

SECTION 816

"AE" EXCLUSIVE AGRICULTURAL DISTRICT

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

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

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

SECTION 816.1 - USES PERMITTED

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

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

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

1. The manufacturing, maintenance, repair, servicing, storage, sale or rental of agricultural machinery, implements and equipment of all kinds.
 2. The manufacture, storage or sale of farm supplies of all kinds, including but not limited to fertilizers, agricultural minerals and insecticides.
 3. The transportation of agricultural products, supplies or equipment together with the maintenance, storage, repair and servicing of the necessary trucks and equipment therefor.
 4. Horticultural and landscaping services, when operated in conjunction with horticultural nurseries.
(Added by Ord. 490.65 adopted 8-4-70)
- H. Farmworker Housing Complexes subject to the provisions of 855-O. (Amended by Ord. T-803-371 adopted 12-8-15)
- I. The use, storage, repair and maintenance of tractors, scrapers, and land leveling and development equipment when operated in conjunction with, or as part of, a bona fide agricultural operation.
(Amended by Ord. 490.117 adopted 10-5-76)
- J. Apiaries and honey extraction plants subject to the provisions of Section 855-N.
- K. Signs, subject to the provisions of Section 816.5-K.
- L. Temporary or permanent telephone booths.
- M. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.
- N. Trailer house occupancy consisting of one or more trailers, subject to the provisions of Section 856 and 816.1-C.
(Amended by Ord. 490.18 adopted 12-29-64; Ord. 490.81 adopted 10-24-72)
- O. Breeding and personal kennels.
(Added by Ord. 490.36 adopted 7-25-67)
- P. Historic and monument sites.
(Added by Ord. 490.117 adopted 10-5-76)
- Q. Water-well drilling or pump installation service.
(Added by Ord. 490.117 adopted 10-5-76; amended by Ord. 490.157 adopted 9-19-78)
- R. Welding and blacksmith shops and farm equipment and machinery sales, rental storage, and maintenance facilities when in conjunction with welding and blacksmith shops.
(Added by Ord. 490.117 adopted 10-5-76)

- S. Value-added agricultural uses and facilities subject to the provisions of Section 855-N.32 and Section 874.
(Added by Ord. T-077-352, adopted 3-2-04)
- T. Agricultural tourism uses subject to the provisions of Section 855-N.
(Added by Ord. T-078-353, adopted 12-7-04)
- U. Temporary Mill/Chipping Facilities subject to the provisions of Section 855-N.34.5. (Added by Ord. No. T-092-373 adopted 8-23-2016)
- V. Farmworker Dwelling Units subject to the provisions of 855-O. (Added by Ord. T-803-371 adopted 12-8-15)
- W. Temporary Farmworker Housing subject to the provisions of 855-O. (Added by Ord. T-803-371 adopted 12-8-15)
- X. Wholesale Limited Winery subject to the provisions of Section 855-N (Added by Ord. T-093-377 adopted 6-12-18)
- Y. Micro Winery subject to the provisions of Section 855-N (Added by Ord. T-093-377 adopted 6-12-18)
- Z. Minor Winery subject to the provisions of Section 855-N (Added by Ord. T-093-377 adopted 6-12-18)

SECTION 816.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

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

- A. Churches, parsonages and other religious institutions.
- B. Commercial stables and riding academies.
- C. Communications equipment buildings and microwave relay structures.
- D. Electrical transmission substations and electric distribution substations.
- E. Commercial specialty animal raising, including fish, fur-bearing animals, wild or undomesticated animals, amphibians, insects and birds for products, numerical increase, or, value increase.
(Amended by Ord. 490.117 adopted 10-5-76)
- F. Wineries and distilleries – Small, subject to the provisions of 855-N.
(Added by Ord. T-075 adopted 3-25-03)
- G. Philanthropic and eleemosynary institutions where agriculture is carried on to a substantial degree.
- H. Public schools, private or parochial schools of an elementary or secondary level, colleges, and day nursery large.
(Amended by Ord. 490.188 adopted 10-29-79)
- I. Public buildings and yards, fire stations.

