

Article 3

Development and Operational Standards

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CHAPTER 820.3 - PERFORMANCE STANDARDS

820.3.010 - Purpose of Chapter

The purpose of this Chapter is to establish uniform performance standards that are designed to minimize and mitigate potential impacts of development within the County and to promote compatibility with surrounding areas and land uses.

820.3.020 - Applicability

- A. New and existing uses in all zones.** The provisions of this Chapter shall apply to all land, structures, and uses in all zones. The standards of this Chapter elaborate upon and otherwise augment the development standards specified for individual zones in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards) and in Article 4 (Standards for Specific Land Uses).
- B. Compliance of alterations or modifications.** Uses of the land that existed on the effective date of this Chapter shall not be altered or modified so as to conflict with, or further conflict with, these standards.
- C. Evidence of compliance with standards.** If requested by the Director or the applicable review authority, applicants shall provide evidence to the Director that the proposed development is in compliance with the standards in this Chapter and other applicable standards in this Zoning Ordinance before the issuance of a Building Permit or business license.

820.3.030 - Air Quality

- A. Air pollution.**
 - 1. Sources of air pollution shall comply with rules established by the Environmental Protection Agency (Code of Federal Regulations, Title 40) and the California Air Resources Board.
 - 2. No person shall operate a regulated source of air pollution without a valid operation permit issued by the San Joaquin Valley Air Pollution Control District (SJVAPCD).
 - 3. Owners/operators of uses, activities, or processes that require SJVAPCD approval of a permit to operate shall file a copy of the permit with the Department within 30 days of its approval.
- B. Dust and dirt.** Land use activities that may create dust emissions (e.g., construction, grading, etc.) shall be conducted in compliance with the rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD).

- C. Exhaust emissions.** Any gas or diesel fired back-up power generator rated at 50 horsepower or greater shall require prior approval from the San Joaquin Valley Air Pollution Control District (SJVAPCD).

822.3.040 - Density

- A. Population Density General.** The population density regulations specified in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards) shall apply. Occupancy shall not be increased in any manner except in conformity with these regulations. Additional exceptions for the R-3, R-3-A, R-4 and R-P Zone Districts are noted below.
- B. R-3 and R-3-A Zone Districts.** A nonconforming parcel of record under separate ownership at the time it became nonconforming may be used for or occupied by any allowed use subject to the following limitation:
1. Where the parcel has less than 3,000 square feet of parcel area, the parcel shall not be used for more than one dwelling unit.
 2. Where the parcel has 3,000 square feet of parcel area or more than but less than 4,500 square feet of parcel area, the parcel shall not be used for more than two dwelling units.
 3. Where the parcel has 4,500 square feet of parcel area or more but less than 6,000 square feet of parcel area, the parcel shall not be used for more than three dwelling units.
 4. Where the parcel has 6,000 square feet of parcel area or more but less than 7,000 square feet of parcel area, the parcel shall not be used for more than four dwelling units.
- C. R-4 Zone District.** A nonconforming parcel of record under separate ownership at the time it became nonconforming may be used for or occupied by any allowed use subject to the following limitation:
1. Where the parcel has less than 3,000 square feet of parcel area, the parcel shall not be used for more than one dwelling unit.
 2. Where the parcel has 3,000 square feet of parcel area or more than but less than 4,000 square feet of parcel area, the parcel shall not be used for more than two dwelling units.
 3. Where the parcel has 4,000 square feet of parcel area or more but less than 5,000 square feet of parcel area, the parcel shall not be used for more than three dwelling units.

4. Where the parcel has 5,000 square feet of parcel area or more but less than 6,000 square feet of parcel area, the parcel shall not be used for more than four dwelling units.
 5. Where the parcel has 6,000 square feet of parcel area or more but less than 7,000 square feet of parcel area, the parcel shall not be used for more than five dwelling units.
 6. Where the parcel has 7,000 square feet of parcel area or more but less than 8,000 square feet of parcel area, the parcel shall not be used for more than six dwelling units.
 7. Where the parcel has 8,000 square feet of parcel area or more but less than 9,000 square feet of parcel area, the parcel shall not be used for more than seven dwelling units.
 8. Where the parcel has 9,000 square feet of parcel area or more but less than 9,500 square feet of parcel area, the parcel shall not be used for more than eight dwelling units.
 9. Where the parcel has 9,500 square feet of parcel area or more but less than 10,000 square feet of parcel area, the parcel shall not be used for more than nine dwelling units.
- D. R-P Zone District.** A nonconforming parcel of record under separate ownership at the time it became nonconforming may be used for or occupied by any allowed use subject to the following limitation:
1. Any parcel having less than 4,000 square feet of parcel area may not be used for residential purposes.
 2. Where the parcel has 4,000 square feet of parcel area or more than but less than 6,500 square feet of parcel area, the parcel shall not be used for more than two dwelling units.
 3. Where the parcel has 6,500 square feet of parcel area or more but less than 7,500 square feet of parcel area, the parcel shall not be used for more than three dwelling units.

820.3.050 - Easements

No structure shall be constructed which may be in conflict with a legally-established easement.

820.3.060 - Electrical Interference

Operators of activities, processes, and uses shall comply with all applicable Federal Communications Commission regulations regarding interference and public nuisance.

820.3.070 - Energy Conservation

- A.** Parcel design shall provide, to the extent feasible, for passive or natural heating or cooling opportunities and for other measures that conserve nonrenewable energy resources. Design measures to accomplish these objectives may include, but are not limited to, the arranging of streets, parcels, structures, and landscaping to (1) provide solar access for active solar water and space heating systems and passive space heating, (2) minimize solar heat gain in the summer, and (3) take advantage of prevailing breezes.
- B.** In providing for future passive or natural heating or cooling opportunities, consideration shall be given to local climate, to contour, to configuration of the original parcel, and to other design and improvement requirements. These provisions shall not result in reducing allowable densities or the percentage of a parcel which may be occupied by a structure under applicable zoning.

820.3.080 - Exterior Light and Glare**A. Exterior lighting.**

- 1.** Exterior lighting shall be:
 - a.** Directed downward and shielded so that all direct light and glare is confined within the boundaries of the subject parcel, thereby minimizing off-site glare;
 - b.** Installed so that lights do not blink, flash, or be of unusually high intensity or brightness; and
 - c.** Appropriate in height, intensity, and scale to the structures and uses they are serving.
- 2.** Exterior lighting shall not:
 - a.** Exceed 150 watts or directly illuminate or be visible from abutting properties.
 - b.** Result in:
 - (1)** Indirect illumination of abutting properties in excess of 0.5-foot candles;
 - (2)** A point of overlap between light patterns greater than seven feet for pedestrian lighting systems; or
 - (3)** An intensity of lighting within the physical limits of an area required to be lighted that is greater than seven-foot candles.
- B. Security lighting.** Security lighting shall be provided at all entrances/exits to structures. The minimum illumination shall be two foot-candles at ground level in front of the entrance/exit.

- C. **Shielded lighting.** Light sources shall be shielded to direct light rays onto the subject parcel only. The light source, whether bulb or tube, shall not be directly visible from an abutting property or public street rights-of-way. This Section does not apply to public street lighting, sign illumination, or traffic safety lighting.

820.3.090 - Fault Hazard Areas

All new development and modifications to existing development shall comply with the requirements of the Alquist-Priolo Earthquake Zoning Act (Public Resources Section 2621 et seq.) and County Ordinance Code Title 24.

820.3.100 - Noise

The following standards shall apply to new development and shall be administered in conjunction with Chapter 8.40 (Noise Control) of the County Ordinance Code.

- A. **Compliance with Table 3-1.** The compatibility of proposed projects with existing and future noise levels shall be evaluated through a comparison to Table 3-1 (Land Use Compatibility for Community Noise Environments).
- B. **New noise-sensitive land uses.** New noise-sensitive land uses (which include, but are not limited to, residential neighborhoods, schools, and hospitals) may only be approved in areas where existing or projected noise levels are “normally acceptable” or “conditionally acceptable” in compliance with Table 3-1 (Land Use Compatibility for Community Noise Environments). Noise mitigation measures may be required to reduce noise in outdoor activity areas and interior spaces to these levels.
- C. **Acoustical analysis required.** An acoustical analysis shall be required for new projects as part of the environmental review process where:
1. Noise sensitive land uses are proposed in areas exposed to existing or projected noise levels that are “normally unacceptable” or higher according to the Table 3-1 (Land Use Compatibility for Community Noise Environments); and
 2. Proposed projects are likely to produce noise at levels exceeding the levels shown in the Table 3-1 (Land Use Compatibility for Community Noise Environments) at existing or planned noise-sensitive uses.
- D. **Noise mitigation measures required.** Where noise mitigation measures are required to achieve acceptable levels according to land use compatibility standards in Table 3-1 (Land Use Compatibility for Community Noise Environments), the emphasis of these measures shall be upon site planning and project design. These measures may include, but are not limited to, structure orientation, setbacks, earthen berms, and building construction practices. The County shall consider the use of noise barriers (e.g., soundwalls) as a means

of achieving the noise standards after other design-related noise mitigation measures have been evaluated or integrated into the project.

- E. Determination of impact.** Where existing noise-sensitive uses may be exposed to increased noise levels due to roadway improvement projects, the County shall apply the following criteria to determine the significance of the impact:
1. Where existing noise levels are less than 60 dBLdn at outdoor activity areas of noise-sensitive uses, a 5 dBLdn increase in noise levels will be considered significant;
 2. Where existing noise levels are between 60 and 65 dBLdn at outdoor activity areas of noise-sensitive uses, a 3 dBLdn increase in noise levels will be considered significant; and
 3. Where existing noise levels are greater than 65 dBLdn at outdoor activity areas of noise-sensitive uses, a 1.5 dBLdn increase in noise levels will be considered significant.
- F. Aircraft operations.** No new residential land uses shall be approved in areas exposed to existing or projected levels of noise from aircraft operations at any airport or air base which exceed 60 dBLdn or CNEL.

TABLE 3-1
LAND USE COMPATIBILITY FOR COMMUNITY NOISE ENVIRONMENTS

Land Use Category	Community Noise Exposure (Outdoor) Ldn or CNEL, dB							
	50	55	60	65	70	75	80	85
Residential: Low-Density Single-Family, Duplex, Mobile Homes								
Residential: Multiple Family								
Transient Lodging: Motels, Hotels								
Schools, Libraries, Churches, Hospitals, Nursing Homes								
Auditoriums, Concert Halls, Amphitheaters								
Sports Arena, Outdoor Spectator Sports								
Playgrounds, Neighborhood Parks								
Golf Courses, Riding Stables, Water Recreation, Cemeteries								
Office Buildings, Business Commercial and Professional								
Industrial, Manufacturing, Utilities, Agriculture								
 Normally Acceptable Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.  Conditionally Acceptable New construction or development should be undertaken only after a detailed analysis of the noise reduction requirement is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.  Generally Unacceptable New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.  Land Use Discouraged New construction or development should generally not be undertaken.								

820.3.110 - Odor

Noxious odorous emissions in a matter or quantity that is detrimental to or endangers the public comfort, health, safety, or welfare is declared to be public nuisance and unlawful and shall be modified to prevent further emissions release.

820.3.120 - Specific Plan Lines

- A. Method of adoption.** Specific plan lines shall be adopted in compliance with County Ordinance Code Chapter 19.08.
- B. Location of future street rights-of-way.** Specific plan lines announce the location of future street rights-of-way. Before issuance of any permit, proponents shall be advised that structures should be located outside of the specific plan lines area. Failure to provide this information shall not affect the validity of the permit.

820.3.130 - Structures, Temporary

A temporary structure shall be subject to all applicable property development standards for the zone in which it is located.

820.3.140 - Subsidence Areas

All new development and modifications to existing development shall comply with County Ordinance Code Title 24.

820.3.150 - Vibration

- A.** No use shall generate vibrations that may be considered a nuisance or hazard on any abutting property.
- B.** Vibrations from temporary construction/demolition and vehicles that leave the subject parcel (e.g., trucks) are exempt from the provisions of this Section.

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CHAPTER 822.3 - PROPERTY DEVELOPMENT AND USE STANDARDS

822.3.010 - Purpose and Applicability

- A. The purpose of this Chapter is to ensure that all development produces an environment of stable and desirable character that is harmonious with existing and future development, and protects the use and enjoyment of neighboring properties, consistent with the General Plan.
- B. The standards of this Chapter apply to all zones. These standards shall be considered in combination with the standards for each zone in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards) and Article 4 (Standards for Specific Land Uses). Where there may be a conflict, the standards specific to the zone or specific land use shall override these general standards.
- C. All structures, additions to structures, and uses shall conform to the standards of this Chapter as determined applicable by the Director, except as identified in Chapter 870.6 (Nonconforming Uses, Structures, and Parcels).

822.3.020 - Access

Vehicular and pedestrian access shall be provided according to the regulations pertaining to each zone.

822.3.030 - Dedications and Improvements Required

Because of changes that may occur in the local neighborhood due to increases in vehicular traffic generated by facilities requiring a Site Plan Review, and upon the principle that the development should be required to provide street dedications and improvements near as practicable in proportion to the increased vehicular traffic, but should not be required to provide the street facilities for non-related traffic, the following dedications and improvements may be deemed necessary by the Director and may be required by the Director as a condition to the approval of any Site Plan Review:

- A. **When the development borders or is traversed by an existing street.**
 - 1. **Minor streets, local streets, and cul-de-sacs.** Dedicate all necessary right(s)-of-way to widen street to its ultimate width as shown on any master or precise plan of streets and highways; install curbs, gutters, drainage, sidewalks, street trees, street signs, street lights, required utilities; and grade and improve from curb to existing pavement.
 - 2. **Major and collector streets.**
 - a. Dedicate all necessary right(s)-of-way to widen the street to its ultimate width as established by any precise plan, Precise Plan of Streets and Highways, or

where the ultimate right-of-way lines are otherwise determinable and the grades have been established or can be determined; install curbs, gutters, drainage facilities, sidewalks, street trees, street signs, required utilities; and grade and improve the shoulder and one traffic lane abutting the development.

- b. In no case shall a person be required to dedicate or improve the right-of-way for a length in excess of 30 feet as measured from the ultimate right-of-way line, unless as otherwise provided for in the County Ordinance Code.

3. Major thoroughfares (expressways, freeways, the State highways).

- a. Dedicate all necessary right(s)-of-way to widen the thoroughfare to its ultimate width as established by any precise plan, Specific Plan of Streets and Highways, or where the ultimate right-of-way lines are otherwise determinable and the grades have been established or can be determined, except in cases where access does not exist.
- b. Setback all facilities the required distance from the ultimate property line as shown on any master or specific plan; install curbs, gutters, drainage, sidewalks, street trees, street signs, streetlights, and required utilities.
- c. In no case shall the required improvements or right-of-way dedication apply for distances in excess of 30 feet as measured from the ultimate right-of-way line, unless as otherwise provided for in the County Ordinance Code.

- 4. Street setbacks.** Setback all structures and facilities the required distance from the ultimate property line as established for streets shown on any proposed, master, or specific plan, or where the ultimate property lines are otherwise determinable.

B. Frontage and other new roads.

- 1. All frontage roads or new roads of any class made necessary by the development shall be dedicated and fully graded and improved with curbs, gutters, drainage, sidewalks, street trees, street signs, street lights, required utilities, grading and paving, provided that where the street involved is indicated as an eventual major street or major thoroughfare upon any master or precise plan of streets and highways, the amount of grading and paving shall not exceed that required for the existing streets under Subsection A., above.
- 2. Where a frontage road is provided and improved, the improvements in Subparagraphs A.2. and A.3., above, will not be required.

- C. All improvements to County standards.** All improvements required by this Section shall be installed to adopted County standards.

822.3.040 - Environmental Compliance Regulations

As applicable, development proposals shall be evaluated for compliance with the California Environmental Quality Act (Public Resources Code Section 21,000 et seq), National Environmental Quality Act (NEPA), the County's CEQA Guidelines, and General Plan environmental policies, including policies regarding air quality, archaeological resources, geologic hazards, mineral resources, rare, threatened, and/or endangered species, riparian habitat, sensitive biological and botanical resources, and traffic.

822.3.050 - Fences, Walls, and Hedges

- A. Purpose and intent.** This Section is intended to provide for the regulation of the height and location of fences, walls, and hedges for the purpose of providing for air, light, and privacy, and safeguarding the public welfare by preventing visual obstructions at street and highway intersections. Nothing in this Section shall be deemed to set aside or reduce the requirements established for security fencing by local, State, or Federal law, or by safety requirements of the Board of Education.
- B. General height limitations.** Fences, hedges, and walls may be erected/maintained within required setback areas to the heights specified in Table 3-2, below.

**TABLE 3-2
MAXIMUM HEIGHT OF FENCES, HEDGES, AND WALLS WITHIN
SETBACKS**

Zones	Maximum Height in Setbacks (1)			
	Front	Street Side	Interior Side	Rear
Commercial zones ⁽²⁾	4 ft.	4 ft.	10 ft.	10 ft.
Industrial zones ⁽²⁾	<u>7 ft.</u>	<u>7 ft.</u>	10 ft.	10 ft.
Urban Residential zones ⁽³⁾	See Subsection G below.			
Rural Residential zone	See Subsection H below.			
All other zones (excluding A-E, A-L and R-C Zone Districts)	4 ft.	4 ft.	7 ft.	7 ft.

Note:

⁽¹⁾ Fence heights in excess of these standards may be allowed by an approved Conditional Use Permit, Variance, Tract or Parcel Map or when required by the County for reasons of the health and safety of the general public.

⁽²⁾ Projects adjacent to residential zones shall use the standard of "All other zones."

⁽³⁾ R-1-A, R-1-AH, R-1-E, R-1-EH, R-1-B, R-1-C, R-1, R-2, R-2-A, R-3, R-3-A, and R-4 Zone Districts.

C. Measurement of fence or wall height. Fence height shall be measured as the vertical distance between the highest finished grade of the ground abutting the fence and the top edge of the fence material. Adjacent grades shall not be artificially elevated in order to allow for a fence or wall that is higher than the allowable maximum height. Where there is a difference in the ground level between two abutting parcels, the height of a fence or wall constructed along the property line shall be determined by using the finished grade of the lowest contiguous parcel.

D. Allowed materials.

1. Fence materials may include chain link (except where prohibited), louvered glass, stake, steel mesh, wire mesh, and other similar materials. Planting shall be regulated to maintain the required open areas in the fence structure.
2. Wall materials shall include concrete, concrete block, wood, or any other similar materials that are solids and are assembled as to form a solid barrier.

E. Walls required between different zones. Walls shall be provided and maintained between different zones in the following manner:

1. **Nonresidential or multi-family.** Where a nonresidential zone abuts property in any residential zone, a solid masonry wall shall be constructed on the zone boundary line consistent with the height limitations contained in Table 3-2. If a public right-of-way separates a nonresidential zone from any residential zone, this wall requirement may not apply.
2. **Industrial.** Where an industrial zone abuts property in a nonindustrial zone, a solid masonry wall, a minimum of six feet in height, shall be constructed on the zone boundary line. Additional fencing and buffering standards may increase minimum fencing heights to either seven (7) or ten (10) feet based on Section 822.3.090.B.
3. **Design and construction.** Walls shall be of solid masonry construction and shall be of a decorative design when in view of public rights-of-way subject to the approval of the Director.
4. **Modification of requirements.** The Director may waive or modify requirements for walls between different zones where a solid masonry wall already exists on the abutting property if the following findings can be made in a positive manner:
 - a. The existing wall meets, or would be modified to conform to, the intent of this Section.
 - b. Suitable landscaping would be installed adjacent to the existing wall to supplement and enhance the desired physical separation.
 - c. The existing wall would be protected to prevent vehicle damage, if necessary.
 - d. Concurrence of the abutting property owner(s) would be obtained, to modify the existing wall to meet the requirements of this Section.

F. Dangerous areas. A fence or wall shall be constructed along the perimeter of all areas considered by the Director to be dangerous to the public health and safety. The height of the fence or wall shall be determined by the Director in relation to the danger or hazard involved. The fence or wall may be required when a use requires a permit or at the discretion of the Board according to the danger or hazard involved.

G. Urban Residential Zone Fence Requirements.

1. **Required Fences and Walls.** Where lots are one acre or less, a fence or wall not less than five feet nor greater than seven in height shall be constructed at the tops of all slopes when all of the following conditions apply:
 - a. Where the top of the slope is a property line between adjoining lots held under separate ownerships,

- 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 I below apply.

