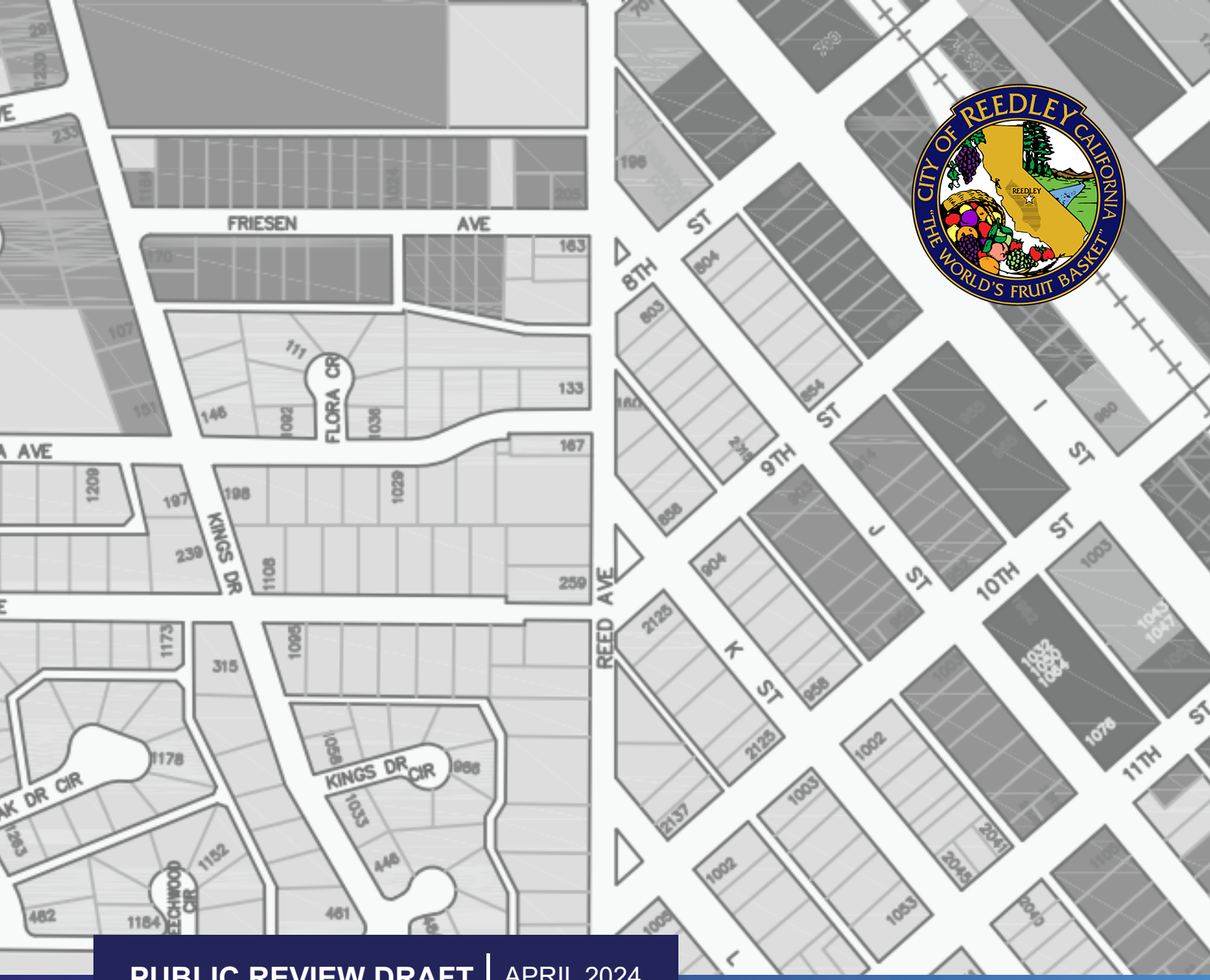


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TITLE 10
ZONING CODE

PREPARED BY:
mintierharnish
Planning Tomorrow Today®

PREPARED FOR:
City of Reedley
Community Development Department
1733 9th Street
Reedley, California 93654

mintierharnish
Planning Tomorrow Today®

CITY OF REEDLEY CALIFORNIA
"THE WORLD'S FRUIT BASKET"

Public Review Draft | April 2024

TITLE 10
ZONING CODE

City of Reedley

Prepared for:

City of Reedley
Community Development Department
1733 9th Street
Reedley, California 93654

Prepared by:

Mintier Harnish
1414 20th Street
Sacramento, California 95811
(916) 446-0522
FAX (916) 446-7520
office@mintierharnish.com
www.mintierharnish.com

mintierharnish
Planning Tomorrow Today®

Title 10 – Zoning Code

PUBLIC REVIEW DRAFT

April 2024

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Article 1 – Enactment and Applicability

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Chapter 10.02

Purpose and Applicability of the Zoning Code

Chapter 10.02 Purpose and Applicability of the Zoning Code

10.02.010 Title

Title 10 of the Reedley City Code, containing the City of Reedley's zoning regulations, shall be known as the "Reedley Zoning Code", herein referred to as the "Zoning Code." [Source: 10-1-1, modified]

10.02.020 Adoption

A. Authority. This Zoning Code is enacted based on the authority vested in the city by the state of California, including but not limited to the Constitution of the state of California; Planning and Zoning Law (Government Code Sections 65000 et seq.); and the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.). [Source: NEW]

B. Enactment. This Zoning Code shall take effect 30 days after its passage, and before the expiration of 15 days after its passage a summary shall be published once in a newspaper of general circulation, published in the city together with the names of Council members voting for and against the same. [Source: 10-1-2.D, modified]

10.02.030 Purpose and Objectives

This Zoning Code is adopted to preserve, protect, and promote the public health, safety, peace, comfort, convenience, prosperity, and general welfare. The Zoning Code is adopted to achieve the following objectives: [Source: 10-1-3, modified]

A. To provide guidance on the physical development of the city in such a manner as to achieve the arrangement of land uses as depicted in the city of Reedley's General Plan. [Source: 10-1-3.A, modified]

B. To foster an attractive living environment, while complying with the objectives, policies, principles, and standards of the city of Reedley's General Plan. [Source: 10-1-3.B, modified]

C. To promote a safe, effective traffic circulation system, the provision of adequate off-street parking and loading facilities and the appropriate location of community facilities. [Source: 10-1-3.D, modified]

D. To protect and promote appropriately located commercial and industrial activities to preserve and strengthen the city's economic base. [Source: 10-1-3.E, modified]

E. To protect and enhance real property values and the city's natural assets. [Source: 10-1-3.F, modified]

F. To ensure unimpeded development of such new urban expansion that is logical, desirable and in conformance with objectives and policies of the city's General Plan. [Source: 10-1-3.G, modified]

G. To provide and protect open space in accordance with policies of the Open Space Element of the city's General Plan. [Source: 10-1-3.H, modified]

10.02.040 Applicability of the Zoning Code

A. General Applicability. This Zoning Code applies to all property within the municipal boundaries of the city of Reedley whether owned, leased, or operated by private persons, firms, corporations, or organizations. Any property owned, leased, or operated by the United States of America or any of its agencies; the State of California or any of its agencies; the County of Fresno or any of their agencies; the City of Reedley or any of its agencies; or by an authority or district organized under the laws of the State of California, are exempt from this Title. Additionally, the following are all exempt from the provisions established in this Zone Code: [Source: 10-1-6, modified]

1. Public streets and alleys. [Source: 10-1-6.A]
2. Underground utility lines and facilities. [Source: 10-1-6.B]
3. Underground communication lines. [Source: 10-1-6.C]
4. Overhead communication lines. [Source: 10-1-6.D]
5. Overhead and underground electric and gas distribution and transmission facilities. [Source: 10-1-6.E, modified]
6. Railroad rights-of-way, as defined in Article 8 (Definitions) of this Zoning Code. [Source: 10-1-6.F, modified]

B. Subdivisions. Any subdivision of land proposed within the city of Reedley after the effective date of this Zoning Code shall be consistent with the minimum parcel size requirements established in Article 2 (Zones and Allowable Land Uses), the subdivision requirements established in Title 11 (Subdivision Ordinance), state law, including, but not limited to the Subdivision Map Act, and all other applicable requirements of this Zoning Code. The agencies of the State of California are exempt from this Title. [Source: NEW]

10.02.050 Relationship to Prior Code

The provisions of this Zoning Code, as it existed before the effective date of Ordinance No. 2024-001, are repealed and superseded as provided in the ordinance enacting this Title. No provision of this Zoning Code shall validate or legalize any land use, structure, or subdivision constructed, created, established, or maintained in violation of this Zoning Code's standards as they existed before repeal by the ordinance enacting this Zoning Code, except as addressed by nonconformities created by this Zoning Code, in compliance with Article 5 (Nonconformities). [Source: 10-1-2.B, modified]

10.02.060 Relationship to General Plan

A. **General Plan Consistency.** All actions and procedures pertaining to the granting or denial of various permits or other entitlements provided for by this Zoning Code shall be consistent with all applicable goals, policies, and land use arrangements established by the General Plan. [Source: 10-3-4.B, modified]

B. **Inconsistencies Between the General Plan and Zoning Code.** Where inconsistencies are found to exist between the General Plan and this Zoning Code, the Zoning Code shall control the use and development of the land until the City Council amends the Zoning Code to achieve consistency with the existing General Plan. [Source: NEW]

10.02.070 Relationship to Other City Ordinances

No provision of this Zoning Code is intended to abrogate, repeal, annul, impair, or interfere with any existing ordinance(s). [Source: 10-1-5, modified]

10.02.080 Severability, Partial Invalidation of Zoning Code

If any section, sentence, clause, or phrase of this Title is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Title. The City Council hereby declares that it would have passed this Title and adopted this Title and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Chapter 10.04

Interpretation of the Zoning Code

Chapter 10.04 Interpretation of the Zoning Code

10.04.010 Purpose

The purpose of this Chapter is to specify the authority and procedures for clarifying any ambiguity in the regulations of this Zoning Code, and to ensure its consistent interpretation and application. [Source: NEW]

10.04.020 Rules of Interpretation

A. **Authority.** The Community Development Director shall decide any questions involving the interpretation or application of any provision of this Zoning Code. However, any interpretation of the Director may be appealed to the Planning Commission and the interpretation of the Planning Commission may be appealed to the City Council. [Source: 10-15-8.A and C, modified]

B. **Minimum Requirements.** In their interpretation and application, the provisions of this Zoning Code are held to be minimum requirements except where they are expressly stated otherwise. [Source: 10-1-5, modified]

C. **State Law Requirements.** Where this Zoning Code refers to provisions of State law (e.g., the California Government Code, Subdivision Map Act, Public Resources Code, etc.), the references shall be interpreted to be to the applicable State law provisions as they may be amended from time to time. [Source: New]

D. **Terminology.** When used in this Zoning Code, the following rules shall apply:

1. **Language.** When used in this Zoning Code, the word "shall" is always mandatory and not discretionary. The word “should” is not mandatory but is strongly recommended. The word "may" is permissive. [Source: NEW]

2. **Tense.** The present tense includes the past and future tenses; and the future tense includes the present. [Source: NEW]

3. **Number.** The singular number includes the plural, and the plural the singular, unless the natural construction of the word indicates otherwise. [Source: NEW]

4. **Conjunctions.** When used in this Zoning Code “and” indicates that all connected items or provisions shall apply. “Or” indicates that the connected items or provisions may apply singly or in any combination. “Either…or” indicates that the connected items and provisions shall apply singly but not in combination. “Includes” and “including” shall mean “including, but not limited to.” [Source: NEW]

5. **Local Reference.** The word "City" as used in this Zoning Code shall mean the City of Reedley and all public officials, bodies, and agencies references in this Zoning Code are those of the City, unless otherwise specified. [Source: NEW]

6. **Definitions.** All terms used in this Zoning Code shall be defined in Article 8 (Definitions) and/or as determined/interpreted by the Community Development Director. [Source: NEW]

10.04.030 Procedures for Interpretation

A. **Request for Interpretation.** Any party may file a request for an interpretation or clarification of this Zoning Code with the Community Development Director. Request for review shall include the specific provisions in question and any other information necessary to assist the Director in their review. [Source: NEW]

B. **Types of Interpretations.** The authority of the Community Development Director as established in Section 10.04.20 A (Authority), shall apply in all the following cases: [Source: 10-15-8.B, modified]

1. If ambiguity arises concerning the appropriate classification of a particular use within the meaning and intent of this Zoning Code, subject to the additional requirements established in Section 10.04.040 (Uses Not Classified). [Source: 10-15-8.B.1, modified]

2. If ambiguity exists with reference to matters of height, yard area, and other requirements. [Source: 10-15-8.B.2, modified]

3. If uncertainty exists with reference to a zone district boundary. See Section 10.06.050 (Uncertainty of Zoning District Boundaries) for additional regulations pertaining to the interpretation of zoning district boundaries. [Source: 10-15-8.B.3, modified]

4. If an unforeseen condition arises or technological changes have been introduced which require interpretation of their impact on the provisions of this Zoning Code. [Source: 10-15-8.B.4, modified]

5. If ambiguity or uncertainty arises as to the meaning of any word or provision contained in this Zoning Code. [Source: 10-15-8.B.5, modified]

6. If a conflict, ambiguity, or uncertainty arises between the Zoning Code text and any diagram, illustration, or image contained in this Zoning Code. [Source: New]

10.04.040 Land Uses Not Classified

A. **Land Use Not Listed is Not Allowed.** If a proposed land use is not specifically listed in Article 2 (Zoning Districts, Allowable Land Uses, and Development Standards), the use shall not be allowed, except as provided in Subsection B, below. [Source: NEW]

B. **Community Development Director Determination.** The Community Development Director upon application or on their own initiative, may determine that a proposed land use that is not listed in Article 2 (Zoning Districts, Allowable Land Uses, and Development Standards) may be allowed. The Community Development Director may approve, modify, or deny a classification of use request. The decision of the Community Development Director shall be final unless appealed in compliance with Section 10.04.020 (Authority). In making this determination, the Community Development Director shall, at their discretion, make at least five of the following findings: [Source: 10-15-1, modified]

1. The addition of the land use complies with the purposes of the zoning district in which the land use is proposed; [Source: 10-15-1.A, modified]
2. The land use has the same basic characteristics as the land uses allowed in the zoning district; [Source: 10-15-1.B, modified]
3. The land use can reasonably be expected to comply with the development standards established for the zoning district in which the proposed land use is to be added; [Source: 10-15-1.C, modified]
4. The land use will not be detrimental to the public health, safety, or welfare; [Source: 10-15-1.D]
5. The land use will not generate additional vehicular traffic than the volume normally generated by any of the land uses allowed in the zoning district; [Source: 10-15-1.E, modified]
6. The land use will not adversely affect the character of any zoning district in which it is proposed to be allowed; [Source: 10-15-1.F, modified]
7. The land use will not generate additional odor, dirt, smoke, noise, vibration, illumination, glare, unsightliness, or any other objectionable influence than the amount normally generated by any of the other land uses allowed in the zoning district; [Source: 10-15-1.G, modified]
8. The land use will not generate any greater hazard of fire or explosion than the hazards normally generated by any of the other land uses allowed in the zoning district. [Source: 10-15-1.H, modified]

C. When a land use has been added to a list of allowed uses in compliance with this Section, the land use shall be deemed to be listed as an allowed use in the appropriate zoning district and shall be added to the text of that section of this Zoning Code when it is next published. Although, the allowed use in the appropriate zoning district is permitted, the filing of a discretionary, ministerial, and/or Building Permit may still be required, if applicable. [Source: 10-15-1, modified]

10.04.050 Headings and Illustrations

A. **Headings.** The headings of the article, chapter, section, subsection, paragraph, subparagraph, sentence, clause, phrase, and portion thereof of this Zoning Code, together with the accompanying illustrations, examples, and explanatory notes, are inserted as a matter of convenience and illustrative purposes only and in no way define, limit, or enlarge the scope or meaning of this Zoning Code or its provisions. [Source: NEW]

B. **Illustrations and Diagrams.** In case of a conflict between the Zoning Code text and any diagram, illustration, or image contained in this Code, the Community Development Director shall make a determination subject to appeal provisions provided in Section 10.04.020. [Source: NEW]

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Chapter 10.06

Zoning Districts and Zoning Map

Chapter 10.06 Zoning Districts and Zoning Map

10.06.010 Purpose

This Chapter established the zoning districts applied to property within the City and adopts the Official Zoning Map. All public and private property in the city shall be divided into zoning districts in a manner that is consistent with goals and policies of the General Plan. [Source: 10-3-4.A, modified]

10.06.020 Establishment of Zoning Districts

A. **Base Zoning Districts.** Every parcel shall have a base zone district that establishes the primary type and intensity of land uses allowed, along with development standards for that particular type and intensity of land use. [Source: 10-3-1.C, modified]

B. **Overlay Zoning Districts.** Overlay zoning districts supplement the use regulations and/or development standards of the applicable underlying base zone, where important site, neighborhood, or area characteristics require particular attention in project planning. In the event of conflict between the base zone regulations and the overlay zone regulations, the most restrictive regulation shall apply. When an overlay zone is attached to a base zone additional governmental review may be required. [Source: 10-3-1.C, modified]

C. **Zoning Districts Implementing the General Plan.** Table 10.06-A (Zoning Districts Implementing the General Plan), below, identifies all City adopted and recognized zoning districts. All zoning districts shall be listed and appropriately designated on the Official Zoning Map. [Source: NEW]

Table 10.06-A
Zoning Districts Implementing the General Plan

Zoning Map Symbol	Zone Name	Density (maximum unless otherwise specified)	Corresponding General Plan Land Use Designation(s)
Residential Zones			
RE	Residential Estate (300,000 sq. ft. minimum site area)	4 du/ac	Suburban Residential (SR)
R-1(SP)	One-Unit Residential (5,000 sq. ft. minimum site area)	4 du/ac	Suburban Residential (SR)
		8 du/ac	Low Density Residential (LDR)
		-	Public/Institutional Facility (PI)
R-1-6	One-Unit Residential (6,000 sq. ft. minimum site area)	4 du/ac	Suburban Residential (SR)
		8 du/ac	Low Density Residential (LDR)
		-	Public/Institutional Facility (PI)
R-1-7	One-Unit Residential (7,000 sq. ft. minimum site area)	4 du/ac	Suburban Residential (SR)
		8 du/ac	Low Density Residential (LDR)

Table 10.06-A
Zoning Districts Implementing the General Plan

Zoning Map Symbol	Zone Name	Density (maximum unless otherwise specified)	Corresponding General Plan Land Use Designation(s)
		-	Public/Institutional Facility (PI)
R-1-9	One-Unit Residential (8,000 sq. ft. minimum site area)	4 du/ac	Suburban Residential (SR)
		8 du/ac	Low Density Residential (LDR)
		-	Public/Institutional Facility (PI)
R-1-12	One-Unit Residential (11,000 sq. ft. minimum site area)	4 du/ac	Suburban Residential (SR)
		-	Public/Institutional Facility (PI)
MDR	Medium Density Residential	15 du/ac	Medium Density Residential (MDR)
		-	Public/Institutional Facility (PI)
HDR	High Density Residential	29 du/ac	High Density Residential (HDR)
		-	Public/Institutional Facility (PI)
Commercial and Office Zones			
CN	Neighborhood Commercial	-	Central Downtown Commercial (CDC)
		-	Neighborhood Commercial (NC)
		-	Office Commercial (OC)
		-	Service Commercial (SC)
		-	Public/Institutional Facility (PI)
CC	Central and Community Commercial	-	Central Downtown Commercial (CDC)
		-	Community Commercial (CC)
		-	Office Commercial (OC)
		-	Service Commercial (SC)
		-	Public/Institutional Facility (PI)
CS	Service Commercial	-	Central Downtown Commercial (CDC)
		-	Community Commercial (CC)
		-	Office Commercial (OC)
		-	Service Commercial (SC)
		-	Public/Institutional Facility (PI)
CO	Office Commercial	-	Central Downtown Commercial (CDC)
		-	Neighborhood Commercial (NC)
		-	Community Commercial (CC)
		-	Office Commercial (OC)
		-	Service Commercial (SC)
		-	Public/Institutional Facility (PI)
PO	Professional Office	-	Central Downtown Commercial (CDC)
		-	Neighborhood Commercial (NC)
		-	Community Commercial (CC)
		-	Office Commercial (OC)
		-	Service Commercial (SC)
		-	Public/Institutional Facility (PI)
Industrial Zones			
	Light Industrial	-	Light Industrial (LI)

Table 10.06-A
Zoning Districts Implementing the General Plan

Zoning Map Symbol	Zone Name	Density (maximum unless otherwise specified)	Corresponding General Plan Land Use Designation(s)
ML		-	Service Commercial (SC)
MH	Heavy Industrial	-	Heavy Industrial (HI)
Special Purpose Zones			
RCO	Resource Conservation and Open Space	4 du/ac	Suburban Residential (SR)
		-	Open Space (OS)
		-	Public/Institutional Facility (PI)
UR	Urban Reserve	8 du/ac	Low Density Residential (LDR)
		15 du/ac	Medium Density Residential (MDR)
		-	Light Industrial (LI)
		-	Heavy Industrial (HI)
		-	Open Space (OS)
		-	Public/Institutional Facility (PI)
		-	Community Buffer
Combining Zones			
FW	Floodway	-	Open Space (OS)
		-	Community Buffer
FF	Flood Fringe	-	Open Space (OS)
		-	Community Buffer
PUD	Planned Unit Development (PUD)	4 du/ac	Suburban Residential (SR)
		8 du/ac	Low Density Residential (LDR)
		15 du/ac	Medium Density Residential (MDR)
		29 du/ac	High Density Residential (HDR)
		-	Central Downtown Commercial (CDC)
		-	Neighborhood Commercial (NC)
		-	Community Commercial (CC)
		-	Office Commercial (OC)
		-	Service Commercial (SC)
		-	Light Industrial (LI)
		-	Heavy Industrial (HI)
		-	Public/Institutional Facility (PI)

10.06.030 Effect of Zoning District Regulations

Except as otherwise provided in this Zoning Code:

A. **Construction and Use Limitation.** No structure or part thereof shall be erected, altered, added to, or enlarged, nor shall any site or structure be used, designated, or intended to be used for any purpose, or in any manner other than what is required by this Zoning Code. [Source: 10-3-3.A, modified]

B. **Use of Abutting Parcels.** Two or more abutting parcels may be used as though a single parcel. However, there shall not exist on any part thereof any structure or improvement which depends for compliance with this Title upon the same being treated as a single parcel. Such use of parcels shall first be approved by the Community Development Director, who, based on their discretion, may require one of more of the following: [Source: 10-3-3.D, modified]

1. Recordation of cross-access agreement;
2. Cross-parking agreement;
3. Common driveway easement, and/or
4. Maintenance agreement.

10.06.040 Official Zoning Map

A. **Adoption.** The City Council hereby ratifies the Official Zoning Map, which is on file with the Community Development Department. Such ratification is deemed adoption of the Official Zoning Map. This Zoning Code, together with the Official Zoning Map, is adopted in compliance with current State planning, zoning, and development laws. The Official Zoning Map is hereby incorporated into this Zoning Code by reference as though it were fully included here. Any additional maps (e.g., setback map, height map, etc.) adopted shall also be a part of this Zoning Code by reference. [Source: 10-3-5.A, modified]

B. **Zoning Map Contents.** The boundaries, designations, and locations of the zones established by this Zoning Code shall be shown upon the Official Zoning Map. [Source: NEW]

C. **Divisions.** For purposes of convenience and identification, the Official Zoning Map may be divided into parts and subparts, which may be separately shown or employed for purposes of amending the Official Zoning Map or any official reference thereto. [Source: 10-3-5.B, modified]

D. **Zoning Map Amendments.** Amendments to the existing boundaries of any identified zoning district shall be made by ordinance in compliance with applicable provisions of this Title. [Source: 10-3-5.C, modified]

10.06.050 Uncertainty of Zoning District Boundaries

A. General: Whenever any uncertainty exists as to the boundary of a district as shown on the Official Zoning Map, the following regulations shall control: [Source: 10-3-2.A]

1. Where a boundary line is indicated as following a street, alley, railroad right of way, drainage channel, or other watercourse, the centerline of such street, alley, railroad right of way, drainage channel or other watercourse shall be considered to be the boundary line. [Source: 10-3-2.A.1]

2. Where a boundary line is indicated as following a parcel line, it shall be construed as following such parcel line or property ownership line. [Source: 10-3-2.A.2]

3. Where a boundary line is not indicated as following a street or alley and does not follow or coincide approximately with a parcel line, the boundary line shall be determined using the scale designated on the Official Zoning Map. [Source: 10-3-2.A.3]

4. Where further uncertainty of a zoning district boundary exists, the Community Development Director shall determine the location of the boundary in question in compliance with Section 10.04.030 (Procedures for Interpretation). [Source: 10-3-2.A.4, modified]

B. Right-of-Way Abandonment. All territory which undergoes vacation of a public street, alley, or railroad right-of-way shall immediately become classified the same as the property abutting the street, alley, or railroad right-of-way. [Source: 10-3-2.B.4]

10.06.060 Classification of Annexed Parcels

Changes to boundaries or regulations because of annexation or right-of-way abandonment shall comply with the following standards: [Source: 10-3-2.B, modified]

A. Where property to be annexed to the City was classified previously by the City under prezoning provisions of state law and this Zoning Code, such prezoning classification shall become effective at the same time that the annexation becomes effective. [Source: 10-3-2.B.3]

Title 10 – Zoning Code

Article 2 – Zones, Allowable Uses, and Development Standards

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Chapter 10.10

Residential Zones (RE, R-1-12, R-1-9, R-1-7, R-1-6, R-1(SP), MDR, HDR)

Chapter 10.10 Residential Zones (RE, R-1-12, R-1-9, R-1-7, R-1-6, R-1(SP), MDR, HDR)

10.10.010 Purpose and Intent of Residential Zones

A. **RE – Residential Estate Zone District.** The Residential Estate Zone District (RE Zone District) is designed to serve as a transitional area between the expanding urban growth areas and agricultural lands that surround the City. The RE Zone District is characterized by a mixture of single-unit residential dwellings, missing middle housing types (i.e., two-unit and three-unit dwellings), and agricultural activities. The maximum residential density for the RE Zone District is four dwelling units per acre. The RE Zone District is further established for the following purposes: [Source: 10-6A-1, -1A, -1E, modified]

1. To protect active farming enterprises and natural resources surrounding the City and further avoid potential premature conversion of agricultural land; [Source: 10-6A-1B]

2. To provide a buffer area between urban and those areas reserved for continued agricultural production, to lessen potential conflicts between development and agriculture; and [Source: 10-6A-1C]

3. To provide a lifestyle and living area which combines the advantages of both urban and rural settings. [Source: 10-6A-D, modified]

B. **R-1 – Low Density Residential Zone Districts.** The Low Density Residential Zone Districts are designed to allow a mixture of housing types and densities in newly developing and predominantly low-density residential areas of the City. These Zone Districts allow one-unit dwellings and encourage missing middle housing types (i.e., two-unit and three-unit dwellings), as well as complimentary human services land uses on a variety of parcel sizes. The R-1 Zone Districts are categorized by minimum parcel size as follows: (R-1(SP), R-1-6, R-1-7, R-1-9, and R-1-12). The allowed residential density in the R-1 Zone Districts ranges from 1 to 8 dwelling units per acres. The R-1 Zone Districts implement the Suburban Residential (SR), Low Density Residential (LDR), Medium Density Residential (MDR), and Public/Institutional Facility (PI) land use designations in the General Plan. [Source: 10-6B-1A-F, modified].

C. **MDR – Medium Density Residential Zone District.** The Medium Density Residential Zone District (MDR Zone District) provides areas in the City which allow a range of medium residential development types. The MDR Zone District allows for a mixture of two-, three-, and multi-unit dwellings and complimentary human services land uses on a variety of parcel sizes. The maximum residential density for the MDR Zone District is 15 dwelling units per acre. The MDR Zone District implements the Medium Density Residential (MDR) and Public/Institutional Facility (PI) land use designations in the General Plan. [Source: 10-6C-1A, modified]

D. **HDR – High Density Residential Zone District.** The High Density Residential Zone District (HDR Zone District) is intended primarily for areas of compact high-density housing development. The HDR Zone District allows for a variety of residential opportunities including two-, three, - and multi-unit dwellings, as well as complimentary human services land uses on a variety of parcel sizes. The maximum residential density for the MDR Zone District is 29 dwelling units per acre. Single-unit dwellings are not allowed in the HDR Zone District. The HDR Zone District implements the High Density Residential (HDR) and Public/Institutional Facility (PI) land use designations in the General Plan. [Source: 10-6C-1B, modified]

10.10.020 Land Use Regulations and Allowable Uses

A. **Table 10.10-A Land Use Regulations – Residential Zones.** Table 10.10-A (Land Use Regulations – Residential Zones) identifies the allowed land uses within each of the residential zone districts, and the permit required to establish each land use. [Source: NEW]

B. **Uses Not Listed.** Land uses not listed in Table 10.10-A (Land Use Regulations – Residential Zones) are not allowed, in compliance with Subsection 10.10.040.A (Land Use Not Listed is Not Allowed), except as otherwise established in Subsection 10.10.040.B (Community Development Director Determination). [Source: NEW]

C. **Specific Use Regulations.** The far-right column in Table 10.10-A (Land Use Regulations – Residential Zones) indicates additional regulations that apply to the specific land use listed. Land use regulations in other sections of this Zoning Code may also apply. [Source: NEW]

D. **Zone Clearance.** In addition to the permit requirements established in Table 10.10-A (Land Use Regulations – Residential Zones), issuance of a Zone Clearance may be required before the establishment of a land use, in compliance with Chapter 10.82 (Zone Clearance). [Source: NEW]

E. **Site Plan and Design Review.** In addition to the permit requirements established in Table 10.10-A (Land Use Regulations – Residential Zones), Site Plan Review may be required before the establishment of a land use, in compliance with Chapter 10.96 (Site Plan Review). [Source: NEW]

Table 10.10-A
Land Use Regulations – Residential Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit				
Land Use	**Permit Requirement by Zone**				**Additional Regulations**
	RE	**R-1(SP)** **R-1-6** **R-1-7** **R-1-9** **R-1-12**	**MDR**	**HDR**	
Agriculture, Resource, & Open Space Uses					
Agriculture, Horticulture	P	-	-	-	
Beekeeping	P	-	-	-	
Horse Stable	P	-	-	-	
Wildlife Preserve	P	-	-	-	
Human Services Uses					
Community Care Facility, Large (7 or more persons)	C	C	C	C	
Community Care Facility, Small (up to 6 persons)	P	P	P	P	
Daycare Center	C	C	C	C	
Emergency Shelter	-	-	-	-	Section 10.50.060
Family Day Care Home	P	P	P	P	
Hospital	P	P	P	P	
Low Barrier Navigation Center	-	-	P	P	
Infrastructure, Communication, and Transportation Uses					
Utility Facility and Infrastructure	P	P	P	P	Section 10.50.190
Telecommunication Facility	P	P	P	P	Section 10.50.200
Public and Quasi-Public Uses					
Public and Quasi-Public Uses	P	P	P	P	
Recreation, Education, and Public Assembly Uses					
Country Club	C	-	-	-	
Golf Course	C	-	-	-	
Park and Playground	P	P	P	P	
Place of Assembly	C	C	C	C	
School, Private	P	P	P	P	
Residential Uses					
Accessory Structure, Residential	P	P	P	P	Chapter 10.32
Accessory Use, Residential	P	P	P	P	
Agricultural Employee Housing	P	-	P	P	

Table 10.10-A
Land Use Regulations – Residential Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit				
Land Use	**Permit Requirement by Zone**				**Additional Regulations**
	RE	**R-1(SP)** **R-1-6** **R-1-7** **R-1-9** **R-1-12**	**MDR**	**HDR**	
Boarding and Rooming House	C	C	P	P	
Dwelling, Accessory Dwelling Unit (ADU)	P	P	P	P	Chapter 10.52
Dwelling, Junior Accessory Dwelling Unit (JADU)	P	P	P	P	Chapter 10.54
Dwelling, Manufactured Home/Mobile Home	P	P	P	P	Section 10.50.120
Dwelling, Multi-Unit	C	C	P	P	Chapter 10.56
Dwelling, Single-Unit	P	P	-	-	
Dwelling, Three-Unit	P	P	P	P	
Dwelling, Two-Unit	P	P	P	P	
Employee Housing, Large (7 or more employees)	P	C	C	C	
Employee Housing, Small (up to 6 employees)	P	P	P	P	
Group Housing, Large (7 or more persons)	P	C	C	C	
Group Housing, Small (up to 6 persons)	P	P	P	P	
Guest Quarters	P	P	-	-	
Home Occupation	P	P	P	P	Section 10.84
Marijuana Cultivation, Personal Use	P	P	P	P	
Mobile Home Park	P	P	P	P	Section 10.50.110
Planned Unit Development (PUD)	C	C	C	C	Chapter 10.20
Single Room Occupancy (SRO)	-	-	-	P	Section 10.50.070
Supportive Housing	P	P	P	P	Section 10.50.080
Transitional Housing	P	P	P	P	Section 10.50.080
Retail, Service, and Office Uses					
Bed and Breakfast Inn	P	C	-	-	Section 10.50.030
Kennel	C	-	-	-	
Roadside Stand	P	-	-	-	

10.10.030 Development Standards

A. **Density Bonuses and Concessions.** In addition to the development standards established in this Chapter, qualifying land uses and projects shall be entitled to additional density bonuses, concessions, and/or incentives in compliance with Section 10.50.050 (Density Bonus and Concessions for Affordable Housing). [Source: NEW]

B. **Table 10.10-B Development Standards – Residential Zones.** Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and established in compliance with the requirements in Table 10.10-B (Development Standards – Residential Zones). [Source: NEW]

C. **Specific Use Regulations.** The far-right column in Table 10.10-B (Development Standards – Residential Zones) indicates additional regulations that apply to the specific development feature or zone listed. Development standards in other sections of this Zoning Code may also apply. [Source: NEW]

D. **Other Applicable Regulations.** The "Other Applicable Regulations" section of Table 10.10-B (Development Standards – Residential Zones) indicates the location of additional development standards that apply to the residential zones. Other regulations in this Zoning Code may also apply. [Source: NEW]

Table 10.10-B
Development Standards – Residential Zones

Development Feature	Residential Zone Districts								Additional Regulations
	RE	R-1-12	R-1-9	R-1-7	R-1-6	R-1(SP)	MDR	HDR	
General									
Density Range	1 to 4 Dwelling Units per Acre	1 to 8 Dwelling Units per Acre	4 to 8 Dwelling Units per Acre	4 to 8 Dwelling Units per Acre	4 to 8 Dwelling Units per Acre	4 to 8 Dwelling Units per Acre	8-15 Dwelling Units per Acre	15-29 Dwelling Units per Acre	
Parcel Coverage (max. percent)	45%	45%	45%	45%	45%	45%	60%	75%	10.30.020
Parcel Area (min.)	30,000 sq. ft.	11,000 sq. ft.	8,000 sq. ft.	6, 000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	
Distance between Structures (min.)	25 ft.	n/a	n/a	n/a	n/a	n/a	n/a	n/a	
Primary Structure Building Height maximum	40 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	50 ft.	75 ft.	10.30.030

Table 10.10-B
Development Standards – Residential Zones

Development Feature	Residential Zone Districts								Additional Regulations
	RE	R-1-12	R-1-9	R-1-7	R-1-6	R-1(SP)	MDR	HDR	
Accessory Structure Building Height Maximum	20 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	35 ft.	35 ft.	10.32
Parcel Dimensions									
Parcel Width (min.), Interior Parcel	175 ft.	110 ft.	80 ft.	70 ft.	50 ft.	60 ft.	50 ft.	50 ft.	
Parcel Width (min.), Corner Parcel	175 ft.	115 ft.	85 ft.	75 ft.	55 ft.	65 ft.	50 ft.	50 ft.	
Parcel Width (min.), Reverse Corner/Cul-de-sac Parcel	150 ft.	110 ft.	80 ft.	70 ft.	50 ft.	60 ft.	40 ft.	40 ft.	
Parcel Depth (min.), Interior Parcel	150 ft.	100 ft.	100 ft.	100 ft.	100 ft.	80 ft.	100 ft.	100 ft.	
Parcel Depth (min.), Corner Parcel	150 ft.	100 ft.	100 ft.	100 ft.	100 ft.	85 ft.	100 ft.	80 ft.	
Parcel Depth (min.), Reverse Corner/Cul-de-sac Parcel	150 ft.	100 ft.	100 ft.	100 ft.	100 ft.	85 ft.	100 ft.	80 ft.	
Setbacks									
Front Yard Setback (min.)	40 ft.	20 ft.	20 ft.	15 ft.	15 ft.	10 ft.	15 ft.	15 ft.	
Front Yard Garage Setback (min.)	40 ft.	25 ft.	25 ft.	20 ft.	20 ft.	20 ft.	n/a	n/a	
Front yard curved lot and cul-de-sac minimum	25 ft.	25 ft.	25 ft.	20 ft.	20 ft.	20 ft.	n/a	n/a	
Side Yard Setback (min.), Interior Parcel	20 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	10.10.040.B 10.10.040.C
Side Yard Garage Setback, corner lot (street side) min.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	n/a	n/a	10.10.040.B 10.10.040.C
Side Yard Setback, corner lot (min.)	20 ft.	10 ft.	10 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	10.10.040.B 10.10.040.C
Rear Yard Setback (min.)	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	10.10.040.B 10.10.040.C

Other Applicable Regulations	
Land Use or Development Feature	**Chapter or Section Cross reference**
Height Measurements and Exceptions	Section 10.30.030

Table 10.10-B
Development Standards – Residential Zones

Development Feature	Residential Zone Districts								Additional Regulations
	RE	R-1-12	R-1-9	R-1-7	R-1-6	R-1(SP)	MDR	HDR	
Setback Measurements and Exceptions	Section 10.30.040								
Setback Exchange	Section 10.30.050								
Corner Cutoff Areas	Section 10.30.060								
Fences, Walls, and Hedges	Chapter 10.34								
Landscaping Standards	Chapter 10.36								
Parking and Loading	Chapter 10.38								
Sign Regulations	Chapter 10.40								
Accessory Dwelling Units (ADU)	Chapter 10.52								
Junior Accessory Dwelling Units (JADU)	Chapter 10.54								
Multi-Unit Dwelling Design Standards	Chapter 10.56								

10.10.040 General Provisions

A. **RE Zone District.** In addition to the standards established in this Chapter and Zoning Code, land uses and development in the RE Zone District shall comply with the following general provisions:

1. **Right to Farm and Agricultural Effect Advisory.** Parcels adjacent to commercial agricultural production areas within RE Zone District may be subjected to inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations, including, but not limited to noise, odor, dust; the operation of machinery of any kind including aircraft; the storage and disposal of manure; the application of fertilizers, herbicides, and pesticides. Owners, residents, and users of property within RE Zone District should, therefore, be prepared to accept these conditions, and are hereby placed on official notice that "right to farm" provisions within this Zoning Code may bar them from obtaining a legal judgment against such normal agricultural operations. [Source: 10-6A-2]

2. **Agricultural Buffer.** A minimum 100-foot buffer between new residential development and existing agricultural operations is required as an appropriate transitional space between urban and agricultural land uses to facilitate continued agricultural operations and minimize agricultural effects. The buffer shall be measured from the property line adjoining the agricultural use to any building used for human habitation. [Source: 10-6A-10.1]

3. **Coops, Pens, Cages, and Structures Used to House Animals.** Coops, pens, cages, and other structures used to house animals, shall be located a minimum of 25 feet away from any structure(s) used for human habitation or side yard property line. [Source: 10-6A-10.A7]

4. **Analysis of Impacts on Agricultural Activities and Enterprises.** To protect active agricultural enterprises and natural resources surrounding the City while avoiding potential premature conversion of agricultural land, the environmental review for all proposed projects adjacent to existing agricultural activities and enterprises shall include, and not be limited to, analyzing the potential impacts specifically created through agricultural use, traffic generation, groundwater contamination, stormwater drainage disposal and/or the deterioration of air quality. [Source: 10-6A-10.2]