- J. Sale of food products produced off the premises provided that the sale of such products is incidental and secondary to the sale of agricultural products produced upon the premises when not authorized under Section 816.1-S.
(Added by Ord. 490.2 adopted 7-25-61, amended by Ord. T-077-352, adopted 3-2-04)
- K. Veterinarian offices and animal hospitals.
(Amended by Ord. 490.195 adopted 2-26-80)
- L. All uses listed in Section 816.1, except as provided in Subsection B thereof, located within an Interstate Interchange Impact Area identified in Section 816.7.
(Added by Ord. 490.95 adopted 11-27-73)
- M. Home Occupations, Class II, subject to the provisions of Section 855-N.
(Added by Ord. T-288 adopted 2-25-86)
- N. Off-site directional signs for major recreational uses, hospitals and colleges subject to the criteria set forth in Section 855-K.
(Added by Ord. 490.105 adopted 4-22-75)
- O. Farm labor contractor services.
(Added by Ord. 490.117 adopted 10-5-76)
- P. Antique sales.
(Added by Ord. 490.117 adopted 10-5-76)
- Q. The maintenance and storage of agricultural equipment designed to be used solely for the harvesting of crops, which equipment must be located by the owner thereof upon his own premises when not operated as a secondary occupation in conjunction with, or as part of, a bona fide agricultural operation.
(Added by Ord. 490.117 adopted 10-5-76)
- R. Commercial land leveling and development establishments when they are not operated in conjunction with, or as part of, a bona fide agricultural operation.
(Added by Ord. 490.117 adopted 10-5-76)
- S. Commercial crop planting, cultivating, and soil preparation service establishments when they are not operated in conjunction with, or as part of, a bona fide agricultural operation.
(Added by Ord. 490.117 adopted 10-5-76)
- T. The maintenance and storage of trucks and trailers, when such vehicles are devoted exclusively to the transportation of agricultural products, supplies, and equipment.
(Added by Ord. 490.117 adopted 10-5-76)
- U. Temporary mobilehome occupancy subject to the provisions of Section 856 A.1.b.
(Added by Ord. 490.145 adopted 2-14-78; amended by Ord. 490.194 adopted 1-28-80)
- V. Dog grooming in conjunction with a single-family residence limited to a maximum of eight dogs per day.
(Added by Ord. 490.146 adopted 2-28-78)
- W. Second dwelling units, subject to the provisions of Section 855-N.
(Added by Ord. T-269 adopted 5-24-83; amended by Ord. T-280 adopted 12-18-84)

- X. The maintaining, breeding, and raising of poultry of all kinds, when not permitted by 816.1-B.
(Added by Ord. T-038-306 adopted 5-22-90)
- Y. Existing facilities intended for the commercial storage of agricultural products, equipment, and supplies where such activity is not conducted as a secondary occupation in conjunction with, or part off, a bona side agricultural operation provided that such facilities were legally established with building permits prior to the adoption of this ordinance section.
(Added by Ord. T-057-326 adopted 6-4-96)
- Z. Agricultural tourism uses that are not authorized under Section 816.S.
(Added by Ord. T-078-353 adopted 12-7-04)
- AA. Commercial cattle dairies and feedlot facilities, subject to the provisions of Section 869.
(Added by Ord. T-082-358 adopted 10-23-07)

SECTION 816.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

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

- A. Value added agricultural uses and facilities that are not authorized under Section 816.1-S. This section may also include ancillary uses and facilities that are operated in association with a value-added agricultural processing facility.
(Amended by Ord. 490.155 adopted 9-5-78; Ord. 490.161 adopted 10-2-78; Ord. 490.179 re-adopted 6-26-79, amended by Ord. T-077-352 adopted 3-2-04)
- B. Commercial stock feeding yards and feed lots when not operated as a secondary occupation in connection with, or as part of, a bona fide agricultural operation.
- C. Community auction and sale yards for sale of farm animals, products, implements, supplies, or equipment.
- D. Guest ranches.
- E. Temporary and permanent farm labor camps that are not carried on as a secondary function in conjunction with a bonafide agricultural operation.
(Amended by Ord. 490.31 adopted 10-11-66)
- F. The sale of beer to be consumed off the premises in conjunction with and secondary to a permanent roadside stand for the sale of agricultural products; that the percentage of beer sales to total roadside stand sales shall be determined as a condition to the Conditional Use Permit.
(Added by Ord. 490.142 adopted 12-6-77)
- G. Private use airports, heliports and crop dusting strips.
(Amended by Ord. 490.161 adopted 10-2-78)
- H. Sewage disposal and treatment plants.
- I. Commercial establishments for the processing, storage, sale, and off-site application of agricultural chemicals, including but not limited to fertilizers, insecticides (flammable and inflammable types) and pesticides.
(Added by Ord. 490.35 adopted 5-16-67)

