

SECTION 822

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

The "R-1-A" and "R-1-AH" Districts are intended to provide for the development of single family residential homes at urban standards on lots not less than twenty thousand (20,000) square feet in area, not more than one (1) dwelling unit permitted on any lot.
(Amended by Ord. 490.45 adopted 7-9-68)

SECTION 822.1 - USES PERMITTED

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

- A. One family dwelling unit, not more than one (1) dwelling per lot.
- B. Accessory buildings, including garage.
- C. Private greenhouses and horticultural collections, flower and vegetable gardens.
- D. Orchards, vineyards, pasture crops, hay crops and row crops.
- E. Poultry raising (limited to hens only) rabbits or similar small fur-bearing animals not to exceed twenty-four (24) of any kind or combination thereof for domestic purposes only.
- F. Horses may be maintained for personal use in the "R-1-AH" District upon an area not less than twenty thousand (20,000) square feet in area in a number not to exceed two (2) animals, with their off-spring less than one (1) year of age. An additional horse may be permitted for each additional twenty thousand (20,000) square feet of lot area, provided that the total number shall not in any case, exceed four (4) horses.
(Amended by Ord. 490.46 adopted 8-31-68)
- G. Storage of petroleum products only for use of the occupants of the premises, but not for resale or distribution.
- H. Home Occupations, Class I, subject to the provisions of Section 855-N.
(Amended by Ord. T-288 adopted 2-25-86)
- I. Signs, subject to the provisions of Section 822.5-K.
- J. House trailer parking, subject to the provisions of Section 855-I.1.
- K. Temporary tract offices and model homes, in the tract being developed.
(Added by Ord. 490.39 adopted 12-5-67)
- L. Day nursery - small.
(Amended by Ord. 490.188 adopted 10-29-79)

SECTION 822.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

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

- A. Day nursery - large.

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

- B. Microwave relay structures.
- C. Public moderate intensity parks and playgrounds.
(Amended by Ord. 490.175 re-adopted 5-29-79)
- D. Public schools.
- E. Sales of agricultural products produced upon the property.
- F. Temporary construction materials storage yards in the tract being developed.
- G. Temporary or permanent telephone booths.
- H. Water pump stations.
- I. Home Occupations, Class II, subject to the provisions of Section 855-N.
(Added by Ord. T-288 adopted 2-25-86)
- J. Off-site directional signs for major recreational uses, hospitals and colleges subject to the criteria set forth in Section 855-K.
(Added by Ord. 490.105 adopted 4-22-75)
- K. Swimming lessons - small group, subject to the provisions of Section 855-N.
- L. Second dwelling units, not more than one per lot, subject to the provisions of Section 855-N.
(Added by Ord. T-269 adopted 5-24-83)
- M. Single mobile home occupancy, subject to the provisions of Section 856.
(Added by Ord. T-271 adopted 12-1-87)
- N. Yard setback reduction for energy conservation purposes on single lots, subject to the provisions of Section 855-N.
(Added by Ord. T-266 adopted 9-6-83)

SECTION 822.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

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

- A. Churches and parochial schools.
- B. Country clubs and golf courses.
- C. Day nursery - institutional.
(Amended by Ord. 490.188 adopted 10-29-79)
- D. Private schools.
- E. Public libraries.
- F. Subdivision signs (off-site) subject to the conditions of Section 822.5-K.4.
- G. Electric distribution substations.

- H. Swimming lessons - large group, subject to the provisions of Section 855-N.
- I. Public, high intensity parks.
(Added by Ord. 490.175 readopted 5-29-79)
- J. Yard setback reduction or lot dimension modifications for energy conservation purposes on multiple lots, subject to the provisions of Section 855-N.
(Added by Ord. T-266 adopted 9-6-83)
- K. Private roads, as specified in the Fresno County Improvement Standards and the provisions of Section 855-N.
(Added by Ord. T-266 adopted 9-6-83)

SECTION 822.4 - USES EXPRESSLY PROHIBITED

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

- A. Multiple family residential uses, except as permitted by Section 822.2.
- B. Commercial uses.
- C. Industrial uses.
- D. Agricultural uses not specifically listed as permitted.
- E. Advertising structures.
(Amended by Ord. 490.45 adopted 7-9-68)

SECTION 822.5 - PROPERTY DEVELOPMENT STANDARDS

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

A. LOT AREA

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

B. LOT DIMENSIONS

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

1. Width

- a. Interior lots shall have a minimum width of one hundred ten (110) feet.
- b. Corner lots shall have a minimum width of one hundred ten (110) feet.
- c. Reversed corner lots shall have a minimum width of one hundred ten (110) feet.