3. Permitted Fences, Hedges, and Walls.

- a. Fences, hedges and walls, not greater than seven feet in height, shall be permitted on or within all rear and side property lines on interior lots and on or to the rear of all front yard setback lines.
- b. No fence, wall or hedge over three feet in height shall be permitted in any required front yard, or in the required side yard on the street side of a reversed corner lot. Except in the ("R-1-A" and "R-1-AH"), ("R-1-E" & "R-1-EH"), ("R-1-B"), ("R-1-C"), ("R-1"), ("R-2" AND "R-2-A"), ("R-3" & "R-3-A"), and ("R-4") Zone Districts, fences not greater than seven feet in height shall be allowed in the required front yard when:
 - (1) Not located in a corner cut-off area, and
 - (2) The fence and gates have not less than 70 percent of the vertical surface open to permit the transmission of light, air, and vision; and is constructed of either: vertical steel tubing or wrought iron, may incorporate brick or block columns, or gates shall not swing towards the public right-of-way.
 - (3) When a fence restricts the main access to a residence, a minimum four foot wide opening or gate shall be required.
 - (4) Locked gates shall be equipped with a knox-box or similar access system to permit emergency personnel access.
- c. Fences, walls, lighting, or other associated appurtenances over seven (7) feet in height to enclose/illuminate tennis courts or other game areas shall be permitted to the rear of the required front yard subject to a Director Review and Approval (see DRA Chapter 846.5). See setback requirements for areas constructed specifically for tennis courts and game areas in Table No. 2-5 of Article 2, Chapter 810.2.

H. Rural Residential Zone Fence Requirements.

1. Permitted Fences, Hedges, and Walls.

- 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 except for the following:
 - (1) 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;
 - (2) For those properties fronting N. Sunnyside Avenue located north of Nees Avenue and south of Shepherd Avenue seven (7) foot high solid fences or walls shall be permitted within the front yard setback that meet the provisions below:
 - To ensure visibility all solid walls and fences shall adhere to the corner cutoff provisions for both driveways and street corners as provided for in Section 822.3.100.E.
 - Gates shall be inset a minimum of 18 feet from the ultimate right-of-way to ensure vehicles leaving the roadway to enter a property do not obstruct traffic.
 - All solid walls and fences shall be constructed outside the ultimate right-of-way. (Amended by Ord. T-101-387 adopted 2025-02-25).
- c. Fences, walls, lighting, or other associated appurtenances over seven (7) feet in height to enclose/illuminate tennis courts or other game areas shall be permitted to the rear of the required front yard subject to a Director Review and Approval (see DRA Chapter 846.5). See setback requirements for areas constructed specifically for tennis courts and game areas in Table No. 2-5 of Article 2, Chapter 810.2.

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.

I. Swimming pools.

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

822.3.060 - Height Measurement and Height Limit Exceptions

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

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

established by Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards) may be increased as specified by this Section, provided the increase shall not conflict with airport safety regulations or conditions of an approved land use permit.

1. **Assembly and meeting facilities.** Assembly and meeting facilities in zones that impose a height limitation of 35 feet or less may exceed the 35-foot height limit by up to 25 feet when the required front, side, and rear setbacks are increased an additional one foot in excess of minimum requirements for each four feet in height above 35 feet.
2. **Miscellaneous structures.** The maximum structure height specified in a zone may be exceeded by no more than 50 percent for the following structures, except that a greater maximum height may be specified in the conditions of an approved land use permit:
 - a. Barns, silos, grain elevators, and other farm structures in the RC and RE zone districts.
 - b. Birdhouses (in agricultural zone districts).
 - c. Cooling towers, smokestacks, or other structures that are required by allowed industrial processes in industrial zones.
 - d. Cupolas, domes, skylights (in agricultural, residential and commercial zone districts).
 - e. Distribution and transmission cables and towers.
 - f. Elevator housings.
 - g. Fire and hose towers.
 - h. Fire or parapet walls.
 - i. Flag poles.
 - j. Mechanical equipment and its screening to include roof-mounted wireless telecommunications support facilities.
 - k. Noncommercial antennae up to 65 feet in residential zones (see Section 846.5.020, Unclassified Director's Review and Approval).
 - l. Observation towers (in agricultural zone districts).
 - m. Radio and television station towers.
 - n. Residential chimneys, flues, smokestacks, and enclosures.
 - o. Solar energy collectors. These structures shall be set back from all property lines and habitable structures at least 100 percent of the height of the structure.
 - p. Stairway housing.

q. Water tanks and water towers.

r. Other roof structures and mechanical equipment similar to those listed above.

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

822.3.070 - Parcel Coverage

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

822.3.080 - Parcel Standards and Exceptions

A. Parcels. Except as stated in this Section, no structures shall be erected or located on a parcel unless the parcel conforms with the area regulations of the zone in which it is located.

1. After the effective date of any ordinance by which any area is first zoned for any zone, no land in the zone may be divided by the recordation of any map or by voluntary sale, contract of sale, or conveyance of any kind which creates a new parcel of land under separate ownership which consists of less than the minimum parcel area required for the zone of which the parcel is a part.
2. If part of an existing parcel of land is acquired for public utility use, the property development standards of the zone in which the parcels are located shall apply, except that parcel area standards shall not apply for the public utility parcel. Public utility parcels shall not attain a nonconforming status.
3. If part of an existing parcel of land is acquired for public use, the remainder of the parcel shall be considered a nonconforming parcel. A parcel having an established nonconforming parcel area status before the acquisition shall retain that status after the acquisition. The property development standards, except for parcel area, of the zone in which the above parcel(s) are located shall be met. (Examples of land acquired for public use are road or public construction projects).
4. When an unimproved parcel of land that is nonconforming as to parcel area is or was owned by a person who is or was also the owner of an adjoining parcel of land located in the same zone on or after March 1, 1991, the parcel for the purposes of this Section shall not be considered a developable parcel for which a Building Permit may be issued, unless one of the following actions occurs:
 - a. The owner of the nonconforming parcel merges already acquired parcel(s) in compliance with County Ordinance Code Section 17.72.055 to create a new parcel of land which consists of the minimum parcel area required by the zone of which the parcel(s) are a part, except where the merged parcel(s) constitute the entire contiguous ownership of the applicant for the Building Permit and the new parcel

remains substandard as to parcel area, then the newly created parcel shall be considered a developable parcel for which a Building Permit may be issued; or

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

B. Parcel Dimensions

1. Every parcel shall have a minimum frontage width not less than the required minimum parcel width in the zone under consideration. Curve parcels and cul-de-sac parcels shall conform to the particular zone wherein provisions are specified for the parcels. Every parcel shall also have a minimum width and depth not less than that prescribed in the zone under consideration. For parcels zoned Rural Residential within the Sierra-North and Sierra-South Regional Plan areas, each lot shall have a minimum gross area of five (5) acres unless a public road is provided. West of the Friant-Kern Canal public road frontage shall not be required for lots twenty (20) acres or larger.
2. Each dimension is minimum only. One or both shall be increased to attain the minimum parcel area required.

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

C. Parcel Line, Front

1. On an interior parcel, the front parcel line is the property line abutting the street.
2. On a corner or reversed corner parcel, the front parcel line is the shorter property line abutting a street.
3. On a through parcel, or a parcel with three or more sides abutting a street, or a corner or reversed corner parcel with parcel lines of equal length, the Director shall determine which property line(s) shall be the front parcel line for purposes of compliance with yard and setback provisions of this Zoning Ordinance.

D. Parcel Line, Rear

1. In the case of an irregular, triangular, or gore-shaped parcel, the rear parcel line shall be a line within the parcel, parallel to and at a maximum distance from the front parcel line, having a length of not less than 10 feet.
2. A parcel which is bounded on all sides by streets may have no rear parcel line.

E. Parcel Line, Side. On a parcel with three or more sides abutting a street, all parcel lines abutting the street(s), other than the front parcel line(s), may be side parcel lines.**F. Homesite Provisions for AE and AL Districts.** The creation of homesites less than the minimum acreage indicated by the District acreage designation, but not greater than 2.5 gross acres (5 gross acres in the Sierra-North and Sierra-South Regional Plan areas designated Eastside Rangeland) may be permitted in the Exclusive Agricultural and Limited Agricultural Zone Districts, excluding the AE-5 Zone District, subject to the following criteria.

1. The minimum lot size shall be 87,120 square feet of gross area as measured from the center of any abutting roadway, stream, railroad, or other public right-of-way forming a boundary line: and
 - a. One of the following conditions exist:
 - (1) The lot is to be created by the conveyance of a security instrument to finance a single family residence to be occupied by the owner thereof where the existing lot before division is not less than 20 gross acres; that said lot, together with the remaining acreage, shall not be separately conveyed or devised without meeting the district acreage designation, except for the purpose aforesaid, unless such division occurs by judicial foreclosure, trustee's sale or other legal proceedings which discharge the lien of the security instrument.
 - (2) The lot or lots to be created are intended as a conveyance or devise exclusively for use by a person related to the owner by adoption, blood, or marriage within the second degree of consanguinity and only for persons involved in the farming operation; the existing lot before division contains a minimum of 20 gross acres; there is only one lot per related person, or per related married couple, and there is no more than one lot per each 20 gross acres, or
 - (3) Outside of the Sierra-North and Sierra-South Regional Plan areas, the present owner owned the property prior to adoption of the Exclusive Agricultural Zone District or Limited Agricultural Zone District and wishes to retain his homesite and sell the remaining acreage for agricultural purposes where the remaining acreage is not less than 15 acres, or
 - (4) The lot to be created is intended as a life estate.
 - (5) In the Sierra-North and Sierra-South Regional Plan areas the present owner

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

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

822.3.090 - Screening and Buffering

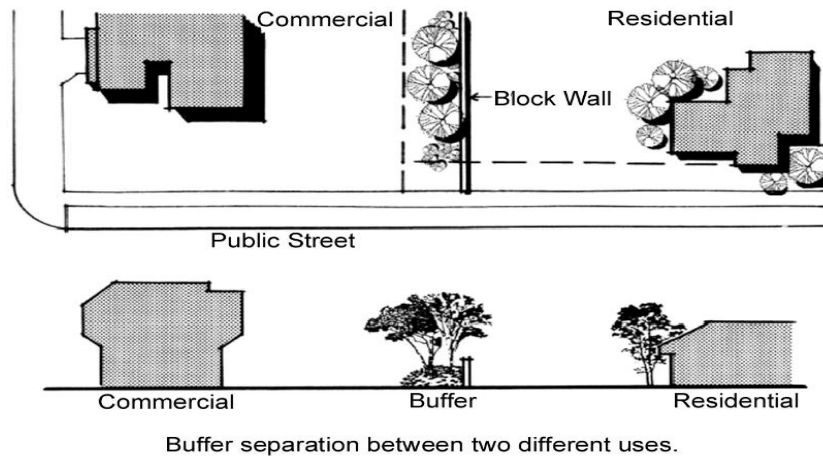
This Section provides standards for multi-family and non-residential land uses for the screening and buffering of adjoining land uses, equipment, and outdoor storage areas, and surface parking areas.

A. Screening between different land uses.

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

either a front yard or side yard shall be set back from the property line a distance of ten (10) feet, the space between the wall and the property line to be landscaped and maintained.

**Figure 3-1
Screening and Buffering**



B. Mechanical equipment, loading docks, and refuse areas.

1. Roof or ground mounted mechanical equipment (e.g., air conditioning, heating, ventilation ducts and exhaust, etc.), loading docks, refuse storage areas, and utility services shall be screened from public view from adjoining public streets and rights-of-way and surrounding area(s) zoned for residential, commercial, institutional, or open space uses.
2. The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural style, subject to the approval of the Director.

C. Outdoor storage areas.

1. The use of outdoor areas for storage purposes shall be subject to the following standards:
 - a. Outside storage areas shall be screened with a solid sight-obscuring fence or wall not less than six feet or more than eight feet in height, of a type and design approved by the Director. The fence or wall shall include sight-obscuring gates. The fence or wall and gate(s) shall be continuously maintained in good repair.
 - b. Stored materials shall be kept below the level of the fence or wall or other screening mechanism.
 - c. Site operations in conjunction with outdoor storage, including the loading and unloading of materials and equipment, shall be conducted entirely within a fenced or walled area.

2. Incidental outdoor storage shall be allowed, subject to the above standards. Outdoor storage categorized as a primary land use shall be subject to the applicable permitting requirements identified in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards) and the above standards.

D. Building materials and garden supply areas. Outdoor building materials and garden supply areas shall be screened with fencing, landscaping, meshing, walls, or similar materials to minimize visibility of the storage areas, subject to the review and approval of the Director.

E. Screening for Designated Commercial Development (per Table 2-6)

1. Shall be subject to the following standards:
 - a. More than 25,000 square feet shall incorporate a five-foot-wide landscape buffer measured from the property line and a six (6)-foot-high solid wall to address sounds adjacent to sensitive receptors from truck idling areas (docks, etc.).
 - b. 50,000 square feet or greater shall incorporate a 10-foot-wide landscape buffer adjacent to sensitive receptors measured from the property line in conjunction with a six (6)-foot-high block wall.
 - c. 100,000 square feet or greater shall incorporate a 20-foot-wide landscape buffer adjacent to sensitive receptors measured from the property line in conjunction with a seven 7-foot-high block wall.
2. All landscaping shall comply with Section 826.3.020 Commercial/Warehousing/Industrial Development Landscaping Standards.

F. Screening for Designated Industrial/Warehousing Development (per Table 2-8)

1. Shall be subject to the following standards:
 - a. Less than 50,000 square feet shall incorporate a five-foot-wide landscape buffer measured from the property line and a seven (7)-foot-high solid wall to address sounds adjacent to sensitive receptors from truck idling areas (docks, etc.).
 - b. 50,000 square feet or greater shall incorporate a 10-foot-wide landscape buffer adjacent to sensitive receptors measured from the property line in conjunction with a seven (7)-foot-high block wall.

- c. 400,000 square feet or greater shall incorporate a 20-foot-wide landscape buffer adjacent to sensitive receptors measured from the property line in conjunction with a 10-foot-high block wall.
2. All landscaping shall comply with Section 826.3.020 Commercial/Warehousing/Industrial Development Landscaping Standards.

822.3.100 - Setback Regulations and Exceptions

This Section establishes standards to ensure the provision of open areas around structures for visibility and traffic safety; access to and around structures; access to natural light and ventilation; separation of incompatible land uses; and space for privacy, landscaping, and recreation.

A. Setback regulations. Except as provided in Subsection D., below, no required setback or other open space around an existing structure, or which is hereafter provided around any structure for the purpose of complying with the provisions of this Section may be considered as providing a setback or open space for any other structure; nor may any setback or other required open space on an adjoining parcel be considered as providing a setback or open space on a parcel where a structure is to be erected.

B. Exemptions from setback requirements.

1. The minimum setback requirements of this Zoning Ordinance shall apply to all uses except for the following:
 - a. Fences or walls constructed within the height limitations of Section 822.3.040 (Fences, Walls, and Hedges).
 - b. Retaining walls less than three feet in height above finished grade.
2. Street setback lines, as delineated on all recorded final maps, parcel maps, and records of survey maps shall be the street and yard setback distances required on the property within the final maps, parcel maps, records of survey maps, unless additional road dedication is required as a condition of development. When additional road dedication is required, or in the case of recorded final maps, parcel maps, and records of survey maps, the greater setback distance of either the property development standards in the applicable zone based on the ultimate right-of-way width or the setback distance as shown on the approved map shall prevail.

C. Measurement of setbacks. Setbacks shall be measured as follows:

1. **Front setbacks.** The front setback shall be measured at right angles from the nearest point on the front property line of the parcel to the nearest point of the structure envelope, except for corner parcels.
2. **Side setbacks.**

- a. The side setback shall be measured at right angles from the nearest point on the side property line of the parcel to the nearest line of the structure envelope, establishing a setback line parallel with the side property line that extends between the front and rear yards.
 - b. For the purposes of calculating side setbacks, the following dwellings with common party walls shall be considered as one structure occupying one parcel:
 - (1) Court apartments.
 - (2) Group dwellings.
 - (3) Row dwellings.
 - (4) Semidetached two and four family dwellings.
3. **Street side setbacks.** The side setback on the street side of a corner parcel shall be measured from the nearest point of the side property line adjoining the street.
4. **Rear setbacks.**
 - a. The rear setback shall be measured at right angles from the nearest point on the rear property line of the parcel to the nearest line of the structure envelope, establishing a setback line parallel with the rear property line that extends between the side yards, except:
 - (1) If an access easement or street right-of-way line extends into or through a rear yard, the measurement shall be taken from the nearest point of the access easement or right-of-way line; and
 - (2) When the side property lines converge to a point at the rear of the parcel, or to a rear property line narrower than 10 feet, for setback purposes the rear property line shall be considered to be a line parallel to the front property line measuring 10 feet between the two side property lines. The rear yard depth shall be measured from the 10-foot line to the nearest part of the primary structure on the parcel.
 - b. In computing the depth of a rear setback where the yard opens into an alley, one half the width of the alley may be presumed to be a portion of the required rear setback.
 - c. Rear setbacks may be less than the required setback, provided that a Site Plan Review is submitted and approved in compliance with Chapter 854.5; however, in no case shall the rear setback be less than the required side setback specified for the subject zone. The amount of space so occupied shall be provided elsewhere on the

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

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

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

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

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

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

- a.** (Front Yard) Any lot having a grade of more than twenty-five (25) percent from the curb line to a point midway between the side lot lines at a distance of fifty (50) feet from the front lot line may have a front yard which is not less than fifty (50) percent of the depth required for a front yard in the district in which said lot is located. A private garage or carport may be erected in said front yard provided said garage or carport:
 - (1)** Is located not less than five (5) feet from the front line, and
 - (2)** Shall have no doorways or other openings equipped in such a manner that when open or being opened will project beyond said front lot line.
- b.** (Side Yard) In hillside areas where all the following conditions exist:
 - (1)** The top of the slope is at the property line between adjoining lots held under separate

ownerships;

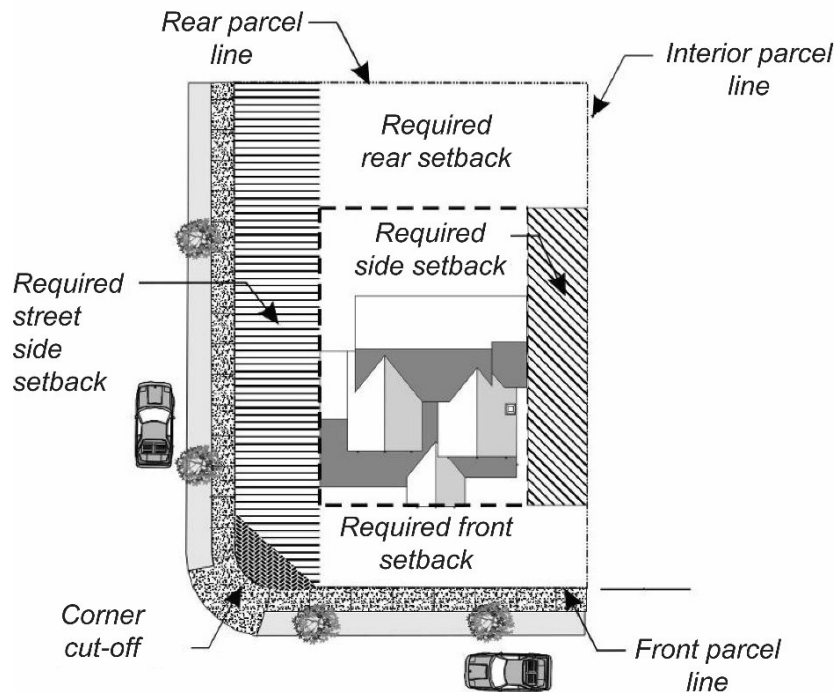
- (2) The difference in vertical elevation between the top and the toe of the slope is six (6) feet or more; and
- (3) The grade of the slope between the property line and the top of said slope is two (2) feet horizontal to one (1) foot vertical (2:1) or greater;
- (4) The minimum distance from the toe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

c. (Rear Yard) In hillside areas where all the following conditions occur:

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

4. Swimming Pools.

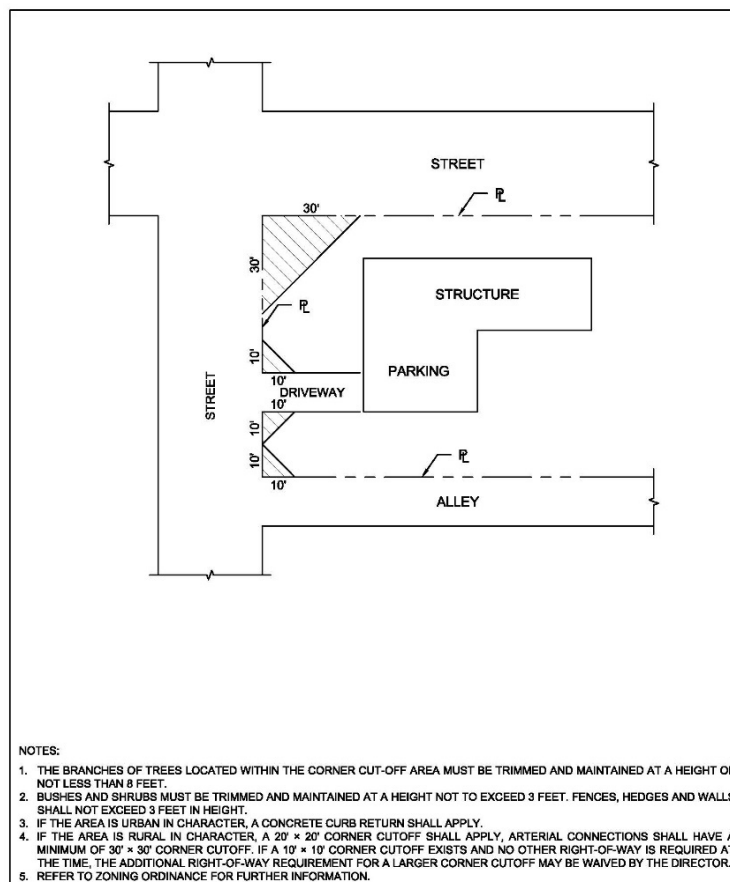
- a. Swimming pools shall not be located in any required front yard or side yard and its projection to the rear property line when abutting a street.
- b. Swimming pools shall not be located within five (5) feet of any required front yard setback or within five (5) feet of any required side yard setback and its projection to the rear property line when abutting a street.
- c. Swimming pools may be located in any required interior side yard and rear yard provided a space of not less than five (5) feet is maintained from the side and rear property lines. (For swimming pool enclosure requirements see "Fences, Walls, and Hedges." Section 822.3.050).