- J. Boarding and training kennels.
(Added by Ord. 490.36 adopted 7-25-67)
- K. Horticultural and landscaping services in conjunction with horticultural nurseries, when carried on as a primary use of the property.
(Added by Ord. 490.65 adopted 8-4-70)
- L. Off-road vehicle areas consisting of recreational facilities for the driving, testing and racing of motorcycles, trail bikes, 4-wheel drive vehicles, or similar vehicles which are principally designed or commonly used for off-highway recreation purposes. Features of such sites may include hill climb areas, race courses, or motor-cross/auto-cross. Such sites shall not be located on land which is productive or potentially productive agricultural land as defined in the General Plan.
(Added by Ord. 490.107 adopted 9-8-75; amended by Ord. 490.125 adopted 12-7-76; and Ord. T-275 adopted 4-24-84)
- M. Swine, sheep, or goat feed lots or yards.
- N. Liquefied petroleum gas distribution and storage, retail.
(Amended by Ord. 490.179 adopted 6-26-79)
- O. Feed and farm supply sales.
- P. Farm equipment and machinery sales, rental, storage, and maintenance.
- Q. Irrigation systems administrative offices.
- R. Building materials sales.
- S. Racetracks for non-motorized and motorized vehicles including bicycles, motorcycles, automobiles, and similar vehicles when conducted on land which is not productive or potentially productive agricultural land as defined in the General Plan. Off-road vehicle areas are excluded.
(Added by Ord. No. 490.125 adopted 12-7-76; amended by Ord. No. T-275 adopted 4-24-84)
- T. Swim schools operated in conjunction with a single-family residence with a maximum of fifteen (15) students at one time.
(Added by Ord. 490.143 adopted 1-24-78)
- U. Off-site rock, sand, and gravel trucking operations which may include a newly created parcel size of not less than five acres (See Section 816.5-A.4) on sites located outside the Sphere of Influence of any City or community and not located on productive agricultural land as defined in Section 204-02:3.02a of the General Plan.
(Amended by Ord. No. T-240 adopted 8-17-81; amended by Ord. No. T-033-299 adopted 6-7-88)
- V. Agricultural Commercial center development subject to the provisions of Section 867.
(Added by Ord. T-034-297 adopted 9-20-88)
- W. Assembly of equipment for the post-harvest processing of agricultural products provided such equipment is sold directly to the farmer or processor.
(Added by Ord. T-044-312 adopted 6-30-92)
- X. Commercial cattle dairies and feedlot facilities, subject to the provisions of Section 869.

(Added by Ord. T-082-358, adopted 10-23-07)

(Section 816.3 amended by Ord. T-077-352, adopted 3-2-04)

SECTION 816.4 - USES EXPRESSLY PROHIBITED

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

- A. All manufacturing, service, and commercial uses not specifically permitted in Sections 816.1, 816.2, 816.3, 860, and 867.
(Amended by Ord. 490.60 adopted 4-28-70; amended by Ord. T-034-297 adopted 9-20-88)
- B. Advertising structures, except freestanding signs for produce stands.
(Amended by Ord. 490.202 adopted 5-20-80)
- C. Art, craft, music, or dancing schools or businesses, professional or trade schools or colleges.
- D. Columbaria, crematoriums, and mausoleums.
(Amended by Ord. 490.117 adopted 10-5-76)
- E. Residential subdivisions.
- F. Truck yards, terminals or facilities unless devoted exclusively to the transportation of agricultural products, supplies and equipment.
- G. Sawmills, pulp mills, and similar establishments for the processing of logs, wood, and lumber.
- H. Any use that utilizes coal, coke, or other coal-based fuel as an industrial fuel source, excluding blacksmith shops.
(Amended by Ord. T-039-307 adopted 2-26-91)

SECTION 816.5 - PROPERTY DEVELOPMENT STANDARDS

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

A. LOT AREA

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

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

2. The creation of homesites less than the minimum acreage indicated by the District acreage designation, but not greater than 2.5 gross acres (5 gross acres in the Sierra-North and Sierra-South Regional Plan areas designated Eastside Rangeland) may be permitted in the Exclusive Agricultural Zone District, excluding the AE-5 Zone District, subject to the following criteria:

(Amended by Ord. 490.172 adopted 4-24-79)