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

2. Depth

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

C. POPULATION DENSITY

The provisions of Section 822.1 and 822.2 shall apply.

D. BUILDING HEIGHT

- 1. No main building or structure erected in this District shall exceed thirty-five (35) feet in height.
(Amended by Ord. T-080-355, adopted 12-5-06)
- 2. No accessory building erected in this District shall have a height greater than one (1) story, not to exceed twelve (12) feet, to plate height.
- 3. Exceptions:

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

a. Roof Structures

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

E. YARDS

1. General Yard Requirements

- a. All required yards shall be extended the full width or depth of the lot and shall be open from the ground to the sky, except as hereinafter provided.
(Amended by Ord. 490.169 re-adopted 4-24-79)
- b. Aggregate area of accessory buildings permitted in required yards on any one lot shall not exceed five hundred (500) square feet except that additional area may be approved subject to Director Review and Approval Procedure of Section 872.
(Added by Ord. 490.169 re-adopted 4-24-79)
- c. No main building shall be erected within fifty (50) feet of the right-of-way of any railroad or freeway.
- d. Swimming Pools
 - (1) Swimming pools shall not be located in any required front yard or side yard and its projection to the rear property line when abutting a street.
 - (2) Swimming pools shall not be located within five (5) feet of any required front yard setback or within five (5) feet of any required side yard setback and its projection to the rear property line when abutting a street.
 - (3) Swimming pools may be located in any required interior side yard and rear yard provided a space of not less than five (5) feet is maintained from the side and rear property lines.

(For swimming pool enclosure requirements see "Fences, Hedges, and Walls." Section 855-H.2).
- e. Garages or carports shall be located not less than twenty (20) feet from any street frontage where the garage door or carport opening faces the street. Where yard requirements pose a greater setback, such setback shall apply.

2. Front Yard

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

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

 - (1) Is located not less than five (5) feet from the front line, and

- (2) Shall have no doorways or other openings equipped in such a manner that when open or being opened will project beyond said front lot line.

d. Partially Built-up Blocks

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

e. Neighborhood Unit Plans

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

3. Side Yard

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

b. Hillside Lots

In hillside areas where all the following conditions exist:

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

c. Corner Lots

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

d. Reversed Corner Lots

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

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

e. Accessory Buildings in Side Yard

- (1) Any accessory building located less than eighty-five (85) feet from the front property line shall have the same minimum side yard as that required for the main building, regardless of whether or not said accessory building is attached to the main building.
- (2) An accessory building may be located on a side property line when said building is located eighty-five (85) feet or more from the front property line, except that no structure shall be permitted in a required yard which abuts a street.
(Amended by Ord. 490.169 re-adopted 4-24-79)
- (3) An accessory building having an opening on an alley shall be located not less than twenty-five (25) feet from the opposite side of the alley; provided, however, that no such accessory building shall be located less than five (5) feet from the property line.
- (4) Any accessory building permitted on a side property line shall have provisions for all roof drainage to be taken care of on the subject lot.

f. Main Building Abutting Alley

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

4. Rear Yard

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

b. Hillside Lots

In hillside areas where all the following conditions occur:

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

c. Accessory Buildings

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

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

- (1) Any accessory building may be located on the rear property line when said building is not abutting an existing alley and is not located on an easement, except that the required setback for accessory structures on reversed corner lots shall be not less than the required side yard for the District.
(Amended by Ord. 490.169 re-adopted 4-24-79)
- (2) An accessory building having an opening on an alley shall be located not less than the twenty-five (25) feet from the opposite side of the alley, or not less than five (5) feet from the property line.
- (3) Any accessory building permitted on a rear property line shall have provisions for all roof drainage to be taken care of on the subject lot.
- (4) Where any building or structure, except swimming or wading pools, occupies space in a required rear yard, the amount of space so occupied shall be provided elsewhere on the lot, exclusive of required yard areas. Said substitute space shall have minimum dimensions of eight (8) feet by eight (8) feet.

