applicability.** The winery, brewery or distillery (small), where allowed by Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards), may not annually exceed two 'alambic' pot stills or process more than 100,000 gallons of wine or 3,225 barrels of beer per year for the purpose of producing distilled spirits.
- B. Standards.** ~~Small wineries~~ Facilities shall be subject to all of the following requirements and limitations:

1. A minimum of 25 percent of the grapes, **grains, hops** or other fruit products fermented shall derive from the parcel(s) of land farmed and owned or leased by the **winery** operator. Compliance with this standard shall be based on a production factor of 750 gallons per acre.
2. Related activities may include, but are not limited to, crushing, fermenting, blending, aging, storage, bottling, disposal of wastewater and pumice, administrative office functions, warehousing operations, wholesale sales, retail sales, **wine** tasting facilities and related promotional events.

#### **834.4.415 - Wineries, Distilleries and Breweries (Wholesale Limited, Micro and Minor) Standards**

- A. Applicability.** The winery, distillery or brewery (wholesale limited, micro and minor), where allowed by Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards), may be permitted subject to the standards listed below.
- B. Standards.** Wholesale limited, micro and minor wineries, distilleries and breweries shall be subject to all of the following requirements and limitations:
  1. A wholesale limited winery, distillery or brewery shall mean an establishment used for the commercial purpose of processing grapes, grains, hops or other fruit products to produce wine, beer or similar spirits limited to 2,500 gallons production maximum annually (for beer 1,111 cases or 81 barrels annually) and off-site sale only. No customers on site and no tasting days or events allowed. Applicant must provide Letter of Exemption or demonstrate the winery has been issued Waste Discharge Requirements from the California Regional Water Quality Control Board.
  2. A micro winery, distillery or brewery shall mean an establishment used for the commercial purpose of processing grapes, grains, hops or other fruit products to produce wine, beer or similar spirits limited to 5,000 gallons production maximum annually (for beer 2,222 cases or 161 barrels annually), a minimum of twenty-five percent (25%) of the grapes, grains, hops or other fruit products used shall be grown on site, with a maximum of 50 public tasting days and 10 public tasting events allowed per year, 100 people per event maximum. Subject to Administrative Review (development and building standards), and 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.
  3. A minor winery, distillery or brewery shall mean an establishment used for the commercial purpose of processing grapes, grains, hops or other fruit products to produce wine, beer or similar spirits limited to 10,000 gallons production maximum annually (for beer 4,444 cases or 323 barrels annually), a minimum of twenty-five percent (25%) of the grapes, grains, hops or other fruit products used shall be grown

7. Governmental facilities;
8. Health spas;
9. Hospitals;
10. Interstate freeways interchange commercial development as identified in Section 834.4.200 (Interstate Freeway Interchange Commercial Development);
11. Observatories;
12. Oil and gas development uses in compliance with Section 834.4.250 (Oil Drilling/Extraction Standards);
13. Parks, including facilities appropriate and incidental to parks (Section 834.4.260);
14. Power production 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);
15. Private clubs and lodges;
16. Public utility and public services, structures, and uses, except as otherwise provided in this Chapter;
17. Radio or television antennas and transmitters (commercial);
18. Residential facilities caring for seven or more, subject to the population density standards of rest homes (Section 834.4.310 Rest Home Standards);
19. Rest homes;
20. Rifle and pistol practice range, skeet field, archery range, or other similar place;
21. [Special Event Facility](#)
22. Solid waste disposal facilities;
23. Solid waste processing facilities;
24. Solid waste transfer stations;
25. 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

1. On-site contractors' construction yard(s), in conjunction with an approved construction project on the same parcel.
  2. One adult caretaker may be present during non-construction hours.
  3. The construction yard(s) shall be removed immediately upon completion of the construction project, or the expiration of the companion Building Permit, authorizing the construction project, whichever first occurs.
- C. Emergency needs/activities.** Emergency public health and safety needs/land use activities, as determined by the Board.
- D. On-location filming.** The temporary use of a specified and approved on-location site for the filming of commercials, movie(s), videos, etc. The Director shall find that the approval would not result in a frequency of use likely to create incompatibility between the temporary filming activity and the surrounding areas.
- E. Conducted on publicly owned property.** Events that are to be conducted on publicly owned property for three or less consecutive days, within a 90-day period and are sponsored by educational, fraternal, religious, or service organizations directly engaged in civic or charitable efforts, or to tax exempt organizations in compliance with 501(c) of the Federal Revenue and Taxation Code.