B. **R-1 Low Density Residential Zone Districts.** In addition to the standards established in this Chapter and Zoning Code, land uses and development in the R-1 Zone Districts shall comply with the following general provisions:

1. **Alternative Determination of Front Yard Setback.** On a parcel located between parcels improved with structures where such structures are set back less than the minimum distance required by this Chapter, the minimum front yard setback shall be the average depth of the front yards on the improved parcels immediately adjoining the side lines of the parcel. [Source: 10-6B-5-E]

2. **Minimum Parcel Area Reduction.** A maximum of 40 percent of the parcels in a subdivision in any R-1 Zone District may be reduced by a maximum of 10 percent of the minimum site area, provided, the average area of all parcels in the subdivision is equal to or greater than the minimum area for a single parcel as established in Table 10.10.B (Development Standards – Residential Zones). [Source: 10-6B-5-A]

3. **Additional Side Yard Setback Required.** In any R-1 Zone District except for R-1(SP), where construction involves more than one story, the side yard shall be increased five feet for each additional story; provided, however, that the side yard on the street side of a corner lot, that is not a reverse corner lot, need not be greater than five feet. [Source: 10-6B-5-E3c]

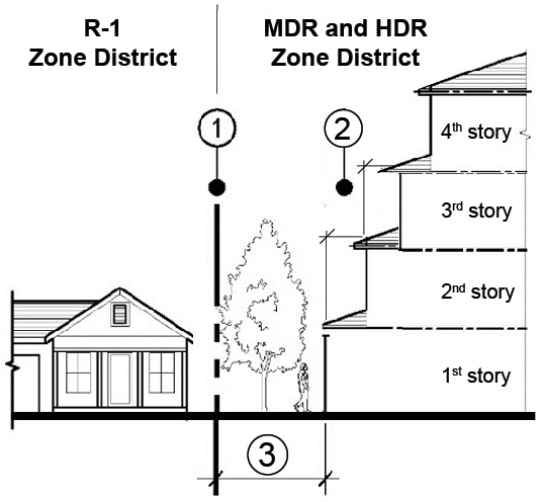
C. **MDR and HDR Zone Districts.** In addition to the standards established in this Chapter and Zoning Code, land uses and development in the MDR and HDR Zone Districts shall comply with the following general provisions:

1. **Additional Side and Rear Yard Setback Required.** In addition to the side yard and rear yard setback standards established in Table 10.10-B (Development Standards – Residential Zones), parcels in the MDR or HDR Zone Districts shall provide additional setback distances in compliance with the following:

a. **Side Yard Setback.** When located adjacent to an R-1 Zone District, the side yard setback of an MDR or HDR Zone District parcel shall be increased by five feet for each additional story over one story, up to four stories. For example, a three-story structure would have to be setback an additional 10-feet from the established side yard setback line. See Figure 10.10-1 (Additional Side and Rear Setback Measurement). [Source: NEW]

b. **Rear Yard Setback.** When located adjacent to an R-1 Zone District, the rear yard setback of an MDR or HDR Zone District parcel shall be increased by five feet for each additional story over one story, up to four stories. For example, a three-story structure would have to be setback an additional 10-feet from the established rear yard setback line. See Figure 10.10-1 (Additional Side and Rear Setback Measurement). [Source: NEW]

Figure 10.10-1
Additional Side and Rear Setback Measurement



① Property Line
② 5-foot Stepback Above First Story
③ Required Side/Rear Yard

2. **Garages and Carport Location.** Garages and/or carports on the street side yard of a corner parcel or reverse corner parcel in the either MDR or HDR Zone Districts shall be set back a minimum of 25 feet from the property line. [Source: 10-6B-5.e.3.e]

3. **Open Space.** New projects in the MDR and HDR Zone Districts shall comply with the open space standards established in Chapter 10.56 (Multi-Unit Dwelling Design Standards). [source: 10-6C-5-E-4, modified]

Chapter 10.12

Commercial and Office Zones (CN, CC, CS, CO, PO)

Chapter 10.12 Commercial and Office Zones (CN, CC, CS, CO, PO)

10.12.010 Purpose and Intent of Commercial and Office Zones

A. CN – Neighborhood Commercial Zone District. The Neighborhood Commercial Zone District (CN Zone District) is intended exclusively for the provision of retail and personal service facilities to satisfy the convenience goods needs of the consumer relatively close to their place of residence, work, and or recreation. [Source: 10-8B-1, modified]

B. CC – Central and Community Commercial Zone District. The Central and Community Commercial Zone District (CC Zone District) is intended to be applied both to the central commercial core of the city and to community commercial areas outside of the central core, as designated by the general plan. These areas constitute the primary commercial districts of the community where a wide range of retail, financial, governmental, professional, business, service and entertainment activities and uses are encouraged to serve the entire community. Community commercial areas outside of the city's commercial core are intended to be developed into unified centers wherever possible. [Source: 10-8C-1, modified]

C. CS – Service Commercial Zone District. The Service Commercial Zone District (CS Zone District) is intended primarily for establishments engaged in general wholesale or heavy commercial uses, such as servicing equipment, materials, and products, but which do not require the manufacturing, assembling, packaging, or processing of articles or merchandise for distribution and retail sale. Land requirements for most commercial service uses generally dictates its application along arterial streets of the city which generally lie close to central commercial and industrial districts, in accordance with the general plan. [Source: 10-8D-1, modified]

D. CO – Office Commercial Zone District. The Office Commercial Zone District (CO Zone District) is intended to provide for the development of an integrated administrative, business, medical, professional and commercial office district where related and complementary types of land uses and facilities are located in areas adjacent to or in the vicinity of residential land uses and to act as a land use and architectural buffer between residential neighborhoods and more intense uses of land. [Source: 10-8A-1, modified]

E. **PO – Professional Office Zone District.** The Professional Office Zone District (PO Zone District) is intended to provide opportunities for the location of administrative, business, medical, professional and general offices in close relationship to one another in areas designated for combined professional office use, including high density use, by the general plan; to provide adequate space to meet the needs of such offices for off street parking and loading space; and to protect offices from noise, disturbances, traffic hazards and other objectionable influences which would adversely affect professional and business practices being carried on. [Source: 10-7-1, modified]

10.12.020 Land Use Regulations and Allowable Uses

A. **Table 10.12-A Land Use Regulations – Commercial and Office Zones.** Table 10.12-A (Land Use Regulations – Commercial and Office Zones) identifies the allowed land uses within each of the commercial or office zone districts, and the permit required to establish each land use. [Source: NEW]

B. **Uses Not Listed.** Land uses not listed in Table 10.12-A (Land Use Regulations – Commercial and Office Zones) are not allowed, in compliance with Subsection 10.10.040.A (Land Use Not Listed is Not Allowed), except as otherwise established in Subsection 10.10.040.B (Community Development Director Determination). [Source: NEW]

C. **Specific Use Regulations.** The far-right column in Table 10.12-A (Land Use Regulations – Commercial and Office Zones) indicates additional regulations that apply to the specific land use listed. Land use regulations in other sections of this Zoning Code may also apply. [Source: NEW]

D. **Zone Clearance.** In addition to the permit requirements established in Table 10.12-A (Land Use Regulations – Commercial and Office Zones), issuance of a Zone Clearance may be required before the establishment of a land use, in compliance with Chapter 10.82 (Zone Clearance). [Source: NEW]

E. **Site Plan and Design Review.** In addition to the permit requirements established in Table 10.12-A (Land Use Regulations – Commercial and Office Zones), Site Plan Review may be required before the establishment of a land use, in compliance with Chapter 10.96 (Site Plan Review). [Source: 10-8-7, modified]

Table 10.12-A
Land Use Regulations – Commercial and Office Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit					
Land Use	**Permit Requirement by Zone**					**Additional Regulations**
	CN	**CC**	**CS**	**CO**	**PO**	
Human Services Uses						
Ambulance Service	-	P	P	P	P	
Cemetery	-	-	C	-	-	
Community Care Facility, Large (7 or more persons)	-	-	-	P	P	
Community Care Facility, Small (up to 6 persons)	-	-	-	P	P	
Daycare Center	C	C	C	C	C	
Emergency Shelter	P	P	P	P	P	Section 10.50.060
Family Day Care Home	-	-	-	-	-	
Hospital	P	P	P	P	P	
Low Barrier Navigation Center	P	P	P	P	P	
Industrial, Manufacturing, and Processing Uses						
Brewery, Distillery, Winery with or without Tasting Room	C	C	C	-	-	
Industrial, Minor	-	-	C	-	-	
Storage Facility, Personal	-	-	P	-	-	
Infrastructure, Communication, and Transportation Uses						
Parking Facility	P	P	P	P	P	
Transit Station and Terminal	P	P	P	-	-	
Utility Facility and Infrastructure	P	P	P	P	P	Section 10.50.190
Telecommunication Facility	P	P	P	P	P	Section 10.50.200
Public and Quasi-Public Uses						
Public and Quasi-Public Uses	P	P	P	P	P	
Recreation, Education, and Public Assembly Uses						
Card Room	-	C	C	-	-	
Commercial Recreation and Entertainment, Indoor	P	P	P	-	-	
Commercial Recreation and Entertainment, Cinema or Theater	C	C	C	-	-	
Gym and Athletic Club	P	P	P	P	P	

Table 10.12-A
Land Use Regulations – Commercial and Office Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit					
Land Use	**Permit Requirement by Zone**					**Additional Regulations**
	CN	**CC**	**CS**	**CO**	**PO**	
Museum	P	P	P	-	-	
Place of Assembly	P	P	P	P	P	
School, Private	P	P	P	P	P	
School, Technical and Vocational	-	P	-	P	P	
Studio - Art, Dance, Martial Arts, Music	P	P	P	-	-	
Studio - Broadcasting and Recording	P	P	P	P	P	
Residential Uses						
Caretaker's Residence	-	P	P	-	-	
Mixed-use	P	P	P	P	P	Section 10.50.090
Single Room Occupancy	-	-	P	-	-	Section 10.50.170
Supportive Housing	P	P	P	P	-	Section 10.50.080
Transitional Housing	P	P	P	P	-	Section 10.50.080
Retail, Service, and Office Uses						
Accessory Structure, Non-Residential	P	P	P	P	P	Chapter 10.32
Accessory Use, Nonresidential	P	P	P	P	P	Chapter 10.32
Alcohol Beverage Sales, Accessory	C	C	C	C	C	Section 10.50.020
Alcohol Beverage Sales, Standalone	C	C	C	-	-	Section 10.50.020
Auction House	C	C	P	C	-	
Automatic Telling Machine (ATM), Drive-Through	P	P	P	P	P	
Automatic Telling Machine (ATM), Walk-Up	P	P	P	P	P	
Bank and Financial Institution	P	P	P	P	P	
Bar	C	C	C	-	-	
Body Art Facility	-	-	C	-	-	Section 10.50.040
Building Material Sales and Storage	-	-	P	-	-	
Car Wash	-	P	P	-	-	
Cigar Lounge	C	C	C	-	-	
Drive-in and Drive-through Sales	P	P	P	-	-	

Table 10.12-A
Land Use Regulations – Commercial and Office Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit					
Land Use	**Permit Requirement by Zone**					**Additional Regulations**
	CN	**CC**	**CS**	**CO**	**PO**	
Equipment Sales and Rental Facility	P	P	P	-	-	
Farmer's Market and Multi-Tenant Market	P	P	P	-	-	
Fixed Vending Establishment	P	P	P	P	P	Section 10.50.120
Funeral and Burial Services, Body Preparation and Cremation	-	-	C	C	C	
Funeral and Burial Services, Funeral Home	-	-	P	P	P	
Health or Day Spa	P	P	P	P	P	
Home and Business Services	P	P	P	P	P	
Hotel/Motel	P	P	P	P	P	
Kennel	-	-	C	-	-	
Office, Medical	P	P	P	P	P	
Office, Professional	P	P	P	P	P	
Personal Service, General	P	P	P	P	P	
Printing Shop	P	P	P	P	P	
Restaurant	P	P	P	P	P	Section 10.50.160
Restaurant, Outside Dining	P	P	P	P	P	
Retail Sales, Appliances and Furniture	P	P	P	-	-	
Retail Sales, Convenience Store	P	P	P	-	-	
Retail Sales, General	P	P	P	P	P	
Retail Sales, Home Improvement and Garden Supply	P	P	P	-	-	
Retail Sales, Secondhand	P	P	P	-	-	
Tasting Room	C	C	C	-	-	
Tobacco Store/Smoke Shop	-	-	-	-	-	
Veterinary Clinic, without boarding services	-	P	P	-	P	
Transportation and Communication						
Airport, Heliport, and Helipad	-	-	-	-	P	

Table 10.12-A
Land Use Regulations – Commercial and Office Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit					
Land Use	**Permit Requirement by Zone**					**Additional Regulations**
	CN	**CC**	**CS**	**CO**	**PO**	
Vehicle Oriented Uses						
Vehicle Fueling Station	P	P	P	-	-	
Vehicle Rental Facility	-	P	P	-	-	
Vehicle Repair and Service, Major	-	-	C	-	-	
Vehicle Repair and Service, Minor	P	P	P	-	-	
Vehicle Sales	-	P	P	-	-	

10.12.030 Development Standards

A. **Table 10.12-B Development Standards – Commercial and Office Zones.** Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and established in compliance with the requirements in Table 10.12-B (Development Standards – Commercial and Office Zones). [Source: NEW]

B. **Specific Use Regulations.** The far-right column in Table 10.12-B (Development Standards – Commercial and Office Zones) indicates additional regulations that apply to the specific development feature or zone listed. Development standards in other sections of this Zoning Code may also apply. [Source: NEW]

C. **Other Applicable Regulations.** The "Other Applicable Regulations" section of Table 10.12-B (Development Standards – Commercial and Office Zones) indicates the location of additional development standards that apply to the commercial and office zones. Other regulations in this Zoning Code may also apply. [Source: NEW]

Table 10.12.B
Development Standards – Commercial and Office Zones

Development Feature	Commercial and Office Zone Districts					Additional Regulations
	CN	CC	CS	CO	PO	
General						
Parcel Coverage (max. percent)	No Limitation	No Limitation	No Limitation	No Limitation	No Limitation	10.30.020
Parcel Area (min.)	No Minimum	No Minimum	No Minimum	No Minimum	No Minimum	
Distance between Structures (min.)	No Limitations	No Limitations	No Limitations	No Limitations	No Limitations	
Building height maximum	75 ft.	75 ft.	75 ft.	75	75 ft.	10.30.030
Parcel Dimensions						
Parcel Width (min.), Interior Parcel	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Parcel Width (min.), Corner Parcel	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Parcel Width (min.), Reverse Corner/Cul-de-sac Parcel	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Parcel Depth (min.), Interior Parcel	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Parcel Depth (min.), Corner Parcel	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Parcel Depth (min.), Reverse Corner/Cul-de-sac Parcel	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Setbacks						
Front Yard Setback (min.)	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Front yard curved lot and cul-de-sac minimum	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Side Yard Setback (min.), Interior Parcel	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Rear Yard Setback (min.)	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	

Other Applicable Regulations	
Land Use or Development Feature	**Chapter or Section Cross Reference**
Height Measurements and Exceptions	Section 10.30.030
Setback Measurements and Exceptions	Section 10.30.030

Table 10.12.B
Development Standards – Commercial and Office Zones

Development Feature	Commercial and Office Zone Districts					Additional Regulations
	CN	CC	CS	CO	PO	
Setback Exchange						Section 10.30.050
Corner Cutoff Areas						Section 10.30.060
Fences, Walls, and Hedges						Chapter 10.34
Landscaping Standards						Chapter 10.36
Parking and Loading						Chapter 10.38
Sign Regulations						Chapter 10.40
Multi-Unit Dwelling Design Standards						Chapter 10.56

10.12.040 General Provisions

A. **Location of Activities.** In all commercial and office zone districts, all businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off street parking and off-street loading areas, gasoline service stations, outdoor dining areas, nurseries, garden shops, Christmas tree sales lots, bus depots, and transit stations, public utility stations and used car sales, and new car sales. [Source: 10-8-3.A, modified]

B. **Performance Standards.** No land use shall be allowed and no activity, equipment, or materials shall be used which are determined by the Community Development Director to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried waste, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire or explosion. [Source: 10-8-3.B, modified]

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Chapter 10.14

Industrial Zones (ML, MH)

Chapter 10.14 Industrial Zones (ML, MH)

10.14.010 Purpose of Chapter

The standards established in this Chapter are designed to achieve the following purposes: [Source: 10-9-1, modified]

A. To reserve appropriately located areas for various types of industrial plants and related activities;

B. To protect areas appropriate for industrial use from intrusion by residences and other inharmonious uses;

C. To protect residential and commercial properties and to protect nuisance free nonhazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation and other hazardous and objectionable influences incidental to certain industrial uses;

D. To provide opportunities for certain types of industrial plants to concentrate in mutually beneficial relationships to each other;

E. To provide adequate space to meet the needs of modern industrial development, including off street parking and truck loading areas; and

F. To provide industrial employment opportunities for residents of the City.

10.14.020 Purpose and Intent of Industrial Zones

A. **ML – Light Industrial Zone District.** The Light Industrial Zone District (ML Zone District) is applied to areas appropriate for light industrial and manufacturing, warehousing, offices, and assembly uses. Land uses allowed in the LI zone will not create objectionable noise, smoke, odor, dust, noxious gases, glare, heat, vibration, or industrial wastes. The ML Zone District implements the Light Industrial (LI) and Service Commercial (SC) land use designations in the General Plan. [Source: 10-9A-1, modified]

B. **MH – Heavy Industrial Zone District.** The Heavy Industrial Zone District (MH Zone District) is applied to areas appropriate for a wider variety of land uses that are more land-intensive manufacturing uses than allowed in the ML Zone District. The MH Zone District implements the Heavy Industrial (HI) land use designation in the General Plan. [Source: 10-9B-1, modified]

10.14.030 Land Use Regulations and Allowable Uses

A. **Table 10.14-A Land Use Regulations – Industrial Zones.** Table 10.14-A (Land Use Regulations – Industrial Zones) identifies the allowed land uses within each of the industrial zone districts, and the permit required to establish each land use. [Source: NEW]

B. **Uses Not Listed.** Land uses not listed in Table 10.14-A (Land Use Regulations – Industrial Zones) are not allowed, in compliance with Subsection 10.10.040.A (Land Use Not Listed is Not Allowed), except as otherwise established in Subsection 10.10.040.B (Community Development Director Determination). [Source: NEW]

C. **Specific Use Regulations.** The far-right column in Table 10.14-A (Land Use Regulations – Industrial Zones) indicates additional regulations that apply to the specific land use listed. Land use regulations in other sections of this Zoning Code may also apply. [Source: NEW]

D. **Zone Clearance.** In addition to the permit requirements established in Table 10.14-A (Land Use Regulations – Industrial Zones), issuance of a Zone Clearance may be required before the establishment of a land use, in compliance with Chapter 10.82 (Zone Clearance). [Source: NEW]

E. **Site Plan and Design Review.** In addition to the permit requirements established in Table 10.14-A (Land Use Regulations – Industrial Zones), Site Plan Review may be required before the establishment of a land use, in compliance with Chapter 10.96 (Site Plan Review). [Source: 10-9-7, modified]

Table 10.14.A
Land Use Regulations – Industrial Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit		
Land Use	**Permit Requirement by Zone**		**Additional Regulations**
	ML	**MH**	
Human Services Uses			
Ambulance Service	P	-	
Emergency Shelter	P	-	Section 10.50.060
Hospital	P	-	
Industrial, Manufacturing, and Processing Uses			
Animal Product Processing	C	P	

Table 10.14.A
Land Use Regulations – Industrial Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit		
Land Use	**Permit Requirement by Zone**		**Additional Regulations**
	ML	**MH**	
Brewery, Distillery, Winery with or without Tasting Room	C	C	
Brewery, Distillery, Winery without Tasting Room	C	C	
Contractor Storage Yard	P	P	
Industrial, Hazardous	-	C	
Industrial, Major	C	P	
Industrial, Minor	P	P	
Junkyard	C	P	
Recycling Facility, Large Collection	C	P	Section 10.50.140
Recycling Facility, Light Processing	C	P	Section 10.50.140
Recycling Facility, Small Collection	P	-	Section 10.50.140
Recycling Facility, Transfer Station	C	P	Section 10.50.140
Refuse Disposal Site	-	C	
Salvage and Dismantling Facility	-	P	
Storage Facility, Personal	P	P	
Storage Facility, Restricted	-	C	
Warehousing and Distribution Facility	P	P	
Infrastructure, Communication, and Transportation Uses			
Parking Facility	P	P	
Towing Yard	P	P	
Transit Station and Terminal	P	-	
Utility Facility and Infrastructure	P	P	Section 10.50.190
Vehicle and Freight Terminal	P	P	
Telecommunication Facilities	P	P	Section 10.50.200
Public and Quasi-Public Uses			
Public and Quasi-Public Uses	P	P	
Recreation, Education, and Public Assembly Uses			
Card Room	C	-	

Table 10.14.A
Land Use Regulations – Industrial Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit		
Land Use	**Permit Requirement by Zone**		**Additional Regulations**
	ML	**MH**	
Commercial Recreation and Entertainment, Indoor	P	-	
Commercial Recreation and Entertainment, Cinema or Theater	C	-	
Gym and Athletic Club	P	P	
Place of Assembly	P	-	
Rifle and Pistol Range	P	P	
School, Private	P	-	
School, Technical and Vocational	P	-	
Studio - Art, Dance, Martial Arts, Music	P	-	
Studio - Broadcasting and Recording	P	-	
Residential Uses			
Caretaker's Residence	P	-	
Mixed-use	C	-	Section 10.50.090
Supportive Housing	P	-	
Transitional Housing	P	-	
Retail, Service, and Office Uses			
Accessory Structure, Non-Residential	P	P	Chapter 10.32
Accessory Use, Nonresidential	P	P	Chapter 10.32
Adult Entertainment Business	-	C	
Alcohol Beverage Sales, Accessory	C	-	Section 10.50.020
Alcohol Beverage Sales, Standalone	C	-	Section 10.50.020
Auction House	P	P	
Automatic Telling Machine (ATM), Walk-Up	P	P	
Bank and Financial Institution	P	P	
Bar	C	-	
Body Art Facility	C	-	Section 10.50.040
Building Material Sales and Storage	P	P	
Car Wash	P	P	

Table 10.14.A
Land Use Regulations – Industrial Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit		
Land Use	**Permit Requirement by Zone**		**Additional Regulations**
	ML	**MH**	
Drive-in and Drive-through Sales	P	-	
Equipment Sales and Rental Facility	P	P	
Farmer's Market and Multi-Tenant Market	P	-	
Fixed Vending Establishment	P	C	
Funeral and Burial Services, Body Preparation and Cremation	C	-	
Funeral and Burial Services, Funeral Home	P	-	
Health or Day Spa	P	P	
Home and Business Services	P	P	
Hotel/Motel	P	-	
Kennel	C	-	
Office, Medical	P	-	
Office, Professional	P	P	
Personal Service, General	P	-	
Printing Shop	P	-	
Research and Development Activities (BSL 1-3)	-	C	Chapter 10.58
Research and Development Activities (BSL-4)	-	-	Chapter 10.58
Restaurant	P	-	Section 10.50.160
Retail Sales, Appliances and Furniture	P	-	
Retail Sales, Convenience Store	P	-	
Retail Sales, General	P	-	
Retail Sales, Home Improvement and Garden Supply	P	-	
Retail Sales, Secondhand	P	-	
Retail Sales, Smoke Shop	C	-	
Tasting Room	C	-	
Vending Establishment	C	C	Section 10.50.120
Veterinary Clinic, with boarding services	P	-	

Table 10.14.A
Land Use Regulations – Industrial Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit		
Land Use	**Permit Requirement by Zone**		**Additional Regulations**
	ML	**MH**	
Veterinary Clinic, without boarding services	P	-	
Transportation and Communication			
Airport, Heliport, and Helipad	P	P	
Vehicle Oriented Uses			
Vehicle Fueling Station	P	-	
Vehicle Rental Facility	P	-	
Vehicle Repair and Service, Major	P	P	
Vehicle Repair and Service, Minor	P	-	
Vehicle Sales	P	P	
Vehicle Salvage and Dismantling Facility	P	P	

10.14.040 Development Standards

A. **Table 10.14-B Development Standards – Industrial Zones.** Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and established in compliance with the requirements in Table 10.14-B (Development Standards – Industrial Zones). [Source: NEW]

B. **Specific Use Regulations.** The far-right column in Table 10.14-B (Development Standards – Industrial Zones) indicates additional regulations that apply to the specific development feature or zone listed. Development standards in other sections of this Zoning Code may also apply. [Source: NEW]

C. **Other Applicable Regulations.** The "Other Applicable Regulations" section of Table 10.14-B (Development Standards – Industrial Zones) indicates the location of additional development standards that apply to the industrial zones. Other regulations in this Zoning Code may also apply. [Source: NEW]

Table 10.14.B
Development Standards – Industrial Zones

Development Standard	Industrial Zone Districts		Additional Regulations
	ML	MH	
General			
Parcel Coverage (max. percent)	No Limitations	No Limitations	10.30.020
Parcel Area (min.)	No Minimum	1/2 Acre	
Distance between Structures (min.)	No Limitations	No Limitations	
Building height maximum	75 ft.	75 ft.	10.30.030
Parcel Dimensions			
Parcel Width (min.), Interior Parcel	0 ft.	0 ft.	
Parcel Width (min.), Corner Parcel	0 ft.	0 ft.	
Parcel Width (min.), Reverse Corner/Cul-de-sac Parcel	0 ft.	0 ft.	
Parcel Depth (min.), Interior Parcel	0 ft.	0 ft.	
Parcel Depth (min.), Corner Parcel	0 ft.	0 ft.	
Parcel Depth (min.), Reverse Corner/Cul-de-sac Parcel	0 ft.	0 ft.	
Setbacks			
Front Yard Setback (min.)	0 ft.	0 ft.	
Front yard curved lot and cul-de-sac minimum	0 ft.	0 ft.	
Side Yard Setback (min.), Interior Parcel	0 ft.	0 ft.	
Rear Yard Setback (min.)	0 ft.	0 ft.	

Other Applicable Regulations	
Land Use or Development Feature	**Chapter or Section Cross reference**
Height Measurements and Exceptions	Section 10.30.030
Setback Measurements and Exceptions	Section 10.30.030
Setback Exchange	Section 10.30.050
Corner Cutoff Areas	Section 10.30.060
Fences, Walls, and Hedges	Chapter 10.34
Landscaping Standards	Chapter 10.36
Parking and Loading	Chapter 10.38
Sign Regulations	Chapter 10.40
Multi-Unit Dwelling Design Standards	Chapter 10.56

10.14.050 General Provisions

A. **Industrial Land Use Exposure.** No use shall be permitted and no process, equipment or materials shall be employed which are determined by the Community Development Director to be injurious to persons residing or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, noise, vibrations, illumination, glare or heavy truck traffic or to involve any hazard of fire, explosion or radioactivity or to emit electrical disturbances which adversely affect commercial or electronic equipment outside the boundaries of the site. [Source: 10-9-4.B]

B. **Discharging Prohibited.** No solid or liquid wastes shall be discharged into a natural watercourse, nor into a public or private sewage disposal system except in compliance with all applicable water agency(ies) and/or quality control board regulations. [Source: 10-9-4.C]

C. **Compliance Required.** In an ML or MH district, no use shall emit particulate matter or other air pollutants in excess of the applicable air pollution emission standards of the San Joaquin Valley Air Pollution Control District (SJVAPCD), the State or Federal government. [Source: 10-9-4.D]

10.14.060 MP – Planned Industrial Zone District **Reserved**

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Chapter 10.16

Special Purpose Zones (RCO, UR)

Chapter 10.16 Special Purpose Zones (RCO, UR)

10.16.010 Purpose and Intent of Special Purpose Zones

A. **RCO – Resource Conservation and Open Space Zone District.** The Resource Conservation and Open Space Zone District (RCO Zone District) is intended to provide for permanent open spaces in areas of the City which exhibit significant vegetation, scenic qualities, wildlife or recreation potential, and which are designated as open space or school and college sites by the General Plan. The maximum allowed residential density in the RCO Zone District is four dwelling units per acre. The RCO Zone District implements the Suburban Residential (SR), Low Density Residential (LDR), Open Space (OS), and Public/Institutional Facility (PI) land use designations in the General Plan. [Source: 10-4-1, modified]

B. **UR – Urban Reserve Zone District.** The Urban Reserve Zone District (UR Zone District) is intended to apply to areas which designated by the general plan to be held in reserve for the future urban expansion of low-density residential, medium-density residential, high density residential, light industrial, and heavy industrial land uses. The allowed residential density in the UR Zone District ranges from 4 to 29 dwelling units per acre. The UR Zone District implements the Medium Density Residential (MDR), High Density Residential (HDR), Light Industrial (LI), Heavy Industrial (HI), Open Space (OS), Public/Institutional Facility (PI), and Community Buffer land use designations in the General Plan. [Source:

10.16.020 Land Use Regulations and Allowable Uses

A. **Table 10.16-A Land Use Regulations – Special Purpose Zones.** Table 10.16-A (Land Use Regulations – Special Purpose Zones) identifies the allowed land uses within each of the special purpose zone districts, and the permit required to establish each land use. [Source: NEW]

B. **Uses Not Listed.** Land uses not listed in Table 10.16-A (Land Use Regulations – Special Purpose Zones) are not allowed, in compliance with Subsection 10.10.040.A (Land Use Not Listed is Not Allowed), except as otherwise established in Subsection 10.10.040.B (Community Development Director Determination). [Source: NEW]

C. **Specific Use Regulations.** The far-right column in Table 10.16-A (Land Use Regulations – Special Purpose Zones) indicates additional regulations that apply to the specific land use listed. Land use regulations in other sections of this Zoning Code may also apply. [Source: NEW]

D. **Zone Clearance.** In addition to the permit requirements established in Table 10.16-A (Land Use Regulations – Special Purpose Zones), issuance of a Zone Clearance may be required before the establishment of a land use, in compliance with Chapter 10.82 (Zone Clearance). [Source: NEW]

E. **Site Plan and Design Review.** In addition to the permit requirements established in Table 10.16-A (Land Use Regulations – Special Purpose Zones), Site Plan Review may be required before the establishment of a land use, in compliance with Chapter 10.96 (Site Plan Review). [Source: NEW]

Table 10.16-A
Land Use Regulations – Special Purpose Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit		
Land Use	**Permit Requirement by Zone**		**Additional Regulations**
	RCO	**UR**	
Agriculture, Resource, & Open Space Uses			
Agriculture, Horticulture	P	P	
Beekeeping	P	P	
Horse Stable	P	-	
Wildlife Preserve	P	P	
Human Services Uses			
Cemetery	C	-	
Community Care Facility, Small (up to 6 persons)	P	P	
Emergency Shelter	-	P	Section 10.50.060
Family Day Care Home	P	-	
Infrastructure, Communication, and Transportation Uses			
Utility Facility and Infrastructure	P	P	Section 10.50.190
Telecommunication Facilities	P	P	Section 10.50.200
Public and Quasi-Public Uses			
Public and Quasi-Public Uses	P	P	
Recreation, Education, and Public Assembly Uses			
Park and Playground	P	P	
Place of Assembly	C	C	
School, Private	P	P	
Residential Uses			
Accessory Structure, Residential	P	-	Chapter 10.32
Accessory Use, Residential	P	P	Chapter 10.32
Agricultural Employee Housing	P	P	

Table 10.16-A
Land Use Regulations – Special Purpose Zones

Key:	P = Allowed by Right; (-) = Not Allowed; C = Conditional Use Permit		
Land Use	**Permit Requirement by Zone**		**Additional Regulations**
	RCO	**UR**	
Dwelling, Accessory Dwelling Unit (ADU)	P	P	Chapter 10.52
Dwelling, Junior Accessory Dwelling Unit (JADU)	P	P	Chapter 10.54
Dwelling, Manufactured Home/Mobile Home	P	P	Section 10.50.110
Dwelling, Multi-Unit	-	P	Chapter 10.56
Dwelling, Single-Unit	P	P	
Dwelling, Three-Unit	-	P	
Dwelling, Two-Unit	-	P	
Guest Quarters	P	P	
Home Occupation	P	P	Section 10.84
Supportive Housing	-	P	
Transitional Housing	-	P	
Retail, Service, and Office Uses			
Accessory Structure, Non-Residential	P	P	Chapter 10.32
Accessory Use, Non-Residential	P	-	Chapter 10.32
Auction House	P	-	
Bed and Breakfast Inn	P	-	Section 10.50.030
Farmer's Market and Multi-Tenant Market	P	-	
Kennel	C	-	
Roadside Stand	P	P	
Transportation and Communication			
Airport, Heliport, and Helipad	P	P	

10.16.030 Development Standards

A. **Table 10.16-B Development Standards – Special Purpose Zones.** Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and established in compliance with the requirements in Table 10.16-B (Development Standards – Special Purpose Zones). [Source: NEW]

B. **Specific Use Regulations.** The far-right column in Table 10.16-B (Development Standards – Special Purpose Zones) indicates additional regulations that apply to the specific development feature or zone listed. Development standards in other sections of this Zoning Code may also apply. [Source: NEW]

C. **Other Applicable Regulations.** The "Other Applicable Regulations" section of Table 10.16-B (Development Standards – Special Purpose Zones Zones) indicates the location of additional development standards that apply to the special purpose zones. Other regulations in this Zoning Code may also apply. [Source: NEW]

Table 10.16.B
Development Standards – Special Purpose Zones

Development Standard	Special Purpose Zone Districts		Additional Regulations
	RCO	UR	
General			
Parcel Coverage (max. percent)	No Limitation	No Limitation	10.30.020
Parcel Area (min.)	No Minimum	No Minimum	
Distance between Structures (min.)	No Limitations	No Limitations	
Structure Height Maximum	35 ft.	75 ft.	10.30.030
Parcel Dimensions			
Parcel Width (min.), Interior Parcel	0 ft.	0 ft.	
Parcel Width (min.), Corner Parcel	0 ft.	0 ft.	
Parcel Width (min.), Reverse Corner/Cul-de-sac Parcel	0 ft.	0 ft.	
Parcel Depth (min.), Interior Parcel	0 ft.	0 ft.	
Parcel Depth (min.), Corner Parcel	0 ft.	0 ft.	
Parcel Depth (min.), Reverse Corner/Cul-de-sac Parcel	0 ft.	0 ft.	
Setbacks			
Front Yard Setback (min.)	0 ft.	0 ft.	

Table 10.16.B
Development Standards – Special Purpose Zones

Development Standard	Special Purpose Zone Districts		Additional Regulations
	RCO	UR	
Front yard curved lot and cul-de-sac minimum	0 ft.	0 ft.	
Side Yard Setback (min.), Interior Parcel	0 ft.	0 ft.	
Rear Yard Setback (min.)	0 ft.	0 ft.	

Other Applicable Regulations	
Land Use or Development Feature	**Chapter or Section Cross Reference**
Height Measurements and Exceptions	Section 10.30.030
Setback Measurements and Exceptions	Section 10.30.040
Setback Exchange	Section 10.30.050
Corner Cutoff Areas	Section 10.30.060
Fences, Walls, and Hedges	Chapter 10.34
Landscaping Standards	Chapter 10.36
Parking and Loading	Chapter 10.38
Sign Regulations	Chapter 10.40
Accessory Dwelling Units (ADU)	Chapter 10.52
Junior Accessory Dwelling Units (JADU)	Chapter 10.54

10.16.040 General Provisions

Urban Reserve Zone District Required Conditions. New land uses established in a UR Zone District shall comply with the following:

A. Whenever a new land use as listed in Table 10.16.A (Land Use Regulations – Special Purpose Zones) is to be established in the UR Zone District, the Community Development Director shall designate a zoning district classification for such land use which is consistent with the General Plan and such use shall be subject to comply with the regulations of the zoning district so designated as if the use was actually proposed within such district. [Source: 10-5-4-A]

B. No conditional use shall be allowed and no process, equipment or materials shall be used which are determined by the Community Development Director to be objectionable to persons living or working in the vicinity or injurious to property, crops, livestock or poultry in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire or explosion. [Source: 10-5-4-B]

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Chapter 10.18

Overlay Zones (FW, FF, PUD)

Chapter 10.18 Overlay Zones (FW, FF, PUD)

10.18.010 Flood Hazard Overlay Zone Districts (FW, FF)

A. **Intent of Standards.** The standards established in this Chapter are intended to apply to areas along the Kings River which are subject to flooding, and where it is therefore necessary to protect people and property from flood hazards regulations which shall apply in addition to applicable regulations of the base zoning district applied to affected property, in accordance with policies of the general plan. [Source: 10-10A-1]

B. **Establishment and Purpose of the Flood Hazard Overlay Zone Districts.** The purpose of each flood hazard overlay zone district is as follows:

1. **FW – Floodway Overlay Zone District.** The Floodway Overlay Zone District (FW Overlay Zone District) is intended for application to all areas designated by the General Plan as lying within a designated floodway. The FW Overlay Zone District implements the Open Space (OS) and Community Buffer land use designations in the General Plan. [Source: 10-10A-1A, modified]

2. **FF – Flood Fringe Overlay Zone District.** The Flood Fringe Overlay Zone District (FF Overlay Zone District) is intended for application to all areas designated by the General Plan as lying within a flood fringe area. The FF Overlay Zone District implements the Open Space (OS) and Community Buffer land use designations in the General Plan. [Source: [Source: 10-10A-1B, modified]

C. **General Provisions.** The standards established in this Section shall apply to lands within a FW or FF Overlay Zone District:

1. **Effect of Other Base Zone District Regulations.** All other base zone district regulations shall apply in combination with either the FW or FF Overlay Zone district. [Source: 10-10A-4]

2. **Allowed Land Uses.** Any land use normally allowed in the underlying zone may be allowed within the FW and FF Overlay Zone District, provided that the land use is also in compliance with any applicable Airport Land Use Plan standards. [Source: 27.18.030.C, modified]

3. **Elevated Construction Required.** All new development shall be elevated or floodproofed in accordance with a plan approved by the Building Official. Said plan shall be prepared to not cause floodwaters to be diverted onto adjacent properties, increase hazards to property located elsewhere or otherwise adversely affect other property. [Source: 10-10A-5-A]

4. **Floodproofing Plan.** Where improvements to existing structures and uses are contemplated, such improvements shall be permitted only in conformance with a plan approved by the Building Official which will assure floodproofing to such structures and uses to the maximum practical and feasible extent. [Source: 10-10A-5-B]

5. **RCO and FW Overlay Process.** The FW Overlay Zone District shall be combined only with the RCO Zone District, subject to following additional regulations: [Source: 10-10A-5-C]

   a. Fences, fills, walls, or other appurtenances shall not be placed so as to constitute an obstruction or debris catching obstacle to the free flow of floodwaters.

   b. All streets, bridges, canals, ditches, pipelines and overhead and underground utilities shall be located and constructed to minimize or eliminate the potential for flood damage.

   c. Developments shall be in conformance with all applicable policies of the safety element of General Plan.

   d. No development shall be permitted which does not receive approval by the state reclamation board under the provisions of California Administrative Code, title 23, and by the city under the provisions of chapter 18 of this title. (Ord. 622, 9-2-1980)

6. **Additional Flood Control Standards.** Regulations for development and construction in areas of special flood hazard are contained in Title 12 (Flood Control) of the Reedley Municipal Code. Said regulations are intended to be complimentary to the provisions of this Zoning Code relating to development and redevelopment in areas of potential flooding. [Source: 10-10A-5-D]

10.18.020 Planned Unit Development Overlay Zone District (PUD)

A. **Purpose of the Planned Unit Development Overlay Zone District.** The Planned Unit Development Overlay Zone District (PUD Overlay Zone District) is intended to apply to base zoning districts to ensure that property will be developed in a manner superior to that which would otherwise be achieved through strict adherence to the regulations of the base zoning district. [Source: 10-10B-1, modified]

B. **Application.** The PUD Overlay Zone District is intended to serve as an optional approach for applicants applying for a Planned Unit Development established in Chapter 10.20 (Planned Unit Developments). [Source: 10-10B-1, modified]

C. **General Provisions.** The development and use of land within a PUD Overlay Zone District shall comply with the standards and procedures established in Chapter 10.20 (Planned Unit Developments). [Source: 10-10B-2, modified]

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Chapter 10.20

Planned Unit Developments

Chapter 10.20 Planned Unit Developments (PUD)

10.20.010 Purpose and Intent

The purpose of this Chapter is to establish a process by which new development projects can achieve a more functional, aesthetically pleasing, and harmonious living and working environment within which otherwise might not be possible by strict adherence to the regulations of this Zoning Code. In certain instances, the objectives of this Zoning Code may be achieved by the PUDs which do not conform in all respects with the standards established in this Zoning Code. [Source: 10-11-1, modified]

10.20.020 General Plan Consistency

A. Density. The allowed residential density in a PUD Overlay Zone District ranges from 1 to 29 dwelling units per acre. [Source: NEW]

B. Consistent General Plan Land Use Designations. PUDs implement the following General Plan land use designations:

1. Suburban Residential (SR)
2. Low Density Residential (LDR)
3. Medium Density Residential (MDR)
4. High Density Residential (HDR)
5. Central Downtown Commercial (CDC)
6. Neighborhood Commercial (NC)
7. Community Commercial (CC)
8. Office Commercial (OC)
9. Service Commercial (SC)
10. Light Industrial (LI)
11. Heavy Industrial (HI)
12. Public/Institutional Facility (PI)

10.20.030 Applicability

A PUD may be located in any zone district upon the granting of a Conditional Use Permit in compliance with Chapter 10.100 (Conditional Use Permit), or by applying the PUD Overlay Zone District in compliance with the Section 10.18.020 (Planned Unit Development Overlay Zone District (PUD)). [source: 10-11-2]

10.20.040 Land Use Regulations and Allowable Uses

A PUD shall include only those uses allowed, either by-right or conditional uses, in the zone district in which the PUD is located, subject to the following exceptions:

A. **PUDs in UR, R-1, and RM Zone Districts.** In a UR, R-1, or RM Zone District, a Planned Unit Development (PUD) can incorporate any land use that is permitted as an allowed by-right use or conditional use in the R-1, MDR, HDR, or PO Zone Districts, or a combination of such land uses. [source: 10-11-3-A, modified]

B. **PUDs in CC Zone District.** In a CC Zone District, a Planned Unit Development (PUD) can incorporate any land use that is permitted as an allowed by-right or conditional use in the MDR, HDR, PO, or CS Zone Districts, or a combination of such land uses. [source: 10-11-3-B, modified]

C. **PUDs in ML and MH Zone Districts.** In a ML or MH Zone District, a Planned Unit Development (PUD) can incorporate any land use that is permitted as an allowed by-right or conditional use in the CS, ML, or MH Zone Districts, or any combination of such land uses. [source: 10-11-3-C]

D. **PUDs for Mobile Home Parks.** Only mobile home dwellings located on permanent foundations may be included within a Planned Unit Development (PUD) for a mobile home subdivision. [source: 10-11-3-D]

10.20.050 Development Standards

A. **Application of Development Standards.** The development standards of parcel area and dimensions, parcel coverage, yard spaces, distances between structures, off street parking and off-street loading facilities and landscaped areas need not be equivalent to the standards established for the regulations for the zone district in which the PUD is located if the applicant can demonstrate the objectives of this Zoning Code and Chapter are achieved. [source: 10-11-5-A]

B. **Residential Density.** The average residential density shall not exceed 25 percent of the maximum residential density prescribed by the development standards of the underlying zone district, or Section 10.50.070 (Mixed Use) for a mixed-use project.