- a. The minimum lot size shall be 60,000 square feet of gross area (two (2) acres in the Sierra-North and Sierra-South Regional Plan areas) as measured from the center of any abutting roadway, stream, railroad, or other public right-of-way forming a boundary line, except that a lesser area shall be permitted when the owner submits evidence satisfactory to the Health Officer that the soils meet the California Regional Water Quality Control Board guidelines for liquid waste disposal, but in no event shall the lot be less than one (1) gross acre; and

- b. One of the following conditions exists:

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

- (4) Outside of the Sierra-North and Sierra-South Regional Plan areas, a homesite is to be retained from an existing lot of less than fifteen (15) acres with the remaining acreage to be added to an abutting lot, which with the addition will have a total lot size of at least fifteen (15) acres, and is to be used for agricultural purposes, or
 - (5) The lot to be created is intended as a life estate.
 - (6) In the Sierra-North and Sierra-South Regional Plan areas the present owner owned the property at the time of Plan adoption (May 4, 1982, for Sierra-North, September 25, 1984 for Sierra-South), and wishes to retain his homesite and sell the remaining acreage for agricultural purposes where the acreage exceeded 15 acres.
- c. Each homesite created pursuant to Section 816.5-A.2b(2)(3)(4) and (6) shall be subject to execution of a Declaration of Intent and Acknowledgement of Penalty for Unlawful Conveyance.
(Added by Ord. T-067-338 adopted 6-26-01)
 - d. Creation of homesites listed above excepting those for financing purposes or life estates shall not be permitted in addition to the divisions permitted pursuant to Section 855A-5.c. and 855A-6.b.

(Sec. 816.5-A.2 added by Ord. 490.117 adopted 10-5-76; amended by Ord. T-265 adopted 11-16-82; Ord. T-025-281 adopted 6-25-85; Ord. T-067-338 adopted 6-26-01)

- 3. The creation of lots less than the minimum parcel size of the zone district, but not less than five (5) acres, may be considered as a part of the Conditional Use Permit for off-site rock, sand, and gravel trucking operations.
(Amended by Ord. 490.198 adopted 4-21-80; Ord. No. T-033-299 adopted 6-7-88; and Ord. T-067-338 adopted 6-26-01)
- 4. All parcels approved for creation through the former Agricultural Assessment process shall be deemed conforming and all legally created parcels shall not merge.
(Added by Ord. T-275 adopted 4-24-84)
- 5. Despite any other provision of this Division, all parcels not in compliance with 816.5-A.2b shown on map applications accepted for processing prior to the effective date of this provision (August 1, 2001), shall upon subsequent recordation of the map and/or certificate be deemed conforming.
(Added by Ord. T-067-338 adopted 6-26-01)

B. LOT DIMENSIONS

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

C. POPULATION DENSITY

1. Not more than one (1) residence may be constructed or placed upon a parcel of land which is less than five (5) acres in size in the AE-5 District, less than twenty (20) acres in size in the AE-20 District, and less than forty (40) acres in size in the AE-40 District through the AE-640 District, except that one of the following may be permitted:
(Added by Ord. T-067-338 adopted 6-26-01)
 - a. A temporary mobilehome, subject to the provisions of Section 816.2.
 - b. A second dwelling unit, subject to the provisions of Section 816.2.
(Amended by Ord. T-269 adopted 5-24-83)
 - c. Residential uses subject to the provisions of Section 867.
(Added by Ord. T-034-297 adopted 9-20-88)
2. Not more than one (1) additional residence may be constructed or placed upon a parcel of land for each five (5) acres in excess of five (5) acres in the AE-5 District, each twenty (20) acres in excess of twenty (20) acres in the AE-20 District, and each forty (40) acres in excess of forty (40) acres in the AE-40 through the AE-640 District.
(Added by Ord. T-067-338 adopted 6-26-01)
3. Each homesite created pursuant to Section 816.5-A.2b (2) shall reduce by one (1) the number of residential units otherwise authorized on the remainder parcel created from the original parcel. The remainder parcel shall be entitled to no less than one residential unit.
(Added by Ord. T-067-338 adopted 6-26-01)
4. Despite any other provision of this Division, all residences authorized for construction for which an application was accepted for processing prior to the effective date of this provision (August 1, 2001) that exceed the density standards herein, shall be deemed conforming and not subject to the provisions of Section 876 (Nonconforming buildings and Uses).
(Added by Ord. T-067-338 adopted 6-26-01)

D. BUILDING HEIGHT

No building or structure erected in this District shall exceed thirty-five feet (35) feet in height.
(Amended by Ord. T-243 adopted 7-28-80, re-amended by Ord. T-080-355, adopted 12-5-06)

E. YARDS

1. General Yard Requirements

- a. All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky, except as provided for below.
- b. Swimming Pools
 - (1) Swimming pools shall not be located in any required front yard or side yard and its projection to the rear property line when abutting a street.