5. Exceptions: Permitted Projections Into Required Yards

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

F. SPACE BETWEEN BUILDINGS

The minimum distance between buildings shall be as follows:

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

upon irrigated pasture in the above mentioned side and rear yards.
(Amended by Ord. T-254 adopted 4-27-81)

G. LOT COVERAGE

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

H. FENCES, HEDGES AND WALLS

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

1. Required Fences and Walls

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

b. Swimming Pools

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

2. Corner Cut-Off Area

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

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

alley. The cut-off lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the alley where it intersects the street or alley right-of-way.

- d. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, said corner cut-off shall be defined by a line drawn from a point on the front (or rear) property line that is not less than thirty (30) feet from the intersection of the side and front (or rear) property lines and through a point on the side property line that is not less than thirty (30) feet from said intersection of the side and front (or rear) property lines.

3. Permitted Fences, Hedges and Walls

- a. Fences, hedges and walls, not greater than six (6) feet in height, shall be permitted on or within all rear and side property lines on interior lots and on or to the rear of all front yard setback lines.
- b. No fence, wall or hedge over three (3) feet in height shall be permitted in any required front yard, or in the required side yard on the street side of a reversed corner lot.
- c. Fences or structures over six (6) feet in height to enclose tennis courts or other game areas shall be permitted to the rear of the required front yard subject to Director Review and Approval. The review shall include consideration of the effects of mass, noise, and lighting upon surrounding residences.
(Amended by Ord. 490.187 adopted 9-24-79)

I. OFF-STREET PARKING

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

1. For Residential Uses

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

b. Hillside Lots

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

2. For Uses Permitted by Conditional Use Permit

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

J. ACCESS

1. There shall be vehicular access from a dedicated and improved street, recognized private road or alley to off-street parking facilities on the property requiring off-street parking.
2. There shall be pedestrian access from a dedicated and improved street or recognized private road to property used for residential purposes.
3. There shall be an adequate turning area on lots facing on and having access to major and secondary streets shown on the Circulation Element of the General Plan to permit motor vehicles to head into the street.
(Amended by Ord. 490.169 adopted 3-5-79)
4. If vehicular access is by way of a driveway parallel with a side lot line, there shall be an access way of ten (10) feet from the street or alley to the building site, said way to be for both pedestrian and vehicular access.

K. OUTDOOR ADVERTISING

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

1. Name Plates

Name plates shall be permitted subject to the following conditions:

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

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

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

"For Rent" and "For Sale" signs shall be permitted. Not more than two (2) such signs, not exceeding a total of six (6) square feet in area, shall be permitted on any lot or parcel.
(Added by Ord. 490.32 adopted 12-13-66; amended by Ord. 490.45 adopted 7-9-68)

3. Subdivision Signs - On Site

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

- (3) The signs shall be located on the premises which they advertise.
 - (4) No sign shall exceed four hundred eighty (480) square feet in area.
 - (5) Not more than two (2) such signs shall be permitted in any subdivision under forty (40) acres in size. In subdivisions involving more than forty (40) acres, one (1) additional sign shall be permitted for each additional twenty (20) acres.
- b. Identification signs containing the tract name are permitted, provided there shall be no more than one (1) such sign for each three (3) lots. Said signs shall not exceed four (4) square feet in area.
 - c. Signs are permitted on the same lot with a model home provided they do not exceed four (4) in number and ten (10) square feet each in area. Said signs shall be removed after the developer concludes the initial sales of the lots or homes to their initial owners.
(Amended by Ord. 490.169 adopted 3-5-79)

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

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

- a. The sign shall not exceed one hundred sixty (160) square feet in area.
- b. The sign shall be set back not less than eight (8) feet from the front property line.
- c. The sign shall be not less than six (6) nor more than eighteen (18) feet above the crown of the nearest adjacent road or the higher of the two crowns of two adjacent roads.
(Amended by Ord. 490.169 adopted 3-5-79)

5. Temporary Off-Site Open Houses Signs

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

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