10.20.060 Required Conditions

No land use shall be allowed and no process, equipment or materials shall be employed which are determined to be objectionable to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare, unsightliness or heavy truck traffic or to involve any hazard of fire or explosion. [source: 10-11-7]

10.20.070 Conditional Use Permit Procedures and Conditions

A. **Alternative Procedure.** In lieu of the permit processing procedures established in this Section, an applicant may also rezone or reclassify their parcel in compliance with Section 10.19.020 (Planned Unit Development Overlay Zone District (PUD)).

B. **Application Processing.** The regulations established in Chapter 10.100 (Conditional Use permit) shall control the procedure for submitting an application for and processing of a Conditional Use Permit for a PUD, subject to the following procedures: [source: 10-11-7]

1. In lieu of the drawing of the site, the application shall be accompanied by a general development plan of the entire PUD, drawn to scale and showing provisions for: draining of surface waters, watercourses, railroad and public utility rights of way, streets, driveways and pedestrian walks, off street parking and loading facilities, reservations and dedications for public uses, private uses including dwelling types, lot layout, locations, heights and elevations of structures and landscaped areas. [source: 10-11-7-A]

2. The application shall be accompanied by a tabulation of the area proposed to be devoted to each land use and a tabulation of the average residential density in the area or areas proposed to be devoted to residential use. [source: 10-11-7-B, modified]

3. When a PUD involves proposals which necessitate the filing of a tentative subdivision map and/or which would also necessitate the granting of exceptions of the regulations of the Subdivision Ordinance, the Planning Commission may grant tentative approval of the proposal. Where such tentative approval is requested by the applicant, the requirements of Paragraphs 1 and 2 of this Subsection may be waived temporarily, provided the applicant submits the following: [source: 10-11-7-C, modified]

a. In lieu of the drawing of the site prescribed in Subsection 1 of this Section, the application shall be accompanied by a schematic drawing drawn to a minimum scale of one-inch equals one hundred feet (1" = 100'), showing the general relationships contemplated among all public and private uses and existing and proposed physical features. [source: 10-11-7-C-1]

b. A written statement setting forth the source of water supply, method of sewage disposal, means of drainage, dwelling types, residential and nonresidential uses, parcel layout, public and private access, height of structures, lighting, landscaped areas and provisions for maintenance of landscaped areas, area to be devoted to various uses and residential density contemplated by the applicant. [source: 10-11-7-C-2]

c. Upon approval of a tentative subdivision map, in accordance with the procedures prescribed by the Subdivision Ordinance, the applicant shall submit a development plan in accordance with the requirements of Paragraphs 1 and 2 of this Subsection before the Planning Commission may grant a final approval of the applicant's proposal. [source: 10-11-7-C-3]

4. Application Denial. The Planning Commission may deny an application for a Conditional Use Permit for a planned unit development if it is unable to make one or more of the required findings established in Section 10.20.080 (Findings) of this Chapter. [source: 10-11-7-F., modified]

5. Appeal. The action on a PUD application may be appealed to the City Council in compliance with Chapter 10.100 (Conditional Use permit). [source: 10-11-7-G & H, modified]

10.20.080 Findings

To grant a Conditional Use Permit for a PUD, the Planning Commission shall make the following findings:

A. That the proposed location of the PUD is in accordance with the objectives of this title.

B. That the proposed location of the PUD and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, and welfare or materially injurious to properties or improvements in the vicinity.

C. That the proposed PUD will comply with each of the applicable provisions of this section.

D. That the standards of residential density, site area and dimensions, site coverage, setbacks, height of structures, distance between structures, off street parking and off-street loading facilities, landscaped areas and street design will produce an environment of stable and desirable character consistent with the objectives of this Title and will not generate more traffic than the streets in the vicinity can carry without congestion and will not overload utilities.

E. That the combination of different dwelling types and/or variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses in the vicinity.

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Title 10 – Zoning Code

Article 3 – Regulations Applicable to All Zones

PUBLIC REVIEW DRAFT

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Chapter 10.30

General Site Planning and Development Standards

Chapter 10.30 General Site Planning and Development Standards

10.30.010 Purpose

The purpose of this Chapter is to prescribe development and site regulations that apply, except where specifically stated, to development in all districts. These standards will be used in conjunction with the standards for each zoning district located in Article 2 (Zones, Allowable Uses, and Development Standards). In the event of a conflict, the standards specific to the zone district will override these regulations. [Source: New]

10.30.020 Parcel Coverage Measurement

Parcel Coverage is the percent of the total footprint of all structures on a parcel to the net parcel area. The footprints of all principal and accessory structures, including garages, and carports, shall be included in the parcel coverage measurement unless otherwise noted. The following structures shall be excluded from the calculation: [Source: New]

A. Uncovered decks, patios, landings, balconies, and unenclosed stairways;

B. Eaves and roof overhangs;

C. Trellises and similar structures;

D. Outdoor swimming pools and hot tubs; and

E. Accessory dwelling units and junior accessory dwelling units created through new construction. [Source: New]

10.30.030 Height Measurements and Exceptions

A. Height Measurement. Excluding accessory structures, the height of a structure shall be measured vertically from the average elevation of the surface of the ground covered by the structure to the highest point of the structure. [Source: 10-15-9, modified]

B. Exceptions. The following exceptions shall apply.

1. The provisions of this Section shall not apply to the height of any structure necessary for public safety or as required by any law or regulation of the State or agency thereof.

2. Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, air conditioning equipment, or similar equipment required to operate and maintain structures, and fire and parapet walls, skylights, towers, spires, cupolas, road signs (where allowed), flagpoles, chimneys, smokestacks, television and radio masts, or similar structures, may be erected above the height limit but shall not be allowed for the purpose of providing additional living or floor space. [Source 10-6A-10(B)(1)]

C. **Height of Accessory Structures.** The height of accessory structures shall be determined in accordance with Chapter 10.32 (Accessory Structures).

10.30.040 Setback Measurements and Exceptions

A. **Setback Measurement.** Setback measurements shall be measured as follows:

3. A setback line defining a required yard is parallel to and at the specified distance from the corresponding front, side, or rear property line. For regulations pertaining to projections or encroachments into required setbacks, refer to Section 10.30.040.B (Allowed Projections). [NEW]

4. Where a parcel abuts a street having only a portion of its required width dedicated or reserved for public rights-of-way, parcel area and required setbacks shall be measured from a line representing the boundary of the additional width required for street purposes abutting the parcel. [Source 10-15-3(B)-Revised]

B. **Garage and Carport Location.** Garages or carports shall be located not less than 20 feet from any street frontage where the garage door or carport opening faces and takes direct access to the street. Where setback requirements pose a greater setback, such setback shall apply. [Source 10-6A-10(A)(1-7)]

C. **Allowed Projections.** In addition to Section 10.30.050 (Setback Exchange for Residentially Zoned Parcels), structure and architectural features may project into a required setback in compliance with the following standards.

1. The standards of this Section apply to new development or structures and new equipment that is added to serve existing structures. [Source: New]

2. Where more than 60 percent of such portion of the linear frontage of parcels within any block is comprised of parcels with less than the minimum front setback requirement, the minimum front setback requirement in such block may be reduced to the average of the actual front setbacks of all the parcels in such block, counting those which have front setbacks greater than the minimum front setback requirement of the zoning district as having the minimum requirement. [Source 10-15-3(C)(4)]

3. The structures listed in Table-10.30-A may extend into, and other encroachments may be in, required setbacks and are subject to all applicable requirements of the Building Code. No structure or projection thereof shall extend into a public easement. [New]

Table 10.30-A
Allowed Projections

Projection Type	Front Setback	Street Side Setback	Interior Side Setback	Rear Setback
Cornices, eaves, awnings, canopies, sunshades, sills, cornices, belt courses, trellises, arbors, and other similar architectural features *[Source 10-6A-10(B)(2)]*	8 feet	2 feet	2 feet	2 feet
Patios, porches, platforms, decks, and other unenclosed areas not covered by a roof or canopy which do not extend above the level of the first floor of the building except for open work guard rails to the extent legally required *[Source 10-6A-10(B)(4)]*	6 feet or 20% of said width into a court and in no case more than 6 feet.	2 feet	3 feet	3 feet
Open unenclosed stairways, stair landing and balconies without roofs *[Source 10-6A-10(B)(5)]*	30 inches	Not allowed	Not allowed	Not allowed
Fireplace chimneys *[Source 10-6A-10(B)(3)]*	30 inches	30 inches	30 inches	30 inches
Open, unenclosed, metal fire escapes and depressed ramps or stairways	4 feet	Not allowed	Not allowed	4 feet
Planter boxes attached to a structure	3 feet	Not allowed	Not allowed	Not allowed
Electric Vehicle Charging Equipment *[New]*	Not allowed	No limit (can extend to parcel line)	No limit (can extend to parcel line)	No limit (can extend to parcel line)
Air conditioners, compressors, hot tub motors, pool filters, and other mechanical equipment *[New]*	Not allowed	Not allowed	Not allowed	No limit (can extend to parcel line)
Swimming Pool and Spas	Not allowed	Allowed in compliance with the California Building Code	Allowed in compliance with the California Building Code	Allowed in compliance with the California Building Code

10.30.050 Setback Exchange for Residentially Zoned Parcels

Excluding accessory dwelling units and junior accessory dwelling units in compliance with Chapter 10.52 (Accessory Dwelling Unit) and Chapter 10.54 (Junior Accessory Dwelling Unit), front yards on residentially zoned lots may be less than the required setback, provided that a written request and site plan are submitted in accordance with Section 10.30.050 (Setback Exchange).

10.30.060 Corner Cutoff Areas

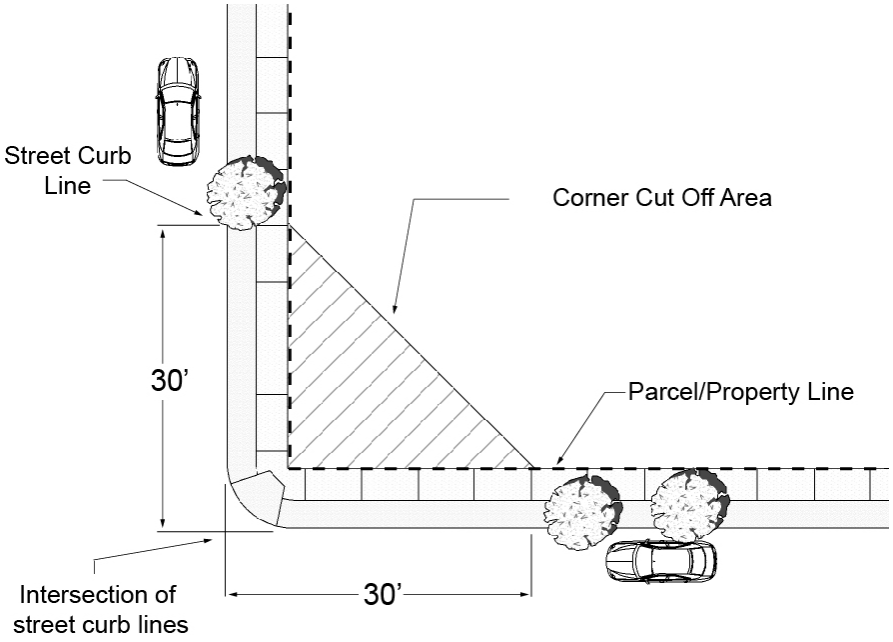
A. **Purpose and Applicability.** Any new development proposed adjacent to any public right-of-way, private street, alleyway, and/or access easement shall be designed to provide corner cutoff areas for pedestrian and traffic safety. [Source: NEW]

B. **Maximum Height Limit in Corner Cut Off Area.** Except as otherwise provided in this Title, no structure, fence, wall, hedge, or other object shall exceed three feet in height when located in a corner cut off area. Corner cutoffs are established to provide an unobstructed view for vehicular traffic approaching an intersection [Source: 10-6A-6, modified]

C. **Measurement of Corner Cutoff Area.** On corner parcels, the corner cutoff area shall be formed by a 90-degree triangle with two sides measuring 30 feet along both the front and side street curb lines, said length beginning at their intersection at the street curb line, and a third side connecting the two ends running diagonally across the property. See Figure 10.30-1 (Corner Cutoff Area Measurement). [Source: 10-6A-6, modified]

D. **Maintenance.** The traffic safety visibility area shall be continuously maintained by the individual property owner(s) in compliance with the standards established in this Section. [Source: NEW]

Figure 10.30-1
Corner Cutoff Area Measurement



Chapter 10.32

Accessory Structures

Chapter 10.32 Accessory Structures

10.32.010 Purpose and Applicability

A. **Purpose.** The purpose of this Chapter is to establish the regulations that apply to accessory structures in residential zoning districts, and to specify the uses that are allowable as accessory to the primary use in residential zoning districts. [Source: New]

B. **Applicability.** The standards established in this Chapter shall apply to the following:

1. Residential Accessory Structures, as defined in Title 10, Article 8 (Definitions).

2. Decks that exceed 200 square feet in area and exceed 30 inches above the ground elevation, excluding above-ground pools. [Source: New]

10.32.020 Permit Requirements

Except as otherwise provided in this Title, no special planning permit or entitlement shall be required for accessory structures that are consistent with the standards in this Chapter. [Source: New]

10.32.030 Relationship to Other Structures

A. An accessory structure may only be constructed on a parcel with a legally allowed primary structure. [Source: New]

B. For accessory dwelling units and junior accessory dwelling units used as a habitable space, please refer to Chapter 10.52 (Accessory Dwelling Unit) and Chapter 10.54 (Junior Accessory Dwelling Unit). [Source: New]

10.32.040 Development Standards

Accessory structures shall conform to the same property development standards as main structures except as required by this Section.

A. Accessory structures shall not be located in the corner cutoff area as identified in Section 10.30.060 (Corner Cutoff Area).

B. Residential Accessory Structures shall be exempt from side and rear yard setback requirements identified in Article 2 if they comply with all of the following:

1. The accessory structure is less than 120 square feet in area;

2. The height of the accessory structure is 12 feet or shorter, measured from plate line, provided the slope from the plate line to the roof ridge shall not exceed 5/12;

3. No plumbing, electrical, mechanical, or gas systems shall be allowed in or attached to the accessory structure; and

4. The accessory structure shall comply with California Building Code requirements.

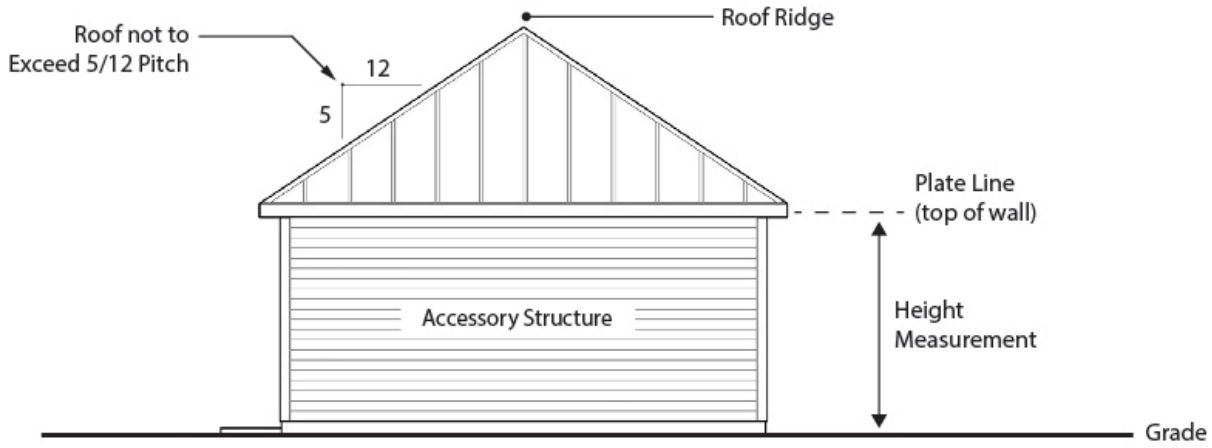
C. Residential accessory structures shall comply with the setback requirements identified in Article 2 and California Building code requirements if any of the following apply:

1. The accessory structure is 120 square feet or greater in area;

2. The height of the accessory structure is taller than 12 feet, measured from plate line, provided the slope from the plate line to the roof ridge shall not exceed 5/12; and

3. Plumbing, electrical, mechanical, or gas systems are in or attached to the accessory structure.

Figure 10.32-1
Accessory Structure Height Measurement



D. **Maximum Height.** The maximum height of accessory structures shall be established in compliance with Article 2. The maximum height of accessory dwelling units shall be established in compliance with Chapter 10.52 (Accessory Dwelling Unit) and Chapter 10.54 (Junior Accessory Dwelling Unit).

E. **Rental of Structure Prohibited.** No accessory structure shall be rented for any purpose or otherwise used as an accessory dwelling unit unless developed and rented specifically in compliance with Chapter 10.52 (Accessory Dwelling Unit) and Chapter 10.54 (Junior Accessory Dwelling Unit).

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Chapter 10.34

Fences, Walls, and Hedges

Chapter 10.34 Fences, Walls, and Hedges

10.34.010 Purpose and Applicability

A. **Purpose.** The purpose of this Chapter is to define and provide standards for the location, composition, and height of fences, walls, and hedges. No provision of this Chapter is intended to supersede or be in conflict with any Federal, State, or local regulation or statute relating to security fencing, or any safety requirements of the board of education. The following shall be in addition to the regulations of each zoning district. [Source: New]

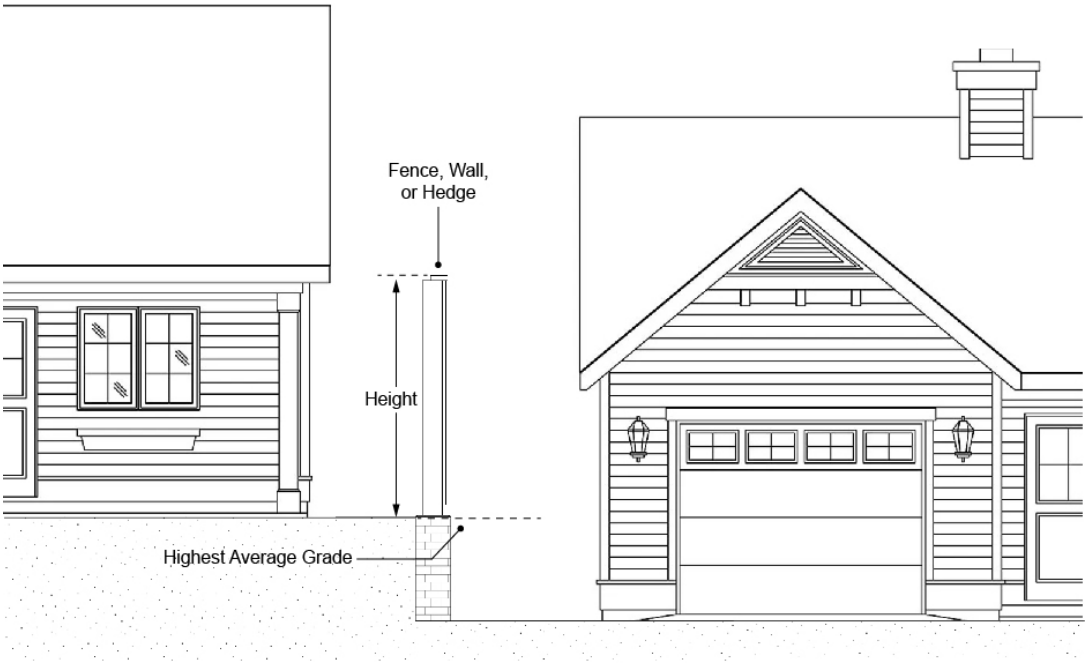
B. **Applicability.** The standards established in this Chapter shall apply to:

1. New fences, walls, or hedges;
2. New development;
3. Building additions to existing structures that expand the existing floor area by at least 20 percent, or 2,500 square feet, whichever is less, not including single-unit dwellings or duplexes. The addition and/or expansion shall be cumulative from the date of adoption of this Title;
4. The demolition and reconstruction of a parcel; and
5. A request for a Conditional Use Permit. [Source: New]

10.34.020 Height Measurement

The height of a fence, wall, or hedge shall be measured from the average ground level to the highest point of the fence, hedge, or wall, excluding the post or column. Whenever there is a grade separation at the fence/property line between two or more abutting properties, the height shall be measured from the highest average grade to the highest point of the fence, hedge, or wall, excluding the post or column. See Figure 10.34-1 (Fence, Wall, and Hedge Height Measurement). [Source: 10-6A-6]

Figure 10.34-1
Fence, Wall, and Hedge Height Measurement



10.34.030 Height Limitations

A. **Increased Fence, Wall, and Hedge Height.** Notwithstanding other provisions of this Title, the Community Development Director may approve an increased height of any required fence, wall, or hedge to a maximum of 12 feet if there is a grade separation at the fence/property line between two or more abutting properties that is greater than three feet. [Source: 10-6A-6.1]

B. **Residential Zone Height Limitations.** The following fence, wall, and hedge height limitation standards shall apply to all parcels within a residential zoning district.

1. **Front Setbacks.** The height of fences, walls, and hedges in the front setback shall comply with the following:

a. **Maximum Height in Front Setback.** No fence, wall, or hedge over three feet in height shall be allowed in any required front setback area or within the excepted corner cutoff area. [Source: 10-6A-6]

b. **Alternative Fencing.** Alternatively, a wrought iron or tubular steel type fence, where at least 90 percent of the fence shall be open for the passage of light and air, may be constructed to a maximum height of four feet in the front setback area and in the defined corner cutoff area. [Source: 10-6A-6]

c. **Exception.** For parcels where the front setback abuts a reverse corner parcel, the fence, wall, or hedge can exceed three feet in height subject to review and approval by the Director. [New]

2. **Rear and Side Setbacks.** Fences, walls, and hedges, not greater than seven feet in height, shall be allowed on all rear and side property lines, and on or to the rear of all front setback lines, unless otherwise stated below. [Source: 10-6A-6]

a. **Corner Cutoff Area.** Fences, walls, and hedges shall comply with the following corner cutoff area standards:

i. No fence, wall, or hedge over three feet in height shall be allowed within any defined corner cutoff area. [Source: 10-6A-6]

ii. No fence, wall, or hedge over three feet in height shall be allowed within the street side setback of a reverse corner parcel. The fence, wall, or hedge can exceed three feet in height subject to review and approval by the Director. [Source: NEW]

b. **Alternative Fencing.** Alternatively, a wrought iron or tubular steel type fence, where at least 90 percent of the fence shall be open for the passage of light and air, may be constructed in the defined corner cutoff area. [Source: 10-6A-6]

C. **Commercial Zone Height Limitations.** The following fence, wall, and hedge height limitation standards shall apply to all parcels within a commercial and/or office zoning district.

1. **Request for Modification to Standards.** Upon approval by the Community Development Director, a fence or wall up to 12 feet in height may be allowed. [Source: NEW, City staff addition]

2. Where a parcel adjoins or is located across a street or alley from an RCO, UR, R, RE, RM, or PO district, a decorative-style solid wall or fence seven feet minimum in height, or other height or type of screening device as may be required by the Community Development Department, shall be located on the property line common to such districts. [Source: 10-8-2(A)-Modified]

3. **Properties Along Reedley Parkway.** Where a parcel adjoins or is located across the Reedley Parkway, the following height standards shall apply: [Source: Policy CD-026]

a. Fencing along a property line shared with the Reedley Parkway is not required to be a solid wall or fence seven feet minimum in height if the proposed land use is complementary to the Reedley Parkway and provides a connection to the Reedley Parkway. [Source: Policy CD-026(3)]

b. Fencing along a property line shared with the Reedley Parkway may be open fencing less than seven feet in height. [Source: Policy CD-026(4)]

c. Fencing shall comply with Section 10.34.040 (Fence Materials).

a. Allowed use or conditional use of open storage of materials and equipment shall be allowed only within an area surrounded or screened by a decorative-style solid wall or fence seven feet minimum in height with a maximum height of 10 feet. [Source: 10-8-2(B)]

4. Corner Cutoff Area. Fences, walls, and hedges erected on a parcel within a commercial zoning district shall comply with all corner cutoff area standards established in Section 10.30.060 (Corner Cutoff Area). [Source: 10-8-2(C), modified]

D. Industrial Zone Height Limitations. The following fence, wall, and hedge height limitation standards shall apply to all parcels within an industrial zoning district.

1. Where a parcel adjoins an RCO, UR, RE, R, RM, PO, or CC zone district, a solid decorative-style wall or fence seven feet in height or such other height or type of screening device as may be required by the Community Development Department, shall be located on the property line common to such districts, except in a required front setback or if a parcel adjoins the Reedley Parkway. [Source: 10-9-3(A)-Modified]

2. Industrial Zoned Properties Along Reedley Parkway. For parcels adjoining the Reedley Parkway, please see Paragraph 10.34.030.C.3 (Properties Along Reedley Parkway). [[Source: Policy CD-026]

3. A use not conducted entirely within a completely enclosed structure, on a parcel across a street or an alley from an RCO, UR, RE, R, RM, CC, or CN zoning district shall be screened by a decorative-style solid wall or screen fence, not less than seven feet in height. The Community Development Director may approve a wall or fence up to 14 feet in height. [Source: 10-9-3(B)]

4. In an ML zoning district, open storage of materials and equipment shall be allowed only within an area surrounded and screened by a decorative-style solid wall or compact evergreen hedge (with solid gates where necessary), not less than seven feet in height. [Source: 10-9-3(C)]

5. **Corner Cutoff Area.** Fences, walls, and hedges erected on a parcel within an industrial zoning district shall not comply with all corner cutoff area standards established in Section 10.30.060 (Corner Cutoff Area). [Source: 10-9-3(D)], modified]

6. No fence or wall shall exceed 12 feet in height if located in a required front, side, or rear yard setback. [Source: 10-9-3(E)]

E. **Game and Recreational Use Fencing.** Fences or structures over six feet in height, to enclose tennis courts, or other game areas shall be composed of wire mesh or chain link fencing. [Source: 10-6A-6]

10.34.040 Fence Materials

A. **General.** A fence may be made of a variety of materials including wire mesh, steel mesh, chain-link, iron, masonry, louvered glass, wood slat, or stake and other similar materials, and constructed with or without openings (i.e., open framework such as wrought iron or a solid fence such as cedar or redwood planks). [Source: 10-6A-6]

B. **Allowable Materials.** The following materials shall be allowed in all districts, except when a zoning district has a more restrictive list of allowed materials. See Subsection 10.34.040.C (Prohibited Materials in Residential Zone Districts): [Source: New]

1. Materials specifically allowed elsewhere in this Chapter;

2. Wood pickets;

3. Split rail wood;

4. Wrought iron and tubular steel;

5. Brick and stone;

6. Stucco;

7. Synthetic materials in compliance with Subsection 10.34.040.F (Synthetic Materials), below.

8. Shade cloth when used in combination with allowed fencing such as chain link, wrought iron, or tubular steel, provided it consists of materials specifically manufactured for such a purpose; and

9. Privacy slats when in combination with chain link fencing (when chain link is allowed) provided it consists of materials specifically manufactured for such a purpose.

C. **Prohibited Materials in Residential Zone Districts.** Chain link fencing shall not be allowed to be used as a fence material in any residential zone district.

D. **Prohibited Materials.** The following materials shall not be allowed to be used as a fence material in any district: [Source: New]

1. Plywood, oriented strand board, pressboard, and similar wood products;
2. Chicken wire or similar wire products;
3. Corrugated metal or corrugated plastic;
4. Piping (including metal, PVC, and other materials);
5. Improvised materials, including but not limited to wood scraps, doors, garage doors, refrigerator doors, and mattresses;
6. Improvised screening materials, including but not limited to blankets and tarps; and
7. Any material not listed unless approved by the Director.

E. **Retaining Walls**. Retaining walls shall be designed consistent with the architectural style of the primary structure. Retaining walls shall consist only of concrete, masonry, stone, brick, or timber. Timber may be allowed only if not in conflict with the Building Code and applicable City standards. [New]

F. **Veneer and Synthetic Materials.** Veneer or synthetic materials simulating the actual, natural material (i.e.., brick or stone veneer in place of actual brick or stone) shall only be allowed upon demonstrating to the Community Development Director that the substitute material complies with the following:

1. Simulates the natural material; and [New]
2. Is organized visually to simulate actual construction using natural material (i.e., organization of brick in offsetting rows or placing larger stones at the bottom and smaller stones toward the top). [New]

10.34.050 Required Fencing and Walls

Solid masonry walls shall be required to be constructed in order to mitigate noise generated by vehicular traffic. The fence or wall may be constructed on property lines abutting collector streets, arterial streets, expressways, highways, and freeways. The height of such wall shall be determined by the Community Development Director in relation to the noise, danger, or hazard involved. Said fence or wall may be required when a use requires a permit according to the noise, danger, or hazard involved. [Source: 10-6A-6-Modified]

10.34.060 Temporary Fencing

Temporary fencing, including construction fencing, may be approved as deemed necessary and appropriate by the Community Development Director in compliance with the allowable materials listed in Section 10.34.040.B (Allowed Materials). [Source: New]

10.34.070 Swimming Pools, Spas, and Other Water Feature Fencing

Fencing for swimming pools, spas, and other water features shall comply with the fencing requirements established in the California Building Code. [Source: NEW]

Chapter 10.36

Landscaping

Chapter 10.36 Landscaping

10.36.010 Purpose

The specific purposes of the landscaping regulations are to: [Source: New]

A. Improve the appearance and livability of the community;

B. Enhance the aesthetic appearance of development and provide environmental benefits;

C. Aid in energy conservation;

D. Protect water quality and prevent soil erosion by providing trees and vegetated areas that harvest, absorb, and filter rain and storm water;

E. Reduce air pollution and absorb greenhouse gas emissions through the biological filtering capacities of trees and vegetation, and reduce the negative quality-of-life effects of heat, noise, and glare;

F. Promote conservation of water resources through the installation of properly designed, installed, and maintained climate-appropriate plants and water-efficient irrigation systems;

G. Minimize or eliminate conflicts between potentially incompatible but otherwise allowed land uses on adjoining parcels through visual screening; and

H. Soften the appearance and reduce the heat island effect of parking lots and other development.

10.36.020 Applicability

The standards of this Chapter shall apply to: [Source: New]

A. New development projects with landscaping;

B. Additions (other than to single-unit dwellings or two-unit dwellings) to an existing structure that expands the existing floor area by 2,500 square feet or more. The floor area increases to the existing structure shall be cumulative from the date of adoption of this Title;

C. A new structure with a floor area of 1,000 square feet or more on a developed parcel, except for accessory or junior accessory dwelling units. The 1,000 square feet shall be cumulative from the date of adoption of this Title;

D. The demolition and reconstruction of a structure; and

E. A first-time installed landscaping or a re-landscaping project where the new or modified landscaped area is equal to or greater than 1,000 square feet;

10.36.030 Water Efficient Landscape Ordinance

A. **Purpose.** The purpose of this Section is to adopt by reference the State Model Efficient Landscape Ordinance as required by State law. [Source: New]

B. **Adoption of State Model Water Efficient Landscape Ordinance.** Except as hereafter provided, the city hereby adopts the Model Water Efficient Landscape Ordinance (MWELO) of the State by reference as identified in Sections 49 through 495, Chapter 2.7, Division 2, of Title 23 of the California Code of Regulations, as amended. A copy of the Model Water Efficient Landscape Ordinance of the State shall be maintained in the Planning Department and the Office of the City Clerk and shall be made available for public inspection while this ordinance is in force. [Source: New]

C. **Local Agency Defined.** The term "local agency" in the Water Efficient Landscape Ordinance shall mean the City of Reedley. The term "local water purveyor" in the Water Efficient Landscape Ordinance shall mean the City of Reedley. [Source: New]

10.36.040 General Landscaping Standards

A. **Allowed Materials.** The following landscaping materials are allowed:

1. **Combination of Materials.** Landscaping may consist of a combination of turf, groundcovers, artificial trees and shrubs, shrubs, vines, trees, incidental features such as steppingstones, benches, fountains, sculptures, decorative stones, and other decorative features placed within a landscaped setting. [Source: New]

2. **Hard Top, Gravel, and Rocks.** Paved (e.g., concrete, stone, masonry) surfaces, gravel (including decomposed granite) surfaces, and rocks shall not exceed 75 percent of the area required to be landscaped. [Source: New]

3. **Recirculating Water Features Required.** Recirculating water shall be used for decorative water features. [Source: New]

4. **Non-Plant Materials.** Non-plant materials such cinder, bark, and similar materials shall not be used to meet the minimum planting area required by this section unless underneath shrubs and trees. [Source: New]

5. **Synthetic Lawns.** Synthetic lawns or ground covers shall be considered as turf and may cover up to 90 percent of the required landscape area. [Source: New]

6. **Mulch.** A minimum two-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting ground covers or other special planting situations where mulch is not recommended. Stabilizing mulching products shall be used on slopes. Mulch shall be confined to areas underneath shrubs and trees and is not a substitute for ground cover plants. [Source: New]

B. **Dimension of Landscaped Areas.** Landscaped areas shall have a minimum horizontal dimension of two and one-half feet to count towards required landscaping. [Source: New]

C. **Corner Cutoff Area.** Landscaping shall be installed and maintained in compliance with the corner cutoff area standards established in Section 10.30.060 (Corner Cutoff Areas). [Source: NEW]

10.36.050 Landscape Area Requirements

A. **Single-Unit, Two-Unit, and Three-Unit Residential Dwellings**. All required front and street-facing side setbacks, except for areas used for parking, recreation, and exit and entry shall be landscaped. If a solid fence is provided on a street side setback property line, the street side setback is not required to be landscaped. [Source: NEW]

B. **Residential Uses with Four or More Dwelling Units and Mixed-Use.** All required setbacks, except for areas used for parking, recreation, and exit and entry, shall be landscaped. [Source: NEW]

C. **Non-Residential Uses.** All required setbacks and setbacks that abut a street, except for areas used for exit and entry, shall be landscaped. If an industrial land use abuts an industrial district, side and rear setbacks are not required to be landscaped. However, should an industrial use abut a single-unit or multi-unit dwelling property, it shall be fully landscaped. [Source: NEW]

D. **Landscaping along Parcel Perimeters**. Landscape buffers shall be installed and maintained along side and rear parcel lines between differing zone districts, in accordance with the sections of this Article and the following standards: [Source: New]

1. The following uses shall maintain a landscape buffer minimum of five feet in width: [New]
    a. Multi-unit dwelling residential
    b. Mixed-use
2. The following uses shall maintain a landscape buffer minimum of five feet in width: [New]
    a. Non-residential
    b. Commercial, office, business park
    c. Industrial
    d. Public Facilities

E. **Unused and Non-Landscaped Areas.** All areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, shall be maintained clear and free of refuse, debris, or other accumulated matter. [New]

F. **Location of Trees.** All trees shall be planted outside of meter boxes and outside of any public utility easement(s). Trees planted adjacent to public utility easement(s) shall have root barriers installed. [New]

10.36.060 Landscaping Maintenance

A. All planting and other landscape elements required by this Article shall be permanently maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. [Source: New]

B. Trees shall be maintained by property owners to be free from physical damage or injury arising from lack of water, chemical damage, accidents, vandalism, insects, and disease. [Source: New]

C. Property owners and occupants of parcels fronting on any portion of a street shall maintain private trees and landscaping in such condition that the trees or landscaping will not interfere with the public safety and convenience in the use of streets or sidewalks. Such owners and occupants shall maintain such trees so that there is an eight-foot-high pedestrian clearance from the top of the sidewalk or pathway, and a 13-foot-high vehicular clearance from the top of the curb or the top of the pavement. [Source: New]

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Chapter 10.38

Parking and Loading

Chapter 10.38 Parking and Loading

10.38.010 Purpose and Applicability

A. **Purpose.** The specific purpose of the parking and loading regulations are to:

1. Establish off-street parking requirements that are appropriate to their land use type and size of development. [New]
2. Offer flexible means of minimizing the amount of area devoted to vehicle parking. [New]
3. Require that parking areas are designed to reduce potential environmental impacts, including minimizing stormwater runoff and heat island effects. [New]
4. Ensure that on-site parking and loading areas are designed and located to protect public safety; minimize congestion and conflict points on travel aisles and public streets; and where appropriate, buffer surrounding land uses from their impact. [New]
5. Provide loading and delivery facilities in proportion to the needs of allowed uses. [New]
6. Protect neighborhoods from the effects of vehicular noise and spillover traffic and parking generated by uses in adjacent nonresidential districts and ensure adequate infrastructure to improve circulation. [New]

B. **Applicability.** The requirements of this Chapter apply to the following:

1. **Change In Use, Additions, and Enlargements.** Whenever there is a change in use, or increase in floor area, or other unit of measurement specified in this chapter, and such change, increase or other unit of measurement is such that it creates a need for an increase in the number of off street parking spaces by 50 percent or more, such increase in off street parking facilities shall be provided on the basis of the increased requirements of the new use, or on the basis of the increased floor area, or in other units of measurement; provided, however, that in case a change in use creates a need for two or fewer additional off street parking spaces, no additional parking spaces shall be required. [Source: 10-12-2(E)-Modified]
2. **Projects and Land Uses with an Approved Site Pla.** The requirements of this Section shall apply to all uses for which a site plan is approved in accordance with the provisions of this Title. [Source 10-2-3(G)-Modified]

3. **Alterations that Increase the Number of Dwelling Units.** The creation of additional dwelling units through the alteration of an existing structure or construction of an additional structure or structures requires the provision of on-site parking to serve the new dwelling units. If the number of existing parking spaces is greater than the requirements for the existing units, the number of spaces more than the prescribed minimum may be counted toward meeting the parking requirements for the new dwelling units. Where an existing use is expanded, the parking requirements of this Chapter shall apply only to the addition. [New]

4. **Non-Conforming Parking or Loading.** In compliance with Article 5 (Nonconformities) and except as provided for in Chapter 10.52 (Accessory Dwelling Unit) and Chapter 10.54 (Junior Accessory Dwelling Unit), an existing use of land or structure shall not be deemed to be non-conforming solely because of a lack of on-site parking and/or loading facilities required by this Chapter. [New]

10.38.020 General Provisions

A. **Units of Measurement**. The units of measurement used in this Chapter shall comply with the following:

1. For the purposes of this Chapter, "floor area" shall mean that floor area used, or intended to be used, for service to the public as customers, patrons, clients, patients, or tenants, including areas occupied by fixtures and equipment used for the display or sale of merchandise. It shall not include areas used principally for storage, or administrative offices incidental to a retail or commercial service use. [Source: 10-12-2(D)(1)]

2. In the case of mixed uses, the required off street parking shall be the sum of the requirements for the various uses computed separately. Off-street parking for one use shall not be considered as providing required parking for any other use except as allowed for in this Chapter for specified for shared uses.