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

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

2. Front Yard

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

3. Side Yard

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

- b. Corner Lots

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

- c. Accessory Buildings In Side Yards

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

4. Rear Yard

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

5. Exceptions: Permitted Projections Into Required Yards

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

F. SPACE BETWEEN BUILDINGS

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

G. LOT COVERAGE

No requirements.

H. FENCES HEDGES AND WALLS

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

I. OFF-STREET PARKING

1. For value-added agricultural and agricultural tourism uses and facilities involving retail sales, there shall be at least two (2) square feet of off-street parking area for each one (1) square foot of retail floor space, or fraction thereof.
(Added by Ord. T-078-353, adopted 12-7-04)
2. The provision of the General Standards, Section 855-I shall apply.
(Added by Ord. T-077-352, adopted 3-2-04)
3. Parking associated with all agricultural tourism special event activities shall be provided on-site, meet the State requirements for the disabled, improved with an acceptable dust palliative and stabilized to reduce particulate emissions in accordance with all County and San Joaquin Valley Air Pollution Control District Standards.
(Added by Ord. T-078-353, adopted 12-7-04)

J. ACCESS

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

K. OUTDOOR ADVERTISING

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

Name signs shall display only the:
 - (1) Name of the premises upon which it is displayed;
 - (2) Name of the owner, lessee of said premises;
 - (3) Address of said premises;

- (4) Nature of the occupation engaged in on said premises.
3. "For Rent" and "For Sale" signs shall be permitted.
4. Signs for institutional uses including churches, hospitals, rest homes, private clubs and similar uses shall be permitted subject to the provisions of Section 855-K.
5. Off-site directional signs for major recreational uses, hospitals, and colleges permitted under Section 816.2 shall be subject to the provisions of Section 855-K.
6. Off-site freestanding signs for produce stands and agricultural tourism uses shall be permitted subject to the following conditions:
(Amended by Ord. T-078-353, adopted 12-7-04)
 - a. Produce stand and agricultural tourism directional signs:
(Amended by Ord. T-078-353, adopted 12-7-04)
 - (1) The number of such signs shall be limited to two per each use, excepting that stands located on properties adjacent to intersections shall be permitted a maximum of four such signs.
 - (2) Each sign shall not exceed forty (40) square feet in area, exclusive of architectural features. The sign shall not exceed twelve (12) feet in height.
 - (3) Each sign shall contain only the name and address of the produce stand or agricultural tourism use, a directional arrow, approximate distance to the produce stand or agricultural tourism use, and listing of the produce available for sale, not including the prices thereof.
(Amended by Ord. T-078-353, adopted 12-7-04)
 - (4) Internally illuminated or floodlighted signs shall be prohibited, but reflective materials may be used.
 - (5) The signs shall be located within 2,500 feet of the produce stand structure or agricultural tourism use.
(Amended by Ord. T-078-353, adopted 12-7-04)
 - (6) Each sign shall be located a minimum of ten (10) feet from the paved portion of the adjacent road and outside of the public road right-of-way. In no instance shall signs be located within required rear or interior side yards.
 - (7) Such signs shall be prohibited in corner cut-off areas, the location of which are described in Section 822.5-H.2. For purposes of establishing corner cut-off areas, the property line shall be considered to be not less than thirty (30) feet from the centerline of the adjacent roadway.
 - (8) Before any sign is erected on any parcel in this District, a Site Plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874.

(Added by Ord. T-078-353, adopted 12-7-04)

- b. Temporary Produce Stand Approach Signs:

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

L. LOADING

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

SECTION 816.6 - PERMITS REQUIRED

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

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

SECTION 816.7 – INTERSTATE INTERCHANGE IMPACT AREAS

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

A. Nees Avenue Highway Interchange Plan Area.

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

B. Panoche Road Highway Interchange Plan Area.

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

C. Derrick Avenue Highway Interchange Plan Area.

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

D. Dorris Avenue Highway Interchange Plan Area.

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

E. Jayne Avenue Highway Interchange Plan Area.

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

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

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

F. Lassen Avenue Highway Interchange Plan Area

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

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

G. Manning Avenue Highway Interchange Plan Area

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

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