Figure 3-2**Location and Measurement of Setbacks**

- E. Corner cut-off area.** The following regulations shall apply to all intersections of streets, alleys, and private driveways in order to provide adequate visibility for vehicular traffic. There shall be no visual obstruction within the cut off areas established herein.
1. There shall be a corner cut off area at all intersecting and intercepting streets or highways. The cut offline shall be in a horizontal plane, making an angle of 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 30 feet from the intersection of the lines at the corner of a street or highway.
 2. There shall be a corner cut off area on each side of any private driveway intersecting a street or alley. The cut off lines shall be in a horizontal plane, making an angle of 45 degrees with the side, front, or rear property line, as the case may be. They shall pass through a point not less than 10 feet from the edges of the driveway where it intersects the street or alley right of way.
 3. There shall be a corner cut off area on each side of any alley intersecting a street or alley. The cut off lines shall be in a horizontal plane, making an angle of 45 degrees with the side, front or rear property line as the case may be. They shall pass through a point not less than 10 feet from the edges of the alley where it intersects the street or alley right of way.

4. Where, due to an irregular lot shape, a line at a 45-degree angle does not provide for intersection visibility, the 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 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 30 feet from the intersection of the side and front (or rear) property lines.
5. The corner cut-off provisions shall be applicable to all districts including the Rural Residential and all agricultural districts.

**Figure 3-3
Corner Cut Off**



F. Construction across property lines prohibited.

1. A structure shall not be constructed across the property line(s) of two or more contiguous parcels.
2. If the placement of a proposed structure would otherwise cross the property line of two or more contiguous parcels held by the same owner, before the issuance of a Building Permit, the property owner shall apply for and receive an approved voluntary parcel

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

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

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

H. Accessory structures.

Residential Districts

1. Accessory buildings in side or rear yards for applicable Residential Zone Districts (R-1, R-1-A, R-1-AH, R-1-B, R-1-C, R-1-E, R-1-EH) shall meet the following standards:
 - a. Any accessory building located less than sixty (60) feet from the front property line shall have the same minimum side yard as that required for the main building, regardless of whether or not said accessory building is attached to the main building.
 - b. An accessory building may be located on a side property line when said building is located sixty (60) feet or more from the front property line, except that no structure shall be permitted in a required yard which abuts a street.
 - c. An accessory building having an opening on an alley shall be located not less than twenty-five (25) feet from the opposite side of the alley; provided, however, that no such accessory building shall be located less than five (5) feet from the property line.
 - d. Any accessory building permitted on a side property line shall have provisions for all roof drainage to be taken care of on the subject lot.
2. For residential zone districts, aggregate area of accessory buildings permitted in required yards on any one parcel shall not exceed six hundred and fifty (650) square feet except that additional area may be approved subject to Director Review and Approval Procedures of Chapter 846.5. This provision shall be made applicable to the following districts: R-1; R-1-A; R-1-AH; R-1-B; R-1-C; R-1-E; R-1-EH; R-2; R-2-A; R-3; R-3-A; and R-A.

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3. The RR (Rural Residential) Zone District shall meet the provisions for accessory buildings in the AE and AL Zone Districts as defined in Section 822.3.100.H.4 below. The RR 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.

Agricultural Districts

4. The following projections shall be permitted in required yards for the A-E and A-L Districts:
- a. Cornices, eaves, belt courses, sills, fireplace chimneys and other similar architectural feature may extend or project into a required side yard not more than five (5) inches for one (1) foot of the width of such required side yard and may extend or project into a required front or rear yard not more than thirty (30) inches.
 - b. Uncovered, unenclosed porches, platforms or landing places (does not include slabs or flatwork) which do not extend above the level of the first floor of the building (see Article 7, Definitions) may extend into any front yard a distance of not more than six (6) feet, and such features may not extend into a court more than twenty (20) percent of the width of said court and in no case more than six (6) feet, and may extend into any side or rear yard not more than three (3) feet. An open work railing may be installed or constructed on any such porch, platform or landing place provided it does not exceed thirty-six (36) inches in height. NOTE: this provision does not apply to uncovered concrete slabs, similar flatwork, etc.
 - c. Open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project into a required front yard not more than thirty (30) inches.

822.3.110 - Size of New Zones

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

822.3.120 - Solid Waste/Recyclable Materials Storage

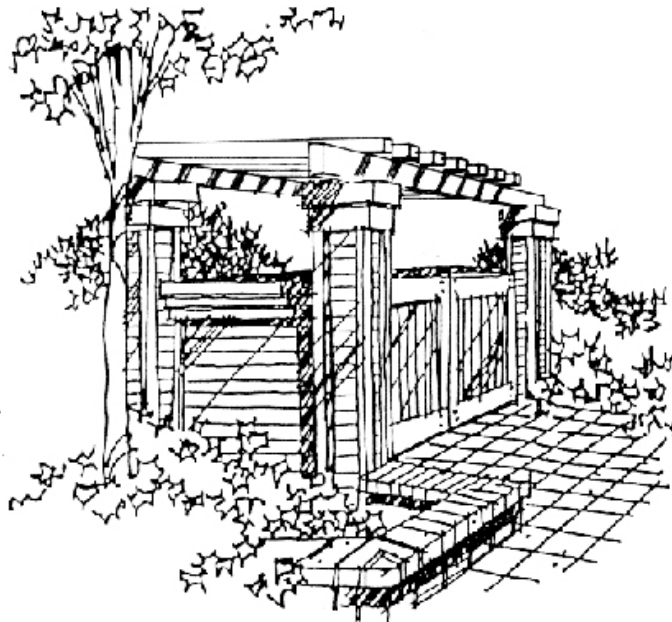
This Section provides standards for the provision of solid waste (refuse) and recyclable material storage areas in compliance with State law (California Solid Waste Reuse and Recycling Access Act, Public Resources Code Sections 42900 through 42911).

- 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 required by the collection methods and vehicles utilized. The location of and access to the enclosures shall be designed to ensure that the collection vehicles would be able to enter and exit in a forward direction.
 - 3. Screening required.** Storage bins (e.g., recycling carts and solid waste dumpsters) shall be screened, as determined to be appropriate by the Director.
 - 4. Minimum distance from adjacent structures.** Enclosures shall not be located closer than 20 feet from doors or operable windows of adjacent structures.
- C. Design and construction.** The design and construction of the refuse and recyclable materials enclosures shall be in compliance with standard specifications subject to the review and approval of the Director, and shall:
- 1. Be compatible.** Be compatible with the surrounding structures and land uses;
 - 2. Concrete pad required.** Provide a concrete pad within the fenced or walled area(s) and a concrete apron which facilitates the handling of the individual bins or containers;
 - 3. Protection from adverse conditions.** Protect the areas and the individual bins or containers provided within from adverse environmental conditions that might render the collected materials unmarketable; and

- 4. Be screened.** (See Figure 3-4, below.)
- a. Be appropriately located and screened from view on all sides.
 - b. Screening of the solid waste and recyclable material storage bins shall consist of solid decorative masonry walls, metal gates, and landscaping.
 - c. The size of the metal gates shall be determined by the Director, based on the use and the projected waste stream.
 - d. Overhead trellises may be required to screen views from above.
 - e. The design shall be architecturally compatible with the surrounding structures and subject to the review and approval of the Director.

Figure 3-4

Decorative masonry and metal mixed with wood elements create a pleasant trash enclosure.



822.3.130 - Space Between Structures

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

The minimum distance between buildings shall be as follows:

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

CHAPTER 824.3 - AFFORDABLE HOUSING INCENTIVES - DENSITY BONUS

824.3.010 - Purpose of Chapter

As required by Government Code Section 65915, this Chapter offers density bonuses, and incentives or concessions for the development of housing that is affordable to the types of households and qualifying residents identified in Section 824.3.020 (Eligibility for Bonus, Incentives, or Concessions), below. This Chapter is intended to implement the requirements of Government Code Section 65915 et seq. and the Housing Element of the General Plan.

824.3.020 - Eligibility for Bonus, Incentives, or Concessions

In order to be eligible for a density bonus, reduced parking ratios, and other incentives or concessions as provided by this Chapter, a proposed housing development shall comply with the following requirements and shall satisfy all other applicable provisions of this Zoning Ordinance, except as provided by Section 824.3.040 (Allowed Incentives or Concessions).

- A. Resident requirements.** A housing development proposed to qualify for a density bonus shall be designed and constructed so that it includes at least any one of the following:
1. 10 percent of the total number of proposed units are for lower income households, as defined in Health and Safety Code Section 50079.5;
 2. Five percent of the total number of proposed units are for very low-income households, as defined in Health and Safety Code Section 50105;
 3. The project is a senior citizen housing development as defined in Civil Code Sections 51.3 and 51.12, or is a mobile home park that limits residency based on age requirements for housing older persons in compliance with Civil Code Sections 798.76 or 799.5; or
 4. 10 percent of the total dwelling units in a common interest development as defined in Civil Code Section 4100 are for persons and families of moderate income, as defined in Health and Safety Code Section 50093, provided that all units in the development are offered to the public for purchase.
 5. 10 percent of the total dwelling units in a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code; disabled veterans, as defined in Section 18541; or homeless persons, as defined in the Federal McKinney – Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.). The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low-income units.

6. 20 percent of the dwelling units in a student housing development for lower income students that meet the requirements of Government Code Section 65915.
 7. 100 percent of the total units, exclusive of the manager's unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the total units in the development may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code.
- B. Applicant selection of basis for bonus.** For purposes of calculating the amount of the density bonus in compliance with Section 824.3.030 (Allowed Density Bonuses), below, the applicant who requests a density bonus shall elect whether the bonus shall be awarded on the basis of Subparagraphs A. 1., 2., 3., 4., 5., 6., or 7., above.
- C. Bonus units shall not qualify a project.** A density bonus granted in compliance with Section 824.3.030 (Allowed Density Bonuses), below, shall not be included when determining the number of housing units that is equal to the percentages required by Subsection A., above.
- D. Minimum project size to qualify for density bonus.** The density bonus provided by this Chapter shall be available only to a housing development of five or more dwelling units.
- E. Condominium conversion projects.** A condominium conversion project for which a density bonus is requested shall comply with the eligibility and other requirements specified in Government Code Section 65915.5.
- F. Replacement of Affordable Units.** Units that are replacing affordable dwelling units are eligible for a density bonus if in compliance with Government Code Section 65915.

824.3.030 - Allowed Density Bonuses

For the purposes of this Chapter, "density bonus" means a density increase over the otherwise maximum allowable residential density under the applicable General Plan Land Use designation and zone as of the date of application by the applicant to the County.

- A. Density bonus.** A housing development that complies with the eligibility requirements specified in Subsections 824.3.020 A. 1., 2., 3., or 4., above, shall be entitled to density bonuses as follows, unless a lesser percentage is proposed by the applicant.
1. **Bonus for units for lower income households.** A housing development that is eligible for a bonus in compliance with the criteria specified in Section 824.3.020 A. 1. (10 percent of units for lower income households) shall be entitled to a density bonus calculated as follows:

**TABLE 3-3
BONUS FOR LOW INCOME HOUSEHOLDS**

Percentage of Low-Income Units Proposed	Percentage of Density Bonus
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
16	29
17	30.5
18	32
19	33.5
20	35
21	38.75
22	42.5
23	46.25
24	50

2. **Bonus for units for very low-income households.** A housing development that is eligible for a bonus in compliance with the criteria specified in Section 824.3.020 A. 2., (five percent of units for very low-income households) shall be entitled to a density bonus calculated as follows:

**TABLE 3-4
BONUS FOR VERY LOW-INCOME HOUSEHOLDS**

Percentage of Very Low- Income Units Proposed	Percentage of Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35
12	38.75
13	42.5
14	46.25
15	50

3. **Bonus for senior citizen development.** A housing development that is eligible for a bonus in compliance with the criteria in Section 824.3.020 A. 3., (senior citizen development or mobile home park) shall be entitled to a density bonus of 20 percent.

4. **Bonus for moderate income units in common interest development.** A housing development that is eligible for a bonus in compliance with the criteria specified in Section 824.3.020 A. 4. (10 percent of units in a common interest development for persons and families of moderate income) shall be entitled to a density bonus calculated as follows:

**TABLE 3-5
BONUS FOR MODERATE INCOME
HOUSEHOLDS**

Percentage of Moderate-Income Units Proposed	Percentage of Density Bonus
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
25	20
26	21
27	22
28	23
29	24
30	25
31	26
32	27
33	28
34	29
35	30
36	31
37	32
38	33
39	34
40	35
41	38.75

**TABLE 3-5
BONUS FOR MODERATE INCOME
HOUSEHOLDS**

Percentage of Moderate-Income Units Proposed	Percentage of Density Bonus
42	42.5
43	46.25
44	50

- 5. Density bonus for land donation.** When an applicant for a tentative map, parcel map, or other residential development approval donates land to the County in compliance with this Subsection, the applicant shall be entitled to a density bonus for the entire development, as follows; provided, that nothing in this Subsection shall be construed to affect the authority of the County to require a developer to donate land as a condition of development.
- a. Basic bonus.** The applicant shall be entitled to a 15 percent increase above the otherwise maximum allowable residential density under the applicable Land Use Plan designation and zone for the entire development, and an additional increase as follows.

**TABLE 3-6
BASIC BONUSES**

Percentage of Very Low-Income Units Proposed	Percentage of Density Bonus
10	15
11	16
12	17
13	18
14	19
15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28
24	29
25	30
26	31
27	32

**TABLE 3-6
BASIC BONUSES**

Percentage of Very Low-Income Units Proposed	Percentage of Density Bonus
28	33
29	34
30	35

- b. Increased bonus.** The increase identified in Table 3-6 above shall be in addition to any increase in density required by Subsections A. 1. through A. 4., up to a maximum combined mandated density increase of 35 percent if an applicant seeks both the increase required in compliance with this Subsection A. 5., as well as the bonuses provided by Subsections A. 1. through A. 4.
- c. Eligibility for increased bonus.** An applicant shall be eligible for the increased density bonus provided by this Subsection if all of the following conditions are met:
- (1) The applicant donates and transfers the land no later than the date of approval of the final map, parcel map, or residential development application.
 - (2) The developable acreage and zoning classification of the land being transferred are sufficient to allow construction of units affordable to very low- income households in an amount not less than 10 percent of the number of residential units of the proposed development.
 - (3) The transferred land is at least one acre in size, or of sufficient size to allow development of at least 40 units; has the appropriate Land Use Plan designation; is appropriately zoned for development as affordable housing; and is or will be served by adequate public facilities and infrastructure. The land shall have appropriate zoning and development standards to make the development of the affordable units feasible.
 - (4) No later than the date of approval of the final map, parcel map, or of the residential development, the transferred land shall have all of the permits and approvals, other than Building Permits, necessary for the development of the very low income housing units on the transferred land, except that the County may subject the proposed development to subsequent design review to the extent authorized by Government Code Section 65583.2(i) if the design is not reviewed by the County before the time of transfer.
 - (5) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with Section 824.3.070 (Continued Availability), which shall be recorded on the property at the time of dedication.

- (6) The land is transferred to the County or to a housing developer approved by the County. The County may require the applicant to identify and transfer the land to the approved housing developer.
- (7) The transferred land shall be within the boundary of the proposed development or, if the County agrees, within one-quarter mile of the boundary of the proposed development.
- (8) A proposed source of funding for the very low-income units shall be identified not later than the date of approval of the final subdivision map, parcel map, or residential development application.

6. Density bonus for 100% affordable housing projects. A housing development that is eligible for a bonus in compliance with the criteria in Section 824.3.020 A. 7., shall be entitled to: 1) a density bonus of 80 percent of the number of units for lower income households; 2) no maximum controls on density shall be imposed if the development is located within one-half mile of a major transit stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code; 3) density, height and parking concessions shall also be permitted for qualifying projects per the requirements of Government Code Section 65915 including projects for special needs and supportive housing.

- B. Greater or lesser bonuses.** The County may choose to grant a density bonus greater than provided by this Section for a development that meets the requirements of this Section or grant a proportionately lower density bonus than required by this Section for a development that does not fully comply with the requirements of this Section.
- C. Density bonus calculations.** The calculation of a density bonus in compliance with this Section that results in fractional units shall be rounded up to the next whole number, as required by State law. For the purpose of calculating a density bonus, the residential units do not have to be based upon individual subdivision maps or parcels.
- D. Requirements for amendments or discretionary approval.** The granting of a density bonus shall not be interpreted, in and of itself, to require a General Plan amendment, Zone Map amendment, or other discretionary approval. The granting of a density bonus shall not require or be interpreted to require the waiver of a local ordinance or provisions of a local ordinance unrelated to development standards.
- E. Location of bonus units.** The developer may locate density bonus units in the housing project in areas other than where the units for the lower income households are located.

824.3.040 - Allowed Incentives or Concessions

A. Applicant request and County approval.

1. An applicant for a density bonus in compliance with this Chapter may submit to the County a proposal for the specific incentives or concessions listed in Subsection C. (Type of incentives), below, that the applicant requests in compliance with this Section, and may request a meeting with the Director. The applicant may file a request either before filing an application for County approval of a proposed project or concurrently with an application for project approval. The Board shall grant an incentive or concession request that complies with this Section unless the Board makes any of the following findings in writing, based upon substantial evidence:
 - a. The incentive or concession does not result in identifiable and actual cost reduction to provide for affordable housing costs, as defined in Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in Section 824.3.070 B. (Unit cost requirements);
 - b. The incentive or concession would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment, or on any real property listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households; or
 - c. The concession or incentive would be contrary to State or Federal law.
 2. The applicant shall show that a waiver or modification of development standards is necessary to make the housing units economically feasible.
- B. Number of incentives.** The applicant shall receive the following number of incentives or concessions.
1. **One incentive or concession.** One incentive or concession for a project that includes at least 10 percent of the total units for lower income households, at least five percent for very low-income households, or at least 10 percent for persons and families of moderate income in a common interest development.
 2. **Two incentives or concessions.** Two incentives or concessions for a project that includes at least 17 percent of the total units for lower income households, at least 10 percent for very low-income households, or at least 20 percent for persons and families of moderate income in a common interest development.
 3. **Three incentives or concessions.** Three incentives or concessions for a project that includes at least 24 percent of the total units for lower income households, at least 15 percent for very low-income households, or at least 30 percent for persons and families of moderate income in a common interest development.
 4. **Four incentives or concessions.** Four incentives or concessions for a project that 100 percent of all units are for lower income household or when up to 20 percent of units are for moderate income. If the project is located one-half mile of a major transit stop,

the application shall also receive a height increase of up to three additional stories or 33 feet.

5. **One incentive or concession.** One incentive or concession for projects that include twenty percent of total units for lower income students with the density bonus shall be 35 percent of the student housing units. The term “unit” means one rental bed and its pro rata share of associated common area facilities. The units shall be subject to a recorded affordability restriction of 55 years.
6. **Transitional youth, disabled veterans, or homeless persons.** A density bonus equal to twenty percent of the total number of units. A density bonus equal to twenty percent of the total number of units when 10 percent of the total dwelling units are for transitional youth, disabled veterans, or homeless persons. The units shall be subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low-income units.