3. If, in the calculation of the requirements of this section, a fractional number results, fractions of one-half or greater shall be rounded up to the nearest whole number, and fractions of less than one-half shall be rounded down to the nearest whole number, except as otherwise provided. [Source: 10-12-2(D)(2)-Modified]

B. **Existing Parking and Loading Uses.** No existing parking or loading areas may be reduced in amount or changed in design, location, or maintenance below the requirements for such use, unless equivalent substitute facilities are provided. [Source: 10-12-8-Modifed]

C. **Maintenance.** Parking lots and pedestrian areas, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter. [New]

10.38.030 Number of Spaces Required

A. **Minimum Standards.** Each land use shall provide at least the minimum number of off street parking spaces required by this Chapter, except where a greater number of spaces is required through land use entitlement approval or where an exception has been granted through approval of a minor deviation permit in accordance with Chapter 10.94 (Minor Deviation) or a discretionary permit. [New]

B. **Parking Schedule.** The number of parking spaces required per land use is established in Table 10.38-A (Parking Schedule). [Source 10-12-2-Modified]

Table 10.38-A
Parking Schedule

Use	Spaces Required
Residential Uses	
Single Unit Dwelling	Two spaces for each dwelling unit. One covered space shall be designated for each unit.
Two-Unit Dwellings, Three-Unit Dwellings, and Multi-Unit Dwellings	One and one-half covered or uncovered spaces per dwelling unit. Guest Parking: One uncovered space per 10 units.
Multi-Unit Dwellings within Mixed-Use Projects	One space for each dwelling unit.
Accessory Dwelling Unit/Junior Accessory Dwelling Unit	Refer to Chapter 10.52 (Accessory Dwelling Unit) and Chapter 10.54 (Junior Accessory Dwelling Unit)
Multi-Unit Dwellings within Senior Citizen Projects	One-half space per unit. Guest Parking: one space per five units.
Family Day Care	None in addition to what is required for the residential use.
Single Room Occupancy (SRO)	One-half space per unit.
Community Care, Large (7 or more persons)	Two spaces for the owner-manager plus one for every five beds and one for each non-resident employee.
Community Care, Small (up to 6 persons)	None in addition to what is required for the residential use.
Supportive Housing	If less than six residents = none other than what is required for the residential use. If more than six residents = One-half space per bed plus one visitor space per 10 beds.
Transitional Housing	None in addition to what is required for the residential use.

Table 10.38-A
Parking Schedule

Use	Spaces Required
Public and Semi-Public Uses	
Colleges and Trade Schools, Public or Private	One space for each employee, including teachers and administrators, plus one space for each three adult students.
Place of Assembly	One space for each 60 square feet of floor area used for seating if seats are not fixed, or one space for each five seats. School classrooms associated with a place of assembly do not require parking in addition to that required for place of assembly seating.
Day Care Centers	One space per employee plus two loading spaces.
Emergency Shelters	One space per 500 square feet of floor area.
Hospitals and Clinics or Urgent Care	One space per 250 square feet of floor area.
Schools, Public or Private	Elementary and Middle Schools: one space for each employee including teachers, administrators, and custodians, plus one space for each 50 students enrolled. High School: one space for each employee including teachers, administrators, and custodians, plus one space for each 25 students enrolled.
Commercial Uses	
Vehicle Sale and Services	
Vehicle Fueling Station (including alternative fuels and electrical vehicle (EV) charging stations)	Two spaces for self-service station. See Retail Stores and Personal Service for parking requirements for Convenience Stores accessory to a vehicle fueling station.
Vehicle Rental	One space per 500 square feet of office/rental area. One space per 5,000 square feet of outdoor rental storage area.
Vehicle Sales and Leasing	One space per 5,000 square feet of new display area and requirements of automobile repair where applicable.
Vehicle Repair	One space for every two service bays. One space per 500 square feet of non-service bay floor area.
Vehicle Washing	One space for each washing stall, not including the stall. Two spaces if self-service station.
Commercial/Retail Sales and Services	
Banks and Financial Institutions	One space per 400 square feet of floor area.
Entertainment and Recreation	Athletic Clubs/Fitness Centers: one space per 200 square feet of floor area. Bowling Alleys: one space per lane. Theaters: one space per 20 seats. Other places of assembly without fixed seats: one space for each 60 square feet used for assembly.
Eating and Drinking Establishments	Drive-Through Only (no seating): one space per employee.

Table 10.38-A
Parking Schedule

Use	Spaces Required
	Restaurants and Coffee Shops/Cafes, Quick Service: one space per 350 square feet of floor area. Restaurants, Full Service: one space per 200 square feet of floor area. Bars/Nightclub/Lounge: one space per 500 square feet of floor area.
Funeral Parlors and Internment Services	One space for every 60 square feet. of assembly area, plus one space per 250 square feet. of office area.
Food and Beverage Sales	
Convenience Store	See Retail Stores and Personal Service.
Liquor Store	One space per 450 square feet of floor area.
Lodging	
Hotels and Motels	One space per each room plus one space for every two employees.
Mixed Uses	
See "Unified Centers"	
Offices	
Business and Professional Offices	One space per 500 square feet of floor area.
Medical/Dental Clinic or Offices (Includes Veterinary Services)	One space per 400 square feet of floor area.
Retail Stores and Personal Service	One space per 400 square feet of floor area.
Retail Stores which only handle large merchandise (household appliances, farm implements and machinery)	One space per 600 square feet of floor area.
Swap Meet/Flea Markets	Five spaces per vendor, plus 10 spaces per one-half acre of gross use area.
Industrial Uses	
Animal Product Processing	One space per 1,000 square feet of gross floor area, plus one space for each two employees.
Brewery, Distillery, Winery with Tasting Room	One space for each 750 square feet of gross floor area, plus one space for each two employees.
Brewery, Distillery, Winery without Tasting Room	One spaces for each 5,000 square feet of gross floor area, plus one space for each two employees.
Industrial, Minor Industrial, Major Industrial, Hazardous	One spaces for each 2,500 square feet of gross floor area, plus one space for each facility vehicle.
Junkyard	One space for every 1,000 square feet of gross floor area.
Refuse Disposal Site	One space for every 1,000 square feet of gross floor area.
Salvage and Dismantling Facility	One space for every 1,000 square feet of gross floor area.

Table 10.38-A
Parking Schedule

Use	Spaces Required
Storage Facility, Personal	Minimum three parking spaces. One space per 200 storage units, plus one space per 300 square feet of office area.
Storage Facility, Restricted	Minimum three parking spaces. One space per 200 storage units, plus one space per 300 square feet of office area.
Warehousing and Distribution Facility	One space per 1,000 square feet of gross floor area.
Manufacturing, warehouse, wholesale, and distribution uses	One space per 1,000 square feet of gross floor area.
Unified Centers	
Uses within a unified center as defined in Article 8 (Definitions).	Three spaces for each 1,000 square feet of gross leasable area.
Uses not within a unified center as defined in Article 8 (Definitions).	The number of spaces otherwise required for the type of use by provisions of this Chapter.
Utilities	
Electric distribution substations, electric transmission substations, gas regulator stations, public utility pumping stations, reservoirs, water or gas storage tank farms, sewage treatment plants and other public utility structures and uses	One space for each three employees of the maximum working shift, plus one space for each company vehicle stored on the site. Where such facility is unmanned, no spaces need be provided.

10.38.040 Shared Parking

Upon written application by the owner or lessee of any property, the shared use of parking facilities by the following uses or activities may be authorized as specified in this chapter: [Source: 10-12-2(H)-Modified]

A. The off-street parking required for a use considered to be primarily a daytime use may be provided as the parking facilities of a use considered to be primarily a nighttime use, provided, however, that such parking area shall meet the conditions identified in Section 10.38.030.

1. The following uses are considered typical daytime uses: banks, business offices, retail stores, personal service shops, clothing or shoe repair or service shops, manufacturing or wholesale structures and similar uses. The following uses are considered typical nighttime uses: theaters, bars, auditoriums other than those incidental to a public or private school, places of assembly, and similar uses.

2. The following are conditions required for shared use of parking facilities:

1. The parking facility shall be located within 600 feet of such use.

2. The applicant shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the shared use of off-street parking facilities is proposed.

3. If the use, structure, or improvement requiring off street parking is in one ownership and the required parking space provided is in another ownership, partially or wholly, there shall be a written agreement or authorization provided to the City where such owner or owners will commit to maintaining such parking space so long as said structure or improvement is maintained by said owner. The written agreement or authorization required shall stipulate that the Title to and right to use the parcel or parcels upon which the parking space is to be provided will be subservient to the Title to the premises upon which the building is to be erected and that said parcel or parcels are not and will not be made subject to any other covenant or contract for use without prior written consent of the City.

10.38.050 Offsite Parking Facilities

Parking facilities may be provided off site provided the following conditions are met.

A. **Location.** Offsite parking facilities shall comply with the following location standards:

1. **Residential Uses.** Any offsite parking facility shall be located within 600 feet of the unit or use served, measured by the shortest route of pedestrian access.

2. **Nonresidential Uses.** Any offsite parking facility shall be located within 600 feet of the principal entrance containing the use(s) for which the parking is required, measured by the shortest route of pedestrian access, and all parking spaces are located within 1,000 feet of the perimeter of the parcel or building site.

3. **Exception.** In all commercial zone districts, off street parking facilities may be located within 1,000 feet of the use for which the spaces are required, measured by the shortest route of pedestrian access. [Source: 10-2-6, modified]

B. **Parking Agreement.** A written agreement between the landowner(s) and the City in a form satisfactory to the Community Development Director shall include:

1. A guarantee among the landowner(s) for access to and use of the parking facility; and

2. A guarantee that the spaces to be provided will be maintained and reserved for the uses served for as long as such uses are in operation.

10.38.060 Parking Facility Design Standards

All off-street parking areas shall be designed and developed consistent with the following regulations:

A. **Drive Aisle Dimensions.** All parking areas shall have sufficient room for turning and maneuvering vehicles shall be provided on the parcel in compliance with the following:

1. **Minimum drive aisle width for two-way traffic with 90-degree parking on both sides:** 27 feet. [Source: NEW]
2. **Minimum drive aisle width for two-way traffic with 90-degree parking on one side:** 24 feet. [Source: NEW]
3. **Minimum drive aisle width for two-way traffic without parking on either side or without parking on both sides:** 20 feet. [Source: NEW]
4. **Minimum drive aisle width for one-way traffic with parking on either side or with parking on both sides:** 16 feet.
5. **Minimum drive aisle width for one-way traffic without parking on either side or without parking on both sides:** 12 feet.

B. **Bumper Rails.** Bumper rails or other barriers shall be provided where needed for safety or to protect property, as determined by the Community Development Director. [Source 10-12-3(A)-Modified]

C. **Ingress and Egress.** Entrances and exits to parking lots and other parking facilities shall not be more than necessary to allow access in and out of the parcel and/or structure, as determined by the Community Development Director and the City Engineer. [New]

D. **Minimum Dimensions for Residential Garages and Carports.** Garages and carports serving residential uses shall be constructed to meet the following minimum inside dimensions. [New]

1. A single car garage or carport shall have a minimum inside dimension of 11.5 feet in width by 18 feet in length.
2. A two-car garage or carport shall have a minimum inside dimension of 20 feet in width by 18 feet in length.
3. The vertical clearance for garage or carport parking spaces shall not be less than seven feet six inches.
4. To determine the existing number of garage spaces for an existing dwelling unit the following dimensions shall apply:
    a. An existing garage with minimum interior dimensions of 8.5 feet in width and 18 feet in length shall qualify as one existing enclosed parking space.

b. An existing garage with minimum interior dimensions of 17 feet in width and 18 feet in length shall qualify as two existing enclosed parking spaces.

c. If the minimum interior dimensions of an existing garage parking space exceed the minimum dimensions in this Subsection, the existing enclosed space dimensions shall be maintained.

E. **Minimum Parking Space Dimensions**. Each parking space shall not be less than 20 feet in length and nine feet in width, exclusive of drive aisles. Variations in the length of the parking space are allowed subject to approval by the Community Development Director and can include wheel stops and curb overhangs if the overall length is 20 feet, and as long as a four-foot path of travel is maintained around the overhang if parking spaces abut a walking path or sidewalk. [Source 10-2-3(C)]

F. **Compact Parking.** Compact parking shall be evenly distributed in parking areas or levels; it may not be located within 25 feet of a ramp, driveway, or ground floor pedestrian entrance. The following provisions shall apply to a proposed parking lot with compact parking spaces: [New]

1. Compact spaces shall be a minimum of 8.5 feet in width and 16.5 feet in length.

2. Up to 30 percent of the parking spaces in any given parking lot in the commercial, industrial, or multi-unit residential zone districts may be designated as compact spaces. Other long-term parking areas may also be considered by the Community Development Director. Single-unit dwellings shall not use compact spaces.

3. Before any compact spaces are allowed, five standard size stalls shall be provided. These five standard size spaces shall be located on the parcel closest to the main structure entrance.

4. At least 50 percent of the standard size spaces, excluding the required five minimum and the required ADA-compliant parking spaces, shall be located on the parcel closest to the main entrance (up to 25 spaces). On parcels exceeding 70 spaces, 25 standard size and the required ADA-compliant spaces shall be located on the parcel closest to the main entrance.

5. All compact parking spaces shall be clearly designated by pavement markings or signs.

G. **Electric Vehicle (EV) Parking Standards.** Electric vehicle parking standards for all uses and zoning districts established by this Title shall comply with Government Code Section 65850.7 and California Green Building Code Standards. [Source: NEW]

H. **Repair and Maintenance Prohibited.** No commercial repair work or servicing of vehicles shall be conducted on a parking site unless screened from public view. [Source 10-2-3(E)]

I. **Lighting.** Parking areas shall have lighting capable of providing adequate illumination for security and safety. Lighting standards shall be energy efficient and in scale with the height and use of adjacent uses. Lighting shall be so arranged as to deflect the light away from adjoining properties.

J. **Parking Screening, Fencing, and Landscaping.** Parking facilities shall comply with the following screening, fencing, and landscaping standards:

1. In a PO or C District, not less than fifty percent (50%) of the interior of an off-street parking area shall be landscaped with trees and other allowed landscape materials within 10 years of planting. Landscaped areas shall be distributed throughout the parking area to the extent practical in consideration of the size and design of the parking area.

2. Where an off street parking area in a commercial zoning district adjoins an R or RM zoning district, a solid decorative-style wall or fence shall be located on the property line adjacent to such districts, except in a required front setback and within the area of a corner parcel on the street side of a diagonal line connecting points located 30 feet along the property lines as measured from the intersection of the property lines at the street corner.

10.38.070 Off Street Loading Requirements

A. **Applicability.** Loading spaces are required when a structure is to be occupied by a manufacturing establishment, storage facility, warehouse facility, retail store, eating and drinking, wholesale store, market, hotel, hospital, mortuary, laundry, dry-cleaning establishment, or other similar uses requiring the receipt or distribution by vehicles or trucks of material or merchandise for every new structure. The regulations in this Section shall apply to existing and proposed uses with new structures, additions, or changes of use, and shall govern design of both required and non-required loading areas. [Source: New]

B. **Loading Space Design Requirement.** Required loading spaces shall comply with Table 10.38-B (Loading Space Requirements). [Source: NEW]

Table 10.38-B
Loading Space Requirements

Square Footage	Required Loading Spaces
0-6,999 square feet	0
7,000-40,000 square feet	1
40,001-90,000 square feet	2
90,001-150,000 square feet	3
150,001-230,000 square feet	4
230,001+ square feet	1 per each 100,000 square feet of portion thereof

C. **Multi-Tenant Structures.** The square footage of the entire structure shall be used in determining spaces for multi-tenant structures. A common loading area may be required if each tenant space is not provided with a loading area. Drive-in, roll-up doors for multi-tenant industrial projects may be substituted for required loading areas. [Source: New]

D. **Reduction in Number of Loading Spaces Required.** The loading space requirement may be waived if the Community Development Director finds that the applicant has satisfactorily demonstrated that due to the nature of the proposed use, such loading space will not be needed. [Source: New]

E. **Additional Loading Spaces Required.** The required number of loading spaces shall be increased to ensure that trucks will not be loaded, unloaded, or stored on public streets. Such requirement shall be based on the anticipated frequency of truck pickups and deliveries and of the truck storage requirements of the use for which the on-site loading spaces are required. [Source: New]

F. **Location.** The location of off-street loading areas shall comply with following:

1. All required loading areas shall be located on the same parcel as the use served.

2. No loading berth for vehicles over two-ton capacity shall be closer than 50 feet to any property in a Residential Zoning district unless completely enclosed by building walls, or a uniformly solid fence or wall, or any combination thereof, not less than 10 feet in height.

3. No allowable or required loading berth shall be located within 25 feet of the nearest point of any street intersection.

G. **Alley Access.** When the parcel upon which the loading spaces are located abuts any alley, such loading space shall adjoin or have access from said alley unless determined otherwise by the Community Development Director. [Source: New]

H. **Dimensions.** Loading spaces shall be not less than 12 feet in width, 40 feet in length, with a 14-foot vertical clearance. [Source: New]

I. **Lighting.** Loading areas shall have lighting capable of providing adequate illumination for security and safety. Lighting standards shall be energy efficient and in scale with the height and use of adjacent uses. Lighting shall be so arranged as to deflect the light away from adjoining properties. (source: 10-19-7-C)

J. **Driveways for Ingress and Egress and Maneuvering Areas.** Each on-site loading space required by this Section shall be provided with driveways for ingress and egress and maneuvering space of the same type and meeting the same criteria required for on-site parking spaces. Truck-maneuvering areas shall not encroach into required parking areas, travel ways, or street rights-of-way. This requirement may be modified if the Community Development Director finds that sufficient space is provided so that truck-maneuvering areas will not interfere with traffic and pedestrian circulation. [Source: New]

10.38.080 Exceptions to Parking and Loading

A. **Structures Constructed Before July 1, 2024.** The parking area or space requirements imposed by the provisions of this Code shall not apply upon a Change of Occupancy, as defined by the Building Code, or a change in the building code in affect at the time of the permit, for any building or structure which was constructed before July 1, 2024. [New]

B. **Exceptions Within the Downtown Area.** None of the provisions of this Title which require the provision of off-street parking and off street loading spaces shall apply to any parcel of property which is located within the Downtown Area as defined by the City Council of the City of Reedley. [Source: 10-12-10(B)-Modified]

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Chapter 10.40

Sign Regulations

Chapter 10.40 Sign Regulations

10.40.010 Purpose and Applicability

A. **Purpose.** The purpose of this Chapter is to establish regulations and procedures for regulating signs, including the type, size, location, and construction standards of signs by zone district. Signs have an obvious impact on the character and quality of the City. The intent of these regulations is to provide a set of standards for on-site and offsite signs to safeguard the life, health, property, and the public welfare, while encouraging creativity, variety and compatibility and enhancement of the image of the City. [Source: 10-14-1]

B. **Applicability.** This Chapter regulates all signs on public and private property, except where expressly stated otherwise. No sign shall be erected or maintained anywhere in the City except in conformity with this Chapter. [Source: New]

10.40.020 Definitions

Unless specifically defined in this Chapter, this Title and the California Building Code definitions shall apply to the construction, meaning and application of words or phrases in this Chapter. As used in this Chapter, the following definitions apply: [Source 10-14-2-Modified]

A. **Animated Sign. A** sign with messages that visually change, or images that move or appear to move, more frequently than once every 24 hours, regardless of the method by which the visual change is affected. This definition does not include traditional barber poles, hand-held signs, personally attended signs, commercial mascots, scoreboards, or signs which merely display time or temperature. Animated signs include electronic message signs, sometimes called electronic reader boards. A sign that displays a series of still images which change more frequently than once per 24 hours, whether by digital, LED, or functionally equivalent method, is within this definition. [Source: NEW]

B. **Abandoned Sign.** A sign that no longer advertises or identifies a legal business establishment, product, or activity.

C. **Awning.** Any structure made of flexible fabric, metal, wood, or similar material covering a metal frame attached to a building, whether or not the same is so erected as to permit its being raised to a position flat against the building when not in use.

D. **Awning Sign.** Any sign painted on or attached to or supported by an awning.

E. **Banner.** Any cloth, bunting, plastic, paper, or similar material attached to, or appended on or from any structure, pole, line, or framing upon which there is a temporary advertising message.

F. **Cabinet Sign.** A sign that contains all text, logo, or symbols within a single enclosed cabinet and may or may not be illuminated. The terms “cabinet sign” and “sign can” are used interchangeably.

G. **Changeable Copy Sign.** A sign constructed or designed to allow for periodic changes of copy, and for which the copy is changed not more than once each 24 hour period. Examples include signs for an auditorium, theater, church, meeting hall, or similar uses characterized by public assembly and changing programs or events, or gas station prices. This definition does not include animated signs or electronic reader board signs. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "public information sign" and not a changeable copy sign for purposes of this Chapter.

H. **Directional Sign.** Any sign, other than a highway marker or any sign erected and maintained by public authority, or a public utility which is designed, erected, and maintained for the purpose of directing persons to a place, structure, or activity.

I. **Emitting Sign.** A sign that emits odors, visible smoke, vapor, or particles, or produces noise or sounds that can be heard at the property line.

J. **Externally Illuminated Sign.** A sign which has light cast on its surface from an artificial exterior source installed for the purpose of illuminating the sign.

K. **Feather Flag.** A portable advertising medium, mounted on a pole that resembles a sail.

L. **Flag.** Any fabric or banner containing distinctive colors, patterns, or design that displays the symbol(s) of a nation, state, local government, company, organization, belief system, idea, or other meaning.

M. **Freestanding Sign.** A permanent sign that is self-supporting in a fixed location and not attached to a building. Freestanding signs are of two types: monument and pole. Monument signs are connected or attached to a sign structure, fence, or wall that is not an integral part of a building. Pole signs are mounted on a pole(s) or other support(s) that are placed on and anchored in the ground or on a base and that is independent from any building or other structure. Flag poles are not within this definition.

N. **Sign Height.** The vertical distance from the uppermost point used in measuring the area of a sign to ground level of the foundation of the sign.

O. **Illegal Sign.** Any sign placed without proper approval or permits as required by the Reedley Municipal Code at the time of sign placement. Illegal sign also means any sign placed contrary to the terms or time limits of any permit and any illegal nonconforming sign that has not been brought into compliance with the provisions of this Chapter.

P. **Internally Illuminated Sign.** Any sign whose illumination originates from within the structure of the sign and the source of which is not visible from the exterior of the sign.

Q. **Off Site or Off Premises Signs and Billboards.** Any sign not located on the same parcel as the use, product, or service it advertises.

R. **Pedestrian Access.** A doorway which has been designed for the primary use of the patrons or customers of that commercial use.

S. **Pedestrian Oriented Sign.** A sign which is specifically located and designed to be viewed from a pedestrian right of way.

T. **Pennant.** Lightweight plastic, fabric, or other materials, suspended from a rope, wire, or string designed to move in the wind. Pennants shall not include banners as defined in this chapter or individual flags mounted on a single pole.

U. **Political Sign.** A sign advertising a candidate for political office, a political party, policy position regarding a referendum, a position concerning a recall election, or a measure scheduled for an election.

V. **Portable Sign.** A sign which is capable of being carried or moved by manual or mechanical means from one location to another and which is not affixed to the ground, a structure, or a vehicle. Portable signs also include blimps and balloons which may or may not contain an advertising message. Includes sandwich board, tip and roll, and hinged-wind signs.

W. **Projecting Sign.** A sign that projects from and is supported by a wall or a facade of a structure and are also referred to as marquee signs.

X. **Public Information Sign.** A sign on public property open to the public that is erected or maintained by a public agency or that serves to fulfill a permit condition imposed by a public agency, such as a sign erected to preserve the safe and efficient control of traffic and parking or to provide notification of essential governmental services. Display time shall be limited to three seconds with a one second interval between displays on a stationary sign.

Y. **Reader Board.** A sign indicating the name, address, and type of businesses within a structure.

Z. **Roof Sign.** A sign erected upon or above a roof or parapet of a structure.

AA. **Roofline.** The highest point of a parapet wall of the main roof structure or a highest point of a parapet wall other than such architectural features as cupolas, pylons, projections or minor raised portions of the roof.

BB. **Sandwich Board Sign.** A portable sign with advertising messages mounted on two surfaces with two edges connected and the other two edges spread so that the two faces read from different directions.

CC. **Sign.** Any words or symbols used for visual communication including its structure and component parts intended to be used to attract attention to an activity.

DD. **Sign Area.** The surface area of a sign including all elements such as board or frames, perforated or a solid background, ornamental embellishments, arrows, or other sign media.

EE. **Sign Copy.** Any words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign face and/or its structure with the purpose of attracting attention to the subject matter.

FF. **Sign Face.** The panel surface of a sign which carries the advertising or identification message.

GG. **Sign Structure.** Any structure which supports or can support any sign. A sign structure may or may not be an integral part of a building. 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.

HH. **Special Events Sign.** Any sign advertising specific temporary events, such as carnivals, festivals, exhibits, or parades, promotional sales, or grand openings.

II. **Statue.** A multiple-dimensional representation, including a sculpture. A statue that contains commercial speech is a sign.

JJ. **Structural Alteration.** Any change to the integrity of a sign structure.

KK. **Subdivision or Multiple Unit Housing Entrance Sign.** A sign identifying the name of a subdivision or multi-unit residential dwelling project and consisting of letters or symbols attached to a wall or a fence or freestanding sign located within the boundaries of a recorded and developed subdivision or multi-unit residential dwelling project.

LL. **Temporary Subdivision Sign.** A sign erected and maintained within the boundaries of a recorded subdivision and indicating the name of the subdivision, the name of the contractor and/or subdivider, the name of the owner and/or agent, and giving information regarding directions, price or terms concerning the sale or lease of parcels within the subdivision.

MM. **Unified Center.** A group of two or more office, commercial or industrial uses planned and designed to function as an integral unit on a single parcel or contiguous parcels and which use common off street parking and access, landscaping, loading facilities and points of ingress and egress. Also known as a Shopping Center or Unified Shopping Center.

NN. **Wall Sign.** A sign attached to or erected against the wall or facade of a structure with the exposed face of the sign in a plane parallel to the plane of the wall or facade.

OO. **Wind Sign.** Any display of streamers, pennants, whirligigs, or similar devices made of flexible lightweight material, strung together, or attached in such a manner as to move by wind pressure.

PP. **Window Sign.** Any sign viewable through or affixed in any manner to a window or exterior glass door such that it is viewable from the exterior, including signs located inside a structure but visible primarily from the outside of the structure.

10.40.030 Sign Permit Required

A. **Sign Permits.** All signs, including banners, shall require a permit and payment of applicable processing fees as provided in the Master Fee Schedule unless exempted by this Chapter. No permit shall be issued unless the sign is consistent with this Chapter, any applicable sign program, specific plan, or the General Plan. [Source 10-14-3]

B. **Administration.** Except for window signs, no sign may be placed or erected without written approval issued by the Community Development Director including banner signs and portable signs. In addition, building permits shall be required for the erection of signs, except painted, window, or temporary signs, following the issuance of written approval by the Director. [Source 10-14-13(A), modified]

C. **Applications.** Applications for sign approval shall be made upon forms provided by the Community Development Department. In addition to the information supplied on the sign application form, supplemental information may be required as deemed necessary by the Director, including, but not limited to, engineered footing and foundation details for freestanding signs. [Source 10-14-13(B)]

D. **Review of Sign Applications.** Permission for installation of a sign shall be issued only after review by the Community Development Director who shall approve, deny, or conditionally approve the sign application on the basis that it conforms to the purpose and the standards of this Chapter. [Source 10-14-13(C)]

E. **Referral to Planning Commission.** The Community Development Director, at their discretion, may refer any application to the Planning Commission, which may approve, conditionally approve, or deny the sign application. [Source 10-14-13(D)]

10.40.040 Exempt Signs

The following Signs and devices shall not be subject to the provisions of this Chapter: [Source 10-14-10]

A. **Address Signs.** Required address identification signs that are in compliance with the California Building Code.

B. **Governmental Signs.** Signs placed by a governmental body or public utility, required to be maintained by law, including, legal notices and such temporary emergency or non-advertising signs as may be authorized by the City Council.

C. **Memorial.** Memorial tablets or plaques placed by recognized historical agencies.

D. **Government Flags.** Flags of the national or State government.

E. **Traffic Signs.** Traffic or other signs erected by government agencies, signs required by law or contract with a governmental agency and railroad crossing signs.

F. **Holiday Celebration Signs.** Decorations or window signs to celebrate nationally recognized holidays and local events.

G. **Permanent Window Signs.** Permanent window signs including hours of operation, credit card signs and similar ancillary business signs. Additionally, "open", "closed" and "help wanted" signs may be placed. Signs indicating "open" and "closed" may be illuminated.

H. **Political Signs.** Political signs, that adhere to the following regulations:

1. Political signs are allowed on privately owned parcels with permission of the property owner.
2. The combined area of a sign by any one candidate on any one parcel shall not exceed 32 square feet.
3. Political signs shall not be attached to trees, fence posts, or utility poles.
4. Political signs shall not be illuminated either directly or indirectly.
5. No political sign or portion thereof shall be placed in any street right-of-way or on any City owned property.
6. No sign shall be placed in a corner cutoff area, or within 30 feet of intersecting curb lines of a street intersection or placed in such a manner as to interfere with pedestrian traffic.
7. Political signs shall not be erected or placed more than 60 days before the date of the election.
8. All political signs shall be removed within 14 days following the date of the election. Signs not removed within this period may be removed by the City and the cost of removal assessed against the candidate.

I. **Real Estate Signs.** It is the intent of the City Council, for purposes of promoting the local economy, tourism, and for further purposes of beautifying the City, to adopt standards regarding real estate signs, their location and design.

1. **For Sale or Lease.** On-site or structure signs not exceeding four square feet for single-unit or two-unit dwellings, and 16 square feet for multi-unit dwellings, business, and industrial sites of up to two acres in area, 32 square feet total sign area for multifamily, business, and industrial sites of two acres or larger, and one in number per street frontage.

2. **Open House, On Site.** On-site or structure signs, between the hours 10:00 a.m. and 7:00 p.m. daily, not exceeding four square feet per sign and one in number per site or structure.

3. **Open House; Offsite Residential.** Open house signs, including for two- and three-unit dwellings, between the hours of 9:00 a.m. and 7:00 p.m. daily, not exceeding four square feet per sign and one in number in the neighborhood of sales; not to be located in any center median of a public road or in a sidewalk right-of-way; and directional arrows with addresses not exceeding six in number in the neighborhood of sales. In adopting this exemption for off site residential open house signs, the City Council finds as follows:

   a. The City has a compelling interest to exempt certain signs to further the purpose and objectives of this chapter and to allow for the use of signs with minimal aesthetic impact because of their size and temporary nature.

   b. The single-unit residential real estate industry is distinct from other industries in that there are generally no storefronts available for advertising and most homes are not located adjacent to heavily traveled streets. This makes offsite signs that advertise available homes necessary for potential buyers to find them.

   c. Real estate signs do not advertise goods or services, but actual locations. Directing potential buyers to an available home is necessary to facilitate real estate transactions as potential buyers shall be able to find and view the available homes.

   d. Single-unit residential real estate sales are temporary and infrequent as opposed to sales from commercial businesses. Exempting single-unit residential open house real estate signs will not lead to a proliferation of unsightly signs because they will be used only during very limited times when there is an open house, will be removed at the end of each day of use, and once a home is sold will no longer be used.

   e. Exempting offsite open house real estate signs is necessary to allow homeowners to efficiently advertise and sell their properties as quickly as possible and to assist potential buyers in finding available homes within our community.

10.40.050 Prohibited Signs and Locations

Unless expressly allowed by another section of this Chapter or other applicable law, the following sign types, locations, and materials are prohibited: [Source 10-14-9-Modified]

A. Any sign that is not permanently mounted or attached to a vehicle parked for the purpose of calling attention to or advertising a special business establishment.

B. Any sign or sign structure which has become a public nuisance due to inadequate maintenance, dilapidation, or abandonment.

C. Any sign which obstructs in any manner the ingress to, or egress from, a door, window, fire escape, or other accessway required by building codes adopted by the city.

D. Illegal Signs.

E. Any sign now or hereafter existing which no longer advertises a business conducted or a product sold as prescribed in this Chapter.

F. Any sign which encroaches into any City right-of-way and/or easement, except an under canopy sign or projecting sign.

G. Pole signs.

H. Any sign that flashes, blinks, moves, changes color, appears to change color, changes intensity, or contains any part of attachment which does the same.

I. Any unofficial sign, signal or device, or any sign, signal or device which purports to be or is an imitation of, or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view any official sign or signal.

J. Any light of any color of such brilliance as to blind or dazzle the vision of drivers upon any roadway or highway nor shall any light be placed in such position as to prevent the driver of a vehicle from readily recognizing any traffic sign or signal.

K. Any sign located so that it interferes with visibility at an intersection, public right-of-way, driveway, or other ingress/egress.

L. Any sign attached to any tree, either on public and or private property.

M. Any sign using the City of Reedley's logo, official sign and seal, on public or private property, without the City of Reedley's permission.

N. Any sign erected or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the state, or rules and regulations duly promulgated by agencies thereof.

O. Off Site or Off Premises Signs and Billboards.

P. Emitting Signs.

Q. Any sign which, in the opinion of the Community Development Director and based upon applicable legal standards, is in conflict with the spirit or intent of this Chapter.

10.40.060 Signs Allowed by Zone

Signs allowed by zoning district are listed as follows:

A. **Residential Zone Districts.** Signs in residential zoning districts shall comply with the following standards:

1. **Address Numbers and Nameplates.** Address numbers and nameplates shall be allowed subject to the following conditions:

   a. Maximum Size. Address numbers and nameplates shall be limited to a maximum two square feet, or as otherwise required by the California Building Code.

   b. Placement. Nameplates shall be affixed flush to the subject structure.

2. "For rent" and "for sale" signs shall be allowed.

3. For subdivisions, residential developments, and mobile home parks, , no more than one sign shall be erected at each driveway entrance to the development. Signs shall not exceed 64 square feet for all readable surfaces, nor exceed 10 feet in height.

4. For subdivisions under construction, temporary signage and feather flags may be located within active construction sites for a period not to exceed two years from the date of the last building permit issued on the construction site. No permits required.

5. Public and quasi-public/institutional uses such as schools and places of assembly shall comply with the allowed signage in the Neighborhood Commercial (CN), Central and Community Commercial (CC), Commercial Service (CS), and Industrial (I) Zone Districts.

6. Urban Reserve and Resource Conservation Open Space (UR and RCO) Zone Districts. One freestanding or one flush mounted sign shall be allowed on the property. Signs shall be limited to 150 square feet for wall signs and limited to 20 feet in height and 64 square feet in area if a freestanding sign. Sign limitations shall not apply to airports, heliports, and helipads that are owned, operated, and under the control of the City of Reedley. Public and quasi-public/institutional uses such as schools and places of assembly shall comply with the allowed signage in the Neighborhood Commercial (CN), Central and Community Commercial (CC), Commercial Service (CS), and Industrial (I) Zone Districts. [Source: 10-14-5(B), modified]

B. **Professional Office (PO) and Commercial Office (CO) Zone Districts**. Signs in professional office and commercial office zoning districts shall comply with the following standards:

1. **Wall Signs.** Wall signs shall comply with the following:

a. **Maximum Height.** Not to exceed the top of the vertical wall surface on which the sign is mounted. Signs mounted on a pitched roof may not extend beyond the peak of the ridgeline of the roof.

b. **Maximum Sign Area.** 150 square feet of sign area allowed per wall.

c. **Number Per Business.** One wall sign is allowed on each wall with a public (customer) entrance or service window, or on each wall visible from a public street, other than a local residential street.

2. **Canopy and Awning Signs.** Canopy and awning signs shall comply with the following:

a. **Number Of Signs.** One per canopy. Awning signs may be used in addition to or instead of wall signs on the same structure façade.

b. **Maximum Area.** The sign area on each surface of an awning shall not exceed 25 percent of the area of the individual surface.

c. **Location and Colors.** Awning signs shall be made of removable materials and may be located on one of the three exterior surfaces of a canopy.

7. **Freestanding Signs.** Freestanding signs shall comply with the following:

a. **Maximum Height.** Eight feet, including base of sign.

b. **Maximum Sign Area.** Thirty-five square feet per sign face.

c. **Sign Design.** Freestanding signs shall be designed as a monument sign with a solid base extending a minimum of 50 percent of the width of the base, unless a different design is architecturally appropriate, as determined by the Community Development Director. Individual businesses that are listed on a freestanding sign for a multi-tenant site shall be limited to primary tenants, as determined by the Director or their designee.

d. **Number Per Site.** One freestanding sign will be allowed per property.

e. **Setbacks.** A freestanding sign shall be set back a minimum of three feet from any interior side property line and five feet from any street front property line. Freestanding signs cannot be located within 30 feet of intersecting curb lines of a street intersection. Encroachment into a setback may be allowed by the Community Development Director where the location of existing improvements presents a functional hardship in compliance with the required setback.

8. **Directional Signs.** Directional signs shall comply with the following:

a. **Maximum Height.** Five feet.

b. **Maximum Sign Area.** Ten square feet.

c. **Number Per Site.** One per driveway from a drive-through lane, public street or alley. Additional signs meeting the maximum height and area may be allowed if they are not visible from the public rights of way.

d. **Location.** Within five feet of a driveway that accesses the parcel from a public street or alley. Placement of directional signs shall ensure the sight safety of vehicles entering/leaving a parcel is not compromised.