### 858.5.050 - Allowed Temporary Uses

The following limited duration temporary uses are allowed, if not already listed as a by-right or by-right value-added use in the underlying Zone District, subject to the issuance of a Temporary Use Permit, and only when conducted on non-residentially zoned properties and in compliance with Section 858.5.090 (Conditions of Approval), below.

- A. Contractors' construction yards - off-site.** The permit may be effective for up to 12 months, or the expiration of the companion Building Permit, authorizing the construction project, whichever first occurs.
- B. Events.**
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 for ~~14~~ 10 consecutive days or less, or ~~six~~ five two-day weekends, within a 12-month period.
  2. Religious-related sales, bazaars, dinners, parties, or other outdoor events conducted on religious-owned property other than the uses identified in Subparagraph 1., above shall not be limited to the number of occasions or the duration of each.

- 2. Application before operation.** The application shall be filed with the Department at least 30 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.

**Low Barrier Navigation Center.** As defined by the State of California, is a Housing First, low barrier, temporary, service enriched shelter focused on helping homeless individuals and families to quickly obtain permanent housing. Low barrier includes best practices to reduce barriers to entry, such as allowing partners, pets, storage of personal items, and privacy.

**Lumber and wood products manufacturing.** Manufacturing, processing, and sales uses involving the milling of forest products to produce rough and finished lumber and other wood materials for use in other manufacturing, craft, or construction processes. Includes the following processes and products:

- Containers, pallets, and skids;
- Milling operations (incidental);
- Trusses and structural beams;
- Turning and shaping of wood products;
- Wholesaling of basic wood products; and
- Wood product assembly.

Craft type shops are included in “Handcraft industries and small-scale manufacturing.” Other wood and cabinet shops are included under “Furniture/fixtures manufacturing, cabinet shops.” The indoor retail sale of building materials, construction tools, and equipment is included under “Building material stores.” Does not include sawmills.

**Lumber sales (inside only).** See “Building material stores.”

**Lumber storage.** See “Building material stores.”

**Lunchrooms.** See “Restaurants.”

## M

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**Machinery manufacturing.** The manufacturing of machinery and equipment for purposes and products including the following:

- Construction
- Conveyors
- Die casting
- Dies
- Dredging
- Engines and turbines
- Farm and garden
- Food products manufacturing
- Gear cutting
- Heating, ventilation, air conditioning
- Industrial molds
- Laundry and dry cleaning
- Materials handling
- Mining



**Schools, truck driver's training.** A facility providing driver education, including, but not limited to, classroom and on-road instruction to meet the requirements for obtaining a Class "A" or "B" driving license.

**Second dwelling unit.** A separate (second) dwelling unit ~~(also known as an accessory dwelling unit)~~ that generally exceeds the maximum size limitations of an ADU or JADU but will not exceed 1,500 to 2,000 square feet depending on location and circumstance located on the same parcel as the primary dwelling unit and subject to the requirements of Section 834.4.030 (Additional On-Site Dwellings).

**Secondhand stores.** Retail establishments that sell used merchandise.

**Senior citizen development.** A residential development for persons 55 years of age or older. For the purpose of the density bonus (Chapter 824.3 [Affordable Housing Incentives – Density Bonus]), the development shall have at least 35 dwelling units and comply with the requirements specified in Civil Code Section 51.3.

**Separate ownership.** Ownership of a parcel of land by a person who does not own any of the land abutting the parcel.

**Sensitive receptor.** Any residence including private homes, condominiums, apartments, and living quarters schools, preschools, daycare centers, in-home daycares, health facilities such as hospitals, long term care facilities, retirement and nursing homes, community centers, places of worship, parks (excluding trails), prisons, and dormitories, or a disadvantaged community or disadvantaged unincorporated community as identified in the General Plan.

**Servant quarters.** Complete living quarters either attached or detached from that of the main dwelling including kitchen facilities but not rented or used for permanent or temporary living quarters by members of the family (See "Family"). See "Caretaker/housing."

**Service stations.** See "Motor vehicle service stations."

**Setback.** The distance by which a structure, parking area, or other development feature must be separated from a parcel line, other structure or development feature, or street centerline. See Section 822.3.100 (Setback Regulations and Exceptions). See Figure 7-2 (Setbacks).

**Solid waste transfer stations.** A facility for receiving and temporarily holding solid wastes for transfer to a solid waste disposal or solid waste processing facility. A solid waste transfer facility may include compactors, scales, wash racks, facilities for the transfer of solid wastes from smaller to larger containers or vehicles for transport, and facilities for incidental separation of recoverable resources.