C. Type of incentives. For the purposes of this Chapter, concession or incentive means any of the following:

1. A reduction in the site development standards of this Zoning Ordinance (e.g., site coverage limitations, setbacks, onsite open space requirements, reduced parcel sizes, and/or parking requirements) (see also Section 824.3.050 [Parking Requirements in Density Bonus Projects]), or a modification of architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission in compliance with Health and Safety Code Section 18901 et seq., that would otherwise be required, that results in identifiable, and actual cost reductions to provide for affordable housing costs as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Section 824.0.080
2. Approval of mixed-use land uses not otherwise allowed by this Zoning Ordinance in conjunction with the housing development, if nonresidential land uses will reduce the cost of the housing development, and the nonresidential land uses are compatible with the housing project and the existing or planned development in the area where the project will be located;
3. Other regulatory incentives proposed by the applicant or the County that will result in identifiable, and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Section 824.3.080; and/or
4. In its sole and absolute discretion, a direct financial contribution granted by the Board, including writing-down land costs, subsidizing the cost of construction, or participating in the cost of infrastructure.

- D. Effect of incentive or concession.** The granting of a concession or incentive shall not be interpreted, in and of itself, to require a General Plan amendment, Zone Map amendment, study, or other discretionary approval.

824.3.050 - Parking Requirements in Density Bonus Projects

- A. Applicability.** This Section applies to a development that meets the requirements of Section 824.3.020 (Eligibility for Density Bonus, Incentives, and Concessions), above, but only at the request of the applicant. An applicant may request additional parking incentives or concessions beyond those provided in this Section in compliance with Section 824.3.040 (Allowed Concessions and Incentives), above. A request pursuant to this Section shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to Section 824.0.040. Modifications to Government Code Section 65915 relaxing standards for specific identified uses or bonuses shall supersede this subsection.
- B. Number of parking spaces required.**
- 1. Default Parking Ratio.** At the request of the applicant, the County shall not require a vehicular parking ratio for a project that complies with the requirements of Section 824.3.020 (Eligibility for Density Bonus, Incentives, and Concessions), above, inclusive of handicapped and guest parking, that exceeds the following ratios:
 - a.** Zero to one bedroom: One on-site parking space.
 - b.** Two to three bedrooms: One and one-half on-site parking spaces.
 - c.** Four and more bedrooms: Two and one half on-site parking spaces.
 - 2.** If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number.
 - 3. Definition of a Major Transit Stop.** For the purpose of this section, major transit stop shall mean a site containing an existing rail transit station, a ferry terminal, served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service internal of 15 minutes or less during the morning and afternoon peak commute periods.
 - 4. Developments in Proximity to Major Transit Stop.** If a development includes at least 20 percent low-income units for housing development that meets the criteria of 65915 (b)(1)(A) of the Government Code, or at least 11 percent very low income units for housing development meeting the criteria of section 65915 (b), is located within one-half mile of a major transit stop, and there is unobstructed access to the major transit stop from the development, then, upon the request of the developer, the county shall not impose a vehicular parking ratio ,inclusive of parking for persons with a and guests, that exceeds 0.5 pace per unit. If a development includes at least 40

percent moderate income units for housing developments meeting the criteria of subdivision (b)(1)(D), is located within one-half mile of a major transit stop as defined in Section 2115521155(b) of the Public Resources Code, and the residents of the development have unobstructed access to the major transit stop for the development then, upon the request of the developer, the county shall not impose a vehicular parking ration, inclusive of parking for persons with a disability and guests, that exceeds 0.5 spaces per bedroom.

5. **Exclusive Rental Units Development.** If a development consists of solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, as provided in Section 50025.5 of the Health and Safety Code, then, upon the request of the developer, the County shall not impose a vehicular parking standards, if the development meets any of the following criteria:
 - a. If the development is located within one-half mile of a major transit stop, and there is unobstructed access to the major transit stop from the development.
 - b. If the development is a for-rent housing development for individuals who are 62 years of age or older that complies with Sections 51.2 and 51.3 of the Civil Code, and the development has either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.
 - c. If the development consists solely of rental units, exclusive of a manager's unit or units, with an affordable cost to low-income families, as defined in Section 50052.5 of the Health and Safety Code, and the development is either a special needs housing development, as defined in Section 51312 of the Health and Safety Code, or a supportive housing development, as defined in Section 50675.14 of the Health and Safety Code. A development that is a special needs housing development, shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.
- C. **Location of parking.** For purposes of this Section, a development may provide on-site parking through tandem parking or uncovered parking, but not through on-street parking.
- D. **Rounding.** If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number.

824.3.060 - Bonus and Incentives for Developments with Child Care Facilities

- A. **Housing developments.** A housing development that complies with the resident and project size requirements of Subsections 824.3.020 A. and B., above, and also includes as part of that development a child care facility other than a large or small family day care home, that will be located on the site of, as part of, or adjacent to the development, shall be subject to the following additional bonus, incentives, and requirements.

- 1. Additional bonus and incentives.** The County shall grant a housing development that includes a child care facility in compliance with this Section either of the following:
 - a.** An additional density bonus that is an amount of floor area in square feet of residential space that is equal to or greater than the floor area of the child care facility; or
 - b.** An additional incentive that contributes significantly to the economic feasibility of the construction of the child care facility.
- 2. Requirements to qualify for additional bonus and incentives.**
 - a.** The County shall require, as a condition of approving the housing development, that:
 - (1)** The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable in compliance with Section 824.3.070 (Continued Availability), below; and
 - (2)** Of the children who attend the child care facility, the children of very low-income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income in compliance with Subsection 824.3.020 A. (Resident requirements), above.
 - b.** The County shall not be required to provide a density bonus for a child care facility in compliance with this Section if it finds, based upon substantial evidence, that the community has adequate child care facilities.
- B. Child care in commercial and industrial developments.** A developer of a commercial or industrial development project, containing at least 50,000 square feet of floor area, may be granted a density bonus when that developer agrees to set aside at least 2,000 square feet of interior floor area and 3,000 outdoor square footage to be used for a child care facility, other than a large or small family day care home, in compliance with Government Code Section 65917.5 (Commercial density bonus).
 - 1. Allowable density bonuses.** The allowable density bonus may be one of the following:
 - a.** A maximum of five square feet of floor area for each one square foot of floor area contained in the child care facility located in an existing child care facility; or

- c. The commercial developer may make a cash payment to the affordable housing developer that shall be used towards the costs of constructing the affordable housing project.
- 2. **Affordability requirements.** In order to qualify for a development bonus under this section, a commercial developer shall partner with a housing developer that provides at least 30 percent of the total units for low-income households or at least 15 percent of the total units for very low-income households.
- 3. **Location of affordable housing.** The housing shall be constructed on the site of the commercial development or on a site that is all of the following:
 - a. Within the boundaries of the unincorporated County;
 - b. Close to public amenities, including schools and employment centers;
 - c. Within one-half mile of a major transit stop, as defined in Section 21155(b) of the Public Resources Code.
- 4. **Type of development bonus.** The development bonus granted to the commercial developer shall mean incentives, mutually agreed upon by the developer and the County, that may include, but are not limited to, any of the following:
 - a. Up to a 20 percent increase in maximum allowable intensity in the General Plan.
 - b. Up to a 20 percent increase in maximum allowable floor area ratio.
 - c. Up to a 20 percent increase in maximum height requirements.
 - d. Up to a 20 percent reduction in minimum parking requirements.
 - e. Use of a limited-use/limited-application elevator for upper floor accessibility.
 - f. An exception to the zoning ordinance or other land use regulation.
- 5. **Timing of construction.** If the developer of the affordable units does not commence with construction of those units in accordance with timelines ascribed by the agreement described in Subparagraph 1, above, the County may withhold certificates of occupancy for the commercial development under construction until the developer has completed construction of the affordable units.
- 6. **Annual report to the State.** The County shall submit to the Department of Housing and Community Development, as part of the annual report required by Government Code Section 65400, information describing a commercial development bonus approved, including the terms of the agreements between the commercial developer

and the affordable housing developer, and the developers and the County, and the number of affordable units constructed as part of the agreements.

824.3.080 - Continued Availability

The units that qualified the housing development for a density bonus and other incentives and concessions shall continue to be available as affordable units in compliance with the following requirements, as required by Government Code Section 65915(c). See also Section 824.3.110 (Control of Resale).

- A. Duration of affordability.** The applicant shall agree to, and the County shall ensure, the continued availability of the units that qualified the housing development for a density bonus and other incentives and concessions, as follows.
- 1. Low- and very low-income rental units.** The continued affordability of all low- and very low-income qualifying rental units shall be maintained for 55 years, or a longer time if required by the construction or mortgage financing assistance program, mortgage insurance program, rental subsidy program, or by County policy or ordinance.
 - 2. Units for transitional foster youth, disables veterans, or homeless persons.** Units for transitional foster youth, disabled veterans, or homeless persons shall be subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low-income units.
 - 3. Units in common interest for-sale development.** The initial occupant of all for-sale common interest units shall be persons and families of very low-, low-, or moderate-income. The County shall enforce an equity sharing agreement, pursuant to Subsection C, below, unless it is in conflict with the requirements of another public funding source of law.
- B. Unit cost requirements.** The rents and owner-occupied costs charged for the housing units in the development that qualify the project for a density bonus and other incentives and concessions, shall not exceed the following amounts during the period of continued availability required by this Section:
- 1. Lower income units.** Rents for the lower income density bonus units shall be set at an affordable rent as defined in Health and Safety Code Section 50053; and
 - 2. Owner-occupied units.** Owner-occupied units shall be available at an affordable housing cost as defined in Health and Safety Code Section 50052.5.
- C. Occupancy and resale of for-sale units.** An applicant shall agree to, and the County shall ensure that the initial occupant of for-sale units that are directly related to the receipt of the density bonus, are persons and families of very low-, low-, and moderate income, as defined in Health and Safety Code Section 50093, and that the units are offered at an

affordable housing cost, as defined in Health and Safety Code Section 50052.5. The County shall enforce an equity sharing agreement unless it is in conflict with the requirements of another public funding source or law. The following requirements apply to the equity sharing agreement.

1. Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation.
2. The County shall recapture any initial subsidy and its proportionate share of appreciation, which shall then be used within five years for any of the purposes described in Health and Safety Code Section 33334.2(e) that promote home ownership. For the purposes of this Section:
 - a. The County's initial subsidy shall be equal to the fair market value of the home at the time of initial sale, minus the initial sale price to the qualified household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value; and
 - b. The County's proportionate share of appreciation shall be equal to the ratio of the initial subsidy to the fair market value of the home at the time of initial sale.

824.3.090 - Location and Type of Designated Units

- A. **Location/dispersal of units.** As required by the Board in compliance with Section 824.3.100 (Processing of Bonus Requests), below, designated units shall be reasonably dispersed throughout the project where feasible, shall contain on average the same number of bedrooms as the non-designated units in the project, and shall be compatible with the design or use of remaining units in terms of appearance, materials, and finish quality.
- B. **Phasing.** If a project is to be phased, the density bonus units shall be phased in the same proportion as the non-density bonus units or phased in another sequence acceptable to the County.

824.3.100 - Processing of Bonus Requests

- A. **Application and Permit requirement.** A developer seeking approval of a density bonus and other incentives and concessions shall file an application per the requirements of Site Plan Review with the Department of Public Works and Planning (Department). If the development is not ministerial, the Department shall process the application concurrently with any other applications required for the development project. The form and content of the application shall be specified by the Department.
- B. **Decision or Hearing Process.** For ministerial developments, the application shall be reviewed and acted on by the Department. A decision to deny a density bonus shall be subject to the specific Findings identified in Subsection c below. For non-ministerial

(discretionary) proposals involving other concurrent land use applications, such applications shall be heard and decided by the Commission and/or the Board, as set forth in procedures in Subsection (1) below.

1. Approval of incentives. Staff, the Commission or Board shall be authorized to approve incentives as follows:

a. The Commission shall be authorized to approve incentives that involve concurrent discretionary land use applications required for consideration by that body and as stated in the Zoning Ordinance.

(1) Any decision must include a separate section clearly labeled “Density Bonus/Affordable Housing Incentives Program Determination”.

(2) A decision to deny a density bonus shall be subject to the specific Findings identified in Subsection c below.

b. Approval by the Board shall be required for requests as part of an appeal of the Commission’s decision, or legislative matters in which final action must be taken by the Board.

(1) Any decision must include a separate section clearly labeled “Density Bonus/Affordable Housing Incentives Program Determination”.

(2) A decision to deny a density bonus shall be subject to the specific Findings identified in Subsection C below.

c. For an application deemed complete, the applicant shall be provided a determination per Government Code Section 65915 including: 1) the amount of density bonus calculated; 2) eligible parking ratios; 3) determination of information adequacy for incentives, waivers or reductions.

C. Findings for approval. The approval of a density bonus and other incentives and concessions requested by the applicant shall be granted by the County unless a written finding is made, based on substantial evidence, of any the following:

1. The incentive or concession does not result in identifiable and actual cost reductions, consistent with Government Code Section 65915(k), to provide for affordable housing costs, as defined in Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in Government Code Section 65915(c).

2. The incentive or concession would have a specific, adverse impact, as defined in Government Code Section 65589.5(d) paragraph (2), upon the public health or safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to

satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.

3. The incentive or concession would be contrary to State or Federal law.

824.3.110 - Density Bonus Agreement

A. Agreement required. An applicant requesting a density bonus shall agree to enter into a density bonus agreement (referred to as the "agreement") with the County in the County's standard form of agreement. The applicant shall prepare the draft agreement for submission to the County for review.

B. Agreement provisions.

1. **Project information.** The agreement shall include at least the following information about the project:
 - a. The total number of units approved for the housing development, including the number of designated dwelling units;
 - b. A description of the household income group to be accommodated by the housing development, and the standards and methodology for determining the corresponding affordable rent or affordable sales price and housing cost consistent with HUD Guidelines;
 - c. The marketing plan for the affordable units;
 - d. The location, unit sizes (square feet), and number of bedrooms of the designated dwelling units;
 - e. Tenure of the use restrictions for designated dwelling units of the time periods required by Section 824.3.070 (Continued Availability);
 - f. A schedule for completion and occupancy of the designated dwelling units;
 - g. A description of the additional incentives and concessions being provided by the County;
 - h. A description of the remedies for breach of the agreement by the owners, developers, and/or successors-in-interest of the project; and
 - i. Other provisions to ensure successful implementation and compliance with this Chapter.
2. **Minimum requirements.** The agreement shall provide, at minimum, that:

- a. The developer shall give the County the continuing right-of-first-refusal to lease or purchase any or all of the designated dwelling units at the appraised value;
 - b. The deeds to the designated dwelling units shall contain a covenant stating that the developer or successors-in-interest shall not assign, lease, rent, sell, sublet, or otherwise transfer any interests for designated units without the written approval of the County;
 - c. When providing the written approval, the County shall confirm that the price (rent or sale) of the designated dwelling unit is consistent with the limits established for low and very low-income households, as published by HUD;
 - d. The County shall have the authority to enter into other agreements with the developer, or purchasers of the designated dwelling units, to ensure that the required dwelling units are continuously occupied by eligible households;
 - e. Applicable deed restrictions, in a form satisfactory to the County Counsel, shall contain provisions for the enforcement of owner or developer compliance. Any default or failure to comply may result in foreclosure, specific performance, or withdrawal of the Certificate of Occupancy;
 - f. In any action taken to enforce compliance with the deed restrictions, the County Counsel shall, if compliance is ordered by a court of competent jurisdiction, take all action that may be allowed by law to recover all of the County's costs of action including legal services; and
 - g. Compliance with the agreement will be monitored and enforced in compliance with the measures included in the agreement.
3. **For-sale housing conditions.** In the case of a for-sale housing development, the agreement shall provide for the following conditions governing the initial sale and use of designated dwelling units during the applicable restriction period:
- a. Designated dwelling units shall be owner-occupied by eligible households, or by qualified residents in the case of senior housing; and
 - b. The initial purchaser of each designated dwelling unit shall execute an instrument or agreement approved by the County which:
 - (1) Restricts the sale of the unit in compliance with this Chapter, or other applicable County policy or ordinance, during the applicable use restriction period;
 - (2) Contains provisions as the County may require to ensure continued compliance with this Chapter and State law; and

(3) Shall be recorded against the parcel containing the designated dwelling unit.

4. **Rental housing conditions.** In the case of a rental housing development, the agreement shall provide for the following conditions governing the use of designated dwelling units during the applicable restriction period:
- a. The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies, and maintaining the designated dwelling units for qualified tenants;
 - b. Provisions requiring owners to annually verify tenant incomes and maintain books and records to demonstrate compliance with this Chapter;
 - c. Provisions requiring owners to submit an annual report to the County, which includes the name, address, and income of each person occupying the designated dwelling units, and which identifies the bedroom size and monthly rent or cost of each unit; and
 - d. The applicable use restriction period shall comply with the time limits for continued availability in Section 824.3.070 (Continued Availability), above.

C. Execution of agreement.

- 1. Following Commission's or Board's approval of the agreement, and execution of the agreement by all parties, the County shall record the completed agreement on the parcels designated for the construction of designated dwelling units, at the County Recorder's Office.
- 2. The approval and recordation shall take place at the same time as the final map or, where a map is not being processed, before issuance of Building Permits for the designated dwelling units.
- 3. The agreement shall be binding on all future owners, developers, and/or successors-in-interest.

824.3.110 - Control of Resale

In order to maintain the availability of for-sale affordable housing units constructed in compliance with this Chapter, the following resale conditions shall apply.

- A. **Limits on resale price.** The price received by the seller of an affordable unit shall be limited to the purchase price plus an increase based on the local consumer price index, an amount consistent with the increase in the median income since the date of purchase, or the fair market value, whichever is less. Before offering an affordable housing unit for sale, the seller shall provide written notice to the County of their intent to sell. The notice shall be provided by certified mail to the Director.

- B. Units to be offered to the County.** Home ownership affordable units constructed, offered for sale, or sold under the requirements of this Section shall be offered to the County or its assignee for a period of at least 90 days from the date of the notice of intent to sell is delivered to the County by the first purchaser or subsequent purchasers. Home ownership affordable units shall be sold and resold from the date of the original sale only to households as determined to be eligible for affordable units by the County in compliance with this Section. The seller shall not levy or charge any additional fees nor shall any "finder's fee" or other monetary consideration be allowed other than customary real estate commissions and closing costs.
- C. Declaration of restrictions.** The owners of any affordable unit shall attach and legally reference in the grant deed conveying title of the affordable ownership unit a declaration of restrictions provided by the County, stating the restrictions imposed in compliance with this Section. The grant deed shall afford the grantor and the County the right to enforce the declaration of restrictions. The declaration of restrictions shall include all applicable resale controls, occupancy restrictions, and prohibitions required by this Section.
- D. County to monitor resale of units.** The County shall monitor the resale of ownership affordable units. The County or its designee shall have a 90-day option to commence purchase of ownership affordable units after the owner gives notification of intent to sell. Any abuse in the resale provisions shall be referred to the County for appropriate action.

824.3.120 - Judicial Relief, Waiver of Standards

- A. Judicial relief.** As provided by Government Code Section 65915(d)(3), the applicant may initiate judicial proceedings if the County refuses to grant a requested density bonus, incentive, or concession.
- B. Waiver of standards preventing the use of bonuses, incentives, or concessions.**
1. As required by Government Code Section 65915(e), the County shall not apply a development standard that will have the effect of precluding the construction of a development meeting the criteria of Subsection 824.3.020 A. (Resident requirements), above, at the densities or with the concessions or incentives allowed by this Chapter.
 2. An applicant may submit to the County a proposal for the waiver or reduction of development and zoning standards that would otherwise inhibit the utilization of a density bonus on a specific site, including minimum parcel size, side setbacks, and placement of public works improvements.
- C. County exemption.** Notwithstanding the provisions of Subsections A. and B., above, nothing in this Section shall be interpreted to require the County to:

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

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.

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Chapter 828.3 - Parking and Loading Standards

828.3.010 - Purpose of Chapter

The purpose of this Chapter is to provide parking and loading standards to:

- A. Ensure the provision and maintenance of adequate, safe, and well-designed off-street parking facilities in conjunction with a use or development.
- B. Reduce street congestion and traffic hazards.

828.3.020 - Applicability

- A. **Applicability of standards.** Unless otherwise provided in the applicable zones, elsewhere in this Article, or Article 4 (Standards for Specific Land Uses), the provisions of this Chapter shall apply to appropriate uses and development.
- B. **Standards shall be considered minimums.** The standards in this Chapter shall be considered minimums, and more extensive parking provisions as a condition of project approval may be required by a review authority for a discretionary permit.

828.3.030 - Parking Requirements

The following standards for providing off-street parking shall apply at the time of the erection of any main structure or when off-street parking is established. These standards shall also be complied with when an existing structure is altered or enlarged by the addition of dwelling units or guest rooms or where the use is intensified by the addition of floor space, seating capacity, or seats. Property located in a vehicle parking district provided in compliance with State law, and where the off-street parking lots are completed and in operation, shall be deemed in compliance with the parking provisions of this Chapter.