C. **Neighborhood Commercial (CN), Central and Community Commercial (CC), Commercial Service (CS), and Industrial (I) Zone Districts.** Signs in the neighborhood commercial, central and community commercial, commercial service, and industrial zoning districts shall comply with the following standards:

1. **Wall Signs.** Wall signs shall comply with the following:

a. **Maximum Height.** Not to exceed the top of the vertical wall surface on which the sign is mounted. Signs mounted on a pitched roof may not extend beyond the peak of the ridgeline of the roof.

b. **Maximum Sign Area.** 300 square feet of sign area allowed per wall.

c. **Location on Wall.** Wall signs shall be mounted flush against the building and shall not project above the roof ridge or the top of the parapet.

d. **Projecting Signs Included.** Wall signs may include projecting signs, subject to the following limitations:

i. **Maximum Height and Projection.** Not to exceed roofline of wall or structure to which projecting sign is attached. (Note: Bottom of sign shall be a minimum of eight feet from ground to provide proper clearance)

ii. **Calculation of Area.** One square foot of sign area for each linear foot of building frontage of the business to which sign pertains.

iii. **Maximum Area.** One hundred square feet.

e. **Location.** Projecting signs may extend over public rights of way including public sidewalks not to exceed two-thirds of the distance from the structure face to which the sign is attached to the curb face of said sidewalk. This includes signs that have architectural features such as pop-out elements visible from a public right-of-way.

f. **Overall Size.** Calculation of sign area is included in overall allowable square footage of wall signs.

2. **Canopy and Awning Signs.** Canopy and awning signs shall comply with the following:

   a. **Number Of Signs.** Awning signs may be used in addition to or instead of allowable wall signs on the same building façade.

   b. **Maximum Sign Area.** The area of signs on each surface of an awning shall not exceed 25 percent of the area of the individual surface.

   c. **Location And Colors.** Awning signs may be made of metal or other removable materials and may be located on one of the three exterior surfaces of a canopy.

3. **Freestanding Signs**. Freestanding signs shall comply with the following:

   a. **Maximum Height.** Twenty feet, including base and supports.

   b. **Maximum Sign Area.** Sixty-four square feet per sign face.

   c. **Animated Signs.** Animated signs shall be permitted on freestanding signs and shall be included in the calculation of maximum sign area.

   d. **Sign Design.** Freestanding signs shall be designed as a monument sign with a solid base extending a minimum of 50 percent of the width of the base, unless a different design is architecturally appropriate, as determined by the community development director or their designee.

   e. **Number Per Site.** Up to two freestanding signs will be allowed per commercial or industrial site.

   f. **Sign Bases and Frames.** Freestanding signs shall be either housed in a frame, or set onto a base, presenting a solid, attractive, and well-proportioned appearance. The size and shape of the frame or base shall be proportionate to the size and mass of the sign and should be low profile in design. Pole type signs are not allowed.

   g. **Setbacks.** A freestanding sign shall be set back a minimum of three feet from any interior side property line and five feet from any street front property line. In compliance with Section 10.30.060 (Corner Cutoff Areas), placement of freestanding signs shall ensure the sight safety of vehicles entering/leaving a parcel is not compromised. Encroachment into a setback or into a corner cutoff area may be allowed by the Community Development Director or their designee if the location of existing improvements presents a functional hardship in compliance with the required setback and the proposed location would not be detrimental to public health, safety, or welfare.

h. **Exception.** Unified Centers or shopping centers shall be allowed one freestanding sign within 50 feet of each vehicular access point into the center consistent with an approved master sign program.

i. **Landscaping.** Freestanding signs shall be located in a landscaped area proportionate to the size of the sign. Landscaping may be waived by the Community Development Director or their designee where the location of existing improvements presents a functional hardship in compliance with the required landscaping.

4. **Directional Signs.** Directional signs shall comply with the following:

a. **Maximum Height**. Five feet.

b. **Maximum Area.** Ten square feet.

c. **Number Per Site.** One per driveway from a drive-through lane, public street, or alley. Additional signs meeting the maximum height and area may be allowed if they are not visible from the public rights of way.

d. **Location.** Not less than three feet from a drive-through lane or driveway that accesses the parcel from a public street or alley. In compliance with Section 10.30.060 (Corner Cutoff Areas), placement of directional signs shall ensure the sight safety of vehicles entering/leaving a parcel is not compromised.

5. **Reader Board.** Reader board signs shall comply with the following:

a. **Maximum Area.** Sixty-four square feet.

b. **Maximum Height** (if freestanding). Six feet.

c. **Location.** No reader board which is a freestanding sign may be located closer than five feet to any neighboring property line or to any point of ingress/egress.

6. **Temporary Signs.** Temporary signs shall comply with the following:

a. **Banners** (such as those provided for special events and grand openings).

i. **Maximum Height.** Not to exceed roofline of nearest building or building affixed to but in no case shall any part of a banner be higher than 35 feet from the surface of the ground.

ii. **Maximum Area.** Fifty square feet per banner.

iii. **Allowable Time.** Banner signs may not be used for more than 60 calendar days per calendar year per event, with a maximum of four events per year.

iv. **Number Per Business.** A maximum of two banner signs are allowed for each business. For each business, one banner sign per garage bay is allowed if hung on the inside of the bay and is not seen when the business is closed.

v. **Location.** Banners shall not be affixed to trees or landscaping.

vi. **Changeable Message Sign.** A business that enters into an agreement with the City, or as part of a master sign program, to not use banner signs, may be allowed a changeable message sign to be incorporated into its freestanding monument sign, or as a building wall sign, provided that the overall sign area for the business is not increased.

b. **Pennants.** Pennants shall hang or be suspended no lower than eight feet above grade level. Pennants shall be maintained in good condition, without rips, tears, and similar damage. No permit required.

c. **Feather flags.** No more than four feather flags per site shall be allowed. Feather flags shall be maintained in good condition, without rips, tears, and similar damage. No permit required.

2. **Portable signs.** Portable signs shall comply with the following:

a. **Number Per Site.** Two.

b. **Location.** May be placed on private sidewalk with no permit required, or public sidewalk with approved encroachment permit, in front of the subject business, but shall permit a minimum of four feet of passage area on sidewalk.

c. **Allowable Display Time.** During normal business hours.

7. **Window Signs.** Maximum Area. Up to 50 percent of the area of each individual window may be covered with a window sign or graphic. No permit required.

8. **Pedestrian Signs.** Pedestrian signs shall comply with the following:

a. **Number.** Two signs per business that projects or hangs above a sidewalk on each side of a structure with a public entrance.

b. **Size.** Each sign may be a maximum of eight square feet in size and shall hang or be suspended no lower than eight feet above grade level.

10.40.070 Sign Development Standards

A. **Measurement for Computing Sign Area.** For the purposes of this Chapter, measurements for computing the areas of a given sign shall be made as follows: [Source 10-14-4-Modified]

1. Where a sign has two faces containing sign copy which are oriented back-to-back and separated by not more than 24 inches at any point, the area of the sign shall be measured using one sign face only.

2. Where a sign is composed of letters individually mounted or painted on a building wall, without a border or decorative enclosure, the sign area shall mean any area enclosed by the minimum imaginary rectangle of vertical and horizontal lines which fully contains all extremities of each word and/or logographic symbol of the sign.

3. For signs comprised of individual letters attached to the business structure, including module letters and logographic symbols, the sign area shall mean any area enclosed by the minimum imaginary rectangle of vertical and horizontal lines which fully contains all extremities of each word and/or logographic symbol of the sign. Each word and/or logographic symbol shall be measured separately in computing the total sign area. Shadow box borders and other border trims which are an intrinsic part of the building, either architecturally or structurally, shall not be included in determining sign area.

4. For single unit signs containing letters or logographic symbols on cabinets or panels, the sign area shall mean the area enclosed by the minimum imaginary rectangle of vertical and horizontal lines which fully contains the perimeter of the cabinet or panel sign.

5. For projecting and freestanding signs containing letters and/or logographic symbols, the sign area means the area enclosed by the minimum imaginary rectangle of vertical and horizontal lines which fully contains all extremities of the sign, supporting structures such as sign bases and columns are not included in the sign area provided, they contain no lettering or graphics except for addresses or required tags.

6. Where a sign consists of one or multiple -dimensional objects such as balls, cubes, clusters of objects, or sculptural or statue type trademarks, the sign area shall be measured as the area of the smallest rectangle within which the object(s) can be enclosed, when viewed from a point where the largest area of the object(s) can be seen.

B. Special Use Standards. [Source 10-14-6-Modified]

1. **Drive-Through Menu Boards.** No more than two drive- through menu/order boards are allowed for each drive-through lane of a food and/or beverage establishment. Each sign shall not exceed 64 square feet and shall be no taller than six feet.

2. **Recycling Collection Facilities (Small and Large).** Signs may be installed for small and large recycling collection facilities consistent with the following standards:

    a. Recycling facilities may have identification signs up to a maximum of 20 percent per wall/side or 16 square feet, whichever is larger, in addition to informational signs on recycling containers, in the case of a wheeled facility, the side will be measured from the pavement to the top of the container.

    b. Directional signs, bearing no advertising message, may be installed if necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way.

    c. The Community Development Director may authorize increases in the number and size of signs upon findings that it is compatible with adjacent businesses.

3. **Gateway Signs.** Gateway signs may be installed consistent with the following standards:

    a. Gateway sign applications shall be processed consistent with Chapter 10.96 (Site Plan Review) of this Title.

    b. The applicant shall enter into an agreement with the City describing the operations and maintenance of the gateway sign. The agreement shall be approved by the City Council. Upon approval by the City Council the agreement shall be executed by the City Manager.

    c. Gateway signs may be installed in locations along major thoroughfares in the City. Only one gateway sign shall be allowed at each intersection specified below. The allowed intersections are as follows:

        i. West Manning Avenue and I Street.

        ii. North Reed Avenue and South Avenue.

        iii. East Manning Avenue and North Buttonwillow Avenue.

        iv. East Dinuba Avenue and South Buttonwillow Avenue.

    d. The maximum height of any gateway sign structure shall not exceed 20 feet above adjacent grade.

    e. Any electrically activated changeable sign, incorporated into the design of a gateway sign, shall not have a display area greater than 150 square feet.

    f. The architectural design of the sign shall be a monument sign, as defined in this Title, that is compatible with its surroundings and shall include a city message approved by the City Manager.

g. Gateway signs may only contain display area messages which include announcements for events, products, professions, businesses, and services performed or located in the city of Reedley but not located on the property on which the sign is located.

h. The sign shall not display or depict messages that are sexually explicit, pornographic, or suggestive of these; exhibit violent activity; advertise any adult entertainment business, products or locations; advertise tobacco products or casinos; or display political ads.

i. Usage shall not create dangerous distractions for the viewing public. Gateway signs shall not be located in the corner cutoff area in compliance with Section 10.30.060 (Corner Cutoff Areas).

j. Sign display area messages shall be displayed for not less than a static time of eight seconds, with message changes being accomplished in two seconds or less.

k. Sign display area messages shall not scroll, flash, or feature animation or motion pictures.

l. The City shall have the ability to submit city related messages for display which may include, but not be limited to, the following: meeting, recreational events and activity announcements, public safety, and service messages or other necessary or informational notices. These requested displays noting content and duration will be provided in advance, as much as possible. City use of announcement display time shall be provided as readily as possible. No fees or other compensation to the property owners, tenants, sign proprietor or any others shall be required from the City for the City's preemptive use.

m. The City shall have the ability to post immediate public safety notifications and warnings as deemed necessary by the City Manager. No fees or other compensation to the property owners, tenants, sign proprietor or any others shall be required from the City for the City's preemptive use.

n. The electronics system display area of the sign shall have and use adjustment hardware, software, or other component, to automatically increase or reduce the brightness of the sign illuminating devices, to accommodate the optimum brightness for viewing the message in any light condition.

o. The technology currently being deployed for electronic message center signs is from light emitting diodes (LEDs), but there may be alternate, preferred, and superior technology available in the future. Any other technology that operates under the requirements stated above shall not require an ordinance change for approval. Any other technology that is not capable of operating under the requirements stated above shall be prohibited and requires an ordinance change before approval.

C. Design Criteria. [Source: 10-14-7-Modified]

1. Design Compatibility. The design of all signs shall be compatible and harmonious with the colors, materials and architecture of the building and the immediate vicinity. Freestanding signs shall be finished with the same or compatible materials as the structure(s) on the site.

2. Size. Notwithstanding applicable sign standards elsewhere in this Chapter, sign size shall be proportionate to the size and scale of the parcel and building upon which the sign is proposed. Sign dimensions as specified in this Chapter are maximum allowable dimensions; it may be necessary that signs be smaller than the maximum allowed to be proportionate in size and scale to achieve the design objectives of this section.

3. Unified Center Signs. Individual tenant signs within multi-tenant centers shall be coordinated in size, location, materials, and illumination.

4. Logos and Trademarks. The use of established corporate colors or logos shall not be prohibited by this section.

5. Lighting Intensity. The light emitted or reflected by a sign, or emitted by a light source, shall be of reasonable intensity and shall be compatible with the architecture of the building and the immediate vicinity. Artificial light sources shall be shielded to prevent light spillage, glare, or annoyance to persons on or inside adjoining properties or to public or private rights of way.

6. Illumination. Internally illuminated signs, where the entire face of the sign is illuminated rather than just the graphics, are not consistent with the desired character of signs within the city and are discouraged. Illumination of established corporate logos or trademarks shall not be prohibited by this provision.

7. Screening. Guywires, angle irons, braces and other support or construction elements shall be screened or hidden from view.

8. Maintenance. All signs and their supporting members shall be kept in good repair and always maintained in good structural condition.

10.40.080 Nonconforming Signs

The lawful use of a sign existing on the effective date of this Chapter, although such use does not conform to the provisions of this Chapter, may be continued; provided, however, a nonconforming sign which has been abandoned, or the use for which it is advertised has ceased to function for a period of 12 months or more, shall be brought into conformity with the provisions of this Chapter. [Source 10-14-11-Modified]

A. No nonconforming sign shall in any manner (except for face changes) be structurally altered, reconstructed, or moved without being made to comply with the provisions of this Chapter; unless the moving, alteration, or reconstruction results in the elimination of the nonconformity.

B. Nothing in this Chapter shall prohibit the painting, maintenance, or repairing of such sign, including the face and changing of copy.

C. If, at any time, any sign in existence or maintained on the effective date of this Chapter, which does not conform to the provisions of this Chapter, is destroyed by fire, accident, explosion, or act of nature, such sign may be rebuilt in the condition prior to destruction without having to conform to the provisions of this Title, as determined by the Community Development Director.

D. The Community Development Director shall immediately cause the removal of any sign which, in their judgment is found to be within the public right-of-way and/or easements and/or is found to place citizens in immediate peril, by any or a combination of the following methods using sound judgment under the circumstances:

   1. Removal or modification of said sign by the City with business owner (or property owner if business has ceased operations) to be billed for time and materials.

   2. Notification orally or in writing to the business owner causing the removal of said signs within a 24-hour period or lesser period of time, as prescribed by the Community Development Director.

   3. Immediate citation of the business owner (or property owner if business has ceased operations) or party responsible for said sign.

10.40.090 Minor Deviations

A. Minor Deviation Allowed. A minor deviation of up to 10 percent in allowable sign area standards may be granted by the Community Development Director, or their designee, upon written request, subject to such conditions as the Director may impose without any notice or appeal, if the Director finds that granting the minor deviation would not be detrimental to the public welfare or injurious to property and improvements in the area in which the property is located. [Source 10-14-12]

B. **Findings:** A minor deviation may be granted upon making the following findings:

1. There are exceptional or extraordinary circumstances or conditions which apply to the property involved or the existing or intended use of the property which do not apply generally to other properties in the same zoning district.
2. Granting of a minor deviation will not negatively impact surrounding properties.

10.40.100 Master Sign Program (MSP)

A. **Projects Requiring a Master Sign Program.** The following project require a Master Sign Program:

1. **Non-residential Projects.** All new unified centers containing two or more existing or proposed individual uses within the professional office, commercial, and industrial zones.
2. **Mixed-Use Projects.** All new mixed-use projects of three or more separate non-residential tenants. On-site residential tenants may be included in the Master Sign Program in addition to the three or more separate non-residential tenants.
3. **Alternative Designs.** Projects which seek flexibility for sign designs which are of a high quality, and which contribute to the attractiveness and economic viability of their surroundings, but which do not meet the standards for their location.

B. **Required Submittals.** An application of approval of a Master Sign Program shall contain the following information:

1. A site plan showing the location of structures, parking lots, driveways, and landscaped areas.
2. An accurate indication on the site plan of the proposed location of each proposed sign and existing sign which is to remain.
3. List of allowed sign types (wall signs, freestanding signs, etc.).
4. Computation of the maximum area for individual signs, the height of signs, and the number of freestanding signs allowed.
5. Sign dimensions (if tenants are not known, generic dimensions or maximum allowed dimensions may be presented).
6. Color schemes, lettering, and graphic styles (if tenants are not known, generic styles may be presented).
7. Lighting and sign construction materials.
8. Any proposed alternative sign standards that would only apply to signs within the Master Sign Program.

C. **Review Authority.** A Master Sign Program shall be reviewed and approved by the Community Development Director.

D. **Required Findings.** A Master Sign Program may be approved if the following findings are made:

1. The proposed signs are compatible in style and character with any structure to which the signs are to be attached, any surrounding structures, and any adjoining signs on the parcel.

2. Future tenants will be provided with adequate opportunities to construct, erect, or maintain a sign for identification.

3. Directional signs and business addresses are adequate for pedestrian and vehicular circulation and emergency vehicle access.

4. Light and glare will not negatively affect nearby residential uses.

5. Additional findings for Alternative Designs which do not conform to some or all the applicable sign standards:

a. The sign design and materials are of equal or greater quality than existing signs in the surrounding area and the standard requirements for signs on the parcel.

b. The sign design and materials of are equal or greater quality than that which is required by the applicable sign.

c. The design of the proposed sign(s) would contribute positively to the attractiveness of the area.

d. The alternative design would not be incompatible with nearby residential uses.

e. The location of the sign would not be unnecessarily distracting to motorists and would not cause inconvenience to pedestrians.

E. **Conditions.** Reasonable conditions of approval may be imposed by the Community Development Director or their designee to achieve the purposes of this Section and ensure compatibility with adjacent land uses and signs.

F. **Appeals.** Master Sign Program decisions are subject to the appeal provisions of Section 10.40.110 (Appeals and Violations) of this Chapter.

G. **Modifications and Amendments.** The Community Development Director or their designee may approve minor amendments to a Master Sign Program that are in substantial conformance with the original approval.

10.40.110 Appeals and Violations

A. **Appeals.** Any applicant or aggrieved person may appeal any application under this Chapter in compliance with Section 10.88.050 (Appeals) of this Title. [Source 10-14-14 Modified]

B. **Enforcement.** Violations shall be processed consistent with Chapter 10.112 (Administration and Enforcement) of this Title. [Source 10-14-15]

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Title 10 – Zoning Code

Article 4 – Standards for Specific Land Uses

PUBLIC REVIEW DRAFT

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Chapter 10.50

Standards for Specific Land Uses

Chapter 10.50 Standards for Specific Land Uses

10.50.010 Purpose, Intent, and Applicability

A. **Purpose.** The purpose of this Chapter is to provide site planning, operational, and development standards for specific land uses and activities established in Article 2 (Zones, Allowable Uses, and Development Standards) that require additional standards to ensure compatibility with adjacent land uses. [Source: NEW]

B. **Intent.** The standards and procedures established in this Chapter are intended to ensure that all development in the City is: [Source: NEW]

1. Compliant with State and Federal law;
2. Consistent with the General Plan;
3. Consistent with all applicable City of Reedley and Fresno County regulations; and
4. Harmonious with existing and future development.

C. **Applicability.** The provisions of each of the following Sections apply to the use identified in the Section title, as allowed in the applicable zoning district by Article 2 (Zones, Allowable Uses, and Development Standards), or as determined by the Community Development Director. [Source: NEW]

D. **Measurement of Distance.** Wherever a distance or location/separation requirement is applied in this Chapter, the distance or location/separation shall be measured in a straight line, without regard to intervening structures or objects, from one property line to another property line of the parcel on which the use(s) is located. [Source: NEW]

10.50.020 Alcohol Beverage Sales Establishments

A. **Purpose, Intent, and Applicability.** The purpose and applicability of the standards established in this Section are as follows:

1. **Purpose.** The purpose of this Section is to protect and promote public health, safety, comfort, convenience, prosperity, and general welfare. [Source: 10-18A-1, modified]
2. **Intent.** The provisions in this Section are intended to:
    a. Protect residential, commercial, industrial, civic areas while minimizing adverse impacts of existing uses.

b. Protect the public from the harmful effects attributable to the sale of alcoholic beverages.

c. Provide opportunities for alcoholic beverage sale activities to operate in a mutually beneficial relationship to each other and to other commercial and civic services.

d. Provide mechanisms to address problems often associated with the public consumption of alcoholic beverages.

e. Provide properly maintained alcoholic beverage sale establishments.

3. **Applicability.** The provisions in this Section shall apply to all alcohol beverage sales establishments where allowed in compliance with Article 2 (Zones, Allowable Uses, and Development Standards). [Source: NEW]

B. **Regulations for Previously Approved Alcohol Sales Establishments.** Legal alcohol sales establishments existing before the adoption of this Code shall comply with the following standards:

1. **Automated Deemed Approved Status.** All land uses engaged in the sale of alcoholic beverages, including bona fide eating places, which were legal uses prior to the adoption of this Code, shall automatically become deemed approved uses and shall be issued a Conditional Use Permit in compliance with Chapter 10.100 (Conditional Use Permit). Each deemed approved use shall retain this status if it complies with the standards established in this Section and the conditions of the approved Conditional Use Permit issued hereunder. [Source: 10-18A-2, modified]

2. **Notification to Operators and/or Owners.** The Community Development Director shall notify the owner and/or operator of each deemed approved alcohol beverage sales establishment of the use's deemed approved status. Such notice shall be sent via certified return receipt mail as well as regular U.S. mail and shall include a copy of the development and operational standards established in this Section. The notice shall include the statement that the alcohol beverage sales establishment is required to comply with the standards of this Section; and that the use is required to comply with all other aspects of the deemed approved regulations and Conditional Use Permit. Failure of any person to receive notice given in compliance with this Section shall not affect the deemed approved status of the alcohol beverage sales establishment use. [Source: 10-18A-4, modified]

3. **Authority to Modify or Terminate.** None of the provisions established in this Section shall restrict the Community Development Director's authority to require modification or termination of any deemed approved alcohol beverage sales use which does not comply with this Section and the Deemed Approved letter issued hereunder or which has been declared a nuisance by the Chief of Police. [Source: 10-18A-2, modified]

4. **Abandonment.** Whenever a deemed approved use discontinues active operation for a continuous period of 12 months, such deemed approved use shall not be resumed. Related structures may be used thereafter only for an approved land use established in Article 2 (Zones, Allowable Uses, and Development Standards [Source: 10-18A-3]

5. **Retention of Deemed Approved Status.** A alcohol beverage sales establishment shall retain its deemed approved status only if it conforms with the following standards: [Source: 10-18A-5.(A-E), modified]

    a. The alcohol beverage sales establishment does not result in adverse effects to the health, peace, or safety of persons residing or working in the surrounding area.

    b. The alcohol beverage sales establishment does not result in repeated nuisance activities within the premises or in close proximity of the premises, including, but not limited to, disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests, or any conduct or activity prohibited by Title 5, Chapter 1 or 8 or Title 4, Chapter 2 of the Reedley City Code.

    c. The alcohol beverage sales establishment does not result in violations to any applicable provision of any other City, State, or Federal regulation, ordinance, or statute.

    d. The alcohol beverage sales establishment's upkeep and operating characteristics are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

C. **Ceased Operations.** If an existing alcohol sales establishment or a deemed approved alcohol sales establishment no longer wants to sell and or serve distilled spirits, this request shall be processed in accordance with Chapter 10.88 (Zone Clearance). [Source: New]

D. **Performance and Operational Standards Violations**. The following standards shall apply when an alcohol beverage sales establishment is accused of being in violation with the standard established in this Section:

1. **Public Hearing Required.** Upon receiving a notice from the Chief of Police that an alcohol beverage sales establishment is in violation of the standards established in this Section, the Community Development Director shall schedule a public hearing before the Planning Commission. Notification of the public hearing shall comply with the procedures established in Section 10.110.040 (Noticing and Public Hearing Procedures). [Source: 10-18A-7, modified]

2. **Violations Processing Procedures.** The purpose of the public hearing is to receive testimony on whether the operating methods of the alcohol beverages sales establishment are causing negative impacts in the surrounding area and whether the alcohol-related Conditional Use Permit and/or deemed approved activity should be modified, revoked, or allowed to remain the same. [Source: 10-18A-7, modified]

3. At the public hearing, the Planning Commission, using their independent judgement, shall determine whether the alcohol beverages sales establishment conforms to the standards established in this Section, and may continue to operate, or if reasonable changes or modifications are required to ensure life, health, and safety concerns of the public are addressed.

4. The decision of the Planning Commission shall be based upon information compiled by the Chief of Police and the Community Development Director, and testimony from the business owner and all other interested parties. The determination of the Planning Commission shall become final 10 calendar days (excluding City-recognized holidays) after the date of decision unless appealed to the City Council in compliance with Section 10.110.040 (Noticing and Public Hearing Procedures). [Source: 10-18A-7, modified]

5. **Appeals.** Within 10 calendar days (excluding City-recognized holidays) after imposition of conditions of approval on a deemed approved activity and/or alcohol-related Conditional Use Permit or the revocation of deemed approved status and/or alcohol-related Conditional Use Permit, the following may take place:

    a. An appeal may be taken to the City Council by the owner of a deemed approved activity and/or alcohol-related Conditional Use Permit or any other interested party. Such an appeal shall be made on a form prescribed by the City. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Planning Commission or wherein its decision is not supported by the evidence in the record. The appeal shall be accompanied by such information as may be required to facilitate review. Upon receipt of the appeal and the required appeal fee in accordance with the adopted Master Fee Schedule, the City Clerk shall set the date for consideration thereof. [Source: 10-18A-7, modified]

b. The City Clerk or their designee shall give written notice to: the applicant; the appellant in those cases where the applicant is not the appellant; the adverse party or parties, or to the attorney, spokesperson, or representative of such party or parties; other interested groups and neighborhood associations who have requested notification; and to similar groups and individuals as appropriate, of the date and place of the hearing on the appeal. [Source: 10-18A-7, modified]

c. In considering the appeal, the City Council shall determine whether the established use conforms to the applicable performance standards and/or conditions of approval and may continue or revoke a deemed approved status; or require such changes in the existing use or impose such reasonable conditions of approval as are, in its judgment, necessary to ensure conformity to said performance standards. [Source: 10-18A-7, modified]

d. The City Council shall vote on the appeal within 45 calendar days (excluding City-recognized holidays) after its first hearing of the appeal. If the City Council is unable to decide on the appeal at that meeting, it shall appear for a vote on each regular meeting of the City Council thereafter until decided. The decision of the City Council on the appeal to the conditions of approval imposed by the Planning Commission shall be final. [Source: 10-18A-7, modified]

E. **Enforcement.** The Police Department, Community Development Director, and code enforcement shall designate the appropriate personnel to enforce the provisions of these regulations. [Source: 10-18A-7, modified]

F. **Inspection and Right of Entry.** The officials responsible for enforcement of this code, or their duly authorized representatives, may enter on any site or into any structure for the purpose of investigation, provided they shall do so in a reasonable manner, whenever they have cause to suspect a violation of any provision of these regulations, or whenever necessary to the investigation of violations to the deemed approved performance standards or conditions of approval prescribed in these regulations. An owner or occupant or agent thereof who refuses to permit such entry and investigation shall be guilty of infringing upon the violations and penalties as outlined in this Code and State law and subject to related penalties thereof. [Source: 10-18A-7, modified]

10.50.030 Bed and Breakfast Inns

A. **Applicability and Where Allowed.** Bed and breakfast inns, as defined in Article 8 (Definitions), shall be allowed only in compliance with the regulations established in Article 2 (Zones, Allowable Uses, and Development Standards) and this Section. [Source: 10.13.4, modified]

B. **Development and Operational Standards.** Bed and breakfast inns serving tourists and visitors for sleeping facilities may be provided in existing residential structures in compliance with the following standards:

1. **Retention of Primary Residence.** The structure shall serve as the primary residence of the owner or manager, and the bed and breakfast use shall be operated as an accessory use to the owner's or manager's residence. [Source: 10.13.4.B.1]

2. **Alteration of Existing Residential Structure.** The property proposed for use is suitable for conversion to a bed and breakfast inn, and the conversion will not alter the historical, architectural, or scenic character and appearance of the property. [Source: 10.13.4.B.2]

3. **Parking.** Parking requirements for bed and breakfast inns shall comply with the parking regulations established in Section 10.38 (Parking and Loading). All required parking shall not be located in a manner which detracts from the residential appearance of the structure. [Source: 10.13.4.B.3, modified]

4. **Meals.** Meals served on-site shall be limited to continental breakfasts, and no meals shall be served other than to guests of the bed and breakfast rooms. [Source: 10.13.4.B.4]

5. **Adequate Utility Services Required.** Adequate water and sewer facilities shall be available or provided and said use shall not significantly increase traffic impacts or be detrimental to the health, safety, and welfare of the surrounding areas. [Source: 10.13.4.B.5]

6. **Impacts on Surrounding Land Uses.** The applicant shall submit sufficient information to enable the applicable approving entity to determine the impact on the neighborhood. [Source: 10.13.4.B.6, modified]

7. **Signs.** Sign standards for bed and breakfast inns shall comply with the standards established in Chapter 10.40 (Sign Regulations). [Source: 10.13.4.B.8, modified]

8. **Structure Conversions.** Structures proposed for conversion to bed and breakfast inns shall comply with Building Code standards upon conversion. Smoke detectors, fire extinguishers, and any other requirements consistent with all applicable City, State, and Federal fire codes shall be required after a review of the premises. [Source: 10.13.4.B.9]

10.50.040 Body Art

A. **Purpose and Intent:** The purpose of this Section is to establish citywide body art facility and body art practitioner regulations. The standards established in this Section are intended to promote the health, safety, and general welfare of all residents and to establish reasonable and uniform regulations of time, manner, and place of business to eliminate the potential for adverse secondary effects from such businesses and activities. [Source: 10.13.8.A, modified]

B. **Applicability.** All body art facilities shall comply with the standards established in this Section. Additionally, body art facilities shall comply with all provisions of the California Safe Body Art Act, California Health and Safety Code Sections 119300 and 119301, and shall obtain the required permits from the Fresno County Department of Public Health. [Source: 10.13.8.A, modified]

C. **Definitions.** Definitions for terms used in this Section are located in Article 8 (Definitions).

D. **Development and Operational Standards.** Every body art facility and/or body art practitioner shall be subject to the following in addition to all other requirements of law:

1. No body art facility shall operate between 10:00 p.m. and 8:00 a.m. [Source: 10.13.8.C.2]
2. All body art activity shall be performed only by body art practitioners in a permitted and authorized body art facility, except as otherwise specifically authorized in this Section. [Source: 10.13.8.C.3]
3. Window displays shall be limited to ancillary retail items and shall not show any areas defined in "specified anatomical areas" in Article 8 (Definitions). [Source: 10.13.8.C.5]
4. Construction of a body art facility must comply with California Health and Safety Code and the Fresno County Department of Public Health requirements. [Source: 10.13.8.C.6]
5. Decontamination and sterilization areas must meet all Fresno County Department of Public Health requirements. [Source: 10.13.8.C.7]
6. Temporary or mobile body art facilities or events are not authorized by this Section. [Source: 10.13.8.C.8]

E. **Measurement of Distance.** Distance shall be measured in compliance with Subsection 10.50.010.D (Measurement of Distance) of this Chapter. [Source: 10.13.8.D, modified]

F. **Permanent Cosmetics or Makeup.** Permanent cosmetics or makeup may be performed as an incidental service in a beauty shop, day spa, or other service or retail establishment, subject to the issuance of a body art practitioner permit by the Fresno County Department of Public Health. [Source: 10.13.8.E]

G. **Permits Required.** The following permits shall be obtained before the establishment of a body art facility:

1. All body art facilities are required to obtain approval of a Conditional Use Permit prior to operating as a body art facility, in compliance with Chapter 10.100 (Conditional Use Permit). [Source: 10.13.8.F.2]
2. The operator and all associated body art practitioners of the body art facility shall obtain and comply with all permits required by the Fresno County Department of Public Health. [Source: 10.13.8.F.3 10.13.8.F.4 combined, modified]
3. All body art facilities and body art practitioners are subject to all the requirements of the state of California Safe Body Art Act. [Source: 10.13.8.F.5]
4. If, at any time, a body art facility permit is revoked by Fresno County, all body art activities and body art practitioners shall cease operations until the permit is reinstated. [Source: 10.13.8.F.6 and 10.13.8.F.7 combined, modified]
5. The public health facility permit issued by Fresno County shall be posted and exhibited at all times in an area visible to the public and clients. [Source: 10.13.8.F.8]
6. All body art practitioners shall display practitioner permits issued by Fresno County in an area visible to the public and clients. [Source: 10.13.8.F.9]
7. Reedley Business License. [Source: 10.13.8.F.10]

H. **Permit Suspension or Revocation.** A Conditional Use Permit may be revoked or suspended upon failure to maintain the appropriate permits issued by the Fresno County Department of Public Health or failure to adhere to requirements of this Section and Code. Revocation proceedings shall be initiated in accordance with Section 10.100.100 (Suspension and Revocation). [Source: 10.13.8.G]

10.50.050 Density Bonus and Concessions for Affordable Housing

A. Residential development shall comply with the allowability of density bonuses, incentives, exemptions, and concessions in compliance with State Density Bonus Law (Government Code Section 65915, as revised).

B. Government Code Section 65915 requires the City to provide incentives for affordable housing, senior housing, students housing, land donations, and childcare facilities. [Source: NEW]

10.50.060 Emergency Shelters

A. **Purpose, Intent, and Applicability.** The purpose, intent, and applicability of the regulations established in this Section are as follows: [Source: NEW]

1. **Purpose and Intent.** The purpose of this Section is to establish development and operational standards for emergency shelters. The standards established in this Section are intended to ensure needs for displaced and homeless individuals are met. This Section shall be interpreted and applied consistent with the policies and guidelines of the General Plan, Housing Element, requirements of the California Government Code, and all applicable requirements of the California Health and Safety Code. [Source: NEW]

2. **Applicability.** The standards and procedures established in this Section shall apply to all existing and proposed emergency shelters operated within the City. It is the sole responsibility of the operator of an emergency shelter to ensure compliance with the standards of this Section. [Source: NEW]

B. **Exemption.** The standards established in this Section shall not apply in situations of City or Statewide designated disasters or catastrophic conditions, but only for the duration of the designated disaster or catastrophic condition. [Source: NEW]

C. **Development and Operations Standards.** Emergency shelters shall comply with all standards established by this Subsection, in addition to all applicable City, State, and Federal health and safety codes such as, but not limited to, the California Building Code, California Fire Code, California Health and Safety Code, as well as any applicable zoning standards for the development and use of the property on which the emergency shelter is located (see Article 2 (Zones, Allowable Uses, and Development Standards)). [Source: NEW]

1. **Maximum Number of Beds.** The maximum number of beds allowed in an emergency shelter shall not exceed 35 except: [Source: NEW]

   a. In response to a disaster; or [Source: NEW]

   b. As authorized by a Site Plan Review approved by the Community Development Director, subject to appeal to Planning Commission. [Source: NEW]

2. **Required Parking.** Parking for emergency shelters shall comply with the parking standards established in Chapter 10.38 (Parking and Loading). [Source: NEW]

3. **Waiting and Intake Areas.** An enclosed or screened waiting area, such as provided in a courtyard building configuration, shall be provided between the intake area and the public right-of-way. [Source: NEW]

4. **Location Requirements.** No emergency shelter shall be located within 1,000 feet from a public elementary school, public middle school, public high school, public library, or public park. The distance between an emergency shelter shall be measured in compliance with Subsection 10.50.010.D (Measurement of Distance). [Source: NEW]

5. **On-Site Management.** Emergency shelters shall comply with the following on-site management standards:

   a. **On-Site Personnel.** The emergency shelter shall provide at least one on-site supervisor at all times during hours of operation when clients are present. [Source: NEW]

   b. **Designated Personnel Area.** A designated area for on-site personnel shall be located near the primary shelter entrance(s) for the purpose of controlling and monitoring admittance into the facility. [Source: NEW]

   c. **Emergency Contact Information.** Emergency contact information shall be posted on the exterior of the facility adjacent to the primary entrance(s), as well as on the interior of the facility in a location that is accessible to all clients. [Source: NEW]

6. **Shower and Restroom Facilities.** Toilets, sinks, and showers shall be provided on-site. The emergency shelter operator shall ensure all restroom and shower facilities comply with the applicable provisions of the California Building Code. [Source: NEW]

7. **Personal Storage**. A private storage area or closet shall be provided with each on-site bed. The emergency shelter operator shall conduct routine inspections of each on-site client's personal space to verify compliance with this Subsection. [Source: NEW]

8. **Outdoor Storage.** Emergency shelters shall screen all outdoor storage areas from all public rights-of-way and on-site and adjacent parking facilities. The emergency shelter operator shall ensure that all outside storage areas be maintained at all times. [Source: NEW]

9. **Hours of Operation.** Emergency shelters shall establish and maintain set hours of operation for client intake and discharge. These hours shall be clearly displayed at the primary entrance(s) to the shelter. [Source: NEW]

10. **Discharging of Clients.** In the event an emergency shelter client is socially disruptive, a threat to the safety of others, or in violation of the emergency shelter facility rules, the emergency shelter operator shall retain the right to discharge that client immediately. [Source: NEW]

10.50.070 Single Room Occupancy Facility (SRO)

A. **Purpose.** The purpose of this Section is to establish development and operational standards for single room occupancy facilities. [Source: NEW]

B. **Development and Operational Standards.** Single room occupancy (SRO) facilities shall comply with the same restrictions and development standards that apply to other residential dwellings of the same type in the same zone district, except as otherwise established in this Section. [Source: NEW]

1. **Where Allowed.** SRO facilities shall be allowed in compliance with Article 2 (Zones, Allowed Uses, and Development Standards). [Source: NEW]

2. **Density.** An SRO facility shall conform to the density standards established by the General Plan. [Source: NEW]

3. **Length of Stay.** Tenancy of each SRO unit shall not be for less than 30 days. [Source: NEW]

4. **Size.** Excluding any bathroom area and closet(s), each SRO unit shall have a minimum size of 150 square feet. [Source: NEW]

5. **Living Areas.** The SRO facility shall provide living space, shower and toilet facilities, laundry facilities including washers and dryers, kitchen facilities, and secure storage areas for its intended residents. Facilities shall be provided so that all members of a family may be housed together, regardless of age and gender. [Source: NEW]

6. **Parking.** Parking shall be provided in compliance with Chapter 10.38 (Parking Regulations). [Source: NEW]

C. **Conversion of Existing Structures.** An existing structure may be converted to an SRO facility, consistent with the provisions of this Section. Any such conversion must bring the entire structure up to current building code standards, including accessibility and adaptability standards, unless otherwise exempted by the Building Official. [Source: NEW]

D. **Relocation of Tenants.** If any SRO unit is found to be unsafe to occupy due to danger to the health and safety of the residents, the costs, and expenses of relocation of any tenant from that unit shall be the responsibility of the owner in compliance with the provisions of the California Health and Safety Code.

10.50.080 Supportive and Transitional Housing

A. **Purpose and Intent.** The purpose and intent of this Section is as follows:

1. **Purpose.** The purpose of this Section is to establish development and operational standards for supportive and transitional housing units and facilities in compliance with the Housing Element and California Government Code. [Source: NEW]

2. **Intent.** The standards established in this Section are intended to comply with the California Government Code and demonstrate the City's commitment to assisting displaced persons find stable housing. [Source: NEW]

B. **Applicability.** The standards established in this Section shall apply to all supportive and transitional housing facilities established where specifically allowed in Article 2 (Zones, Allowable Uses, and Development Standards).