**Sororities.** See “Fraternities and sororities.”

**Sphere of Influence.** A plan, adopted by a Local Area Formation Commission (LAFCo), for the probable physical boundaries and service areas of a city or district.

**Special Event Facility.** A facility for hosting special events/gatherings which may or may not include structural improvements. Special event facilities are subject to an Unclassified Conditional Use Permit per Section 842.5.020.B. The facility owner may or may not charge a fee for the use of the facility such as for a fundraiser for a charitable non-profit organization. Facilities may operate entirely within a structure, or in combination with outside activities.

**Sporting goods stores.** See “Retail store, general merchandise.”

**Sports arenas.** Indoor and outdoor facilities for spectator-oriented sports, and other public assembly facilities for concerts, events, and outdoor theater, which include: amphitheatres; arenas; drag strips; fairgrounds; field houses; motorcycle racing facilities; race tracks; stadiums and coliseums; and facilities for other sports that are considered commercial, including rodeos.

**Stables, commercial.** Commercial establishments for donkeys, horses, and/or mules, which are rented, used, or boarded for compensation, examples of which include boarding stables, riding schools and academies, horse ranches, horse exhibition facilities (for shows or other competitive events), and barns, corrals, paddocks, and stables accessory and incidental to these uses.

**Stables, private.** A detached accessory structure(s) for the keeping of horses and/or ponies for the private use of the occupants of the premises, not for hire, remuneration, or sale, and subject to the standards specified in Section 834.4.050 (Animal Keeping Standards).

**Stables, public.** A stable other than a private stable. See “Stables, private.”

**Stadia.** Facilities for various indoor or outdoor participation or spectator sports and different types of entertainment and recreation including concerts and other live performance where a fee is charged.

**Stands, temporary.** The same as “Structures, temporary.” See “Temporary uses.”

**Stock yards and feed lots.** Commercial establishments where cattle or other animals are held or maintained for the purposes of feeding and/or marketing, including feed and sales lots/yards when not operated as a secondary occupation in connection with, or as part of, a bonafide agricultural operation.

**Stone and cut stone products.** Manufacturing establishments primarily engaged in cutting, shaping, and finishing granite, marble, slate, and other stone for building and miscellaneous uses. Also includes establishments primarily engaged in buying or selling partly finished monuments and tombstones.

- 5. Wineries and distilleries.** A bonded agricultural processing facility primarily used for the commercial processing of grapes or other fruit products to produce wine or similar spirits or the re-fermenting of still wine into sparkling wine. Related activities may include, but are not limited to, administrative office functions, barrel aging, blending, bottling, crushing, disposal of wastewater and pumice, fermenting, retail sales, storage, tasting facilities, warehousing operations, wholesale sales, and related promotional events. The retail sales and tasting of wine and retail sales of related promotional items may be allowed as part of the winery operation.
- a. Wineries and distilleries, large.** Commercial winery and/or distillery establishments which produce more than 100,000 gallons of wine per year.
  - b. Wineries and distilleries, small.** Commercial winery and/or distillery establishments which produce no more than 100,000 gallons of wine per year. This use shall be subject to the standards specified in Section 834.4.410 (Winery [Small] Standards)
  - c. Wineries (wholesale limited, micro and minor).** Limited production wineries. These uses shall be subject to the standards specified in Section 834.4.415 (Winery [wholesale limited, micro and minor] Standards)

~~**6. Winery special events.** An event (e.g., advertised events, fund raising events, weddings, winemaker dinners open to the general public, etc.) of less than one day and occurring on a winery premises attended by 80 or more people including concerts with or without amplified sound. Winery special events do not include wine industry wide events (e.g., harvest festival, vintner's festival, etc.) including associated events held at individual wineries, the normal patronage of a tasting room, and private gatherings of the owner or employees where the general public does not attend.~~

## X

No terms.

## Y

**Yard.** Any open space on the same parcel with a structure(s) or a dwelling group which open space is unoccupied and unobstructed from the ground upward to the sky, except for the projections or accessory structures allowed by this Zoning Ordinance.

**Yard, front.** A space between the front yard setback line and the front parcel line or highway setback line, and extending the full width of the parcel.

**Yard, rear.** A space between the rear yard setback line and the rear parcel line, and extending the full width of the parcel.

**Yard, side.** A space extending from the front yard, or from the front parcel line where no front yard is required by this Zoning Ordinance, to the rear yard, or rear parcel line, between a side parcel line and the side yard setback line.