- A. **Parking spaces to be maintained.** Off-street vehicle parking spaces being maintained in connection with any existing main structure or accessory structure shall be maintained so long as the main structure or accessory structure remains, unless an equivalent substitute number of spaces are provided, as approved by the Director, and thereafter maintained conforming to the requirements of this Subparagraph; provided, however, that this regulation shall not require the maintenance of more vehicle parking space than is required for a new main structure or accessory structure identical to the existing main structure or accessory structure, nor the maintenance of the space for any type of main structure or accessory structure other than those specified herein.
- B. **Additional parking spaces to be provided.**
 - 1. Where off-street parking does not conform to the provisions of this Section, or where no the facilities have been provided for structures constructed prior to the effective date of this Section, the structure shall not be expanded nor may additional facilities be

provided within the structure until after the requirements for off-street parking have been complied with for those facilities added or enlarged. Applicable parking requirements under this Section may be reviewed/modified, upon request, if determined appropriate by the Director, or designee, as needed to encourage economic development. This Section shall not apply to members of a duly formed municipal parking district.

2. No existing parking may be counted as meeting this requirement unless it exceeds the requirement for the original structure, and then only that excess portion may be counted
 3. This provision shall not apply in the case of a single-family residence.
- C. **Parking space defined.** A parking space shall be an area for the parking of a motor vehicle, plus those additional areas required to provide for safe ingress and egress from the space. The area set aside to meet these provisions shall be usable and accessible for off-street parking and shall comply with the Department's Off-Street Parking Design Standards.
- D. **Storage of inoperable vehicles.** All motor vehicles incapable of movement under their own power, other than in cases of emergency, shall be stored in an entirely enclosed space or carport in any residential zone. Exceptions to this provision shall be for the R-A zone and all agricultural zones.
- E. **Trailer storage restrictions.** No trailer shall be stored or parked in any residential zone, with the exception of the R-A and R-R zones, except when beyond the required front setback and when enclosed by a solid fence or wall not less than five feet in height or in an entirely enclosed structure.
- F. **One-ton vehicle restrictions.** The on-street and front setback storage, keeping or maintaining of vehicles of more than one-ton rating, except recreational vehicles, shall be prohibited in all residential zones, with the exception of the R-A and R-R zones. Nonconforming status shall not be granted.
- G. **Location of Parking Spaces.** The required parking area for commercial, business, office, and professional uses shall be provided on the parcel with the structure or uses being served, or on a contiguous parcel in the same zone.
- H. **Nonconforming parking situations - Director's authority to modify standards.** The Director shall have the authority to review and modify parking requirements (per request of the applicant) in nonconforming parking situations in order to encourage economic development.

828.3.040 - Number of Parking Spaces Required

Each land use shall provide at least the minimum number of off-street parking spaces listed in Table 3-7 (Parking Requirements by Land use), including disabled access spaces required by

Section 828.3.050 (Disabled Parking Requirements), except where a Variance has been granted in compliance with Chapter 860.5 (Variances/Minor Deviations). Additional spaces may be required through approval of a discretionary permit.

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

Uses	Number of Spaces Required
Industry, Manufacturing & Processing, Wholesaling (4)	
Industrial use of any type, unless otherwise listed below, including a warehouse or structure used exclusively for storage purposes, wholesale house or distributor not having a business office on the premises	• 1 space for every two permanent employees • Plus, 1 for each permanent salesperson • Plus, 1 for each facility vehicle
Machinery sales and wholesale stores	• 1 for each 800 s.f. of GFA
Public facility (e.g., communication equipment structure or electrical substation)	• For a facility open to the public, 3 s.f. of parking area for every 1 s.f. of GFA or fraction thereof, located within 300 feet of the property served • For a facility not open to the public, 1 per 2 employees, based on the maximum number of employees on duty at any one time • For a facility with a portion of the area open to the public, the requirements of the above two provisions shall be used as a basis for determining the respective amount of parking.
Storage or mini storage facility	• Mini-storage office: 1 for each 250 s.f. of office area with 4 minimum. • Additional requirements: ○ A parking lane shall be provided adjacent to the storage structure's openings that is a minimum of 9 feet in width and outlined (painted). The parking lane is for temporary parking only (30 minutes maximum) and this time restriction shall be clearly marked with signs. ○ Driveways adjacent to the parking lane shall be a minimum width of 15 feet for one-way and 24 feet for two-way.)
Recreation, Education & Public Assembly Uses⁽⁴⁾	
Bowling alley and billiard hall	• 5 for each bowling lane; and • 2 for each billiard table
Commercial recreation and similar indoor uses	• 1 for each 4 persons of the facility's allowed maximum attendance
Commercial recreation and similar outdoor uses (e.g., shooting range, race track, miniature golf course, pitch and putt course, or zoo)	• 1 for each 4 persons of the facility's allowed maximum attendance
Commercial swimming pools and swimming schools	• 1 for each 500 s.f. of water surface area • 10 minimum.
Dance hall, skating rink, natatorium, or other similar use	• 1 for each 50 s.f. of dance floor area, or • 1 for each 100 s.f. of GFA for any structure, whichever is greater
Golf course and driving range, but not to include miniature golf course	• 4 for each hole on all golf courses; and • 1 for each tee for driving ranges
Library	• For libraries without public meeting rooms, 1 per 250 s.f. of GFA • For libraries with public meeting rooms, 1 per 250 s.f. of GFA (excluding meeting rooms; and • 1 per 5 permanent seats or 1 per 40 s.f. of meeting room area, whichever is greater

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

Uses	Number of Spaces Required
Meeting facility – Theater, auditorium, stadium, sport arena, gymnasium, and similar place of public assembly	1 for each 5 fixed seats or for every 40 s.f. of seating area within the main auditorium or meeting hall, whichever is greater (2). In cases without a structure, 1 for each 5 persons normally attending or using the facilities plus 1 for every 2 permanent employees
Organizational camp	1 bus parking space per 20 campers 2 for each resident staff 1 for each nonresident staff on the largest shift 1 for each facility vehicle
Park and recreational use	1 for each 5,000 s.f. of active recreational area within a park or playground
Places of assembly (e.g., Church, synagogue, temple, mosque) ⁽²⁾	1 for each 5 fixed seats (2); and 1 for every 40 s.f. of seating area where there are no fixed seats; and 1 for each 400 s.f. of floor area outside the main assembly area
School – Elementary and junior high	1 for each staff member, faculty member, and employee; or - If the school has an auditorium or place of assembly, spaces shall be provided in compliance with the meeting facility requirements, above, whichever results in the greatest number of spaces
School – high school	1 for each 8 students; and 1 for each 2 staff members, faculty members, and employees; or - If the school has an auditorium or place of assembly, spaces shall be provided in compliance with the meeting facility requirements, above, whichever results in the greatest number of spaces
School – community college, college; university; or business and professional schools	1 for each 2 full time or equivalent regularly enrolled students; and 1 for each 2 staff members, faculty members, and employees; or - If the school has an auditorium or place of assembly, spaces shall be provided in compliance with the meeting facility requirements, above, whichever results in the greatest number of spaces
School, special or trade	1 for each 3 students; and 1 for each staff member, faculty member, and employee 1 for each facility vehicle
Value added agricultural uses and activities (e.g. agritourism, agricultural retail, equestrian facilities)	- At least 2 square feet of off-street parking area for each 1 square foot of retail floor space, or fraction thereof. 1 for each 2 permanent employees, - At least 1 for each truck associated with the operation.

TABLE 3-7
PARKING REQUIREMENTS BY LAND USE

Uses	Number of Spaces Required
Residential Uses	
Accessory Dwelling Unit	See Section 834.4.030(E)
Caretaker housing	2, with at least one covered
Club; fraternity or sorority house; rooming or boarding house; or similar structure designed or intended to house for sleeping, guests, members, or employees (3)	1 for each bed (4)
Convalescent home, rest home, or residential care facility for 7 or more people	1 for each 400 s.f of GFA, plus 1 for each 3 employees
Dependent housing	2 for each unit
Mobile home park/Trailer park	1 for each space; and 1 guest space for each 10 spaces, or fraction thereof
Motel, hotel, apartment hotel, motor court, or boarding house	1 for each unit/room.
Multi-family dwelling	One (1) covered parking space for each unit on the same lot with the main building which they are intended to serve (3)
Second dwelling unit	2, one shall be covered (3)
Single-family dwelling	2, one shall be covered on the same site with the primary structure for all residential zones (3). Provision does not apply to the R-A zone or any agricultural zone.
Short-Term Private Home Rental	1 for each bedroom
Retail Trade (See Note #3 below)	
Retail uses of any type, unless otherwise listed below	1 for each 225 s.f. of GFA
Automobile sales and repair	1 for each 400 s.f. of GFA
Boat sales, mobile home sales, retail nurseries, and other open uses not in a structure	1 for each 2,000 s.f., or portion thereof, for open area devoted to display or sales; for the first 10,000 s.f.; and 1 for each 5,000 s.f., or portion thereof, over 10,000 s.f.; and 1 for each facility vehicle
Food establishments with take-out provisions only	1 for each 200 s.f. of GFA; and 1 for each facility vehicle 4 minimum.
Restaurant, drive-ins, cafe, night club, tavern, and other similar places where food or refreshments are dispensed	- Facilities less than 1,000 s.f. of GFA, 1 for each 200 s.f. of GFA - Facilities with 1,000 s.f., or more but less than 4,000 s.f. of GFA, 1 for each 100 s.f. of GFA - Facilities greater than 4,000 s.f. of GFA, 40 plus 1 for each 50 s.f. of GFA in excess of 4,000 s.f.
Retail Stores, General Merchandise	1 for each 225 s.f. of GFA 4 minimum.
Shopping centers (projects over 200,000 s.f. of floor area)	1 for each 200 s.f. of GFA up to 100,000 sf; and 1 for each 250 s.f. of GFA for square footage above 100,000 s.f.
Wholesale commercial nurseries	1 for each 500 s.f. of display area
Services General	

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

Uses	Number of Spaces Required
Service uses of any type, unless otherwise listed below	1 for each 225 s.f. of GFA
Beauty and nail salons	2 for each station
Child day-care centers (large)	1 for each non-resident employee and 2 for child drop-off and pick-up. Spaces shall be in addition to zone requirements and minimally impact existing landscaping.
Hospitals	1 for each 2 patient beds or 1 per 1,000 s.f. of GFA, whichever is greater, plus 1 for every 3 employees
Medical offices, clinics, veterinary hospital	1 for each 225 s.f. of GFA
Mortuary, funeral home, or similar use	1 per 20 s.f. of assembly room GFA, 1 per employee 1 per each vehicle owned by the establishment
Offices, general, financial, business and professional uses	1 for each 225 s.f. of GFA
Personal services	1 for each 225 sq. ft. of GFA
Social care facilities	1 for each 3 residents of the maximum licensed resident capacity
Other Uses	
Bed and breakfast Inns	1 for each guest room plus 1 for each employee
Central Business District Parking C-4 District – Unincorporated Communities - upon request if determined appropriate by the Director, or designee, as needed to encourage economic development	Ratio may be relaxed from 2:1 to 1:1
Conference center	1 for each 3 guest rooms (4)
Home occupations	1 for each nonresident employee in addition to residential requirements
On-Your-Lot builder model home/sales office	2 per office 2 for visitors

Footnotes:

- (1) S.f. means square feet and GFA means gross floor area.
- (2) Twenty-four (24") linear inches of bench or pew shall be considered a fixed seat.
- (3) Residential parking spaces shall be located to the rear of the front setback line, except that parcels with hillside slopes of greater than 25% the parking spaces may be located within the setback areas. Tandem parking is not allowed.
- (4) In dormitories, each 100 square feet shall be considered equivalent to a guest room.
- (5) Nonresidential uses shall provide a minimum of four spaces with an additional parking space for each facility vehicle, except where otherwise noted.

828.3.050 - Disabled Parking Standards.

- A. Number of disabled parking spaces.** Required off-street parking for the physically disabled shall include not less than the number of spaces specified in Table 3-8 (Disabled Parking Requirements), below, as may be subsequently modified by State regulation:

**TABLE 3-8
DISABLED PARKING REQUIREMENTS**

Required Off-Street Parking Spaces	Number of Parking Spaces for the Disabled
1 – 25	1
26 – 50	2
51 – 75	3
76 - 100	4
101 – 150	5
151 – 200	6
201 – 300	7
301 - 400	8
401 - 500	9
501 - 1000	Two percent (2%) of total # of spaces
1001 and over	20 plus 1 for each 100 or fraction over 1000

- B. Location of disabled parking spaces.** Disabled parking spaces shall be located so as to minimize travel distance to primary entrances and shall attempt to avoid conditions in which any disabled person is required to wheel or walk behind parked vehicles while traveling to or from parking spaces to the structure's primary entrances.
- C. Pedestrian accessibility.** Pedestrian ways which are accessible to the disabled shall be provided from each parking space to related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space.
- D. California Vehicle Code requirements.** The arrangement and design of these spaces shall be in compliance with Chapter 2-71 of Title 24 of the California Code of Regulations, and they shall be identified as required in Vehicle Code Section 22511.8.
- E. Additional spaces.** Additional spaces shall be provided where usage indicates a greater need, or where a higher-than-normal percentage of disabled persons is anticipated to use the parking facility.
- F. Size of parking spaces for disabled persons.**
- 1. Dimensions.** Except as provided below, each parking space for the disabled shall be 14 feet wide and outlined to provide a nine-foot parking area and a five-foot loading/unloading area on the passenger side. When more than one space is provided, two spaces may be provided within a 23-foot-wide area lined to provide a nine-foot parking area on each side of a five-foot loading and unloading area in the center. The minimum length of each parking space shall be 18 feet.
 - 2. Van accessibility.** One in every six parking spaces for the disabled, but not less than one, shall be served by an access aisle eight feet wide and shall be designated van accessible. This means that when only one space is required, it shall be 17 feet wide and outlined to provide a nine-foot parking area and an eight-foot loading/unloading

area on the passenger side. When only two spaces are required, they may be provided within a 26-foot-wide area lined to provide a nine-foot parking area on each side of an eight-foot loading/unloading area in the center. These spaces may be grouped on one level of a parking structure.

3. **Less than five spaces.** When only four parking spaces are required for a specific project, the parking space for the disabled shall be 17 feet wide but does not need to be marked or reserved exclusively for the disabled.

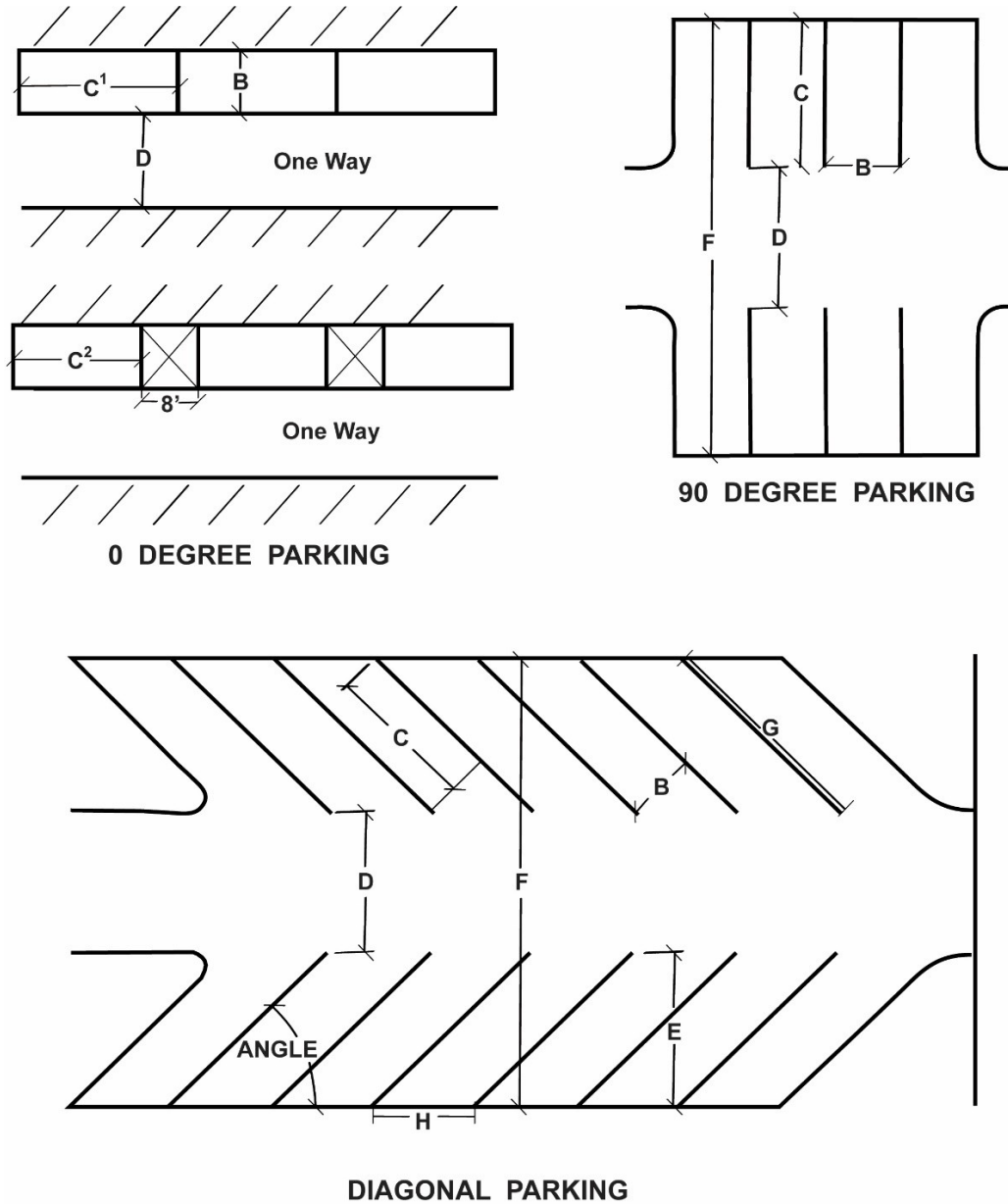
828.3.060 - Development Standards for Parking

Every parcel of land hereafter used for (1) outdoor sales or display of merchandise or articles other than plant nurseries, lumber yards, fuel yards and similar uses, (2) parking or loading of motor vehicles, (3) motor vehicle sales shall be improved and maintained in compliance with the following standards:

- A. **Suitably surfaced, striped, and channelized.** All areas shall be surfaced, striped, and channelized as required by the Director and shall thereafter be maintained in good condition. Parking stalls shall be marked, and the access lanes shall be clearly defined, including directional arrows to guide internal movements.
- B. **Suitably graded, surfaced, and drained.** All parking lots and loading areas shall be suitably graded, surfaced, and drained in compliance with the standards of the Department.
- C. **Wheel stops and directional signs.** Wheel stops marked off spaces, and directional signs, where necessary, shall be required.
- D. **Wall required where parking areas adjoin a residential zone.**
 1. Where the parking area adjoins a residential zone, it shall be separated from the zone by a solid masonry wall not less than five feet or more than six feet in height, provided the wall shall not exceed three feet in height where it is in the front setback area of an abutting residential zone. Wall heights may be increased for certain developments as specified in Section 822.3.090.E.
 2. Where no wall is required along a boundary or an area covered by this Section, there shall be a concrete curb or timber barrier not less than six inches in height securely installed and maintained as a safeguard to abutting property or public right(s)-of-way.
- E. **Landscaping required where parking areas adjoin a residential zone.**
 1. Where the parking area adjoins a residential zone there shall be a border of appropriate landscaping not less than 10 feet in depth, located along the residential street frontage, to protect the character of the adjoining residential property.

2. The landscaping shall be properly maintained in compliance with Chapter 826.3 (Landscaping Standards).
 3. No structure shall be erected, nor shall any property be used unless a site plan for the development has been submitted to and approved by the Director in compliance with Chapter 854.5 (Site Plan Review).
- F. Lighting standards.** Lighting where provided to illuminate the parking, sales, or display areas shall be hooded and so arranged and controlled so as not to cause a nuisance either to highway traffic or to the living environment. The amount of light shall be provided in compliance with adopted Department standards.
- G. Tandem parking restrictions.** No parking space shall be so located as to require the moving of any vehicle on the premises to enter or leave any other stall. The preceding sentence does not apply if a parking facility has an attendant always present during the use of the facility.
- H. Backing out restrictions.** Vehicle parking so arranged as to require the backing out of motor vehicles from a parking space, garage, or other structure onto a street, as designated on the Circulation Element of the General Plan, shall be prohibited when either or both of the following conditions exist:
1. The property is located adjacent and contiguous to the public alley.
 2. The width of the parcel or the nature of the design of the existing or proposed structures ensures that vehicles leaving the property may do so by moving in a forward direction with relation to the street.
- I. Backing into pedestrian accessway restrictions.** In no case shall parking spaces be so arranged that ingress or egress from a parking space requires backing into a public or private pedestrian accessway, or from a public alley.
- J. Efficient use of parking facility.** Parking areas for any use shall be placed in the location with relation to the parking generator as to provide for the efficient use of the parking facility. On-site parking areas shall be noted by an appropriate sign located both at the parking generator and at the parking facility.
- K. Access to individual parking spaces.** All access to individual parking spaces on a parcel or portion of a parcel designated for parking shall be from the parcel or portion of a parcel.
- L. Parking facility egress design.** All off-street parking facilities for non-residential and multi-family uses shall be designed and developed so that vehicles leaving the property to enter the right-of-way will do so in a forward direction.
- M. Residential Hillside Lot Exception.** See Setback Regulations and Exceptions Subsection 822.3.100.D.3, Hillside Lots.