C. **Permit Requirements.** In addition to the permit requirements for supportive and transitional housing facilities established in Article 2 (Zones, Allowable Uses, and Development Standards), supportive and transitional housing facilities shall be considered a residential use of property and shall be subject only to those standards which apply to other residential dwellings in the same zoning district. [Source: NEW]

D. **Development and Operational Standards for Supportive and Transitional Housing Facilities.** Supportive and transitional housing facilities shall comply with the following development and operational standards:

1. **Length of Stay:** The length of time a client shall reside at a supportive or transitional housing facility shall comply with the following:

   a. **Supportive Housing.** No limit on length of stay. [Source: NEW]

   b. **Transitional Housing.** A minimum stay of six months and a maximum stay of 24 months per client. [Source: NEW]

2. **Living Areas.** The facility hall have adequate living space, shower and toilet facilities, laundry facilities including washers and dryers, and secure storage areas for some residents. Facilities shall be provided on site so that all members of a family may be housed together, regardless of age and gender. [Source: NEW]

3. **Support Services.** Supportive and transitional housing facilities shall provide supportive services. Supportive services include, but are not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, drug and alcohol treatment, employment services, and benefits advocacy. The following is required when providing basic support services: [Source: NEW]

   a. If a facility offers drug or alcohol abuse counseling appropriate State and/or Federal licensing shall be required. [Source: NEW]

b. The facility shall identify a transportation system which provides clients access to social services, housing, and employment opportunities. [Source: NEW]

c. The facility shall provide mechanisms for residents to contact social services. [Source: NEW]

d. The facility shall provide on-site meal preparations or food provisions and disbursement. [Source: NEW]

e. The facility shall provide childcare services and ensure school-age children are enrolled in school during their stay at the facility. [Source: NEW]

4. **Parking.** Parking for supportive and transitional housing facilities shall comply with the parking standards established in Chapter 10.38 (Parking Regulations). [Source: NEW]

5. In compliance with the California Health and Safety Code, any supportive or transitional housing facility found to be unsafe to occupy due to danger to the health and safety of the clients, the costs and expenses of relocation of any client from the community shall be the responsibility of the owner of the facility. [Source: NEW]

10.50.090 Mixed Use

A. **Purpose and Intent.** The intent of this Section is to encourage more dense and orderly development of urban uses which include gathering places where residents may interact, work, and obtain goods and services in the same general location. A mixed use project shall emphasize pedestrian activities and linkages, priority transit routes and facilities to serve the development, and reduce the number of vehicle miles traveled (VMT) by promoting alternative modes of transportation, including pedestrian pathways, bicycling pathways, and public transportation as major facets in the design of each project. The Community Development Director shall use their discretion to modify the project design, including, but not limited to: requiring that all or a portion of the ground (street) level floor space be dedicated to residential uses, accessibility from adjacent public and/or private sidewalks, requiring parking areas and open space orientation that encourages accessibility to pedestrians and separates pedestrians from vehicles, requiring dedicated footpaths, and requiring any other modification to project design that encourages pedestrian use, including its interaction with the surrounding planned and existing development, street patterns, neighborhoods, and the City. [Source: 10.13.9.A, modified]

B. **Applicable Zone Districts Where a Mixed Use Project is Allowed.** Mixed use projects shall be allowed in compliance with Article 2 (Zones, Allowable Uses, and Development Standards). [Source: 10.13.9.B.1 – 3, modified]

C. **Mandatory Mix of Land Uses.** Each application governed by this Section shall have a residential component integrated with a use or uses allowed as described below. [Source: 10.13.9.C]

1. **Office and Commercial Zone Districts.** All allowable uses listed in the underlying district whether "by right" or "conditional" use may be integrated with a residential use into the proposed project. If the underlying and residential uses are both allowed "by right", a Site Plan Review application will be required. If the underlying use is a "conditional" use and the integration of a residential use is proposed, then, a Conditional Use Permit application will be required in compliance with Chapter 10.100 (Conditional Use Permit). [Source: 10.13.9.C.1.a]

2. **Industrial Zone Districts.** Only the allowable "by right" uses listed in the underlying district and all uses whether "by right" or "conditional" use in the CC and CS zone districts, may be integrated with a residential use, in compliance with the following findings:

   a. The project site shall be a minimum of one acres. [Source: 10.13.9.C.1.b.1]

   b. In the ML zone district the integration of a residential use shall be developed in compliance with the High Density Residential. [Source: 10.13.9.C.1.b.2, modified]

   c. The subject property shall not share a common property line on two or more sides with a designated MH zone district. [Source: 10.13.9.C.1.b.3]

   d. The project shall be architecturally unified throughout the entire site and compatible with surrounding development. [Source: 10.13.9.C.1.b.4]

   e. A project may be phased over time; however, each phase shall contain an integration of a minimum of two of the mix of uses. [Source: 10.13.9.C.1.b.5]

   f. Shall be processed in accordance with Chapter 10.100 (Conditional Use Permit). The Planning Commission shall be responsible for acting on proposed project application and shall either approve, approve with conditions, or deny the project. The decision of the Commission shall be appealable to the City Council in accordance with Conditional Use Permit processing requirements. [Source: 10.13.9.C.1.b.9]

D. **Development Standards.** Mixed use projects shall comply with the following development standards:

1. The development standards of the underlying zone district shall generally guide the development of the subject property. [Source: 10.13.9.D.1]

2. The mix of residential use with allowed office/commercial/industrial uses shall occur both in the horizontal and vertical axes except that the Community Development Director may waive the requirement for a vertical mix of use, if the design of the project, or the inclusion of a residential component to an existing development illustrates performance standards that meet the intent of the Section by providing an integrated network of pedestrian pathways connecting the places of residences with places of work, commerce, and open space areas. [Source: 10.13.9.D.2]

3. If modifications to the development standards are proposed, the applicant is required to provide supporting evidence for the modification of the general standards, which shall be submitted with the project application. [Source: 10.13.9.D.4]

4. For a project to qualify as mixed-use, at least 1,500 square feet of the buildable project site must have a qualifying commercial component.

10.50.100 Temporary Construction and/or Sales Office

A. **Length of Time.** Temporary construction and/or subdivision sales offices may be located within or adjacent to active construction sites for a period not to exceed 24-months from the date of the last Building Permit issued on the construction site. [Source: 10.13.2, modified]

B. **Removal of Offices.** Offices shall be removed at the expense of the owner, unless, prior to the expiration of two years, a renewal of time is granted by the Community Development Director, subject to the appeal to the Planning Commission. A temporary construction and/or sales office shall not be permitted until an application for a Zone Clearance shall be made to and approved by the Community Development Director. [Source: 10.13.2, modified]

10.50.110 Mobile Home Parks

A. **Where Allowed.** Mobile homes and mobile home parks shall be allowed in compliance with the Mobile Home Parks Act and Article 2 (Zones, Allowable Uses, and Development Standards). [Source: 10.13.3, modified]

B. **Processing and Review of Mobile Home Parks.** Notwithstanding the standards and procedures established in California Code of Regulations, Title 25 – Mobile Home Park Regulations, for the purposes of this Title, mobile home parks are considered to require the same consideration in their location as applied to similar dwellings in the same zone district in compliance with the General Plan. [Source: 10.13.3, modified]

C. **Development Standards.** Notwithstanding the standards and procedures established in California Code of Regulations, Title 25 – Mobile Home Park Regulations, mobile home shall comply with the following development standards.

1. **Allowed Density.** The maximum density shall comply with the density standard established in the General Plan. [Source: 10.13.3.C.1.b]

2. **Clearances, Setbacks, and Yard Spaces.** Mobile home parks (not the individual spaces) shall comply with the following development standards:

   a. Front yard- 20 feet

   b. Interior side yard- 10 feet

   c. Street side yard- 10 feet

   d. Interior rear yard- 10 feet

   e. Street rear yard- 20 feet

3. **Parking.** All parking areas and spaces shall be designed and constructed in compliance with Chapter 10.38 (Parking and Loading). [Source: 10.13.3.C.4.e]

4. **Signs.** Signs for mobile home parks shall comply with the standards established in Chapter 10.40 (Sign Regulations). [Source: 10.13.3.C.9, modified]

5. **Landscaping and Screening.** In addition to the landscaping standards established in Chapter 10.36 (Landscaping), mobile home parks shall provide permanently maintained landscaped areas and site screening as follows:

   a. A landscaped border along the entire street frontage yard areas and along the rear yard if such yard is adjacent to a public right-of-way.

   b. A screen wall or fencing, seven feet in height, along the perimeter of the mobile home park. [Source: 10.13.3.C.10.a, modified]

10.50.120 Mobile and Fixed Vending Establishments

A. **Purpose.** The purpose of this Section is to promote the health, safety, comfort, convenience, prosperity, and general welfare for the citizenry of Reedley by requiring that new fixed vending establishments provide food service to residents and customers with a high level of cleanliness, quality, and safety. [Source: Policy and Procedure No. CD-012, modified]

B. **General Standards.** Mobile vendors and fixed vending establishments shall comply with the following general standards:

1. **Where Allowed.** A fixed vending establishment, as defined in Article 8 (Definitions), shall consist of not less than one mobile vendor at any given time on private property. The subject property must be located within an approved zoning district as established in Article 2 (Zones, Allowable Uses, and Development Standards). [Source: Policy and Procedure No. CD-012.(A.1), modified]

2. **Hours of Operation.** Hours of operation shall be limited from 7:00 a.m. to 10:00 p.m. when the fixed vending establishment is within 500 feet of a residential structure. [Source: Policy and Procedure No. CD-012.(A.3), modified]

3. **Permission to Operate.** Vendors shall only transact business with written permission from the property owner. A copy of the written permission to operate in a specific location signed by the private property owner shall be kept within the vending unit at all times. [Source: Policy and Procedure No. CD-012.(A.4), modified]

4. **Compliance with Health and Safety Standards.** A fixed vending establishment and vendors must comply with California Health and Safety Code and the County of Fresno Department of Public Health requirements. [Source: Policy and Procedure No. CD-012.(A.5), modified]

5. **Alcohol Sales Prohibited.** No alcoholic beverages may be served or consumed within the establishment at any time, unless they have an active Alcoholic Beverage Control (ABC) license and/or have received a Conditional Use Permit. [Source: Policy and Procedure No. CD-012.(A.6), modified]

6. **Maintenance.** All vending units shall be kept in a clean and sanitary condition. [Source: Policy and Procedure No. CD-012.(A.7)]

7. **Vending Unit Drivers.** Drivers of vending units must have a current California driver's license, current auto insurance (including liability), and current vehicle registration. [Source: Policy and Procedure No. CD-012.(A.8)]

8. **California Building Code Compliance.** All fixed vending establishment facilities shall comply with all applicable requirements of the Reedley Municipal Code, American Disabilities Act (ADA), and California Building Code. [Source: Policy and Procedure No. CD-012.(A.9), modified]

9. **Mobile Vendor Location.** Mobile vendors shall not interfere or impair the safe and convenient passage of pedestrians, obstruct any pedestrian walkway, including a handicapped loading zone, or reduce its clear width, or pose a hazard to public safety. Mobile vendors shall not interfere with the circulation or parking of vehicles in the required parking area of any existing site or be located directly in front of an approach (property entryway). [Source: Policy and Procedure No. CD-012.(A.10-11), modified]

10. **Drive-Through Prohibited.** No vending unit shall have a drive-through. [Source: Policy and Procedure No. CD-012.(A.12)]

11. **Establishments Subject to Inspection.** The vending unit shall be subject to inspection by the County of Fresno Environmental Health Department, and the City of Reedley Community Development Department, Police and Fire Departments, at any time. [Source: Policy and Procedure No. CD-012.(A.13)]

12. **Cessation of Operations.** If, at any time, a vendor's license/permit is revoked or suspended by the County of Fresno, the vendor shall immediately cease all operations at the prescribed location until the permit is reinstated. [Source: Policy and Procedure No. CD-012.(A.14)]

13. **Revocation.** The Site Plan Review authorizing the establishment may be revoked by the Community Development Director or suspended upon failure of a vendor to maintain the appropriate permits issued by the Fresno County Department of Public Health or failure to adhere to requirements of the Reedley City Code. Revocation proceedings shall be initiated and processed in compliance with Section 10.96.130 (Violation and Revocation). [Source: Policy and Procedure No. CD-012.(A.15)]

14. **Business License Required.** Each vendor must obtain and keep current a City of Reedley Business License. [Source: Policy and Procedure No. CD-012.(A.16)]

C. **Site and Development Standards**. Fixed vending establishments shall comply with the following site and development standards:

1. The minimum parcel size shall measure 6,000 square feet. [Source: Policy and Procedure No. CD-012.(B.1)]

2. For each vendor there shall be a designated pad measuring a minimum of 10 feet by 22 feet. A location pad for each vendor must be identified on the site plan. [Source: Policy and Procedure No. CD-012.(B.3)]

3. Each vending unit must be located 10 feet from any property line adjacent to a street, five feet from any interior property line, and five feet from any rear property line. [Source: Policy and Procedure No. CD-012.(B.4)]

4. The applicant must demonstrate that there is sufficient access, parking, and maneuvering space available at the site on which the vending unit will operate. [Source: Policy and Procedure No. CD-012.(B.5)]

5. A five-foot clear space shall be maintained around all sides of each vending unit. [Source: Policy and Procedure No. CD-012.(B.6), modified]

6. The applicant is required to provide one lavatory for every two proposed vending unit spaces provided. The applicant will also be required to ensure regular service of each lavatory. [Source: Policy and Procedure No. CD-012.(B.7)]

7. Mobile vendors shall provide a sufficient number of covered trash receptacles to hold materials discarded by its customers and the vendor shall empty the receptacles as necessary. [Source: Policy and Procedure No. CD-012.(B.8)]

8. Any power required for the vending unit shall be self-contained and shall not draw its power from off-site or public right-of-way. No power cable or equipment shall be extended at grade or overhead across any public street, alley, or sidewalk. [Source: Policy and Procedure No. CD-012.(B.10)]

D. **Advertising and Signs.** In addition to Chapter 10.40 (Sign Regulations), mobile and fixed vending establishments shall comply with the following sign and advertising standards:

1. Off-site signs are prohibited. [Source: Policy and Procedure No. CD-012.(C.2), modified]

2. The distribution of handbills and/or advertisements on- or off-site is allowed. [Source: Policy and Procedure No. CD-012.(C.3), modified]

3. Off-site advertising shall not be displayed in or upon any vending unit (fair, carnival, circus, festival, special event, or civic event). [Source: Policy and Procedure No. CD-012.(C.4)]

E. **Sound Amplification.** Mobile and fixed vending establishments shall comply with the following sound amplification standards:

1. Any music for the outdoor dining facility shall be from a single source and comply with the noise level standards established in the General Plan's Noise Element. Instances of live, amplified and/or music (i.e., disc jockey, singer, band) is allowed only on Fridays and Saturdays, and will require a Special Event Permit to be acquired prior to the activity taking place in compliance with Title 3, Chapter 5 (Special Sales and Events) of the Reedley City Code. [Source: Policy and Procedure No. CD-012.(C.5), modified]

2. No mobile food vehicle vendor shall use or maintain any outside sound amplifying equipment, lights, or noisemakers, such as bells, horns, or whistles. [Source: Policy and Procedure No. CD-012.(C.7)]

3. Vending units shall not use strobe lights or other similar devices aimed at directing attention to the mobile vending business. [Source: Policy and Procedure No. CD-012.(C.8)]

F. **Design Standards.** Mobile and fixed vending establishments shall comply with the following design standards:

1. Tables and chairs shall be removable unless otherwise approved by the Community Development Director. [Source: Policy and Procedure No. CD-012.(D.1)]
2. Space heaters and/or heat lanterns may be provided so long as the use and operation of any such heater complies with all applicable building and fire codes and does not present a threat to the health, safety, and welfare of the public. [Source: Policy and Procedure No. CD-012.(D.2)]
3. Umbrellas shall be removable and spaced to provide for pedestrian access. The umbrella must be made from approved fire retardant material. [Source: Policy and Procedure No. CD-012.(D.3)]
4. A "No Smoking" sign shall be posted next to the order window or area. [Source: Policy and Procedure No. CD-012.(D.4)]

10.50.130 Portable Self-Storage Containers

A. **Purpose.** The purpose of this section is to establish standards for the placement and operation of portable storage containers. [Source: NEW]

B. **Intent.** The standards established in this section are intended to protect the residential character of the neighborhood. [Source: 10.16.6, modified]

C. **Applicability.** Portable storage units shall comply with the standards established for each zone district as specified in Subsection D, below. [Source: 10.16.6, modified]

D. **Residential Zone Districts Standards.** It is unlawful for any person to place or allow the placement of a portable storage unit(s) on property with a residential zone district classification unless the placement complies with this section. [Source: 10.16.6.A]

1. Portable storage unit(s) shall be allowed to be placed in the following locations:
    a. On the driveway or a parking area that is not located within the public right-of-way.
    b. On the side or rear yard if approved vehicular access exists at the side or rear of the site. [Source: 10.16.6.A.1]
2. No more than two portable storage units shall be placed on the property at any time. [Source: 10.16.6.A.2]
3. The portable storage unit(s) shall be located at such property for a maximum of 30 consecutive days, including the days of delivery and removal. The limited purpose is the portable storage of furniture, clothing, or other household belongings, coming from or to a structure on the property. [Source: 10.16.6.A.3]

4. The ancillary placement of a portable storage unit(s) for a construction/rehabilitation project that requires a Building Permit shall be noted on the Building Permit. The portable storage unit(s) shall be allowed to remain as long as the Building Permit is active and shall be removed within 10 calendar days from the issuance of the Building Permit expiring or being finaled. [Source: 10.16.6.A.5, modified]

5. The property owner and owner/supplier of the portable storage unit shall each be independently responsible for ensuring that the portable storage unit(s) is maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing, or other holes or breaks, at all times. [Source: 10.16.6.A.6]

6. Portable storage unit(s) shall be used for storage purposes only and shall not be occupied by persons or animals at any time. [Source: 10.16.6.A.8]

7. Portable storage unit(s) shall not be used to store solid waste, construction debris, demolition debris or any illegal or hazardous material. Upon reasonable notice to the property owner, the City may inspect the contents of any portable storage unit(s) at any time to ensure that it is not being used to store said materials. [Source: 10.16.6.A.7]

8. No electrical connections shall be allowed within or around the portable storage unit(s).

9. Placement of a portable storage unit in the City's right of way or upon any public street, at any time, is prohibited. The City Engineer may waive this prohibition for a period not to exceed five consecutive days. [Source: 10.16.6.A.9]

E. **Industrial Zone District Standards.** Portable storage unit(s) are allowed in the industrial zone districts.

1. Placement of a portable storage unit(s) for permanent or semi-permanent use in an industrial zone district shall require a Building Permit. Applicable work shall be done in conformance with the California Building Code. [Source: 10.16.6.B.1]

2. Portable storage unit(s) are prohibited on industrially zoned property on which the primary use is nonconforming residential use unless placed in accordance with Paragraph E.3 or E.4 of this Section. [Source: 10.16.6.B.2]

3. No more than three portable storage units per 50,000 square feet of gross leasable area shall be placed on the property at any time. [Source: 10.16.6.A.2]

4. The property owner and owner/supplier of the portable storage unit shall each be independently responsible for ensuring that the portable storage unit(s) is maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing, or other holes or breaks, at all times. [Source: 10.16.6.A.6]

5. Portable storage unit(s) shall be used for storage purposes only and shall not be occupied by persons or animals at any time. [Source: 10.16.6.A.8]

6. Portable storage unit(s) shall not be used to store solid waste, construction debris, demolition debris or any illegal or hazardous material. Upon reasonable notice to the property owner, the City may inspect the contents of any portable storage unit(s) at any time to ensure that it is not being used to store said materials. [Source: 10.16.6.A.7]

7. No electrical connections shall be allowed within or around the portable storage unit(s).

8. Placement of a portable storage unit in the City's right of way or upon any public street adjacent to industrially zoned property is prohibited. [Source: 10.16.6.A.9]

F. **Commercial Zone District Standards**. Portable storage unit(s) are allowed in the commercial zone districts, subject to the following conditions:

1. Placement of a portable storage unit(s) for permanent or semi-permanent use in a commercial zone district shall require a building permit. Applicable work shall be done in conformance with the California Building Code. [Source: 10.16.6.B.1]

2. Portable storage unit(s) are prohibited on commercially zoned property on which the primary use is a nonconforming residential use placed in accordance with Paragraph F.3 or F.4 of this Section. [Source: 10.16.6.C.5, modified]

3. Any storage units shall be screened with sight obscuring fencing or landscaping. [Source: 10.16.6.C.1]

4. No more than two portable storage units shall be placed on the property at any time. [Source: 10.16.6.A.2]

5. The property owner and owner/supplier of the portable storage unit shall each be independently responsible for ensuring that the portable storage unit(s) is maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing, or other holes or breaks, at all times. [Source: 10.16.6.A.6]

6. Portable storage unit(s) shall be used for storage purposes only and shall not be occupied by persons or animals at any time. [Source: 10.16.6.A.8]

7. Portable storage unit(s) shall not be used to store solid waste, construction debris, demolition debris or any illegal or hazardous material. Upon reasonable notice to the property owner, the City may inspect the contents of any portable storage unit(s) at any time to ensure that it is not being used to store said materials. [Source: 10.16.6.A.7]

8. No electrical connections shall be allowed within or around the portable storage unit(s).

9. Placement of a portable storage unit in the City's right of way or upon any public street adjacent to commercially zoned property is prohibited. [Source: 10.16.6.A.9]

10.50.140 Recycling Facilities

A. **Purpose and Intent.** The intent of the standards established in this Section are to exercise reasonable control over the installation and location of recycling facilities such that the aesthetic and safety values of residential, commercial, and industrial areas are maintained. [Source: 10.13.6.B]

B. **Permits Required.** No person shall allow the placement, construction, or operation of any recycling facility without first obtaining all necessary permits from the Planning Division in compliance with Article 2 (Zones, Allowable Uses, and Development Standards). [Source: 10.13.6.D.1, modified]

C. **Permits For Multiple Sites.** A single Administrative Permit may be approved to allow more than one reverse vending machine(s) or small collection facility located on different sites under the following conditions:

1. The operator of each of the proposed facilities is the same; [Source: 10.13.6.D.2.a]
2. The proposed facilities are determined by the Community Development Director to be similar in nature, size, and intensity of activity; and [Source: 10.13.6.D.2.b]
3. All the applicable criteria and standards established in Subsection E (Processing Facilities) of this Section are met for each such proposed facility. [Source: 10.13.6.D.2.c]

D. **Reverse Vending Machine(s**). Reverse Vending Machines, as defined in Article 8 (Definitions), shall meet all applicable criteria and standards listed, provided that the Community Development Director may modify such standards as an exercise of discretion upon a finding that such modifications are reasonably necessary to implement the general intent and purpose of this Section. The standards for reverse vending machines are as follows: [Source: 10.13.6.E, modified]

1. A reverse vending machine shall be established in conjunction with an existing or allowed commercial use or community service facility or in conjunction with an approved conditional use which is in compliance with all zoning, building, and fire codes of the City; [Source: 10.13.6.E.1.a]
2. A reverse vending machine shall be located in an area convenient for customer access and shall not obstruct pedestrian or vehicular circulation; [Source: 10.13.6.E.1.b]
3. A reverse vending machine shall not occupy parking spaces required by the primary use; [Source: 10.13.6.E.1.c]

4. A reverse vending machine shall occupy no more than 50 square feet of floor space per installation, including any protective enclosure, and shall be no more than eight feet in height; [Source: 10.13.6.E.1.d]

5. A reverse vending machine shall be constructed and maintained with durable waterproof and rustproof material; [Source: 10.13.6.E.1.e]

6. A reverse vending machine shall be clearly marked to identify the type of material to be deposited, operating instructions and the identity and phone number of the operator or responsible person to call if the machine is inoperative; [Source: 10.13.6.E.1.f]

7. In addition to the standards established in Chapter 10.40 (Sign Regulations), a reverse vending machine shall have a sign area of a maximum of four square feet per machine, exclusive of operating instructions; [Source: 10.13.6.E.1.g, modified]

8. A reverse vending machine shall be maintained in a clean, litter free condition on a daily basis; [Source: 10.13.6.E.1.h]

9. Operating hours shall be at least the operating hours of the primary use of the parcel; [Source: 10.13.6.E.1.i]

10. A reverse vending machine shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn; and [Source: 10.13.6.E.1.j]

11. More than one reverse vending machine shall not be allowed. [Source: 10.13.6.E.1.k]

E. **Small Collection Facilities**. Small Collection Facilities, as defined in Article 8 (Definitions), shall meet all applicable criteria and standards listed, provided that the Community Development Director may modify such standards as an exercise of discretion upon a finding that such modifications are reasonably necessary to implement the general intent and purpose of this Section. The standards for small collection facilities are as follows:

1. Small collection facilities shall only be established in conjunction with an existing or allowed commercial use or community service facility or in conjunction with an approved conditional use which is in compliance with all zoning, building, and fire codes of the City; [Source: 10.13.6.E.2.a]

2. Small collection facilities shall be no larger than 600 square feet and shall not occupy any required parking established for the host use other than approved by the Community Development Director; [Source: 10.13.6.E.2.b]

3. Small collection facilities shall be set back at least 10 feet from any street line or as necessary in order not to obstruct pedestrian or vehicular circulation; [Source: 10.13.6.E.2.c]

4. Small collection facilities shall accept only glass, metals, plastic containers, papers, and reusable items. Used motor oil may be accepted with permission of the local public health official; [Source: 10.13.6.E.2.d]

5. Small collection facilities shall use no power driven processing equipment except for reverse vending machines; [Source: 10.13.6.E.2.e]

6. Small collection facilities shall use containers that are constructed and maintained with durable waterproof and rustproof material, covered when site is not attended, secured from unauthorized entry or removal of material, and shall be of capacity sufficient to accommodate materials collected and collection schedule; [Source: 10.13.6.E.2.f]

7. Small collection facilities shall be maintained free of litter and other undesirable materials, and mobile facilities, at which truck or containers are removed at the end of each collection day, shall be swept at the end of each collection day; [Source: 10.13.6.E.2.g]

8. Small collection facilities shall store all recyclable material in containers or in the mobile unit vehicle and shall not leave materials outside of containers when attendant is not present; [Source: 10.13.6.E.2.h]

9. Small collection facilities shall not exceed noise levels of 60 dBA as measured at the adjacent property line(s) of an abutting residential zone or a property occupied for residential use, otherwise shall not exceed 70 dBA; [Source: 10.13.6.E.2.i]

10. Attended facilities located within 200 feet of a residential zone or a property occupied for residential use shall operate only during the hours between 9:00 a.m. and 7:00 p.m.; [Source: 10.13.6.E.2.j]

11. Containers for the 24-hour donation of materials shall be at least 50 feet from any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between containers and the residential use; [Source: 10.13.6.E.2.k]

12. The facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation and display a notice stating that no material shall be left outside the recycling enclosure or containers; [Source: 10.13.6.E.2.l]

13. Signs shall comply with the standards established in Chapter 10.40 (Sign Regulations).

14. The small collection facility shall not be located over existing landscaping; [Source: 10.13.6.E.2.n]

15. No additional parking spaces will be required for customers of a small collection facility located at the established parking lot of a host use. One space may be provided for the attendant, as determined by the Community Development Director; [Source: 10.13.6.E.2.o]

16. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present. [Source: 10.13.6.E.2.p]

17. Occupation of parking spaces by the facility and by the attendant may not reduce available parking spaces below the minimum number required for the primary host use unless all of the following conditions exist:

    a. The facility is located in a convenience zone district or a potential convenience zone as designated by the California Department of Conservation. [Source: 10.13.6.E.2.q.1]

    b. A parking study shows that existing parking capacity is not already fully used during the time the recycling facility will be on the site; [Source: 10.13.6.E.2.q.2]

18. The facility shall comply with all provisions of this Section or shall be found in noncompliance with this Title and, therefore in violation, and shall cause removal from the site following appropriate notice by the Community Development Director. Such notice shall consist of a written statement addressing the violations, and the processor shall be given 30 calendar days to comply. If at the end of 30 calendar days the conditions are not met, the facility shall be removed from the site the following day, ending the 30-day time limit. [Source: 10.13.6.E.2.r]

F. **Large Collection Facilities.** Large Collection Facilities, as defined in Article 8 (Definitions), shall meet all applicable criteria and standards listed, provided that the Community Development Director may modify such standards as an exercise of discretion upon a finding that such modifications are reasonably necessary to implement the general intent and purpose of this Section. The standards for large collection facilities are as follows:

1. Facility shall not abut a property zoned for residential use or abuts an existing residential use(s); [Source: 10.13.6.F.1]

2. Facility shall meet all applicable noise standards as set out in Subsection F.8 of this section. [Source: 10.13.6.F.2.a]

3. Setbacks, screening, and landscape requirements shall be those provided for the zone district in which the facility is located. [Source: 10.13.6.F.3]

4. All exterior storage of material shall be in sturdy containers which are covered, secured, and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the Fire Department and Fresno County Public Health Official. [Source: 10.13.6.F.4]

5. Site shall be maintained free of litter and any other undesirable materials and will be cleaned of loose debris on a daily basis. [Source: 10.13.6.F.5]

6. Space will be provided on site for six vehicles or the anticipated peak customer load, whichever is higher, to circulate and to deposit recyclable materials; except where the Community Development Director and City Engineer determines that allowing overflow traffic above six vehicles is compatible with surrounding business and public safety. [Source: 10.13.6.F.6]

7. One parking space will be provided for each commercial vehicle operated by the processing center. Parking requirements will otherwise be as mandated by the zone in which the facility is located except that parking requirements for employees may be reduced when it can be shown that parking spaces are not necessary such as when employees are transported in a company vehicle to a work facility. [Source: 10.13.6.F.7]

8. Noise levels shall not exceed 60 dBA as measured at the adjacent property line(s) of an abutting residential zone or a property occupied for residential use, or otherwise shall not exceed 70 dBA. [Source: 10.13.6.F.8]

9. If the facility is located within 1,000 feet of property zoned or occupied for residential use, it shall not be in operation between 7:00 p.m. and 8:00 a.m. [Source: 10.13.6.F.9]

10. Containers provided for after-hours donation of recyclable materials will be at least 100 feet from any property zoned or occupied for residential use, shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected and shall be secure from unauthorized entry or removal of materials. [Source: 10.13.6.F.10]

11. Donation areas will be kept free of litter and any other undesirable material; facility shall display a notice stating that no material shall be left outside the recycling center. [Source: 10.13.6.F.11]

12. Facility will be clearly marked with the name and phone number of the facility operator and the hours of operation; identification and informational signs will meet the standards of the zone; and directional signs may be installed with the approval of the Community Development Director, if necessary, to facilitate traffic circulation or if the facility is not visible from the public right-of-way. [Source: 10.13.6.F.12]

13. Power driven processing ancillary to a large collection facility, including aluminum foil, and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of material, may be approved by the Community Development Director if the facility meets the noise standards or any other conditions that may be placed on the use, subject to appeal to the Planning Commission. [Source: 10.13.6.F.13]

14. No dust, fumes, smoke, vibration, or odor above ambient level shall be detectable on neighboring properties.

G. **Processing Facilities.** Processing Facilities, including Light Processing Facilities and Heavy Processing Facilities, as defined in Article 8 (Definitions), shall meet all applicable criteria and standards listed, provided that the Community Development Director may modify such standards as an exercise of discretion upon a finding that such modifications are reasonably necessary to implement the general intent and purpose of this Section. The standards for processing facilities are as follows:

1. Processing facilities shall not abut a property zoned, occupied, and or planned for residential use. [Source: 10.13.6.G.1]

2. Processing facilities shall operate in a wholly enclosed building except for incidental storage, or within an area enclosed on all sides by fence or wall not less than eight feet in height and landscaped on all street frontages; [Source: 10.13.6.G.2.a]

3. Processing facilities shall be located at least 250 feet from property zoned, occupied, and or planned for residential use. [Source: 10.13.6.G.2.b]

4. Power driven processing shall be permitted, provided all noise level requirements are met. [Source: 10.13.6.G.3]

5. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers. [Source: 10.13.6.G.4]

6. Processing facilities may accept used motor oil for recycling from the generator in accordance with the Health and Safety Code. [Source: 10.13.6.G.5]

7. Setbacks, screening, and landscaping requirements shall be those provided for the zoning district in which the facility is located. [Source: 10.13.6.G.6]

8. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the Fire Department or Fresno County Health Official. No storage, excluding truck trailers and overseas containers, shall be visible above the height of the fencing. [Source: 10.13.6.G.7]

9. The site shall be maintained free of litter and any other undesirable materials, will be cleaned of loose debris on a daily basis and will be secured from unauthorized entry and removal of materials when attendants are not present. [Source: 10.13.6.G.8]

10. Space shall be provided on site for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, space will be provided for a minimum of 10 customers or the peak load, whichever is higher, except where the Community Development Director and City Engineer determines that allowing overflow traffic is compatible with surrounding businesses and public safety. [Source: 10.13.6.G.9]

11. One parking space will be provided for each commercial vehicle operated by the processing center. Parking requirements will otherwise be as mandated by the zone in which the facility is located except that parking requirements for employees may be reduced when it can be shown that parking spaces are not necessary such as when employees are transported in a company vehicle to a work facility. [Source: 10.13.6.G.10]

12. Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned, planned and or occupied property, or otherwise shall not exceed 70 dBA. [Source: 10.13.6.G.11]

13. If the facility is located within 500 feet of property zoned or planned for residential use, it shall not be in operation between 7:00 p.m. and 8:00 a.m. The facility will be administered by on-site personnel during the hours the facility is open. [Source: 10.13.6.G.12]

14. Any containers provided for after hours donation of recyclable materials will be at least 50 feet from any property zoned, planned, or occupied for residential use; shall be of sturdy, rustproof construction; shall have sufficient capacity to accommodate materials collected; and shall be secure from unauthorized entry or removal of materials. [Source: 10.13.6.G.13]

15. Donation areas shall be kept free of litter and any other undesirable material. The containers shall be clearly marked to identify the type of material that may be deposited. The facility shall display a notice stating that no material shall be left outside the recycling containers. [Source: 10.13.6.G.14]

16. Sign requirements shall comply with Chapter 10.40 (Sign Regulations). [Source: 10.13.6.G.15]

17. No dust, fumes, smoke, vibration, or odor above ambient level shall be detectable on neighboring properties. [Source: 10.13.6.G.16]

10.50.150 Short-Term Rentals

A. **Purpose.** The purpose of this Section is to establish development and operational standards for short-term rentals to ensure protection of the health and safety of residents and guests and to protect the environment. [Source: NEW]

B. **Applicability.** Any property owner or professional property management company who leases, rents, or otherwise makes available for compensation a short-term rental unit for a period of fewer than 30 consecutive days shall comply with all standards established in this Section. [Source: NEW]

C. **Zone Clearance Required.** A Zone Clearance shall be obtained and approved in compliance with Chapter 10.82 (Zone Clearance). [Source: NEW]

D. **Definitions.** The definitions of terms and phrases used in this Section are defined in Article 8 (Definitions). [Source: NEW]

E. **Operational Standards.** Failure to comply with the standards in this Section may result in enforcement measures as established in Chapter 10.112 (Administration and Enforcement) of this Title. [Source: NEW]

1. **Business License Required.** All short-term rentals shall be required to obtain and maintain a Business License from the Administrative Services Department. [Source: NEW]

2. **Transient Occupancy Tax.** All short-term rentals shall be subject to the City's transient occupancy tax, as required by Chapter 7 (Uniform Transient Occupancy Tax) of the Reedley Municipal Code. [Source: NEW]

3. **Posting of Standards.** The owner of the short-term rental shall post a sign at a conspicuous location within the unit advising occupants of all rules and operational standards imposed upon occupants under this Section. [Source: NEW]

4. **Habitable Space.** Only the habitable interior portions of a dwelling shall be used as a short-term rental. No tents, camper trailers, recreational vehicles, or other exterior structures or spaces are permissible as short-term rentals. [Source: NEW]

5. **Local Contact Person.** A local contact person shall be personally available by telephone on a 24-hour basis and maintain the ability to be physically present at the short-term rental within 30 minutes of contact by code enforcement, the Police Department, or the guest(s), and has access and authority to assume management of the short-term rental in order to respond to and remedy calls or complaints. Calls or complaints about physical conditions or circumstances that constitute an immediate threat to the public health and safety shall obligate the local contact person to immediately contact the appropriate law enforcement, fire, or other authority. [Source: NEW]

6. **Length of Stay.** No short-term rental shall exceed 30 consecutive calendar days per stay. [Source: NEW]

7. **Signs and Advertising.** In addition to the standards established in Chapter 10.40 (Sign Regulations), no on-site exterior signs shall be posted advertising the availability of a short-term rental at the short-term rental property. [Source: NEW]

8. **Noise.** It is unlawful for any owner, occupant, renter, lessee, person present upon, or person having charge or possession of a short-term rental to make or continue or cause to be made or continued any loud, unnecessary or unusual noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area, or violates any provision of Chapter 5, Section 1-18 (Noise Control) of the Reedley Municipal Code. [Source: NEW]

9. **Parking.** Parking for short term rental units shall comply with the standards established in Chapter 10.38 (Parking Regulations). [Source: NEW]

10. **Outdoor Activities.** Occupants shall not engage in outdoor activities on a short-term rental property between the hours of 10:00 p.m. and 7:00 a.m. that involve the use of swimming pools, hot tubs, spas, tennis, play equipment, and other similar and related improvements. The hours between 10:00 p.m. and 7:00 a.m. are considered to be “quiet time,” where all activities at a short-term rental property shall be conducted inside of a short-term rental unit so that no outdoor activity will disturb the peace and quiet of the neighborhood adjacent to a short-term rental property or cause discomfort or annoyance to any reasonable person of normal sensitivity residing in the area. [Source: NEW]

F. **Findings and Decision**

1. **Application.** The Community Development Director shall review all applications and shall record the decision in writing with the findings established in this Section on which the decisions is based. [Source: NEW]

2. **Findings.** The Community Development Director shall base their decision on the following findings: [Source: NEW]

   a. The short-term rental as proposed is consistent with the General Plan and the development and design standards established by this Title. [Source: NEW]

   b. The short-term rental is consistent with the all other municipal codes and applicable laws. [Source: NEW]

   c. The short-term rental is consistent with the character of the existing neighborhood.

   d. The short-term rental will not adversely impact the intended purpose of the zone district it is situated in.

   e. The short-term rental will not adversely impact the health, safety, and welfare of the general public.