Figure 3-5: Typical Parking Configurations



Angle	B	C	D	E	F	G	H
0	8'6"	(C ¹) 22' (C ²) 18'	15'	N/A	N/A	N/A	N/A
40	9'	18'	12'	18'6"	49'	28'8½"	14'
45 (one way aisle)	9'	18'	12'	19'	50'	27'	12'8"
45 (two-way aisle)	9'	18'	22'	19'	60'	27'	12'8"
50	9'	18'	14'	20'	54'	25'6"	11'8½"
60 (one way aisle)	9'	18'	18'	20'	58'	22'10"	10'4"
60 (two-way aisle)	9'	18'	22'	20'	62'	22'10"	10'4"
75	9'	18'	24'5"	20'3½"	65'	21'	9'3"
90	9'	18'	29'	N/A	65'	N/A	N/A

828.3.070 - Loading Space Requirements

Every hospital, institution, hotel, commercial or industrial structure hereafter erected or established shall provide and maintain loading spaces as provided in Table 3-9 subject to all of the following conditions:

A. Loading spaces abutting an alley.

1. When the parcel upon which the loading spaces are located abuts upon an alley, the loading spaces shall adjoin or have access directly from the alley.
2. The length of the loading space may be measured perpendicular to or parallel with the alley.
3. Where the loading area is parallel with the alley and the parcel is 50 feet or less in width, the loading area shall extend across the full width of the parcel.
4. The length of a loading area need not exceed 90 feet for any two spaces.

B. Loading allowed in a yard. Where the loading is allowed in a setback, the yard may be used in calculating the area required for loading, providing that there be no more than one entry or exit to 60 feet of parcel frontage or fraction thereof.

C. Loading spaces shall be maintained. Loading space being maintained in connection with any main structure existing on the effective date of this Chapter shall thereafter be maintained so long as the structure remains, unless an equivalent number of spaces are provided on the same or a contiguous parcel in compliance with the requirements of this Section and as approved by the Director provided, however, that this regulation shall not require the maintenance of more loading space than is required for a new structure, or the maintenance of the space for any type of main structure other than those specified as allowed.

- D. Loading space may occupy a required setback.** Loading space required by this Chapter may occupy a required setback as provided in the subject zones, but in no case, shall any part of an alley or street be used for loading.
- E. Loading space minimum dimensions.** The loading spaces shall be not less than 12 feet in width, 40 feet in length, and with 14 feet of vertical clearance.
- F. Number of loading spaces required.** The number of loading spaces required for various uses shall be in compliance with the number of spaces specified in Table 3-9 (Loading Space Requirements), below.
- G. Allowed hours of operation.** Where a loading area abuts a residential zone, loading shall only occur between the hours of 8:00 a.m. and 6:00 p.m.; otherwise, the area shall be located not less than 100 feet from the zone or be completely enclosed.
- H. No loading allowed on streets.** No loading shall be allowed on a public road, street, or highway.

**TABLE 3-9
LOADING SPACE REQUIREMENTS**

Use	Gross Floor Area	Loading Spaces Required
Hospitals and Institutions	Less than 3,500	0
	3,501 – 15,000	1
	15,001 – 40,000	2
	40,001 – 80,000	3
	80,001 – 100,000	4
	Greater than 100,000	5
Hotels and Office Structures	Less than 3,500	0
	3,500 – 40,000 [maximum of 1 in R-S zone]	1
	40,001 – 100,000	2
	Greater than 100,000	3
Commercial Uses	Less than 3,500	0
	3,500 – 15,000	1
	15,001 – 40,000 [maximum of 2 in R-S zone]	2
	40,001 – 80,000 [maximum of 3 in C-1 zone]	3
	80,001 – 100,000	4
	Greater than 100,000	5
Industrial Uses	Less than 3,500	0
	3,500 – 40,000	1
	40,001 – 80,000	2
	80,001 – 100,000	3
	100,001 – 160,000	4
	Greater than 160,000	5

- I. **Additional loading spaces required.** Where loading facilities do not conform to the provisions of this Section, or where no facilities have been provided for structures constructed prior to the effective date of this Section, the structure shall not be expanded nor may additional facilities be provided within the structure until after the requirements for loading space have been complied with for those facilities added or enlarged. Applicable loading requirements under this Section may be reviewed/modified, upon request, if determined appropriate by the Director, or designee, as needed to encourage economic development. This Section shall not apply to members of a duly formed municipal parking district.

828.3.080 - Loading and Truck Parking for Designated Commercial/Industrial/Warehousing Development (per Tables 2-6 and 2-8)

Development of commercial, industrial and warehousing uses shall take into consideration potential effects to neighboring sensitive receptors. To reduce potential conflicts, restrictions shall be placed on the following scenarios.

A. Orientation of loading docks and truck entries.

1. Shall be orientated away from abutting sensitive receptors.

2. To the greatest extent feasible, loading docks, truck entries, and truck drive aisles shall be located away from nearby sensitive receptors.
 3. Projects shall be evaluated to determine public safety and potential effects to nearby sensitive receptors by permitting loading docks, truck entries, and drive aisles to be located to nearby sensitive receptors. Any design shall include measures designed to minimize overall effects to nearby sensitive receptors.
- B. Warehouses or commercial/industrial structures larger than 400,000 square feet in floor area.** The building's loading docks shall be orientated to provide minimal impact to surrounding sensitive receptors and located a minimum of 700 feet from the nearest property line adjacent to the sensitive receptor(s) using a direct straight-line method.

Chapter 830.3 – Signs

830.3.010 - Purpose of Chapter

The purpose of this Chapter is to:

- A. Establish general regulations for signs and other exterior advertising formats.
- B. Establish additional standards and regulations applicable to zones.
- C. Recognize that the eventual elimination of existing signs that do not comply with the provisions of this Zoning Ordinance is as important as is the denial of new signs that violate these regulations.
- D. Safeguard and enhance property values; protect public and private investment in structures and open spaces; and improve the appearance of the County as a place in which to live and work and as an attraction to nonresidents who come to visit or trade.
- E. Encourage sound signing practices as an aid to business and provide information to the traveling public.
- F. Prevent excessive and confusing sign displays.
- G. Reduce hazards to motorists and pedestrians and promote the public health, safety, and general welfare

830.3.020 - Applicability

- A. **Applicability.** The sign standards provided in this Chapter shall apply to signs in all zones in the County. Only signs authorized by this Chapter shall be allowed in any zone, unless otherwise expressly provided in this Chapter.
- B. **Message neutrality.** It is the County’s policy to regulate signs in a constitutional manner that is content neutral with respect to both noncommercial and commercial messages.
- C. **Regulatory interpretations.** Interpretations of the requirements of this Chapter shall be exercised in light of the County’s content neutrality policy. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this Chapter, or whenever a sign does not qualify as a “structure” as defined in the California Building Code, then the Director shall approve, conditionally approve, or deny the application based on the most similar sign type that is expressly regulated by this Chapter.
- D. **Substitution of messages.** Signs authorized by this Chapter are allowed to carry noncommercial messages in lieu of any other commercial or noncommercial messages. Substitution of messages may be made without an additional permitting process. This

provision prevails over any more specific provision to the contrary within this Chapter. The purpose of this provision is to prevent an inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total number of signs on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly constructed.

- E. Rules for non-communicative aspects of signs.** Rules and regulations concerning the non-communicative aspects of signs, (e.g., number, type, location, size, height, illumination, spacing orientation, etc.), stand enforceable independently of any permit or review process.

830.3.030 - Definitions

The following words, terms, and phrases, when used in this Division, shall have the meanings ascribed to them in this Division, except where the context clearly indicates a different meaning:

Abandoned sign. A sign remaining in place or not maintained for a period of 90 days which no longer advertises or identifies an ongoing business, product, or service available on the business premise where the sign is located.

Advertising structure. See billboard.

Alteration. Any change of color, construction, copy, footings, height, illumination, location, position, shape, sign face, size, or supporting structure of any sign.

Animated sign. A sign that uses movement, lighting (blinking, flashing, moving), or special materials to depict action or create a special effect or scene. This classification includes wind-actuated and other elements (e.g., balloons, bunting, pennants, streamers, whirligigs), fiber optic, laser, search lights, strobe, and string lighting of any type, including blinking or Tivoli Lights, or other similar devices. For the purposes of this Chapter, time and temperature displays, flags, traditional barber poles, and electronic changeable copy signs are not considered animated signs.

Apartment/multi-family identification sign. A sign identifying an apartment or multi-family structure, an apartment or multi-family complex, or a planned unit development project by name and/or address.

Area of a sign. See sign area.

Banner. A temporary sign made of fabric or any non-rigid material with no enclosing framework.

Base of the sign structure. The structural component of a freestanding sign located below the sign face.

Billboard. A sign that directs attention to a business, commodity, entertainment, product, service, or activity offered at a location other than the site or parcel on which the sign is located. This

definition does not include real estate signs, temporary signs, or directional signs allowed and approved pursuant to this Chapter.

Building frontage. The linear dimension of a structure that faces upon a public street (excluding an alley) or public/private parking lot, if appropriate, and is roughly parallel to it.

Business center. A group of contiguous businesses which utilize common access, off-street parking, and/or center name.

Business frontage. That portion of a building frontage occupied by a single business tenant having a public entrance within the building frontage.

Business identification sign. A sign which serves to identify the name(s), address(es), and specific use(s) of the site upon which it is located.

Commercial message content, or speech. Any message, the prevailing thrust of which is to propose a commercial transaction.

Contractor or construction sign. A sign which states the name of the developer and contractor(s) working on the site and any related architectural, engineering, or financial organizations involved with the project.

Copy. Designs, figures, letters, numbers, words, or other symbolic representations incorporated into a sign.

Current value. The original cost or valuation of a sign depreciated in compliance with this Chapter.

Directional sign. An on-site sign giving only information and direction to the viewer and containing no advertising message.

Directory sign. A sign for listing all/any of the tenants and their suite numbers of a multi-tenant structure or center.

Double-faced sign. A sign constructed to display its message on the outer surfaces of two identical and/or opposite parallel planes.

Edge of roof. On a pitched roof, the lowest portion of the fascia board covering the roof rafters, or if no fascia board exists, the lowest point of the roof rafters. On a flat roof, the top of the parapet wall.

Electronic reader board sign. A sign with a fixed or changing display/message composed of a series of lights, but not including time and temperature displays.

Externally illuminated sign. A sign illuminated from an exterior light source.

Fence sign. A sign attached to or painted onto a freestanding fence or wall.

Flag. A fabric, material, or textile of any shape or size, with colors, patterns, and the like used as symbols of a nation, state, or company, or used for attracting attention; a pennant.

Flashing sign. A sign that contains an intermittent or sequential flashing light source.

Freestanding sign. A sign standing on the ground, which is self-supporting, not attached to a structure. Signs mounted on architecturally integrated extensions of structures shall not be considered freestanding.

Frontage. The front of the property or legal front side shall be assigned to the shortest width of the property abutting a roadway in compliance with the State Map Act.

Future tenant identification sign. A temporary sign that identifies the names of future businesses that will occupy a site or structure.

Governmental sign. Signs placed by a governmental entity and/or required by local, State, or Federal law.

Grand opening. A temporary promotional activity, not exceeding 30 calendar days, used by newly established businesses, within 60 days after initial occupancy, to inform the public of their location and services available to the community. "Grand Opening" does not mean an annual or occasional promotion of retail sales by a business.

Graphic. All depictions, lettering, logos, patterns, pictures, and symbols, including color, on a sign.

Height of sign. The vertical distance from the uppermost point of a sign to the average finish grade immediately below and adjoining the sign or the top of the nearest curb of the public street on which the sign fronts, whichever measurement is the greatest. The average or finish grade immediately below and adjoining the sign shall not be artificially increased in height in order to increase the overall height of the sign, subject to the approval of the Director.

Holiday displays. Temporary signs, in the nature of decorations, clearly incidental and customarily associated with nationally recognized holidays and which contain no advertising message.

I-frame sign. A portable sign with advertising messages mounted on one or two surfaces with two generally parallel edges constructed so that the two faces read from different directions.

Illegal sign. A sign which includes any of the following:

1. A sign erected without first complying with all regulations in effect at the time of its construction or use;
2. A sign that was erected without first obtaining all required permits;
3. A sign that was legally erected, but whose use has ceased, the structure upon which

the display is placed has been abandoned by its owner, or the sign is not being used to identify or advertise an ongoing business for a period of at least 90 days;

4. A sign that was legally erected which later became nonconforming and then was damaged to the extent of 50 percent or more of its current replacement value;
5. A sign which is a danger to the public or is unsafe; or
6. A sign which is a traffic hazard not created by relocation of streets or highways or by acts of the County.

Inflatable sign. A form of inflatable device or a sign that is displayed, painted, or printed on the surface of a balloon or any other form of inflatable background, and is primarily installed outside a structure to attract attention to or to advertise a business, a business location, an event, a product, or a service. See “Animated sign”.

Internally illuminated sign. A sign whose light source is located in the interior of the sign so that the light goes through the face of the sign, or internal light source which is attached to the face of the sign and is perceived as a design element of the sign.

Institutional sign. A sign identifying the premises of, or announcing the activities conducted by, a hospital, place of worship, rest home, college, university, school, or similar institutional facility.

Light-emitting diode (LED) sign. A sign illuminated by use of light-emitting diode (LED) lights.

Logo. The emblem, insignia, name, symbol, or trademark of a company or organization.

Major tenant. A tenant in a business center leasing a large portion (at least 25 percent) of the overall leasable square footage in the center.

Marquee (canopy) sign. A sign which is attached to or otherwise made a part of a permanent roof-like structure which projects beyond the structure wall in the form of a canopy to provide protection from the weather.

Monument sign. An independent, freestanding structure supported on the ground having a solid base as opposed to being supported by poles or open braces.

Multiple tenant site/center. A commercial or industrial development consisting of two or more separate businesses that share either the same parcel or structure and use common access and parking facilities.

Neon sign. Glass tube lighting in which a gas and phosphors are used in combination to create a colored light.

Non-commercial message content, or speech. Any message that is not determined to be commercial speech, as defined above.

Nonconforming sign. An advertising structure or sign which was lawfully erected and maintained

before the adoption of this Development Code, and which has subsequently come under the requirements of this Development Code, but does not comply with this Development Code.

Obscene sign. Signs when taken as a whole, which to the average person applying contemporary statewide standards, appeals to prurient interest and depicts or describes in a patently offensive manner sexual conduct which lacks serious artistic, literary, political, or scientific value.

Official flag. The official flag of the United States of America, the State of California, other government agencies, civic organizations, corporate organizations, and private or non-profit organizations.

Off-site advertising sign. A sign structure or billboard, whether freestanding or mounted on an existing structure, built for the purpose of advertising an establishment, product, or service that is not available on the property upon which the sign is located at the time the sign structure was erected.

Off-site directional sign. A sign identifying an emergency facility, publicly owned facility, or a temporary subdivision sign, but excluding real estate signs.

Off-site sign. Any sign identifying a facility, product, service, or use which is not located, manufactured, or sold on the same premise as the sign or which identifies a facility, product, service, or use by a brand name which, although manufactured or sold on the premise, does not constitute the principal item manufactured or sold on the premise.

Off-site subdivision sign. A temporary off-site, free-standing sign designed, erected, and maintained to serve the public by providing directions and information regarding new developments and/or community facilities.

Painted sign. A sign painted or silkscreened onto a structure wall or freestanding structure.

Pennant. See flag.

Permanent sign. A sign constructed of durable materials and intended to exist for the duration of time that the occupant or use is located on the premises.

Placed or displayed. Carved, constructed, erected, glued, painted, posted, printed, tacked, or otherwise fastened, fixed, or made visible in any manner whatsoever.

Pole sign. A freestanding sign supported by one or more poles.

Political sign. A temporary sign designed for the purpose of advertising support of, or opposition to, a candidate or proposition for a public election.

Reader board sign. See changeable copy sign.

Real estate sign. A temporary sign indicating that a property, or any portion thereof, is available for inspection, lease, rent, sale, or directing people to a property, but not including temporary subdivision signs.

Roof line. A horizontal plane projected parallel to the plane of the roof fascia line or top of a parapet wall or an angular plane projected parallel to the verge rafter of a gable roof.

Roof sign. A sign constructed upon or over a roof, or placed so as to extend above the edge of the roof.

Sign. Any device, display, figure, message, painting, placard, structure, or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended, or used to advertise, or to provide data or information in the nature of advertising, to direct or attract attention to a business, event, institution, location, object, person, or service by any means, including colors, designs, figures, fixtures, illumination, letters, projected images, symbols, or words.

Sign area. The entire area within a perimeter defined by a continuous line composed of right angles, not exceeding eight geometrical lines, which enclose the extreme limits of lettering, logo, trademark, or other graphic representation, together with any frame or structural trim forming an integral part of the display used to differentiate the sign from the background against which it is placed.

Sign copy. Any design, figures, graphics, letters, logos, numbers, words, or other symbolic representation incorporated into a sign.

Sign face. See sign area.

Sign program. A coordinated program of one or more signs for an individual business establishment or a business/commercial center.

Sign structure. Any structure which supports or is capable of supporting any sign. A sign structure may or may not be an integral part of a structure. For the purpose of a freestanding sign, the sign structure shall include the aggregate area of the sign, including the sign copy and all structural elements of the sign.

Special event banner/sign. A temporary banner or sign that is intended to inform the public of a unique action, happening, occasion, or purpose (e.g., grand opening or community event).

Subdivision directional sign. An off-premise sign providing information on the location of a subdivision whose parcels or units are being offered for lease, rent, or sale.

Subdivision identification sign. An on-premise sign advertising developed or undeveloped real property which has been divided into five or more parcels or units for lease, rent, or sale. (Signs advertising fewer than five parcels shall be treated as "real estate signs".)

Temporary sign. Any sign intended to be displayed for a limited period of time and capable of being viewed from any neighboring property, parking area, or public right-of-way.

Wall sign. A sign which is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the wall.

Window area. Window area shall be computed by calculating each windowpane or panel. The area shall be separate for each building face, and for each window. A group of windowpanes or panels may be considered one window if they are adjoining on the building face and are less than six inches apart.

Window sign. Any sign affixed, painted, placed, or posted in or on any window exposed to public view. Also, includes any interior sign which faces any window exposed to public view and which is located within three feet of the window.

830.3.040 – PLACEHOLDER

830.3.050 - Exempt Signs

The following signs shall be exempt from the requirements of this Zoning Ordinance and applicable specific plans:

- A. Signs, flags, banners, emblems, or notices issued or endorsed by a constituted governmental body, public agency, court, person, or officer in performance of a public duty, including traffic or highway signs, railroad crossing signs or similar regulatory or warning devices and legal notices.
- B. Holiday displays and decorations not exceeding 60 days, but only when not creating a traffic hazard or located within any visual setback area, and in compliance with Section 830.3.060 (Prohibited Signs).
- C. Signs, located inside a structure, courtyard, mall, or other similar structure, provided these signs are not conspicuously visible and readable from a public street or adjacent properties not under the same ownership.
- D. Utility company signs identifying conduits, cables, dangerous conditions, or providing other notices of this type.
- E. Memorial tablets or signs and historic markers.

830.3.060 - Prohibited Signs

The following signs shall be prohibited in all zones:

- A. Signs that endanger the health and safety of operators of motor vehicles on the streets or highways.
- B. Signs located at street intersections that obstruct free and clear vision of operators of motor vehicles.
- C. Sign that interfere with traffic signs, signals, or devices.
- D. Sign that use the words “Stop”, “Danger”, or any other character, phrase, symbol, or word that interferes with, misleads, or confuses operators of motor vehicles.

- E. Blinking, flashing, rotating, or animated signs, except time, temperature, and weather information displays.
- F. No red, green, or amber lights or illuminated signs that could interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
- G. Moveable or portable signs, including signs attached to or painted on trailers or vehicles parked on private property for the purpose of gaining unauthorized sign area.
- H. Signs that make sounds.
- I. Banners and flags, but not including those installed and maintained by a governmental or public school organization.
- J. Tethered balloon(s) or other inflatable(s) used to draw attention to a use or event.
- K. Signs with flashing neon elements or signs with neon lighting on their support structures.
- L. Signs that are not effectively shielded to prevent beams or rays of light from being directed on the traveled way, or whose intensity or brilliance cause glare or impair the vision of the driver of a motor vehicle, or that otherwise interfere with drivers of motor vehicles.
- M. A beacon or searchlight, except for emergency purposes.

830.3.070 - Abandoned Signs

A. Removal of abandoned signs.

1. An abandoned sign shall be removed by the owner or lessee of the premises upon which the sign is located immediately upon closure of the business or the passing of the event.
2. A sign frame or structure that supported an abandoned sign and that conforms to all applicable regulations shall be allowed to remain in place. However, in the event a sign frame or structure is inconsistent with the regulations of this Chapter, the sign structure and/or frame shall be either altered to comply with the regulations of this Chapter, or removed by the owner or lessee of the property.
3. Signs considered by the County to have historic value or cultural significance shall be exempt from this requirement.
4. If the owner or lessee fails to remove the sign, the County, following proper notice, may have the sign removed.

- B. Recovery of costs.** When the County is required to remove an abandoned sign, the reasonable cost of the removal and storage may be assessed against the owner of the sign(s) and/or the property owner. If not paid, the applicable costs may be imposed as a tax lien

against the property.

830.3.080 - General Provisions for All Signs

A. General provisions.

- 1. Signs, billboards, and advertising structures.** Signs, billboards, and advertising structures may be erected and maintained in the zones where the sign is allowed after having secured approval of the location, size, and design of the sign, billboard, or advertising structure subject to the conditions below and in each zone.
- 2. Height and location restrictions.**
 - a.** All signs shall meet the height and setback requirements of the zone in which they are located.
 - b.** Signs shall not extend over a public right-of-way or sidewalk.
- 3. Sign area calculations.**
 - a.** The area of a sign shall be calculated by multiplying its maximum vertical dimension by its maximum horizontal dimension.
 - b.** Whenever the area of a sign is limited by this Chapter, a double-faced sign may be erected having the allowed sign area on each side of the sign; provided, the maximum dimension between the two faces of the double faced sign shall not exceed 24 inches or 10 percent of the maximum dimension of the face of the sign, whichever is the lesser.

B. Lighting, sound, and movement restrictions.

- 1.** No sign shall endanger the health and safety of operators of motor vehicles on the streets or highways.
- 2.** Lights used to illuminate signs shall be so installed as to concentrate the illumination on the sign and so as to minimize glare upon a public street or abutting property.
- 3.** No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles.
- 4.** No sign shall be located where, by reason of the position, shape or color, it may interfere with any authorized traffic sign, signal or device.
- 5.** No sign may make use of the words “Stop”, “Danger”, or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.
- 6.** Blinkers, flashing, unusual lighting or other means of animation which cause

unsafe distractions shall not be permitted on any sign.

7. All signs in or adjacent to "C-P" or "R" Districts shall be non-flashing and non-animated. This restriction shall not apply when the flashing or animation conveys time, temperature or weather information.

830.3.090 - Standards for Specific Types of Signs

A. Freestanding pole signs.

1. Unless otherwise specified by this Chapter, a maximum of one freestanding pole sign shall be allowed on each parcel, on each street frontage.
2. No part of a freestanding pole sign, including the footing, shall be located closer than one foot away from an interior property line and from the right-of-way of a street or highway adjoining the parcel on which the sign is located.
3. When a freestanding pole sign is located within a front or street side setback area, the sign shall be constructed to provide a clear open area of at least eight feet in height, measured from grade to the bottom of the sign face.
4. Freestanding pole signs shall not have more than two posts or columns, each with a width or diameter no greater than 12 inches that are located within a street front or side setback area.

B. Freestanding monument signs.

1. A freestanding monument sign may be substituted for a freestanding pole sign allowed by the provisions of this Chapter or an applicable plan, provided the monument sign complies with the provisions of this Chapter.
2. The maximum height of a freestanding monument sign located within a front or street side setback area shall be the height of an allowed wall or fence located in the same setback area.
3. Freestanding monument signs shall not interfere with a driver's line of sight and shall not be closer than one foot from the right-of-way, unless otherwise specified in an applicable zone.

- C. Painted signs.** Signs may be painted upon the surface of a structure provided, that when the sign is located so as to face a residential zone, the sign and the method of lighting the sign, if any, shall be subject to a Director's Review and Approval in compliance with Chapter 846.5.

D. Vertical signs.

1. Any vertical (or projecting wall) sign with its advertising surface at or approximately at right angle to a wall facing a street shall be deemed to be a vertical sign and shall

- not exceed 18 inches in thickness. Any “V” shaped projecting sign shall also be deemed to be a vertical sign and shall not exceed 18 inches in thickness at its farthest projection from the structure, nor four feet in thickness at the face of the structure. Thickness for the purpose of this requirement is the distance between the two faces of the sign.
2. When the bottom of a sign is at least eight feet but less than 10 feet above the ground, the projection over the property line abutting the street line shall not exceed one foot.
 3. When the bottom of the sign is at least 10 feet but less than 12 feet above the ground, the projection over the property line abutting the street line shall not exceed two feet six inches.
 4. When the bottom of the sign is at least 12 feet but less than 14 feet above the ground, the projection over the property line abutting the street line shall not exceed three feet.
 5. When the bottom of the sign is at least 14 feet but less than 16 feet above the ground, the projection over the property line abutting the street line shall not exceed four feet.
 6. When the bottom of the sign is 16 feet or more above the ground, the projection over the property line abutting the street line shall not exceed five feet.
 7. No sign shall exceed five feet four inches in height above the parapet wall, except that the sign may be constructed to return over the roof not exceeding 10 feet measured from the edge of the sign.
- E. Flat signs.** Signs painted or mounted on the face, side, or rear of a structure shall not exceed a total amount of two times the area allowed for vertical signs. Not more than one 150 square feet of total sign area shall be allowed on any one structure wall.
- F. Marquee signs.**
1. Signs may be placed on the outer faces of a marquee if they are made a part of the marquee and do not exceed the Building Codes limitations on marquees.
 2. No sign shall be hung from the underside of a marquee unless it meets the minimum height limitations applicable to a marquee. No signs shall be placed on the roof of a marquee.
 3. All wall or projecting signs placed above a marquee shall comply with the requirements for the signs as if no marquee existed.
- G. Off-site directional signs.**
1. Off-site directional signs in residential and agricultural zones for major recreational uses, hospitals, and colleges shall be allowed only for the following uses and shall be subject to the property development standards of the zone and the special standards

specified in this Subsection:

- a. Colleges as defined in Article 7 (Definitions).
 - b. Golf courses
 - c. Hospitals which provide 24-hour emergency medical services.
 - d. Recreation parks with facilities for one or more activities (e.g., boating, camping, fishing, hiking, horseback riding, hunting, picnicking, and swimming)
 - e. Stadiums with an average attendance of 1,000 or more persons per event.
2. Signing for golf courses, recreation parks, and stadia shall be allowed for a maximum of five years from the date the original approval becomes final. A reapplication shall be allowed subject to the approval of a Director's Review and Approval in compliance with Chapter 846.5.
 3. The directional signs shall be located only along expressways and arterial roadways as shown on the adopted General Plan Circulation Element.
 4. There shall be not more than two directional signs and the signs shall be allowed only when the Director has determined that there is a potential for confusion in direction and that a sign is necessary for the public convenience and safety.
 5. Directional signs shall:
 - a. Not exceed 32 square feet in area, including architectural features, and shall not exceed eight feet in height;
 - b. Not be internally illuminated or floodlighted, but may use reflective materials;
 - c. Limited to two colors as allowed under the State of California Uniform Sign Chart; and
 - d. Set back not less than eight feet from property lines and located outside of the public road right-of-way.
 6. If in the event of a change in land use relationships whereby the placement of a sign creates a traffic hazard as determined by the Director, the sign shall be removed or relocated and the Director's Review and Approval Permit shall be deemed void.

H. Institutional signs. Signs for institutional uses including colleges, hospitals, places of assembly (e.g., places of worship), private clubs, rest homes, and similar uses shall be allowed in any zone in which they are listed as an allowed use subject to the following regulations:

1. **One free-standing sign for each main use per frontage:**

- a. The sign shall not exceed 32 square feet in area exclusive of architectural features. The sign structures shall not exceed eight feet in height.
 - b. The sign face shall not be internally illuminated but may be floodlighted.
 - c. Signs shall be set back a minimum of 15 feet from public rights-of-way; however, this setback may be reduced to 10 feet subject to approval of a Conditional Use Permit in compliance with Chapter 842.5. In no case shall signs be located within required rear or interior side yards.
 2. One sign attached to the face of the main structure:
 - a. Letter or numerical heights shall not exceed one foot.
 - b. The sign shall not exceed 10 square feet in area.
 - c. The sign face shall not be internally illuminated but may be floodlighted.
 3. One reader board sign:
 - a. The sign shall not exceed 10 square feet in area.
 - b. The board shall not be internally illuminated but may be floodlighted.
- I. **Window display signs.** Window display signs shall not exceed 25 percent of the window area on which the sign is placed.
- J. **Name plates.**
 1. Name plates shall be allowed in residential zones, only when approved for a home occupation, and shall not exceed two square feet in area.
 2. Name plates shall be allowed for mobile home park services subject to the following conditions. They shall:
 - a. Be located on the face of the structure in which the activity is located;
 - b. Not exceed two square feet in area;
 - c. Be unlighted except that name signs which are not visible from abutting properties or public rights-of-way may be lighted, provided the lighting does not reflect upon surrounding mobile homes;
 - d. Be limited to one name plate for each approved service rendered.
- K. **Real estate and subdivision signs.**

1. Subdivision signs – temporary on-site.

- a.** Temporary real estate signs advertising real property which has been subdivided for purposes of sale or lease shall be allowed, subject to the following conditions:
 - (1)** The construction of any sign shall be in strict compliance with the provisions of this Chapter and all other laws of the County.
 - (2)** The sign shall remain only as long as some portion of the property advertised for sale remains unsold, or for a period of two years from the recordation of the Final Map, whichever period is shorter. Subject to Director Review and Approval in compliance with Chapter 846.5, the time may be extended for one year. Not more than two extensions may be granted.
 - (3)** The signs shall be located on the premises which they advertise.
 - (4)** No sign shall exceed 480 square feet in area.
 - (5)** Not more than two signs per subdivision shall be allowed in any subdivision less than 40 acres in size. In subdivisions involving more than 40 acres, one additional sign shall be allowed for each additional 20 acres.
- b.** Identification signs containing the tract name are allowed, provided there are no more than one sign for each three parcels. Signs shall not exceed four square feet in area.
- c.** Signs are allowed on the same parcel with a model home, provided they do not exceed four in number and 10 square feet each in area. Signs shall be removed after the developer concludes the initial sale of the parcels or homes to their initial owners.
- d.** “For Rent” and “For Sale” signs shall be allowed.

2. Subdivision signs – temporary off-site.

- a.** Temporary real estate directional signs, subject to Conditional Use Permit approval in compliance with Chapter 842.5, directing prospective purchasers to a subdivision having parcels or houses for sale may be erected and maintained, provided the signs do not adversely affect the use or appearance of existing structures or landscaping and do not create hazardous traffic conditions. The signs will be subject to the following standards:
 - (1)** The sign shall not exceed 160 square feet in area.
 - (2)** The sign shall be set back a minimum of eight feet from the front

property line.

- (3) The sign shall be not less than six nor more than 18 feet above the crown of the nearest adjacent road or the higher of the two crowns of two adjacent roads.

- b. Temporary open house signs are allowed for a period of 48 hours, provided the sign is limited to a double-faced sign not more than two by three feet in size.

L. Identification signs.

1. Identification signs for multi-family dwellings shall be allowed subject to the following conditions:
 - a. One freestanding or face-mounted sign shall be allowed.
 - b. The sign shall be a maximum of 12 square feet in area, including architectural features. Larger signs, not exceeding 25 square feet may be allowed subject to a Director Review and Approval in compliance with Chapter 846.5.
 - c. The sign face shall not be internally illuminated but may be floodlighted.
2. Signs shall be allowed in the "T-P" Zone which advertises the mobile home park. The signs shall be located on the premises and shall not exceed one square foot of sign face for each front foot of the frontage along the street serving as access to the mobile home park, provided, however, that there shall be a maximum area for signs for any one mobile home park of 100 square feet of sign on any one frontage.

M. Agricultural signs.

1. **On-site sales signs.** One sign for each street frontage, sign area not exceeding 40 square feet in area for each street frontage sign, and pertain only to services or products available for sale on the premises.
2. **Off-site freestanding produce sales signs.** Off-site freestanding signs for produce stands shall be allowed subject to the following conditions:
 - a. Produce stand directional signs:
 - (1) The number of signs shall be limited to two per each use. Produce stands located on properties adjacent to intersections shall be allowed a maximum of four signs.
 - (2) Each sign shall not exceed 40 square feet in area, exclusive of architectural features, or 12 feet in height.

- (3) Internally illuminated or floodlighted signs shall be prohibited, but reflective materials may be used.
- (4) The signs shall be located within 2,500 feet of the produce stand structure.
- (5) Each sign shall be located a minimum of 10 feet from the paved portion of the adjacent road and outside of the public road rights-of-way. In no instance shall signs be located within required rear or interior side yards.
- (6) Signs are prohibited in corner cut-off areas, the locations of which are described in Subsection 822.3.100.E. For purposes of establishing corner cut-off areas, the property line shall be considered to be not less than 30 feet from the centerline of the adjacent roadway.
- (7) Before any sign is erected on any parcel, a site plan shall have been submitted to and approved.

b. Temporary produce stand approach signs.

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

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

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

above.

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

1. Political signs shall be removed within 30 days following the election.
2. Political signs shall have a maximum area of eight square feet in residential zones, and 32 square feet in other zones, unless the sign is an on-site sign (e.g., campaign headquarters, etc.) or is an off-site sign allowed by this Chapter.
3. Political signs shall not be erected within a street intersection, clear sight triangle, or at a location where the sign may interfere with, obstruct the view of, or be confused with an authorized traffic sign.
4. Political signs shall not be nailed or affixed to a tree, fence post, or public utility pole and shall not be located in the public right-of-way, parkway, or on publicly owned land.

830.3.100 - Sign Standards by Zone

Table 3-10-1 Agricultural Signs

	Freestanding Pole	Freestanding Monument	Painted	Vertical (Projecting)	Flat	Marquee	(Off-Site Directional)	Institutional	Window Display	Name (also, Name Plates)	Real Estate and Subdivision	Identification	Agricultural	Temporary Off-Site Political
• permitted subject to standards below														
Agricultural														
AE	•	•					•	•		•			•	•
AL	•	•					•	•		•			•	•
A-1	•	•					•	•		•			•	•
A-2	•	•					•	•		•			•	•

Specific Agricultural Sign Standards by District:

AE, AL and A-2 Districts:

For those uses permitted in the AE, AL and A-2 Districts, the sign standards of 830.3.090 shall apply.

A-1 District:

For those uses permitted in the A-1 District, the sign standards of 830.3.090 shall apply, except that no advertising structure that is visible from the right of way of any freeway or parkway shall be located within five hundred (500) feet of the centerline of such freeway or parkway.

Table 3-10-2 Residential Signs

	Freestanding Pole	Freestanding Monument	Painted	Vertical (Projecting)	Flat	Marquee	(Off-Site Directional)	Institutional	Window Display	Name (also, Name Plates)	Real Estate and Subdivision	Identification	Agricultural	Temporary Off-Site Political
• permitted subject to standards below														
Residential														
R-A							•	•		•	•			•
R-R										•	•			•
R-1-A, R-1-AH							•	•		•	•			•
R-1-B							•	•		•	•			•
R-1-C							•	•		•	•			•
R-1-E, R-1-EH							•	•		•	•			•
R-1								•		•	•			•
R-2, R-2-A								•		•	•	•		•
R-3, R-3-A								•		•	•	•		•
R-4								•		•	•	•		•
T-P										•		•		•

Specific Residential Sign Standards by District:**RA and RR Zone Districts**

1. Name plates shall be permitted subject to the following conditions:
 - a. Name plates shall not exceed two (2) square feet in area.
 - b. Name plates shall display only the:
 - (1) Name of the premises upon which it is displayed,
 - (2) Name of the owner or lessee of said premises,
 - (3) Address of said premises, and
 - (4) Nature of the home occupation engaged in on said premises.
2. "For Rent" and "For Sale" Signs shall be permitted,
3. Subdivision Signs - On Site
 - a. Temporary real estate signs advertising real property which has been subdivided for purposes of sale or lease shall be permitted, subject to the following conditions:
 - (1) The construction of any sign shall be in strict compliance with the provisions of this Division and all other laws of the County.

shall be subject to the provisions of Sections 830.3.080 and 830.3.090.

R-1-A, R-1-AH, R-1-B, R-1-C, R-1-E, R-1-EH and R-1 Zone Districts

- 1.** Name plates shall be permitted subject to the following conditions:
 - a.** Name plates shall not exceed two (2) square feet in area.
 - b.** Name plates shall display only the:
 - (1)** Name of the premises upon which it is displayed.
 - (2)** Name of the owner or lessee of said premises.
 - (3)** Address of said premises.
 - (4)** Nature of the home occupation engaged in on said premises.
- 2.** "For Rent" and "For Sale" Signs shall be permitted. Not more than two (2) such signs, not exceeding a total of six (6) square feet in area, shall be permitted on any lot or parcel.
- 3.** Subdivision Signs- On Site
 - a.** Temporary real estate signs advertising real property which has been subdivided for purposes of sale or lease shall be permitted, subject to the following conditions:
 - (1)** The construction of any sign shall be in strict compliance with the provisions of this Division and all other laws of the County.
 - (2)** The sign shall remain only as long as some portion of the property advertised for sale remains unsold, or for a period of two (2) years whichever period is shorter. Subject to Director Review and Approval, said time may be extended for one (1) year. Not more than two (2) such extensions may be granted.
 - (3)** The signs shall be located on the premises which they advertise.
 - (4)** No sign shall exceed four hundred eighty (480) square feet in area.
 - (5)** Not more than two (2) such signs shall be permitted in any subdivision under forty (40) acres in size. In subdivisions involving more than forty (40) acres, one (1) additional sign shall be permitted for each additional twenty (20) acres.
 - b.** Identification signs containing the tract name are permitted, provided there shall be no more than one (1) such sign for each three (3) lots. Said signs shall not exceed four (4) square feet in area.

- c. Signs are permitted on the same lot with a model home provided they do not exceed four (4) in number and ten (10) square feet each in area. Said signs shall be removed after the developer concludes the initial sales of the lots or homes to their initial owners.
- 4. Off Site Subdivision Signs Temporary Real Estate Directional Signs Temporary real estate directional signs, subject to Chapter 842.5 (Conditional Use Permits), directing prospective purchasers to a subdivision having lots or houses for sale may be erected and maintained provided said signs do not create hazardous traffic conditions. Such signs shall be subject to the following standards:
 - a. The sign shall not exceed one hundred sixty (160) square feet in area.
 - b. The sign shall be set back not less than eight (8) feet from the front property line.
 - c. The sign shall be not less than six (6) nor more than eighteen (18) feet above the crown of the nearest adjacent road or the higher of the two crowns of two adjacent roads.
- 5. Temporary Off Site Open Houses Signs shall be permitted for a period of forty-eight (48) hours provided that the sign shall be limited to a double-faced sign not more than two (2) by three (3) feet in size.
- 6. Signs for institutional uses including churches, hospitals, rest homes, private clubs and similar uses shall be permitted subject to the provisions of Sections 830.3.080 and 830.3.090.
- 7. Off-site directional signs for major recreational uses, hospitals and colleges permitted under Section 822.2 shall be subject to the provisions of Sections 830.3.080 and 830.3.090.

R-2-A, R-2-A, R-3, R-3-A and R-4 Zone Districts

- 8. The provisions of the "R 1 A" District Nos. 1, 2, 3, 4, 5, and 6, shall apply.
- 9. Identification signs for Multiple Family Dwellings shall be permitted subject to the following conditions:
 - a. One freestanding or face mounted sign will be allowed.
 - b. The sign shall contain only the name and/or address of the premises on which it is located.
 - c. The sign shall be a maximum of twelve (12) square feet in area, including architectural features. Larger signs, not exceeding twenty-five (25) square feet may be permitted subject to Chapter 846.5 (Director Review and Approval).
 - d. The sign face shall not be internally illuminated but may be floodlighted.

T-P Zone District

10. Signs shall be permitted in the "T P" District which advertise the Mobile home park. Said signs shall be located on the premises and shall not exceed one (1) square foot of said sign for each front foot of the frontage along the street serving as access to the Mobile home park, provided, however, that there shall be a maximum area for signs for anyone (1) Mobile home park of one hundred (100) square feet of sign on any one (1) frontage.
11. Name plates shall be permitted for Mobile home park services subject to the following conditions. They shall:
- Be located on the face of the building in which the activity is located.
 - Not exceed two (2) square feet in area.
 - Be unlighted except that name signs which are not visible from abutting properties or public rights of way may be lighted, provided such lighting does not reflect upon surrounding mobile homes.
 - Identify only the name of the operator and the service rendered.
 - Be limited to one (1) name plate for each approved service rendered.