10.50.160 Restaurant

Restaurants, as defined in Article 8 (Definitions) and allowed in Article 2 (Zones, Allowable Uses, and Development Standards), shall comply with the following standards:

A. **Meal Service Required.** A restaurant shall serve meals to guests at all times the establishment is open for business. An establishment shall not be considered a restaurant if it serves alcohol without meal service being provided with the exception that alcohol sales to restaurant patrons may continue for up to two hours after meal service has ceased to allow guests to comfortably complete their meals. [Source: 10.18A-6, modified]

B. **Real Offer or Holding Out to Sell Meals.** The restaurant shall make an offer or holding out of sales of meals to the public by maintaining and displaying a printed menu and/or a menu board. A two-thirds majority of the items offered on the menu shall be available at any given time the establishment is open. The mere offering of meals without actual sales shall not be deemed sufficient. [Source: 10.18A-6, modified]

C. **Substantial Sales.** A restaurant shall make actual and substantial sales of meals to guests for compensation. Substantial sales shall mean that no less than 60 percent of total revenue shall be generated from food service and no more than 40 percent of revenue from the sales of alcohol. [Source: 10.18A-6, modified]

D. **Qualifying Meals.** Meals means the usual assortment of foods commonly ordered at various times of the day for the cuisine served. The service of snack foods and/or appetizers alone shall not be deemed compliant with this requirement. Meals shall be prepared on the premises. The heating of food prepared elsewhere shall not constitute a meal. [Source: 10.18A-6, modified]

E. **Maintenance.** The premises on which the restaurant is located shall be equipped for meal service and maintained. The premises must possess and maintain appliances for the cooking of a variety of foods such as stoves, ovens, broilers, or other devices, as well as pots, pans, or containers that can be used for cooking. The premises shall possess the necessary utensils, table service, and condiment dispensers with which to serve meals to the public. [Source: 10.18A-6, modified]

F. **Health Department Compliance Required.** A restaurant shall comply with all local health department standards. [Source: 10.18A-6, modified]

G. **Bar and/or Lounge Areas.** A restaurant may have a separate lounge or bar area provided that the restaurant and bar/lounge area operate as a single entity. The physical layout, entry location(s), spatial connection between the areas, and operational characteristics, among other factors, shall be used to determine compliance. Any bar/lounge area cannot remain open when the dining area is closed. However, the dining area may be open while the bar/lounge area is closed. [Source: 10.18A-6, modified]

H. **State Alcohol and Beverage Control (ABC) Compliance.** To the extent that ABC regulations conflict with the standards established in this Section, a restaurant shall comply with all ABC regulations related to bona fide public eating places, meals, and restaurants. [Source: 10.18A-6, modified]

10.50.170 Solid Waste and Recycling Enclosures

A. **Public Works.** Trash bins, trash cans or dumpsters shall be provided as required through the Public Works Department. Trash bins, trash cans or dumpsters shall be kept within a trash enclosure or screened from any public right-of-way. [Source: 10.16.4.I.1, modified]

B. **Maintenance.** All trash container areas shall be maintained in a manner which prevents the accumulation of trash, debris, rubbish, and litter outside of receptacles approved by the Public Works Department. Trash bins shall also be maintained free of graffiti. Trash enclosures in commercial areas shall be maintained and operated in such a manner as to not impede traffic due to the doors being allowed to swing open for an extended period of time. [Source: 10.16.4.I.3 and 10.16.4.I.5]

10.50.180 Utility Towers and Lines

A. **Application.** The standards established in this Section shall not be construed as to limit or interfere with the construction, installation, operation, and maintenance of any land use coming under the jurisdiction of the public utilities commission, which uses are related to the public utility purposes of water and gas pipes, mains and conduits, telegraph and telephone lines, pole mounted repeaters, telephone booths, sewers, and sewer mains, electric light and power distribution and transmission lines, except as provided for in this Section. [Source: 10.17.7.A]

B. **Procedure.** The routes of proposed gas or electric transmission lines shall be submitted to the City Engineer for review and recommendations. The City Engineer shall confine its review to the route, placement and height of such towers or lines. [Source: 10.17.7.B]

1. Power transmission lines shall be those lines which are intended to transmit gas or electric energy from: [Source: 10.17.7.B.1]
    a. The source of such energy to a receiving substation.
    b. A receiving substation to a distribution substation.
2. Prior to the acquisition of rights-of-way, the following plans and information shall be submitted to the Engineering Division for its review and recommendations: [Source: 10.17.7.B.2]
    a. The location of the proposed route.
    b. Type of towers and transmission lines.
    c. Approximate height of towers or size of lines.
    d. Widths of rights-of-way.
    e. Other pertinent data.
3. The City Engineer shall recommend such modifications as are deemed necessary to protect health, safety, and welfare. [Source: 10.17.7.B.3, modified]

4. The City Engineer shall complete its review and make its findings within 30 days after the filing of said plans and data. [Source: 10.17.7.B.4]

C. **Appeals.** The recommendations of the City Engineer may be appealed to the City Council within 10 calendar days (excluding City-recognized holidays) of the completion of the review and findings. The appeal shall be placed on the agenda of the City Council's within 45 calendar days after appeal has been filed with the City Clerk. The City Council shall review the findings and recommendations and shall act to uphold, modify, or disapprove the recommendations of the City Engineer. [Source: 10.17.7.C]

10.50.190 Wireless Telecommunications and Cell Towers

A. **Purpose and Intent.** The intent of these regulations is to exercise reasonable control over the installation of any satellite antenna to ensure safety the values of residential, commercial, and industrial areas are maintained. [Source: 10.13.5.B, modified]

B. **Applicability.** This Section applies to every dish antenna installed or modified on or after the effective date hereof and to every dish antenna existing as of the effective date hereof, which was installed or modified without plans and a Building Permit approved by the City. No satellite television antenna shall be erected, constructed, maintained, or operated except in compliance with the standards established in this Section. [Source: [Source: 10.13.5.B, modified, and 10.13.5.I]

C. **Plans and Permit.** No dish antenna shall be installed or modified except in compliance with the application, conditions of approval, and a Building Permit approved by the City. In addition to complying with structural and electrical requirements of this Section, the plans filed with the Building Permit shall include a site plan showing all dish antenna and site specific information and details necessary for the City to determine compliance with all applicable standards of this Section. Additional supplemental information may be required if a Variance or Conditional Use Permit is needed. [Source: 10.13.5.H]

D. **Allowed Locations; Exception Procedures and Limitations.** If a usable satellite signal cannot be obtained by locating the antenna in the back half of any parcel in the single-unit residential zone district, the antenna may be located in the side or front area of the property, provided that a Director's Determination is made prior to such installation. In requesting a variance, the applicant must show that a usable satellite signal is not obtainable from the rear yard location on the property. [Source: 10.13.5.G.1.a] and that the construction and erection otherwise comply with City building and electrical regulations. [Source: 10.13.5.G.1.c]

E. Certain parcels of land in the City may not be able to accommodate satellite dish antennas because of existing site conditions and adverse effects on the surrounding neighborhoods. In such instances the Community Development Director may withhold approval to construct, install and/or maintain a satellite dish antenna, unless conditions and/or equipment would change to reverse the ruling of the Director. [Source: 10.13.5.G.2]

F. **General Standards Applicable to All Dish Antennas.** Every dish antenna shall be installed, modified, and maintained in compliance with this Section and the following standards:

1. All satellite dish antennas located in residential districts shall be located to minimize the visual impact on surrounding properties and from public rights-of-way and adjacent properties by use of screens, fences, and/or landscaping without impeding the efficiency of the dish. [Source: 10.13.5.F.1]
2. No satellite dish antenna shall occupy or interfere with access to any required parking space or driveway. [Source: 10.13.5.F.2]
3. All satellite dish antennas shall be subject to front and side yard setback regulations, except in residential districts. [Source: 10.13.5.F.3]
4. Satellite dish antennas shall not emit light or employ reflective materials. [Source: 10.13.5.F.4, modified]
5. Not more than one satellite television antenna per parcel shall be allowed in any zone district with exceptions allowed by Director’s Discretion [Source: 10.13.5.F.5]
6. Prior to installation of a satellite dish antenna, all appropriate permits must be obtained from the City. [Source: 10.13.5.F.6]
7. The installation of all satellite dish antennas shall be in conformance with manufacturer's installation specifications and, in the absence of such specifications, the design of footings, anchorage and fasteners shall be completed by a California registered architect, civil or structural engineer, to meet the current California Building Code. [Source: 10.13.5.F.8]
8. Antennas shall meet all manufacturer specifications, be of noncombustible and corrosive resistant material and be erected in a secure, wind resistant manner. [Source: 10.13.5.F.9]
9. The electrical system shall be designed and installed in accordance with the current Electrical Code. [Source: 10.13.5.F.10]
10. All electrical wiring associated with antennas shall be installed underground or hidden from view. [Source: 10.13.5.F.11]

11. A satellite dish antenna shall be maintained in a safe and aesthetically acceptable condition for the duration of the time it exists on the property. [Source: 10.13.5.F.12]

12. Every metal antenna must be adequately grounded for protection against a direct strike by lightning. [Source: 10.13.5.F.13]

G. **Satellite Antenna Requirements; Nonresidential.** In commercial, industrial, open space, and other nonresidential zone districts:

1. Prior to installation of a satellite dish antenna, all appropriate permits and approvals shall be obtained from the City. [Source: 10.13.5.D.1]

2. Antennas may be ground mounted, roof mounted, or aboveground pole mounted. Roof mounted and aboveground pole mounted antennas shall not exceed 150 feet. [Source: 10.13.5.D.2 and 3]

3. Roof mounted antennas shall be located on a flat portion of the roof with parapets and/or an architecturally matching screening plan. [Source: 10.13.5.D.4]

4. No advertising of any kind shall be allowed on satellite dish antennas. A manufacturer's identification label and/or any government required identification or safety labels may be affixed to the back side of the dish or to the structural supports of the antenna. [Source: 10.13.5.D.5]

5. No more than one satellite dish antenna shall be installed at any commercial or industrial establishment whether or not sales of the antennas takes place, except that the Community Development Director may grant additional antennas if it is demonstrated that such additional antennas will meet the provisions and intent of this Section. [Source: 10.13.5.D.6]

H. **Satellite Antenna Requirements; Residential Districts.** Prior to installation of a satellite dish antenna, all appropriate permits and approvals shall be obtained from the City. In residential districts or for residential uses in other zone districts [Source: 10.13.5.E.1]

1. All satellite dish antennas shall be located only in the back half of any parcel as ground mounted units only. [Source: 10.13.5.E.2]

2. All satellite dish antennas shall not extend beyond the property lines of the parcel on which it is erected. [Source: 10.13.5.E.3]

3. Only one satellite dish antenna shall be installed per parcel or multi-unit dwelling. [Source: 10.13.5.E.4, modified]

4. Satellite dish antennas shall not exceed 10 feet in height including any platform or structure upon which said antenna is mounted or affixed. [Source: 10.13.5.E.5]

Chapter 10.52

Accessory Dwelling Unit (ADU)

Chapter 10.52 Accessory Dwelling Unit (ADU)

10.52.010 Purpose and Intent

A. **Purpose.** The provisions of this Chapter are intended to set standards, in compliance with California Government Code Section 65852.2, for the development of accessory dwelling units (ADU) to increase the supply of smaller and affordable housing while ensuring such housing remains compatible with the existing neighborhood. [Source: NEW]

B. **Intent.** The regulations in this Chapter are intended to:

1. Implement the provisions of the General Plan Housing Element; [Source: NEW]
2. Assure compliance with California Government Code and other relevant housing legislation; [Source: NEW]
3. Encourage the development of ADUs; [Source: NEW]
4. Streamline and minimize governmental constraints on residential development; and [Source: NEW]
5. Minimize potential adverse impacts on the public health, safety, and general welfare that may be associated with ADUs. [Source: NEW]

10.52.020 Applicability

Except as otherwise provided by this Section or State law, ADUs shall be ministerially permitted only where allowed in Article 2 (Zones, Allowable Uses, and Development Standards). [Source: NEW]

10.52.030 Application

A. **Ministerial Approval.** An application for an ADU that complies with all applicable requirements of this Chapter and State law shall be approved ministerially through the Building Permit process. A Building Permit application for an ADU on a parcel with an existing single-unit dwelling shall be acted upon within 60 days of the Building Permit application being complete. [Source NEW]

B. **Failure to Act.** If the City has not acted upon the completed application within 60 days, the application shall be deemed approved. [Source: NEW]

C. **Applicant's Right to Delay.** The Building Permit applicant may request a delay in the City's processing of the Building Permit, which shall result in the tolling of the 60-day period, in compliance with Government Code Section 65852.2. [Source: NEW]

10.52.040 General Plan Density Exemption

As provided by Government Code Section 65852.2, ADUs are not considered new or separate dwelling units and, therefore, are exempt from the density limitations of the General Plan. [Source: NEW]

10.52.050 General Requirements for Accessory Dwelling Units (ADUs)

All ADUs shall comply with the following general requirements.

A. **Accessory to Primary Residential Use.** ADUs shall be accessory to an existing or proposed primary dwelling. [Source: NEW]

B. **Where Allowed.** ADUs shall be located on a parcel zoned to allow single-unit or multi-unit residential dwellings and that contains an existing or proposed primary dwelling. [Source: NEW]

C. **Separate Conveyance.** ADUs shall not be sold or otherwise conveyed separately from the primary dwelling, except as otherwise provided in Government Code Section 65852.26. [Source: NEW]

D. **Rental Terms.** ADUs shall not be rented for a term of less than 30 consecutive days. [Source: NEW]

E. **Owner Occupancy *Not* Required.** The property owner is not required to occupy the ADU or primary dwelling located on the parcel. [Source: NEW]

F. **Recreational Vehicles.** Recreational vehicles, as defined in Article 8 (Definitions), shall not be used as ADUs.

10.52.060 Location

An ADU shall be allowed in the following locations:

A. Within an existing or proposed single-unit dwelling, including attached garages, storage areas, or similar attached areas; [Source: NEW]

B. Within an existing or proposed multi-unit dwelling structure in areas that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages; [Source: NEW]

C. An existing or proposed detached accessory structure; [Source: NEW]

D. Above a garage that is attached to or detached from the primary dwelling. [Source: NEW]

F. When located within an existing accessory structure, the accessory structure shall only be enlarged to provide ingress and egress. An expansion needed to provide ingress and egress shall be limited to a maximum of 150 square feet, shall provide exterior access, and shall provide side and rear setbacks adequate for fire and safety. [Source: NEW]

10.52.070 Number of Units Allowed Per Parcel

An ADU shall comply with the following allowance standards.

1. One ADU and one JADU on a parcel with an existing or proposed single-unit dwelling. See Chapter 10.54 (Junior Accessory Dwelling Unit (JADU)). [Source: NEW]
2. No more than one ADU on a parcel where there are multiple detached single-unit dwellings.
3. No more than two detached ADUs on a parcel with a proposed or existing multi-unit dwelling. Two or more attached dwellings on a single lot shall be considered a multi-unit dwelling.
4. Within an existing multi-unit dwelling structure, multiple ADUs shall be allowed in areas that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages. A structure with two or more attached dwellings on a single lot shall be considered a multi-unit dwelling structure. The number of ADUs allowed is limited to a maximum of 25-percent of the number of multi-unit dwellings within the structure. In no case shall less than one ADU be allowed. [Source: NEW]

10.52.080 Development Standards

An ADU shall comply with the with the following development standards:

A. **Setbacks.** ADUs shall comply with the following setback requirements:

1. **Attached Unit.** An attached ADU shall be subject to the same front setback requirement applicable to the primary dwelling, unless it precludes development of an ADU that is at least 800 square feet, at least 16 feet in height with four-foot side and rear yard setbacks and complies with all other development standards of this Chapter or State law. The interior side, street side, and rear setbacks shall be a minimum of four feet. No rear, street side, or interior side setback is required for an accessory dwelling unit that is located fully within an existing single-unit dwelling, provided a separate exterior access is provided for the ADU. [Source: NEW]

2. **Conversion of Existing Living Space or Existing Accessory Structure.** An ADU or portion of an ADU located within the existing space of an existing dwelling or within an existing detached accessory structure shall not require a setback from the rear, street side, or interior side property lines. [Source: NEW]

3. **Existing Garage.** No setback shall be required for an existing garage that is converted to an ADU, except as required for fire and safety. A setback of four feet from the interior side, street side, and rear property lines is required for an ADU constructed above an existing garage. [Source: NEW]

4. **Replacement of Existing Structures.** For an ADU constructed in generally the same location and to the same dimensions as an existing structure, setbacks of four feet from the interior side, street side, and rear property lines shall be provided. [Source: NEW]

5. **New Detached Unit.** A new detached ADU shall comply with the front setback of the underlying zoning district, unless it precludes development of an ADU that is at least 800 square feet, at least 16 feet in height with four-foot side and rear yard setbacks and complies with all other development standards of this Chapter. A detached ADU shall be located a minimum of four feet from the interior side, street side, and rear property lines. [Source: NEW]

6. **Distance Between Structures.** A detached ADU shall maintain a minimum of five feet of separation between the primary dwelling and other accessory structures on the site or the minimum distance required by the Building Code, whichever is greater. [Source: NEW]

B. **Living Area Allowed Per Unit.** Garages and carports shall be excluded when calculating the living area of a primary dwelling. ADUs shall comply with the following living area square footage standards: [Source: NEW]

1. The minimum size of an ADU is 150 square feet of living area.

2. The maximum size of a detached ADU is 1,200 square feet of living area.

3. The maximum size of an attached ADU is 50 percent of the living area of the existing or proposed primary dwelling, or 1,200 square feet, whichever is greater.

4. A detached, new construction ADU may be combined with one JADU that complies with the requirements of Chapter 10.54 (Junior Accessory Dwelling Unit (JADU)). When combined with a JADU, the maximum size of the ADU is limited to 800 square feet, regardless of the number of bedrooms. [Source: 2020-243]

5. Square footage is measured from the exterior walls at the building envelope, excluding any garage area or unenclosed covered porch areas. For the purposes of measurement, all attached and/or interior storage areas, mezzanines, lofts, attics (except those less than seven feet in height accessed by a crawlspace and/or other code compliant access), and similar uses shall be counted in the total square footage. [Source: 2020-243]

C. **Height.** ADUs are limited to a maximum height of 16 feet, except as established below:

1. **Detached Units Located Adjacent to Transit Services.** If a detached accessory dwelling is located within a half-mile of a major transit stop or high-quality transit corridor, as defined in Article 8 (Definitions), the unit is limited to a maximum height of 18 feet, and may be up to two feet taller, for a maximum of 20 feet, if necessary to match the roof pitch of the primary dwelling unit.

2. **Detached Units on Multi-Unit Residential Dwelling Parcels.** If a detached accessory dwelling is located on a parcel with a multi-story, multi-unit dwelling structure, the detached accessory dwelling unit is limited to a maximum height of 18 feet.

3. **ADUs Above Detached Garages.** An accessory dwelling unit located above a detached garage is limited to a maximum height of 25 feet.

4. **Attached Units.** An accessory dwelling attached to the primary dwelling is limited to the height allowed in the underlying zoning district. [Source: New]

D. **Parking.** One off-street parking space is required for an ADU in addition to that required for the main dwelling, except as established below. [Source: NEW]

1. No off-street parking shall be required if any of the following circumstances exist:

2. The ADU is located within one-half mile of public transit as defined in Article 8 (Definitions). [Source: NEW]

3. The ADU is located on a property with a Historic Overlay zone. [Source: NEW]

4. The ADU is part of the existing primary residence or an existing accessory structure. [Source: NEW]

5. When on-street parking permits are required but not offered to the occupant of the ADU. [Source: NEW]

6. Where there is a car share vehicle located within one block of the ADU. [Source: NEW]

7. To qualify for an exception, the applicant must provide supporting evidence, such as a map illustrating the location of the accessory dwelling unit and its proximity to public transit or car share vehicle or on a lot with an Historic Overlay zone, or proof of local parking permit requirements. [Source: NEW]

8. The required off-street parking space may be covered or uncovered and shall be permitted in tandem and in setback areas, unless the Community Development Director determines that such parking is not feasible due to specific site topographical or fire and life safety conditions. [Source: NEW]

9. If a garage, carport, or covered parking is demolished in conjunction with the construction of an ADU or converted to an accessory dwelling unit, replacement parking is not required. [Source: 2020-243]

E. **Access.** An ADU shall have exterior access that is separate from the exterior access for the primary dwelling. A passageway that provides access to the ADU from a street is not required. For the purpose of this Section, a passageway is defined as a pathway that is unobstructed clear to the sky and extends from a street to one entrance of an ADU. [Source: NEW]

F. **Fire Sprinklers.** Fire sprinklers shall be required if required for the primary residence. [Source: NEW]

G. **Way Finding.** Each ADU shall display a numerical address in compliance with the current Residential Code as adopted and amended by the City. [Source: NEW]

H. **Utilities.** All utilities servicing the ADU shall be installed in a manner consistent with the California Building Code. [Source: NEW]

10.52.090 Deed Restriction

Before issuance of a Building Permit for an ADU, a deed restriction shall be recorded against the title of the property in the County Recorder's office and a copy filed with the Community Development Department. The deed restriction shall run with the land and bind all future owners. The form of the deed restriction shall be provided by the Department and shall provide that: [Source: NEW]

A. A prohibition on the sale of the ADU separate from the sale of the single-unit dwelling residence, except as otherwise provided in Government Code Section 65852.26

B. A prohibition on short-term rentals and rental terms shorter than 30 consecutive days. [Source: NEW]

C. An acknowledgement that water pressure may change if the ADU is using or is proposed to be using the same water connection as primary dwelling. [Source: NEW]

D. An acknowledgement that additional nonpermeable surfaces may affect the water drainage pattern on the parcel. [Source: NEW]

E. An acknowledgement that the deed restriction runs with the land and shall be enforced against future property owners. [Source: NEW]

F. The deed restriction shall be enforceable by the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU in violation of the recorded restrictions or abatement of the illegal unit.

Chapter 10.54

Junior Accessory Dwelling Unit (JADU)

Chapter 10.54 Junior Accessory Dwelling Unit (JADU)

10.54.010 Purpose

A. **Purpose.** The provisions of this Section are intended to set standards, in compliance with Government Code Section 65852.22, for the development of junior accessory dwelling units (JADUs) to increase the supply of smaller and affordable housing while ensuring that they remain compatible with the existing neighborhood. It is not the intent of this ordinance to override lawful use restrictions as set forth in Conditions, Covenants, and Restrictions. [Source: NEW]

B. **Intent.** The regulations in this Chapter are intended to:

1. Implement the provisions of the General Plan Housing Element;
2. Assure compliance with California Government Code and other relevant housing legislation;
3. Encourage the development of JADUs;
4. Streamline and minimize governmental constraints on residential development; and
5. Minimize potential adverse impacts on the public health, safety, and general welfare that may be associated with JADUs.

10.54.020 Applicability

Except as otherwise provided by this Section or State law, JADUs shall be ministerially permitted only where allowed in Article 2 (Zones, Allowable Uses, and Development Standards). [Source: NEW]

10.54.030 Application

A. **Ministerial Approval.** An application for a JADU that complies with all applicable requirements of this Chapter and State law shall be approved ministerially through the Building Permit process. A Building Permit application for a JADU on a parcel with an existing single-unit dwelling shall be acted upon within 60 days of the Building Permit application being complete. [Source NEW]

B. **Failure to Act.** If the City has not acted upon the completed application within 60 days, the application shall be deemed approved. [Source: NEW]

C. **Applicant's Right to Delay.** The Building Permit applicant may request a delay in the City's processing of the Building Permit, which shall result in the tolling of the 60-day period, in compliance with Government Code Section 65852.2. [Source: NEW]

10.54.040 General Plan Density Exemption

As provided by Government Code Section 65852.22 (d) and (e), JADUs are not considered new or separate dwelling units and, therefore, are exempt from the density limitations of the General Plan. [Source: NEW]

10.54.050 General Requirements for Junior Accessory Dwelling Units (JADUs)

All JADUs shall comply with the following general requirements.

A. **Accessory to Primary Residential Use.** JADUs shall be accessory to an existing or proposed primary dwelling. [Source: NEW]

B. **Where Allowed.** JADUs shall be located on a parcel zoned to allow single-unit residential dwellings. [Source: NEW]

C. **Amount Per Parcel.** Only one JADU is allowed per parcel. [Source: NEW]

D. **Separate Conveyance.** JADUs shall not be sold or otherwise conveyed separately from the primary dwelling, except as otherwise provided in Government Code Section 65852.26. [Source: NEW]

E. **Rental Terms.** JADUs shall not be rented for a term of less than 30 consecutive days. [Source: NEW]

F. **Owner Occupancy Required.** The property owner is required to occupy the JADU or the remaining portion of the single-unit dwelling or an ADU located on the same parcel. [Source: NEW]

G. **Deed Restriction.** Shall file a deed restriction in compliance with Section 10.54.080 (Deed Restriction) of this Chapter.

10.54.060 Location

A JADU shall be allowed in the following locations: [Source: 2020-343]

A. **Within a Single-Unit Dwelling.** Within the walls of an existing or proposed single-unit dwelling. Enclosed uses within the residence, such as attached garages, shall be considered a part of the existing or proposed single-unit residence. [Source: NEW]

B. **Combined with a Detached, New Construction Accessory Dwelling Unit.** When combined with a JADU, the maximum size of the accessory dwelling unit is limited to 800 square feet, regardless of the number of bedrooms. [Source: NEW]

10.54.070 Development Standards

A JADU shall comply with the with the following development standards:

A. **Minimum Living Area.** The minimum size of a JADU shall be 150 square feet of living area.

B. **Maximum Living Area.** A JADU shall not exceed 500 square feet in living area. [Source: NEW]

C. **Kitchen.** The JADU shall contain an efficiency kitchen. The efficiency kitchen shall be removed when the JADU use ceases. [Source: NEW]

D. **Sanitation.** A JADU may include a full bathroom, or the occupants of the JADU may share the bathroom facilities within the remainder of the single-unit dwelling. If the bathroom facility is shared, an interior entry into the main living area of the single-unit dwelling shall be provided. [Source: NEW]

E. **Entrance.** The JADU shall include an exterior entrance separate from the main entrance to the existing or proposed single-family dwelling. If a bathroom facility is not shared with the single-unit dwelling, the junior accessory dwelling may, but is not required to, include an interior entry into the main living area, which may include a second interior doorway for sound attenuation. [Source: NEW]

F. **Parking.** Off-street parking shall not be required for a junior accessory dwelling unit. [Source: NEW]

10.54.080 Deed Restriction

Before issuance of a Building Permit for a junior accessory dwelling unit, a deed restriction shall be recorded against the title of the property in the County Recorder's office and a copy filed with the Community Development Director. The deed restriction shall run with the land and bind all future owners. The form of the deed restriction shall be provided by the Director and shall provide that: [Source: New]

1. The JADU shall not be sold separately from the primary dwelling associated with the JADU. [Source: NEW]
2. The JADU is restricted to the approved size and to other attributes allowed by this Chapter. [Source: NEW]
3. Owner-occupancy in the primary dwelling unit or the newly created JADU shall be required.
4. A prohibition on short-term rentals and rental terms shorter than 30 days. [Source: NEW]
5. An acknowledgement that water pressure may change if the ADU is using or is proposed to be using the same water connection as primary dwelling. [Source: NEW]

6. An acknowledgement that additional nonpermeable surfaces may affect the water drainage pattern on the parcel. [Source: NEW]

7. The deed restriction runs with the land and may be enforced against future property owners. [Source: NEW]

8. The deed restriction may be removed if the owner eliminates the JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Community Development Director, providing evidence that the JADU has in fact been eliminated. Any Building Permits required in the removal shall be approved by the Director's determination. The Director may then determine whether the evidence supports the claim that the JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Zoning Code. If the JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of a JADU removed, the remaining structure and improvements shall otherwise comply with applicable provisions of this Zoning Code. [Source: NEW]

9. The deed restriction shall be enforceable by the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the JADU in violation of the recorded restrictions or abatement of the illegal unit. [Source: NEW]

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Chapter 10.56

Multi-Unit Dwelling Design Standards

Chapter 10.56 Multi-Unit Dwelling Design Standards

10.56.010 Purpose and Intent

A. **Purpose.** The purpose of this Chapter is to provide architectural and site design standards for multi-unit dwelling residential development projects (referred to as "projects" or the "project"). [Source: NEW]

B. **Intent.** It is the intent of these standards to provide applicants and property owners a clear understanding of the City's expectations for development, and further the goals, policies, and actions of the General Plan, which encourage high quality design and streamlining of housing development. [Source: NEW]

10.56.020 Applicability

A. **General.** The standards contained in this Chapter are written as requirements, rather than guidelines; therefore, all qualifying multi-unit dwelling residential projects applying for streamlined approval in accordance with Subsection B (Applicability), below, shall comply with each standard contained in this Chapter. Proposed projects shall also comply with all applicable development requirements in the Reedley City Code, including but not limited to Building Permit requirements, Zoning Code requirements, Grading Permit requirements, and development standards such as height, setbacks, floor area ratio. [Source: NEW]

B. **Applicability.** The standards established in this Chapter shall apply to the following projects: [Source: NEW]

1. **Eligible Streamlined Approval Projects.** A project that qualifies for streamlined approval in compliance with Government Code Section 65913.4. [Source: NEW]

2. **Multi-Unit Residential Dwelling.** Any residential structure containing two or more attached residential dwelling units, each of which is for the occupancy by one or more persons, including duplexes, triplexes, fourplexes, apartments, condominiums, and townhouses. [Source: NEW]

3. **Mixed-Use.** A structure consisting of residential and non-residential uses (i.e., commercial retail, retail service, office, civic, institutional) with at least two-thirds of the square footage designated for residential use, transitional housing, or supportive housing. [Source: NEW]

C. **Objective Standards.** As defined by Government Code Section 65913.4, objective design standards are standards that involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark. The standards established in this Chapter shall be mandatory for all projects identified in Subsection A, above, for which a streamlined approval process is requested pursuant to Government Code Section 65913.4. [Source: NEW]

D. **Exceptions to the Design Standards.** Projects seeking exceptions or deviations to the standards established in this Chapter, or projects which do not qualify for a streamlined approval process in compliance with Government Code Section 65913.4, shall have the option to apply for Director's Discretion subject to appeal to the Planning Commission. [Source: NEW]

10.56.030 Approval Authority

The Community Development Director shall use the standards established in this Chapter to review and approve developments that meet all the criteria established in Government Code Section 65913.4. The Director's approval can be appealed in compliance with Section 10.88.050 (Appeals). [Source: NEW]

10.56.040 Site Planning and Design Standards

A. **Project Density.** The residential density of the project shall be compliant with the maximum density allowed within that land use designation unless the applicant qualifies for and requests additional density pursuant to the Density Bonus Law in Government Code Section 65915. [Source: NEW]

B. **Structure Orientation and Location.** Projects shall comply with the following structure orientation and location standards:

1. **Separation Between Multiple Structures.** There shall be a minimum of 10 feet between structures. The space between structures shall be unobstructed, accessible to all residents, and include sidewalks, sitting areas, or live plantings. [Source: NEW]

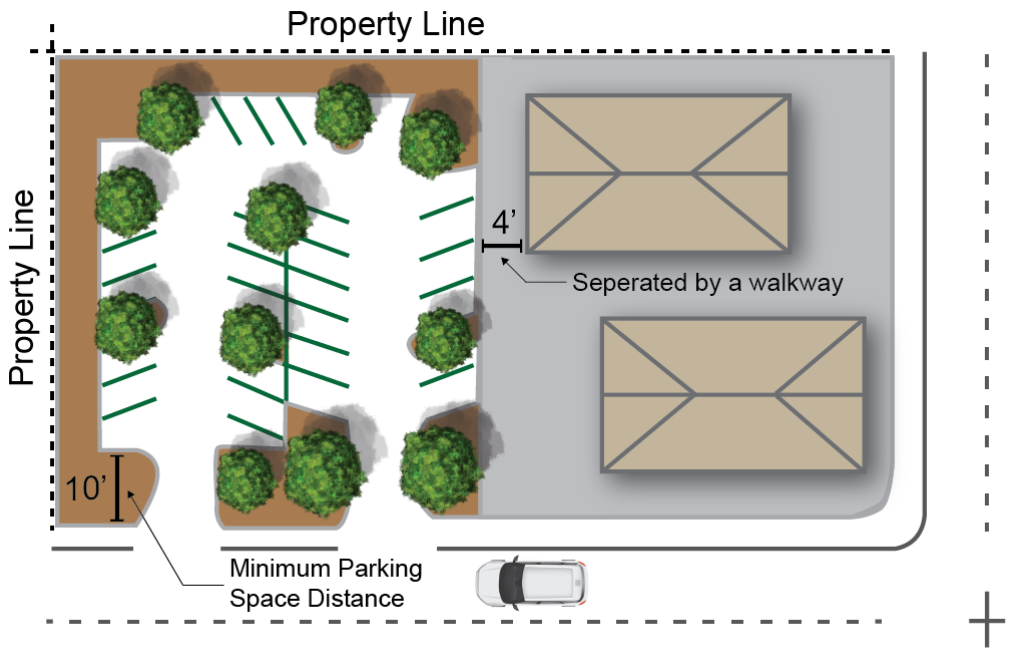
2. **Controlled Vehicular Entries.** Controlled vehicular entries (e.g., gates, boom barrier, guard booth) shall be located a minimum of 20 feet from the property line to provide adequate stacking space for vehicles entering the site/parking structure. [Source: NEW]

C. **Entry Connection.** All structure entries shall be connected to a public sidewalk by a pedestrian walkway a minimum of four feet in width. [Source: NEW]

D. **Parking and Circulation.** Qualifying projects shall comply with the following parking and circulation standards:

1. **Parking Requirement.** Projects shall provide a minimum of one parking space per unit, unless the development falls within any of the categories described below and in Government Code Section 65913.4(e)(1). All other projects shall provide the minimum number of parking spaces required by Chapter 10.38 (Parking and Loading).
    a. The development is located within one-half mile of public transit.
    b. The development is located within an architecturally and historically significant historic district.
    c. When on-street parking permits are required but not offered to the occupants of the development.
    d. When there is a car share vehicle located within one block of the development.
2. **Parking Areas Adjacent to Residential Structures.** Parking areas adjacent to residential structures shall be separated by a walkway a minimum of four feet in width, exclusive of a parking space overhang. See Figure 10.56-1 (Example Parking Area). [Source: NEW]
3. **Parking Space Location.** Parking spaces shall be located a minimum of 10 feet from any curb cut entering the parcel to provide adequate ingress/egress. The distance shall be measured from the property line to the first parking space. See Figure 10.56-1 (Example Parking Area). [Source: NEW]

Figure 10.56-1
Example Parking Area



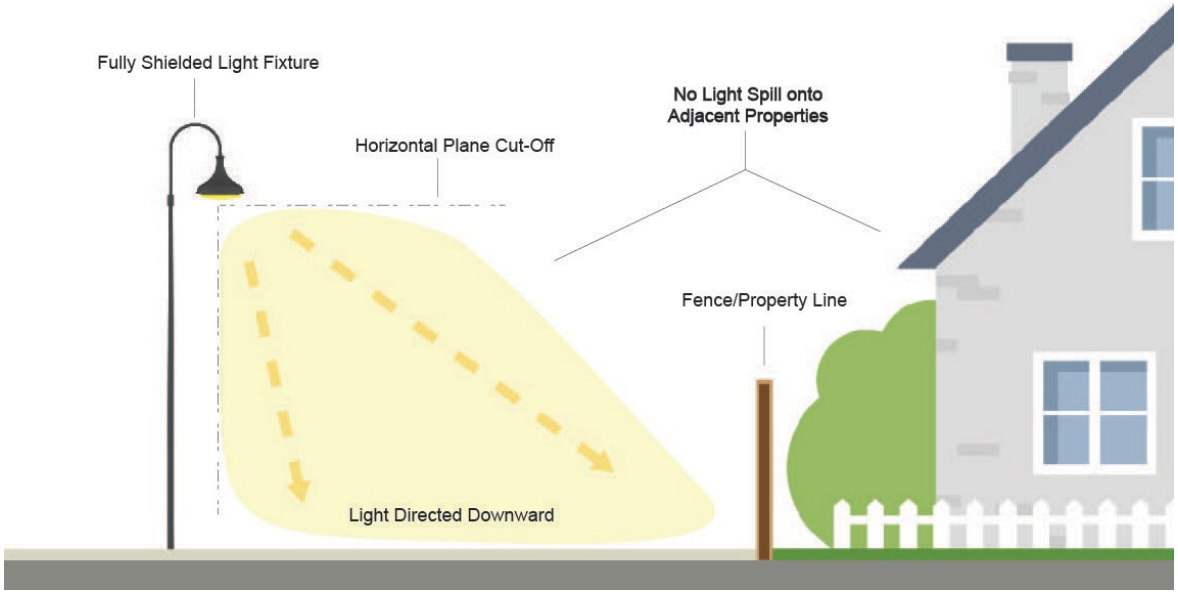
4. **Pedestrian Circulation.** All structures, entries, facilities, amenities, and parking areas shall be internally connected with pedestrian pathways. Pedestrian pathways shall have at least one connection to the public sidewalk along each street frontage. See Figure 10.56-1 (Example Parking Area). [Source: NEW]

E. **Lighting.** Projects shall comply with the following lighting standards:

1. **Lighting Required.** All structures, entryways, stairwells, porch areas, parking areas, refuse enclosures, active outdoor/landscape areas, gates, and pedestrian pathways shall include lighting for safety and security. See Figure 10.56-2 (Lighting Design). [Source: NEW]

2. **Lighting Spill.** Lighting shall be fully shielded, directed downward (not above the horizontal plane), and shall not spill onto or be directed toward adjacent properties. See Figure 10.56-2 (Lighting Design). [Source: NEW]

Figure 10.56-2
Lighting Design



F. **Utility and Service Areas.** Projects shall comply with the following utility and service standards:

1. **Refuse Enclosures.** Trash, recycling, organic waste, and green waste bins and dumpsters shall be consistent with fire and building codes and shall be housed in a covered refuse enclosure with a gate that screens the trash receptacles. Sizing of the enclosures shall conform to solid waste provider requirements. [Source: NEW]

2. **Refuse Enclosure Access.** Refuse enclosures shall have both a vehicular access gate with a concrete apron, and a pedestrian entrance. Gates shall be opaque. Access shall conform to solid waste provider requirements. [Source: NEW]

G. **Open Space.** Projects shall provide either private open space or common open space with outdoor amenities in compliance with the following open space standards. Eligible projects are not required to provide both private open space and common open space with outdoor amenities, unless otherwise proposed by the applicant.

1. **Private Open Space.** A project which includes private open space shall provide private open space for all dwelling units in compliance with the following: [Source: NEW]

   a. Private open space shall be provided in the form of a private yard, porch, balcony, roof garden, or patio.

   b. Private open space shall be contiguous to the dwelling unit it serves.

   c. Private open space located at ground level shall be a minimum of 120 square feet in area with a minimum dimension of 10 feet in width and depth.

   d. Private open space located above ground level shall be a minimum of 60 square feet in area with a minimum dimension of six feet in width and depth.

2. **Common Open Space with Outdoor Amenities.** A project which includes common open space shall provide common open space with outdoor amenities for all dwelling units in compliance with Table 10.56-A (Outdoor Amenities) and the following: [Source: NEW]

   a. Projects shall provide common outdoor open space with outdoor amenities in accordance with this Subsection. This is achieved through the implementation of passive or active amenities. Applicants shall provide passive amenities or active amenities but do not need to provide both unless otherwise proposed. Required amenity areas may be combined into a single area if the minimum requirements for each amenity area are met within the combined area. [Source: NEW]

      i. **Passive Amenities.** Passive amenities include community gardens, outdoor gathering/seating area, picnic/barbeque area, pet area/dog park, or courtyard/ plaza. Each passive amenity area shall include a minimum seating capacity of one for each 10 units and at least one of the following: trellis, gas fire pit, BBQ, or picnic table. [Source: NEW]

      ii. **Active Amenities.** Active recreation amenities include playgrounds, tot lots, sport court or field, outdoor fitness area, swimming pool, exercise structure or complex, clubhouse with associated kitchen, recreation hall, or community room. [Source: NEW]

   b. Common outdoor open space shall be unobstructed, accessible to all residents of the structure it serves, and shall have no dimension less than 10 feet in any direction.

c. Internal courtyards and common areas shall be visible from the street, parking areas, pedestrian pathways, and/or interior structure entries.