Table 3-10-3 Commercial Signs

	Freestanding Pole	Freestanding Monument	Painted	Vertical (Projecting)	Flat	Marquee	(Off-Site Directional)	Institutional	Window Display	Name (also, Name Plates)	Real Estate and Subdivision	Identification	Agricultural	Temporary Off-Site Political
• permitted subject to standards below														
Commercial														
AC	•	•	•		•		•			•				•
C-P	•	•	•		•		•			•		•		•
C-R	•	•	•		•		•			•		•		•
C-1	•	•	•		•		•			•		•		•
C-2	•	•	•		•		•			•		•		•
C-3	•	•	•	•	•		•	•	•	•	•	•		•
C-4	•	•	•	•	•	•	•	•	•	•	•	•		•
C-6	•	•	•	•	•	•	•	•	•	•	•	•		•
RCC	•	•	•		•	•	•			•	•	•		•
R-P	•	•	•		•					•	•			•

Specific Commercial Sign Standards by District:AC Zone District

Signs may be permitted in the "AC" District under the conditions set forth in the following

paragraphs.

1. General Requirements

No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, it may interfere with, obstruct the vision of, or be confused with any authorized traffic sign, signal, or device; or which makes use of the words "STOP," "DANGER," or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

2. Permitted Signs

- a. Signs indicating the name and nature of the occupancy, the name and address of the building, or the name and address of the owner. Time, temperature, and weather information may also be included. These signs shall be attached to the building in which the occupancy is located.
- b. "For Rent" or "For Sale" signs posted on the subject lot or building by the owner or his authorized agent. Said signs shall not exceed six (6) square feet in area and there shall be not more than two (2) such signs for any one (1) lot, building, or occupancy.
- c. Directional signs related to the location of buildings or activities on the property on which the signs are located. Each directional sign shall not exceed six (6) square feet in area.
- d. One free standing sign per lot subject to the following regulations:
 - (1) The sign shall contain thereon only the name of the buildings, occupants or groups thereof. Time, temperature, and weather information may also be included. (Amended by Ord. 490.199 adopted 4 21 80)
 - (2) The sign shall not exceed one hundred (100) square feet of area.
 - (3) The sign shall not exceed twenty (20) feet in height.

3. Location

No requirements.

4. Lighting

- a. No red, green, or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
- b. No blinking, flashing, rotating or animating signs shall be permitted on the exterior of any building in the District, except to display time, temperature, and

- a. A sign may not exceed one (1) square foot in area for each front foot of the structure or portion of the structure wherein the pertaining use is conducted, or one half (2) square foot of sign for each front foot of the lot upon which the structure is located. The total sign area per commercial use may not exceed one hundred (100) square feet for each building frontage. The minimum sign area for occupancy need not be less than forty (40) square feet.
 - b. Building frontage to be used in calculating the permitted sign area shall include frontage whereon a public entrance to the occupancy is located. Separate calculations may be made for front, side and rear entrances and separate signs may be erected on each of these building frontages.
 - c. Signs shall not extend over a public sidewalk or right of way. All faces of signs mounted on or attached to a building shall be parallel to the face of the building except that "fin" type signs shall be permitted in connection with automobile service stations.
 - d. No blinking, flashing, rotating or animated signs shall be permitted on the exterior of any building in this District, except to display time, temperature, and weather information.
 - e. In cases where the store has a rear parking lot, signs may be located on the side or rear of the building and shall be developed to the same standards as are required in the front of said store, provided, however, that said signs shall not be lighted in such manner as to be disturbing to the abutting residential district and such lighting shall be terminated not later than 9:30 P.M.
 - f. Lights used to illuminate signs or advertising structures shall be so installed as to concentrate the illumination on the sign or advertising structure and so as to minimize glare upon a public street or adjacent property.
3. Signs may be placed on the roof of buildings but may not exceed the permitted building height in this district.

C-2 Zone District

The sign provisions of the "C 1" District above shall apply, with the following exception:

Free standing signs provided that one (1) free standing sign for each street frontage shall be allowed subject to the following regulation:

1. The sign shall contain thereon only the name of the buildings, occupants or groups thereof. Time, temperature, and weather information may also be included.
2. The sign shall not exceed one hundred fifty (150) square feet in area.
3. The sign shall not exceed thirty-five (35) feet in height.

C-3 Zone District**1. General Requirements**

- a.** No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, or which makes use of the words "STOP," "DANGER," or any other word, phrase, symbol of character in such manner as to interfere with, mislead or confuse traffic.
- b.** Signs shall not extend over a public sidewalk or right of way. All faces of signs mounted on, or attached to a building shall be parallel to the face of the building except that "fin" type signs shall be permitted in connection with automobile service stations.
- c.** Signs may be placed on the roofs of buildings but may not exceed the permitted building heights in this District.

2. Location, Height and Number

- a.** No sign shall be located within fifty (50) feet of the boundary line between a "C 3" District and a residential district, when such sign faces said residential district.
- b.** Free standing signs located within one hundred (100) feet of an abutting residential district, having a common property line with the C 3 District, shall not exceed the height limit of that residential district.
- c.** There shall be permitted one free standing sign for each one hundred fifty (150) feet of street frontage. Directional signs of less than four (4) feet in height shall not be subject to this limitation.
- d.** Free standing signs shall not block the motorists' view of another proprietor's free standing sign from a distance of two hundred (200) feet in either direction along the frontage.
- e.** The relationship of all proposed signs shall be established by the applicant's submittal of:
 - 1)** A plot plan showing the location of all existing free standing signs and the proposed sign's location.
 - 2)** Photographs of the proposed location taken from an approaching traffic lane at points two hundred (200) feet distant in each direction along the frontage.
 - 3)** A rendering of the proposed sign indicating coloring, height and dimensions.

2. Size - No requirements.
3. Lighting
 - a. No red, green or amber lights or illuminated signs may be placed in such positions that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
 - b. Lights used to illuminate signs shall be so installed as to concentrate the illumination on the sign and so as to minimize glare upon a public street or adjacent property.

C-4 Zone District

1. General Requirements

No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "DANGER," or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

2. Location

For signs within fifty (50) feet of a property line which is the boundary between a "C" District and a residential district, all the sign provisions of the "C 1" District shall apply.

3. Size

No regulations.

4. Lighting

- a. No red, green or amber lights or illuminated signs may be placed in such positions that they reasonably can be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
- b. Lights used to illuminate signs or advertising structures shall be so installed as to concentrate the illumination on the sign or advertising structure and so as to minimize glare upon a public street or adjacent property.

C-6 Zone District

1. General Requirements

No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "DANGER," or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

2. Location

No sign shall be located within fifty (50) feet of the boundary line between a "C-6" District and a residential district.

3. Size

No requirements.

4. Lighting

- a.** No red, green or amber lights or illuminated signs may be placed in such positions that they reasonably can be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
- b.** Lights used to illuminate signs or advertising structures shall be so installed as to concentrate the illumination on the sign or advertising structure and so as to minimize glare upon a public street or adjacent property.

RCC Zone District

1. General Requirements

No sign shall be erected at the intersection of the streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, it may interfere with, obstruct the vision of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words, "STOP," "DANGER," or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

2. Permitted Signs

- a.** Signs indicating the name and nature of the occupancy or the name and address of the building or the name and address of the owner. Time, temperature, and weather information may also be included. These signs shall be attached to the building in which the occupancy is located. All faces or signs mounted on or attached to a building shall be parallel to the face of the building except that "fin" type signs shall be permitted in connection with automobile service stations.
- b.** Such sign may not exceed one (1) square foot in area for each front foot of the

structure wherein the pertaining use is conducted, or one half (2) square foot of sign for each front foot of the lot upon which the structure is located. The total sign area per commercial use may not exceed one hundred (100) square feet, for each building frontage. The minimum sign area for occupancy need not be less than forty (40) square feet.

- c. "For Rent" or "For Sale" signs posted on the subject lot or building by the owner or his authorized agent. Said signs shall not exceed six (6) square feet in area and there shall be not more than two (2) such signs for any one (1) lot, building, or occupancy.
- d. Directional signs related to the location of buildings or activities on the property on which the signs are located. Each directional sign shall not exceed six (6) square feet in area.
- e. One free standing sign per lot subject to the following regulations:
 - (1) The sign shall contain thereon only the name of the buildings, occupants, or groups thereof. Time, temperature, and weather information may also be included.
 - (2) The sign shall not exceed one hundred (100) square feet of area.
 - (3) The sign shall not exceed twenty (20) feet in height.

3. Location

No requirements excepting that signs shall not extend over a public sidewalk or right of way.

4. Lighting

- a. No red, green, or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
- b. No blinking, flashing, rotating, or animated signs shall be permitted on the exterior of any building in the District, except to display time, temperature, and weather information.
- c. Lights used to illuminate signs shall be so installed as to concentrate the illumination on the sign so as to minimize glare upon a public street or adjacent property.

R-P Zone District

1. The following signs shall be permitted for non-residential uses.

- a. One (1) free standing sign subject to the following regulations:

-
- (1) The sign shall contain thereon only the name of the buildings, occupants, or groups thereof.
 - (2) The sign shall not exceed fifteen (15) square feet in area.
 - (3) The sign shall not exceed six (6) feet in height.
 - b. One (1) sign, attached to the face of the building, subject to the following regulations:
 - (1) The sign shall indicate only the name and address of the building or group of buildings, provided that, the sign may also contain the name of the occupant or groups thereof if a free standing sign is not located on the lot.
 - (2) The letter or numeral height shall not exceed one (1) foot.
 - c. Name plates not exceeding two (2) square feet in area. Name plates shall display only:
 - (1) The name of the occupant.
 - (2) Suite or office number.
 - (3) The nature of the services rendered upon the premises.
 - d. "For Rent" or "For Sale" signs posted on the subject lot or building by the owner or his authorized agent. Said signs shall not exceed six (6) square feet in area and there shall be not more than two (2) such signs for any one (1) lot, building or occupancy.
 2. The following regulations shall apply to all signs permitted in the R P District:
 - a. All faces of signs attached to a building shall be parallel to the face of the building.
 - b. No blinking, flashing, rotating or animated signs shall be permitted in the R P District.
 - c. Lights used to illuminate signs shall be so installed as to concentrate the illumination on the sign or advertising structure and so as to minimize glare upon a public street or adjacent property.
 - d. No sign shall be placed on the roof of any building or structure in the R P District.
 3. For other permitted uses, the sign provisions of the "R 1 A" District, Nos. 1, 2, 3, 4, and 5, shall apply.

Table 3-10-4 Industrial Signs

	Freestanding Pole	Freestanding Monument	Painted	Vertical (Projecting)	Flat	Marquee	(Off-Site Directional)	Institutional	Window Display	Name (also, Name Plates)	Real Estate and Subdivision	Identification	Agricultural	Temporary Off-Site Political
• permitted subject to standards below														
Industrial														
C-M	•	•	•	•	•	•	•	•	•	•	•	•	•	•
M-1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
M-2	•	•	•	•	•	•	•	•	•	•	•	•	•	•
M-3	•	•	•	•	•	•	•	•	•	•	•	•	•	•

Specific Industrial Sign Standards by District:**C-M Zone District**

The sign provisions of the "M 1" District below shall apply.

M-1 Zone District

Signs and advertising structures may be permitted in the "M-1" District under the conditions set forth in the following paragraphs:

1. General Requirements

No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the visions of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP" "DANGER" or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

2. Location

No sign shall be located within fifty (50) feet of the boundary line between an "M-1" District and a residential district when such sign or advertising structure faces said residential district.

3. Size

No requirements.

4. Lighting

- a. No red, green or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
- b. Lights used to illuminate signs or advertising structures shall be so installed as to concentrate the illumination on the sign or advertising structure and so as to minimize glare upon a public street or adjacent property.

M-2 Zone District

The sign provisions of the "M 1" District above shall apply.

M-3 Zone District

The sign provisions of the "M 1" District above shall apply except that advertising structures shall be limited seventy-five (75) feet in height.

Table 3-10-4 Special Purpose Zones

	Freestanding Pole	Freestanding Monument	Painted	Vertical (Projecting)	Flat	Marquee	(Off-Site Directional)	Institutional	Window Display	Name (also, Name Plates)	Real Estate and Subdivision	Identification	Agricultural	Temporary Off-Site Political
• permitted subject to standards below														
Special Purpose Zone														
O	•	•					•	•		•				•
P	•	•	•		•									•
R-C	•	•					•	•		•				•
R-E	•	•	•		•					•				•
RS	•	•	•		•									•
TPZ	•	•					•	•		•				•

Specific Sign Standards for Special Purpose Zones:

O Zone District

1. Signs shall be permitted subject to the following standards:
 - a. No sign shall endanger the health and safety by causing distractions to operators of motor vehicles on the streets or highways, nor shall any sign be designed and located so as to be confused with traffic signs and signals.
 - b. The sign shall advertise only the name of the operation, simple directions to its location, and slogan, if any.
 - c. The sign shall not exceed one hundred (100) square feet in area.
 - d. The sign shall be set back not less than five (5) feet from the street or highway

right of way.

- e. Signs shall not exceed the permitted building height in this district.
- f. Signs shall be located at intervals of not less than one half (2) mile, provided, however, that this shall not be so interpreted to prohibit neighboring property owners or lessees located at less than one half (2) mile intervals from erecting permitted signs on each property.

P Zone District

No sign, billboard or advertising structure, other than those referring to sponsorship, availability and charges for parking spaces, shall be permitted.

- 1. One (1) sign for each entrance to a parking facility shall be permitted provided that said sign shall not exceed one (1) square foot of area for each one (1) lineal foot of street frontage upon the subject lot, and further provided that no single sign shall exceed one hundred (100) square feet in area.
- 2. Exit signs, not to exceed six (6) square feet in area shall be permitted at each exit from said parking lot to any abutting street or alley.

R-C Zone District

The sign requirements of "O" District above shall apply.

R-E Zone District

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

Name signs shall display only the:
 - a. Name of the premises upon which it is displayed;
 - b. Name of the owner, lessee of said premises;
 - c. Address of said premises; and
 - d. Nature of occupation engaged in on said premises.
- 3. "For Rent" and "For Sale" signs shall be permitted. Not more than two (2) such signs, not exceeding a total of six (6) square feet in area, shall be permitted on any lot or parcel.

RS Zone District

1. General Requirements

No sign shall be erected at the intersection of any streets in such manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where it may interfere with, obstruct the vision of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words, "STOP," "DANGER," or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

2. Permitted Signs

- a.** Signs indicating the name and nature of the occupancy, the name and address of the building, or the name and address of the owner. Time, temperature, and weather information may also be included. These signs shall be attached to the building in which the occupancy is located.
- b.** "For Rent" or "For Sale" signs posted on the subject lot or building by the owner or his authorized agent. Said signs shall not exceed six (6) square feet in area and there shall be not more than two (2) such signs for any one (1) lot, building, or occupancy.
- c.** One free standing sign per lot, as provided for in this District, devoted to nonresidential uses subject to a Director Review and Approval and to the following regulations:
 - (1)** The sign shall contain thereon only the name of the buildings, occupants or groups thereof. Time, temperature, and weather information may also be included.
 - (2)** The sign shall not exceed one hundred (100) square feet of area.
 - (3)** The sign shall not exceed twenty (20) feet in height.
 - (4)** The sign shall not be within or extend to within five (5) feet of any property line nor to within fifty (50) feet of a residence on an abutting property.

3. Lighting

- a.** No red, green, or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device, traffic signal, or official directional guide sign.
- b.** No blinking, flashing, rotating or animated signs shall be permitted on the exterior of any building in the District, except to display time, temperature, or weather information.

- c. Lights used to illuminate signs shall be so installed as to concentrate the illumination on the sign so as to minimize glare upon a public street or adjacent property.

TPZ Zone District

The sign requirements of "O" District above shall apply.

Overlay/Combining Zones

Refer to specific sign standards in Chapter 818.2

830.3.110 – Nonconforming Signs

- A. **Amortization of nonconforming signs.** Nonconforming signs shall be removed or altered to be conforming as provided below.

1. Legal nonconforming on-site signs that are located in an agricultural or residential zone shall be removed from the site without any compensation (i.e., financial or otherwise) after the expiration of 15 years from the date the sign became nonconforming. Upon the expiration of the amortization period, the sign shall be an illegal use subject to immediate removal. Nonconforming on-site signs that are also illegal signs (i.e., never obtained the required permits) shall be removed immediately from the site without any compensation.
2. Legal nonconforming commercial signs and billboards existing at the time this Zoning Ordinance became effective may be continued, although the use does not conform with these provisions, provided these nonconforming signs and billboards and their supporting structures shall be completely removed by their owners, unless made to fully conform to the provisions of this Chapter, no later than five years following the effective date of this Zoning Ordinance.
3. Legal nonconforming off-site sign displays located in an area designated on the General Plan and designated as either agricultural or residential and located more than 660 feet from the edge of the right-of-way of a freeway or primary highway, that have copy not visible or intended to be read from the freeway or primary highway, shall be removed from the site without compensation in compliance with the following schedule. This amortization period shall commence upon receipt of written notice of nonconformance.

**Table 3-11
Fair Market Value and Amortization Period**

Fair Market Value on Date of Notice	Maximum Years Allowed
Under \$1,999	2.0
\$2,000 to \$3,999	4.5
\$4,000 to \$5,999	6.0
\$6,000 to \$7,999	7.5
\$8,000 to \$9,000	9.0
\$10,000 and over	10.5

4. The Building Official shall determine the fair market value in compliance with the latest material valuation schedules and send notice of the determined value to the owner. Disagreement over the value shall be resolved under the appeal procedures identified in this Zoning Ordinance. Upon the expiration of the appeal period, the sign shall be an illegal use, subject to immediate removal.
- B. Continuance of nonconforming signs.** A nonconforming sign may be continued and shall be maintained in good condition as required by these regulations, but it shall not be:
1. Structurally changed to another nonconforming sign, but its pictorial content may be changed;
 2. Structurally altered to prolong the life of the sign, except to meet safety requirements;
 3. Expanded or altered in a manner that increases the degree of nonconformity; or
 4. Reestablished after damage or destruction if the estimated cost of reconstruction exceeds 75 percent of the replacement cost as determined by the Building Official.
- C. New signs on sites with nonconforming signs.** No new sign shall be approved for a site, structure, or use that contains a nonconforming sign, unless the nonconforming sign is first removed or modified to fully conform to the provisions of this Chapter. No Building Permit shall be issued for any structures, expansions, or new construction on a site that contains nonconforming signs, unless all signs on the site are brought into compliance with this Chapter. This does not include interior alterations that do not substantially change the character or intensity of the site.
- D. Ordinary maintenance, painting and/or repair.** Nonconforming signs may only be maintained, painted, and/or repaired (i.e., repairs shall be limited to cosmetic enhancements/refinements but no structural alterations, unless required by the Building Official) in place and may not be removed from their existing location, except for remodeling of the structure to which the sign is attached or termination of the sign. See Subparagraph F. (Structure remodeling), below.
- E. Change of business ownership.** Upon a change of ownership, the new owner of a nonconforming sign may change a name(s) on the sign so long as there is no change in the structure or configuration of the sign.
- F. Structure remodeling.** Nonconforming signs may be removed for the purpose of remodeling the structure to which the sign is attached and shall be replaced immediately after the remodeling is completed. No alteration of the sign cabinet or sign structure is allowed.
- G. Hardship cases.**
1. Under cases of extreme hardship and unusual circumstances, the Commission shall

- have the authority to allow the retention of a legal nonconforming sign if the Commission specifically finds that extreme hardship and unusual circumstances exist. The proponent of the request shall have the burden of clearly demonstrating that an extreme hardship and unusual circumstance exists and warrants the retention of the nonconforming sign.
2. The Commission shall conduct a public hearing and shall find the following to be true before allowing retention of a legal nonconforming sign:
 - a. The site has a unique character or features that cause visibility problems;
 - b. The sign does not create a traffic hazard;
 - c. The sign does not create a visual blight to the community;
 - d. The sign does not adversely affect abutting properties;
 - e. The sign is properly maintained and structurally sound;
 - f. Other sign alternatives or designs would not be feasible or be able to provide reasonable signing in compliance with this Chapter; and
 - g. If the Commission finds that an extreme and unusual circumstance exists, but that the design or condition of the sign creates a visual blight, then the Commission may grant a relief from the amortization of the nonconforming sign with the condition that the sign be remodeled to improve the condition of the sign and/or to create a more aesthetic design.

830.3.110 – Commercial/Industrial/Warehousing Signs (per Tables 2-6 and 2-8)

A. Public Notification Signs for Designated Uses.

1. Signs shall be installed in public view with contact information for a local designated representative who works for the facility operator and who is designated to receive complaints about excessive dust, fumes, or odors, and truck and parking complaints for the site.
2. Signs shall include contact information for the SJVAPCD on-line complaint system and its complaint call-line.