Table 10.56-A
Outdoor Amenities

Important Note: Provide a minimum of one or the other

Number of Units in Project	Required Passive Recreational Amenities	Required Active Recreational Amenities
2-15	0	0
16-32	2 with a minimum area of 200 sq. ft. total	0
32-64	2 with a minimum area of 300 sq. ft. total	2 with a minimum area of 500 sq. ft. total
65-100	2 with a minimum area of 400 sq. ft. total	2 with a minimum area of 800 sq. ft. total
101+	2 with a minimum area of 500 sq. ft. total	2 with a minimum area of 1,000 sq. ft. total

10.56.050 Architectural Design Standards

A. **Blank Walls.** To avoid the appearance of blank walls, street facing, and publicly visible walls shall incorporate a minimum of one of the following features: [Source: NEW]

1. A change in contrasting color or material a minimum of every 30 feet;
2. Bay windows, box windows, or other similar projecting windows that project a minimum of one foot from the structure façade a minimum of every 15 feet;
3. Above-ground balconies located a minimum of one every 30 feet on each floor;

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Chapter 10.58

Research and Development Activities Requiring Biosafety Levels 2-3 Containment

Chapter 10.58 Research and Development Activities Requiring Biosafety Levels 2-3 Containment

10.58.010 Purpose and Intent

It is the purpose and intent of this Chapter to regulate research and development activities requiring Biosafety Levels 2-3 containment in order to ensure the health, safety and welfare of the residents of the City of Reedley and to ensure that all research and development activities shall operate in accordance with the regulations of the Reedley Municipal Code, conditions of approval, the laws and regulations of Fresno County, the laws and regulations of the State of California, and the laws and regulations of the Federal government. Biosafety Level 4 shall not be permitted within the City of Reedley. It is also the purpose of this Chapter to establish regulations necessary for biological research activities requiring Biosafety Levels 2-3 containment, except such activities regulated under the Clinical Laboratory Improvement Amendments of 1988 (CLIA). [Source: NEW]

10.58.020 Applicability

This section shall apply to research and development activities that require Biosafety Levels 2-3 containment as defined by the most recent version of the Centers for Disease Control and Prevention, National Institutes of Health – Biosafety in Microbiological and Biomedical Laboratories manual, except such activities regulated under the Clinical Laboratory Improvement Amendments of 1988 (CLIA). Biosafety Level 4 shall not be permitted within the City of Reedley. The section applies to facilities that handle biological agents derived from the human body or other infectious material for the purpose of providing information for the diagnosis, prevention, or treatment of any disease or impairment of, or the assessment of the health of, human beings. If there is ambiguity on the applicability of this section, the Director shall determine such application and use to be applicable to this section. Activities shall include but not be limited to the following:

A. Warehousing and storage of biological agents that require Biosafety Levels 2-3 containment;

B. Medical and or pharmaceutical research using biological agents that require Biosafety Levels 2-3 containment;

C. Manufacturing and production using biological agents that require Biosafety Levels 2-3 containment;

D. Chemical research, development, and or production using biological agents that require Biosafety Levels 2-3 containment;

E. Agricultural product development, research, and other uses that use biological agents requiring Biosafety Levels 2-3 containment; and

F. Any use not specified above but uses biological agents requiring Biosafety Levels 2-3 containment.

10.58.030 Locational Requirements

A. Such use(s) shall be located no closer than 2,500 feet from any sensitive use(s). A sensitive use shall be defined as a religious institution, post-secondary educational institution, public education facility, structure, and or building, any public building regularly frequented by children and senior citizens, essential government operation, library, public park, community center, public trail, public building, a residential zone district and or a residentially occupied structure.

B. Such use(s) shall be located no closer than 2,500 feet from any flood fringe and/or floodway areas.

C. Such use(s) shall be located no closer than 2,500 feet from the Kings River.

D. Such use(s) shall be located no closer than 2,500 feet from Traver Creek.

E. Only the City Council shall approve a request to modify from the locational requirements of this Chapter.

10.58.040 Application Requirements

A Conditional Use Permit application shall be required to operate within the City of Reedley subject to the following requirements:

A. **Pre-Application Meeting.** The applicant shall have a pre-application meeting with owners and tenants of real property within 2,500 feet from the affected property prior to application submittal. Proof of such meeting shall be provided in the application submittal in order for the application to be deemed complete. An invite to such meeting shall be extended, and proof provided thereof, to the Kings Canyon Unified School District, Alta Irrigation District, Fresno County Department of Public Health, Reedley Community Development Department, Reedley Fire Department, and the Reedley Police Department. The applicant is responsible to provide due and timely notice to the owners and tenants of real property and the aforementioned entities. A meeting summary shall be provided to the Reedley Community Development Department within 48 hours of said meeting. A conditional use permit application cannot be deemed complete without the applicant or the applicant's representative holding a pre- application meeting. [Source: NEW]

B. **Application.** In addition to submittal requirements for a conditional use permit application, the applicant shall provide the following information:

1. Type of facility;
2. Activities to occur onsite of the facility;
3. Full and complete list of biological agents that require Biosafety Levels 2-3 containment;
4. Full and complete list of flammable agents and the proximity to biological agents;
5. Full and complete description of handling procedures and prohibited practices that may increase the likelihood for exposure to infectious agents;
6. Identification and description of effective and appropriate personal protective equipment to be used to minimize exposure to infectious or potentially infectious germs, chemicals, biological agents, laboratory aerosols, diseases, or any and all items which may potentially pose a danger to the public;
7. Floor plan showing location and placement of personal protective equipment, safety signage, fire hose(s), sprinklers and or fire suppression system(s), emergency exits, and placement of gate and or wall mounted lock box(es);
8. Full and complete effective decontamination and disinfection procedures for laboratory surfaces and equipment;
9. Containment plan for biological agents;
10. Care plan for any and all animals stored on- or offsite;
11. A list of all job classifications;
12. Commit to hold quarterly neighborhood meetings with owners and tenants of real property within 2,500 feet of the affected property to report out any and all safety incidents, the implementation of current and or new safety protocols, and listening to concerns from the public. Meeting summaries shall be posted to the company's website. Failure to hold quarterly neighborhood meetings shall result in revocation of the conditional use permit application approval and business license; and
13. A Waste Management Plan which shall include, but not be limited to, the following:
    a. Required training plan for onsite and offsite personnel and contractors;
    b. Collection schedule;
    c. Waste containment protocols;
    d. Treatment measures for waste accumulated onsite prior to waste removal; and

e. Emergency Action Plan.

10.58.050 Conditions of Approval

A. **Other Approvals.** The applicant or their authorized representative shall provide a copy of all approvals from Fresno County, the State of California, and or the Federal government.

B. **Release of Liability.** The applicant or their authorized representative shall prepare an agreement to be executed indemnifying the City from any claims, damages, injuries, or liabilities of any kind associated with the use/business or the prosecution of the applicant or licensee or its members and or personnel for violation(s) of the laws and regulations of Fresno County, the State of California, and or the Federal government.

C. **Neighborhood Meetings.** The applicant or their authorized representative shall hold quarterly neighborhood meetings with owners and tenants of real property within 2,500 feet of the affected property to report out any and all safety incidents, the implementation of any and all current and new safety protocols, and listening to any and all concerns from the public. Meeting summaries shall be posted to the company's website. Failure to hold quarterly neighborhood meetings shall result in the revocation of the conditional use permit application approval and business license.

D. **Reimbursement Agreement.** The applicant or their authorized representative shall agree to reimburse the City of Reedley for any court costs and attorney fees that the City may be required to pay as a result of any legal challenge related to the City's approval.

E. **Inspections.** The applicant or their authorized representative shall agree to and permit, without any obstruction, City, County, and Federal inspectors and authorize agents to conduct safety and compliance inspections.

F. **Business License.** The applicant or their authorized representative shall at all times maintain a current and valid business license. Failure to do so will result in revocation of the conditional use permit application approval.

10.58.060 Required Recommendations

A. The Police Chief of their designee shall make a recommendation to the Community Development Director, prior to the Planning Commission's consideration of the conditional use permit application, for security measures for each application based upon the information provided in the application submittal. Recommended security measures shall be determined on a case-by-case basis upon review by the Police Chief or their designee. The applicant shall be required to implement recommendation(s).

B. The Fire Chief or their designee shall make a recommendation to the Community Development Director, prior to the Planning Commission's consideration of the conditional use permit application, for the inclusion of safety measures for each application based upon the information provided in the application submittal. Recommended safety measures shall be determined on a case-by-case basis upon review by the Fire Chief or their designee. The applicant shall be required to implement recommendation(s).

Chapter 10.60

Smoke Shop and Tobacco Store

Chapter 10.60 Smoke Shop and Tobacco Store

10.60.010 Conditional Use Permit Required

There shall be no City of Reedley Business License issued for any new smoke shop and/or tobacco store wishing to establish business in the City without a Conditional Use Permit processed and approved in compliance with Chapter 10.100 (Conditional Use Permit). [Source: NEW]

10.60.020 Concentration of Establishments

Existing smoke shops and/or tobacco stores shall not be allowed to relocate to a site that would create an over-concentration in one area. Over concentration shall be presumed to apply when a relocating smoke shop and/or tobacco store is sought to be opened within 1,000-feet of the property boundary of a currently permitted and operating smoke shop and/or tobacco store. [Source: NEW]

10.60.030 Proximity to Sensitive Uses

Existing Smoke Shops and/or Tobacco Stores shall not be permitted to relocate and seek to be opened within 1,000-feet of the property boundary of a Sensitive Use. “Sensitive Uses” shall be defined as “religious institution, school, regularly established boys’ club or girls’ club or public building regularly frequented by children, public park, public trail or public building; or within six hundred feet of any residential zone.”

10.60.040 Glazing and Window Transparency

The windows of the business shall not be transparently visible and unobstructed.

10.60.050 Neighborhood Meetings

Prior to the submission of a Conditional Use Permit application, the applicant shall have a neighborhood meeting, providing notice of said meeting to property owners, business owners, and tenants within 2,000 feet of the proposed business. The Community Development Department shall be invited to attend said neighborhood meeting. Proof of said neighborhood meeting shall be provided to the Community Development Department in order for the application to be reviewed for completeness.

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Title 10 – Zoning Code

Article 5 – Nonconformities

PUBLIC REVIEW DRAFT

April 2024

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Chapter 10.70

General Nonconforming Provisions

Chapter 10.70 General Nonconforming Provisions

10.70.010 Purpose and Intent

A. **Purpose.** The purpose of this Chapter is to allow continued utility and economic viability of uses, structures, parcel features, and parcels that were lawful before the adoption, or amendment of this Zoning Code, but which would be prohibited, regulated, or restricted differently under the current terms of this Zoning Code or future amendments. [Source: NEW]

B. **Intent.** It is the intent of this Chapter to allow for legal nonconforming uses to exist under the limited conditions established in this chapter while limiting their enlargement or expansion. [Source: NEW]

10.70.020 Establishment of Nonconforming Uses and Structures

A. **Nonconforming Use.** A nonconforming use is a use of a structure and or land which was lawfully established and maintained before the adoption of this Title, but which, under this Title, does not conform with the use regulations for the zoning district in which it is located. This Chapter is intended to limit the number and extent of nonconforming uses by prohibiting their enlargement and their reestablishment after abandonment and by prohibiting the alteration of the structures they occupy and their restoration after destruction within a reasonable period of time. [Source: 10-15-7(A)(1)]

B. **Nonconforming Structure.** A nonconforming structure is a structure which was lawfully erected before the adoption of this title, but which, under this title, does not conform with the standards of coverage, setback space, height of structures or distance between structures prescribed in the regulations for the zoning district in which the structure is located. [Source: 10-15-7(A)(2)-Modified]

C. **Nonconforming Parking or Loading.** An existing use of land and or structure shall not be determined to be nonconforming solely because of a lack of on-site parking and/or loading facilities required by this Code, provided that facilities used for on-site parking and/or loading as of the date of adoption of this Code are not subsequently reduced in number to less than required by this Code. [Source: New]

10.70.030 Continuation and Maintenance

A. A use lawfully occupying a structure or a parcel on the date this Zoning Code became effective, or amendments thereto, which does not conform with the use regulations for the zoning district in which the use is located shall be deemed to be a nonconforming use and may be continued, except as otherwise provided in this section. [Source: 10-15-7B(1)]

B. A structure lawfully occupying a parcel on the date this Zoning Code became effective, or of amendments thereto, which does not conform with the standards of coverage, front setback, side setbacks, rear setback, or distances between structures prescribed in the regulations for the zoning district in which the structure is located, shall be deemed to be a nonconforming structure and may be used and maintained except as otherwise provided in this section. [Source: 10-15-7B(2)]

C. Routine maintenance and repairs may be made to a structure or parcel with a nonconforming use or on a nonconforming structure. [Source: 10-15-7B(4)]

10.70.040 Legal Substandard Parcels

A. **Legal Substandard Parcels.** The following parcels shall be excluded from the minimum parcel area requirements, referred to as "legal substandard parcels": [Source: 10-3-3(G)-Modified]

1. Any parcel having an area, frontage, width or depth, less than the minimum prescribed for the district in which the site is located, which is shown on a duly approved and recorded subdivision map, or for which a deed or valid contract of sale was of record prior to the adoption of this title, and which had a legal area, frontage, width and depth at the time that the subdivision map, deed or contract of sale was recorded;

2. Any parcel of record in any area thus far or hereafter annexed to the city, of record as of the time of such annexation, and which was not in violation of any area requirement of any county ordinance on zoning or subdivisions, in effect at the time of such annexation; or

3. Certain parcels mentioned in Paragraphs 1 and 2, above, relating to the effect of eminent domain.

B. No parcel with common side parcel lines with another parcel under common ownership shall be deemed to be a legal substandard parcel within the exception of the minimum parcel area requirements. [Source: 10-3-3(G), modified]

C. If the area of a parcel is reduced below the minimum requirement, such parcel shall be deemed to be a legal substandard parcel under the provisions of Subsection 10.70.040.A (Legal Substandard Parcels), and any existing structure on the parcel shall be deemed to be nonconforming. [Source; 10-15-7(J)(1)]

D. If a required setback is reduced below the minimum requirement or eliminated, any affected structure shall be deemed nonconforming; however, such structure may be altered or enlarged if such alterations or enlargements comply with all other requirements of the zoning district in which the parcel is located. [Source; 10-15-7(J)(2)-Modified]

E. Where a group of legal substandard parcels have common side parcel lines and are under a common ownership and have in the aggregate less than the minimum area requirement, the City may require a voluntary lot merger of said parcels to form a single legal substandard parcel pursuant to Government Code 66451.10 and Title 11. [Source: 10-3-3(H)-Modified]

Chapter 10.72

Nonconforming Parcels

Chapter 10.72 Nonconforming Parcels

10.72.010 Continuation of Legal Nonconforming Parcels

Except as otherwise provided in this section, a parcel having an area, frontage, width, or depth, less than the minimum prescribed for the zoning district in which the parcel is located, which is shown on a duly approved and recorded subdivision map, or for which a deed or valid contract of sale was of record before the adoption of this title, and which had a legal area, frontage, width and depth at the time that the subdivision map, deed or contract of sale was recorded, may be used for any allowed use listed for the zoning district in which the parcel is located, but shall be subject to all other regulations of the applicable zone district. [Source: 10-15-6]

10.72.020 Modification of Legal Nonconforming Parcels

Nonconforming parcels may be used for development subject to compliance with all other provisions of this Part and other applicable laws. A Nonconforming parcel may not be further reduced in area or dimension. [New]

Chapter 10.74

Nonconforming Structures

Chapter 10.74 Nonconforming Structures

10.74.010 Continuation of Legal Nonconforming Structures

A. **Alterations and Additions to Nonconforming Structures**. No nonconforming structure shall be altered or enlarged to increase the nonconformance with applicable coverage, front setback, side setbacks, rear setback, height, or distance regulations for the zoning district in which the structure is located unless the alteration or enlargement shall conform to the standards prescribed in the regulations prescribed for the zoning district in which the structure is located. No nonconforming structure shall be moved or reconstructed unless the new location shall conform to the standards prescribed in the regulations prescribed for the zoning district in which the structure is located. [Source: 10-15-7(D)]

B. **Restoration of Damaged Structure.** Whenever a nonconforming structure is destroyed by fire, earthquake, human caused-incident, or other natural calamity, the structure may be restored and the nonconforming use may resume, provided that:

1. A building permit for the restoration is issued within 24 months of the incident and a certificate of occupancy is issued within 36 months of building permit issuance.
2. If a building permit for restoration is not issued within 24 months of the incident, then the structure shall not be restored except in full conformity with the regulations of the applicable zone district in which it is located, and the nonconforming use shall not be resumed.
3. If a certificate of occupancy is not issued within 36 months of building permit issuance, then the structure shall not be restored except in full conformity with the regulations of the applicable zone district in which it is located, and the nonconforming use shall not be resumed.
4. If additional time is needed, a request in writing to the Community Development Director shall be submitted. [Source: 10-15-7(F)(1), modified]

C. **Demolition.** An existing nonconforming structure that is demolished shall lose any legal nonconforming status and may only be replaced or rebuilt if the entire structure is made to comply with all currently applicable Zoning Code requirements unless: [Source: New]

1. The existing structure is commercial or industrial and is altered in accordance with all of the following criteria:

a. The alterations only involve the replacement of the footings, cripple walls, stem walls, or similar structural components between the structure's footings and the finished floor of the first story;

b. The alterations are only undertaken to the minimum extent necessary to maintain a safe structure;

c. The existing exterior wall elements or principal support structure remain in place at all times and provide necessary structural support to the structure upon completion of the alterations; and

d. No new floor area is added.

2. The existing structure is residential and is altered in accordance with all of the following criteria:

a. The alterations only involve the replacement of the footings, cripple walls, stem walls, or similar structural components between the structure's footings and the finished floor of the first story; and

b. The existing first story exterior wall elements remain in place at all times and provide necessary structural support to the structure upon completion of the alteration.

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Chapter 10.76

Nonconforming Uses

Chapter 10.76 Nonconforming Uses

10.76.010 Continuation of Legal Nonconforming Uses

A. **Alterations and Additions to Structures with Nonconforming Uses**. Except as provided in this Section or Section 10.74.010.C (Demolition), no structure, the use of which is nonconforming, shall be moved, altered, or enlarged unless required by law or unless the moving, alteration or enlargement will result in the elimination of the nonconforming use. No structure partially occupied by a nonconforming use shall be moved, altered, or enlarged in such a way as to allow the enlargement of the space occupied by the nonconforming use. [Source: 10-15-7(C)]

B. **Abandonment of Nonconforming Use.** Whenever a nonconforming use has been abandoned, discontinued, or changed to a conforming use for a continuous period of 12 months or more, the nonconforming use shall not be reestablished, and the use of the structure or parcel thereafter shall be in conformity with the regulations for the zone district in which it is located. [Source: 10-15-7(E)-Modified]

C. The 12-month period to determine that a nonconforming use has been abandoned shall commence when the use ceases and any one of the following occurs: [Source: New]

1. The business license lapses;
2. The parcel is vacated;
3. The lease is terminated;
4. Utilities are terminated; or
5. A conforming use that meets the applicable requirements of this Zoning Code is lawfully established in the space previously occupied by the nonconforming use.

D. Once the 12-month period has commenced under Subsection B that period shall only be terminated if the nonconforming use is fully licensed, allowed, and operational for 60 continuous days. Operational shall mean that the nonconforming use is open for business to the public and provides services typically associated with the nonconforming use during the hours and days that are customary for that nonconforming use. [Source: New]

E. Cessation of use due to remodeling shall not be considered abandonment so long as Building Permits are active in accordance with Title 9 (Building Regulations) of the Municipal Code. However, if the Building Permit expires before the use resumes, the 12-month period under Subsection B shall relate back and commence with the cessation of use. [Source: New]

Chapter 10.78

Abatement/Extension of Nonconforming Uses/Structures

Chapter 10.78 Abatement/Extension of Nonconforming Structures

10.78.010 Purpose and Intent

A. **Purpose.** The purpose of this section is to provide regulations for abatement and extension of nonconforming structures that were lawful before the adoption, or amendment of this Zoning Code, but which would be prohibited, regulated, or restricted differently under the current terms of this Zoning Code or future amendments. [Source: NEW]

B. **Intent.** It is the intent of this section to discourage the long-term continuance of nonconformities, providing for their eventual elimination, while allowing them to exist under the limited conditions established in this chapter. [Source: NEW]

10.78.020 Applicability and Permit Applications

A. A nonconforming structure may undergo normal maintenance and repairs, provided no structural alterations are made except as provided in Section 10.74.010.C (Demolition), unless the Planning Commission allows more extensive work through Conditional Use Permit approval, subject to appeal to the City Council. [Source: NEW]

10.78.030 Required Findings

The Planning Commission shall issue a Conditional Use Permit for extensive work on a nonconforming structure only if all of the following findings can be made:

A. The altered structure will not significantly increase any identified impact such as traffic, on-street parking or noise. [Source: NEW]

B. The altered structure will be compatible with any existing nonconforming and conforming use on-site. [Source: NEW]

C. The altered structure will not impair the character and integrity of the neighborhood. [Source: NEW]

D. The altered structure will not impair the utility or value of adjacent property or the general welfare of the neighborhood. [Source: NEW]

E. The altered structure is not detrimental to the public peace, health, safety, morals, or welfare. [Source: NEW]

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Title 10 – Zoning Code

Article 6 – Permit Processing Procedures

PUBLIC REVIEW DRAFT

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Chapter 10.80

General Provisions

Chapter 10.80 General Provisions

10.80.010 Purpose

This Article establishes the overall structure for the application, processing, review, and action on ministerial and discretionary permit applications and identifies and describes those permits and other approvals required by this Zoning Code. [Source: NEW]

10.80.020 Multiple Permit Applications

A. Concurrent Filing. An applicant for a development project that requires the filing of more than one application (e.g., Site Plan Review, Conditional Use Permit, Tentative Map), shall file all related applications concurrently, together with all application fees, unless these requirements are waived by the Director. [Source: NEW]

B. An application that involves both ministerial and discretionary approvals shall be processed concurrently starting with the discretionary review type required for the project. The ministerial application shall only be processed until after the discretionary application has been approved and the applicable appeal period has passed. [Source: 10-15-10, modified]

10.80.030 Additional Permits May Be Required

An applicant shall obtain all necessary permits before starting work or establishing a new land use. Nothing in this Zoning Code shall eliminate the need to obtain any permits required by: [Source: NEW]

A. Any other Reedley City Code provisions, including Building, Grading, Fire, or other construction permits, or subdivision approval as required by Title 11 Subdivision Regulations; or [Source: NEW]

B. Any applicable County, regional, State, or Federal regulations. [Source: NEW]

Chapter 10.82

Zone Clearance

Chapter 10.82 Zone Clearance

10.82.010 Purpose

The purpose of this Chapter is to establish procedures for conducting a Zone Clearance to verify that new or expanded uses or structures comply with all the applicable requirements of this Code and with any applicable policies or standards of the General Plan and any operative plans.

10.82.020 Applicability

A. **Establishment of Allowed Land Uses.** A Zone Clearance is required to confirm the establishment of a new land use is allowed as a matter of right and that no Conditional Use Permit or other entitlements are required prior to securing a Business License and commencing operations. [Source: NEW]

B. **When Required.** A Zone Clearance shall be required for:

1. A Zone Clearance shall be required for the development of a single-unit dwelling residence, with or without an accessory dwelling unit(s) and/or junior accessory dwelling unit. [Source: NEW]

2. A Zone Clearance shall be required for the development of a two-unit dwelling residence, with or without an accessory dwelling unit(s) and/or junior accessory dwelling unit. [Source: NEW]

3. A Zone Clearance shall be required for the development of no more than three accessory dwelling units on a single parcel. [Source: NEW]

4. A Zone Clearance shall be required to confirm the construction of such a structure is allowed as a matter of right and that such a project is compliant with, and without any deviations from, all applicable development standards of the zone district prior to securing a Building Permit. If a proposed project or land use does not meet the threshold for a Zone Clearance, it shall be required to secure the applicable entitlement application(s) needed for approval. [Source: NEW]

5. A Zone Clearance shall be required for all Home Occupations and Short-Term Rentals prior to the issuance of a Business License.

10.82.030 Review Authority

If the Community Development Director determines that the proposed land use or structure is allowed as a matter of right by this Code and conforms to all the applicable development and operational standards, the Director shall issue a Zone Clearance. [Source: NEW]

10.82.040 Application Requirements

A. Applications for a Zone Clearance shall be submitted in accordance with the provisions of this title accompanied with the applicable fees proscribed in the Master Fee Schedule. [Source: NEW]

B. The Community Development Director shall require that the Zone Clearance application be accompanied by a written operational statement, plans, and other related materials necessary to show that the proposed development, alteration, or use of the site complies with all applicable provisions of this Code. The Director may require attachments of other written or graphic information, including, but not limited to, statements, numeric data, site plans, floor plans, and building elevations and sections, as record of the proposal's conformity with applicable regulations of this Code. [Source: NEW]

C. Public notice is not required for the department to consider approval, conditional approval, or denial of a Zone Clearance application. [Source: NEW]

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Chapter 10.84

Home Occupation Permit

Chapter 10.84 Home Occupation Standards and Permit

10.84.010 Purpose

The intent of this Chapter is to establish a procedure for the conduct of an art or profession, the offering of a service or the conduct of a business, or the handicraft manufacture of products within a residential dwelling, which use is clearly incidental and secondary to the use of the structure for dwelling purposes and which does not change the character thereof, in compliance with the regulations prescribed in this chapter.

10.84.020 Review Authority

The Community Development Director or their designee shall review the Home Occupation Permit application and approve, approve with conditions, or deny the permit based on the criteria for home occupations established in this Chapter. [Source: 10.13.1.E, modified]

10.84.030 Application Processing Procedures

A complete application for a Home Occupation Permit that fully complies with this Chapter shall be filed, processed, and acted upon as specified in Chapter 10.82 (Zone Clearance). [Source: NEW]

10.84.040 Prohibited Home Occupations.

The following specific businesses are not permitted as home occupations:

A. Adult-oriented business as defined in Title 3 Chapter 12;

B. Ambulance services;

C. Animal boarding and or pet grooming services that are not mobile;

D. Automotive/vehicle repair that is not mobile;

E. Automotive/vehicle sales where vehicles are parked at the residence;

F. Barber, beauty, nail salons that are not mobile;

G. Businesses that involve hazardous materials or chemicals outside typical home or hobby use, as deemed so by the Community Development Department and subject to appeal to the Planning Commission;

H. Large scale carpentry and cabinet-making;

I. Firearms manufacturing and or repairs of any kind;

J. Furniture sales of any kind;

K. Gymnastic facilities;

L. Kennels;

M. Massage parlor that is not mobile;

N. No more than three Home Occupations are permitted on one parcel at any given time;

O. Laboratories of any type;

P. Marijuana grow and or distribution;

Q. Mini-storage;

R. Mortuaries;

S. Instructional services for more than six students at one time;

T. Pharmacies;

U. Large scale copy centers;

V. Recording studios of any kind;

W. Repair, fix-it, or plumbing services that are not mobile;

X. Restaurants;

Y. Retail sales that require people to pick up items at the home occupation location;

Z. Tanning salon with tanning beds;

AA. Tattoo, body piercing.

BB. Towing service that is not mobile;

CC. Welding, metal working, and machine businesses that are not mobile;

DD. Yoga instruction or personal fitness training for more than six people at one time;

EE. Any use identified in the commercial zone districts unless it conforms to the home occupation standards described herein.

FF. Any other use(s) that the Director determines would be detrimental to the public health, safety, and general welfare or would be incompatible with nearby residential uses.

10.84.050 Standards

The applicant of a Home Occupation Permit shall comply with the following standards:

A. A home occupation within a dwelling unit shall be clearly incidental to the use of the structure as a dwelling.

B. The existence of a home occupation shall not be apparent beyond the boundaries of the site.

C. The building shall maintain the appearance of a single-unit dwelling at all times. Window displays of products produced on the premises shall not be allowed.

D. There shall be no storage of equipment or supplies outside of any accessory structure(s), garage(s), or dwelling unit, provided that any required off street parking space is maintained.

E. The sale of goods shall be limited to the products of the home occupation, and no other merchandise or goods shall be sold, kept, or displayed for the purpose of sale on the premises.

F. A home occupation may involve the performance of business and professional services in which goods, wares and merchandise are not commercially created, sold, or exchanged.

G. A home occupation shall not involve the performance of any repair services on the premises.

H. A home occupation shall not involve the use of any material or mechanical equipment not recognized as being part of normal household or hobby uses, as deemed so by the Community Development Department and subject to appeal to the Planning Commission.

I. No motor power other than electrically operated motors shall be used in connection with a home occupation.

J. A home occupation shall not create any radio or television interference or noise audible beyond the walls of the dwelling.

K. Not more than three vehicles used in connection with the home occupation shall be kept on the property.

L. The number of persons (including customers and employees) who must travel to the site of the home occupation shall not exceed eight persons per day.

M. A business license shall be obtained for the home occupation and maintained at all times during its operation.

10.84.060 Conditions of Approval

The development and operational standards established in this Chapter shall serve as conditions which shall be met by the applicant. Additional requirements or conditions may be added as deemed necessary by the Community Development Director to maintain the integrity of the residential neighborhood in which the home occupation is proposed. [Source: 10.13.1, modified]

10.84.070 Appeals

In the event the applicant or member of the public is not satisfied with any condition(s) of approval, or the application for a Zone Clearance application for a Home Occupation Permit is denied, the decision may be appealed in compliance with this Title within 10 calendar days (excluding City-recognized holidays) following the decision date. [Source: 10.13.1.G]

10.84.080 Modification

A Home Occupation Permit shall be modified in the same manner as originally applied for by the applicant. [Source: 10.13.1.H]

10.84.090 Termination of Home Occupation

A Home Occupation Permit which is issued under the provisions of this Chapter shall automatically terminate when the activity which is the subject of the home occupation is discontinued for a continuous period of 12 months or upon the change in residence of the person or persons to whom the Home Occupation Permit is issued; provided this Section shall not be interpreted as prohibiting the issuance by the City of a Home Occupation Permit with a specified time limit. [Source: 10.13.1.I]

10.84.100 Violation and Revocation

A. Upon violation of any applicable provisions of this Chapter, or, if granted subject to a condition or conditions, upon failure to comply with the condition(s), a Home Occupation permit shall be suspended and/or revoked in compliance with this Section. [Source: NEW]

B. Notice of such suspension and of the City's intent to revoke the approved Home Occupation Permit shall be sent by the Community Development Director immediately to the owner of the subject premises and to the person or persons responsible for noncompliance as determined by the Director. [Source: NEW]

C. Within 45 calendar days (excluding City-recognized holidays) of the suspension, after notice to the owner and to those deemed responsible for noncompliance, the Community Development Director shall consider the suspension and revocation at a public hearing. If not satisfied that the regulation, general provision, or condition(s) are being complied with, the Director shall revoke the approved Home Occupation Permit or take such action as may be necessary to ensure compliance with the regulation, general provision, or condition(s) within five calendar days (excluding City-recognized holidays) after the public hearing. [Source: NEW]

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Chapter 10.86

Director's Determination

Chapter 10.86 Director's Determination

10.86.010 Application

Should there be a conflict in this Title, an applicant may petition the Community Development Director to make an appealable determination.

A. **Application.** The applicant shall provide a detailed operational statement that, at a minimum, provides:

1. A clear definition of the use and a thorough explanation that outlines how the proposed use differs from other uses already identified in the Code.
2. A minimum of three examples how other communities administer the applicable section(s) of the Code section that is in question.
3. A minimum of three local examples, including photographs of how the proposed project or use fits into similar neighborhoods.

B. **Required Findings.** In curing a conflict within the zoning code, the Review Authority shall first make the following finding that all of the following conditions exist:

1. The proposed project will not cause substantial injury to the value of the property in neighborhoods or districts within which it is likely to be located; and,
2. The subject use will be so controlled that the public health, safety, and general welfare will be protected.
3. The proposed project is consistent with the General Plan.

C. The Director shall post determinations on the City's website within 24-hours of making a determination.

D. The Director's Discretion is appealable to the Planning Commission in accordance with Section 10.88.050 (Appeals).

Chapter 10.88

Administrative Review Application

Chapter 10.88 Administrative Review Application

10.88.010 Purpose

This Chapter establishes the procedures for approval of land uses, including temporary land uses, by an administrative act where findings can be made that such land use complies with the intent and provisions of the zoning district regulations and other applicable regulations of this Title. The provisions of this Chapter recognize the impracticality of listing certain uses as categorically possessing the characteristics of those uses listed under either the allowed uses or conditional uses sections of the various zoning districts provided in this Title. [Source: 10.17.1.A, modified]

10.88.020 Applicability

A. Except as provided in this Chapter, the provisions of this Chapter shall apply to all land uses subject to administrative approval. [Source: 10.17.1.B, modified]

B. Any land use subject to administrative approval shall be considered as if it were an allowed land use in the zoning district where listed unless otherwise found to require modifications under the review procedures provided in this Chapter. [Source: 10.17.1.C, modified]

10.88.030 Application Filing

A. An application for administrative approval shall be submitted to the Community Development Director. The application shall include a statement of the land use proposed and a site plan prepared in substantial compliance with Chapter 10.96 (Site Plan Review). The application shall be accompanied by a fee in accordance with the City's Master Fee Schedule. [Source: 10.17.2.A, modified]

B. The Community Development Director shall review the proposed land use and shall make a written statement approving or approving with conditions, the proposed land use, together with their findings, within 45 calendar days (excluding City-recognized holidays) of the filing of the application. [Source: 10.17.2.B, land modified]

C. In approving the land use, the Community Development Director shall impose any applicable conditions and requirements listed under this Article. [Source: 10.17.2.C, modified]

10.88.040 Findings and Decision

A. **Findings.** The Community Development Director shall approve or conditionally approve an application for administrative approval, if, based on the application and evidence submitted, they are able to make the following findings:

1. The proposed use will not involve any process, equipment, or materials which, in the opinion of the Community Development Director, will be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noises, vibration, illumination, glare or unsightliness, or to involve any hazard of fire or explosion. [Source: 10.17.3.A, modified]

2. The proposed use will be harmonious with existing structures and use of land in the vicinity. [Source: 10.17.3.B, modified]

B. **Notice of Decision.** One copy of the written decision of the Community Development Director shall be signed and posted on the City's website. [Source: 10.17.4, modified]

10.88.050 Appeals

A. If an applicant is not satisfied with any of the conditions of approval imposed by the Community Development Director, the applicant shall submit an application to the Community Development Department for a Conditional Use Permit in the manner prescribed in Chapter 10.100 (Conditional Use Permit. Said application shall be accompanied by a fee in accordance with the City's Master Fee Schedule. In applying for a Conditional Use Permit, only that information and information required under Chapter 18 of this Title need to be submitted which is required in addition to materials submitted as part of the application for administrative approval. [Source: 10.17.5.A, modified]

B. If an application for administrative approval is denied by the Community Development Director, the applicant shall submit a written appeal within 10 calendar days (excluding City-recognized holidays) following the notice of the decision date, at which point the application shall automatically become an application for Conditional Use Permit and shall be submitted by the applicant and processed in compliance with Chapter 10.100 (Conditional Use Permit. Said appeal shall be considered an application for Conditional Use Permit and the fee for such shall be accompanied with the application in accordance with the City's current Master Fee Schedule. The applicant shall submit any additional information and information required by the provisions of Chapter 10.100 (Conditional Use Permit of this Title not previously submitted with their application for administrative approval, within five calendar days (Excluding City-recognized holidays) following the filing of an appeal. [Source: 10.17.5.B, modified]

10.88.060 Building Permit

Before a Building Permit is issued for any structure proposed as part of an approved administrative review, the Community Development Director or their designee shall determine that the proposed structure(s) location, facilities, and improvements are in substantial conformance with the approved administrative review application and conditions of approval. [Source: 10.17.6, modified]

10.88.070 Violation and Revocation

A. Upon violation of any applicable provisions of this Chapter, or, if granted subject to a condition or conditions, upon failure to comply with the condition(s), an administrative review permit shall be suspended. [Source: NEW]

B. Notice of such suspension and of the City's intent to revoke the approved administrative review permit shall be sent by the Community Development Director immediately to the owner of the subject premises and to the person or persons responsible for noncompliance as determined by the Director. [NEW]

C. Within 45 calendar days (excluding City-recognized holidays) of the suspension, after notice to the owner and to those deemed responsible for noncompliance, the Community Development Director shall consider the suspension and revocation at a public hearing. If not satisfied that the regulation, general provision, or condition(s) are being complied with, the Director shall revoke the approved site plan or take such action as may be necessary to ensure compliance with the regulation, general provision, or condition(s) within five calendar days after the public hearing. [Source: NEW]

D. A decision of the Community Development Director in compliance with this Chapter shall become final on the 11th calendar day (excluding City-recognized holidays) following the Director's action unless an Appeal is filed with the Planning Commission in compliance with Section 27.88.050 (Appeals). [Source: 10.19.12, modified]

Chapter 10.90

Reasonable Accommodation

Chapter 10.90 Reasonable Accommodation

10.90.010 Purpose

This Chapter provides a procedure in which individuals with disabilities can request reasonable accommodation in rules, policies, practices, and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities. It is the intent of this Chapter to comply with the California Fair Employment and Housing Act, the Federal Fair Housing Act, and the Americans with Disabilities Act (ADA) (referred to in this Chapter as the Acts). A Reasonable Accommodation is typically an adjustment to physical design standards (e.g., setbacks, drive aisle dimensions, landscaping) to accommodate the placement of wheelchair ramps or other exterior modifications to a dwelling in response to the needs of people with disabilities. [Source: NEW]

10.90.010 Applicability

A. **General.** Reasonable accommodations provide individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices, and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities. [Source: NEW]

B. **Eligible Applicants.** Eligible applicants include:

1. An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment. [Source: NEW]

2. The protections afforded people with disabilities under federal and state fair housing laws extend to those who are associated with them, including providers and developers of housing for people with disabilities. [Source; NEW]

C. **Eligible Requests.** A request for reasonable accommodation may be made by any individual with a disability, their representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice, or procedure acts as a barrier to fair housing opportunities. [Source: NEW]

10.90.020 Application Filing, Processing, and Review

A. **Application.** An application for Reasonable Accommodation shall be filed and processed in compliance with this Section. The application shall include the information and materials specified in the most up-to-date application form, together with the required fee in compliance with the City of Reedley Master Fee Schedule. [Source: NEW]

B. **Filing with Other Land Use Applications.** If the project involves both a request for Reasonable Accommodation and some other discretionary approval (i.e., Conditional Use Permit), the applicant shall file the request through the operational statement of the principal discretionary application. [Source: NEW]

C. **Responsibility of the Applicant.** It is the responsibility of the applicant to provide evidence in support of the findings required by Section 10.90.030 (Findings and Decision), of this Chapter. [Source: NEW]

D. **Review Authority.** On applications not requiring Planning Commission and/or City Council review and approval, the Community Development Director shall be the review authority and shall be responsible for accepting, reviewing, and acting on Reasonable Accommodation requests. [Source: NEW]

E. **Application and Review Procedures**. Upon receipt of a Reasonable Accommodation request, the Community Development Director shall make a written decision and either approve, conditionally approve, approve with modifications, or deny a request for accommodation. See Section 10.90.030 (Findings and Decision). [Source: NEW]

10.90.030 Findings and Decision

The written decision to approve, conditionally approve, approve with modifications, or deny a request for Reasonable Accommodation shall consider the following factors: [Source: NEW]

A. Whether the land use, which is the subject of the reasonable accommodation request, will be used by an eligible individual protected under the Acts; [Source: NEW]

B. Whether the request for Reasonable Accommodation is necessary to make specific land uses available to an individual with a disability under the Acts; [Source: NEW]

C. Whether the requested Reasonable Accommodation would impose an undue financial or administrative burden on the City; and [Source: NEW]

D. Whether the requested Reasonable Accommodation would require a fundamental alteration in the nature of a City program or law, including, but not limited to, land use and zoning. For this purpose of this Chapter, “fundamental alteration” is defined as:

1. A substantial change in the primary purpose or benefit of a program or activity;
2. An impairment of necessary or practical components required to achieve a program or activity's primary purpose or benefit; or
3. An alteration so far reaching that it would undermine the basic purpose of maintaining the character of the neighborhood. [Source: NEW]

10.90.040 Conditions of Approval

In approving a request for Reasonable Accommodation, the Community Development Director shall impose conditions of approval deemed reasonable and necessary to ensure the Reasonable Accommodation will comply with Section 10.90.030 (Findings and Decision) of this Chapter. [Source: NEW]

Chapter 10.92

Setback Exchange

Chapter 10.92 Setback Exchange

10.92.010 Purpose

The purpose of this Chapter is to provide a process by which applicants can request a reduction or modification to the setback standards established in this Title. It is the intent of this Chapter to provide flexibility in existing residential property development standards which would otherwise preclude development of single-unit or multi-unit residential dwellings. [Source: Policy and Procedure No. CD-017, modified]

10.92.010 Applicability

The standards and procedure established in this Chapter shall apply to all parcels where at least one residential dwelling already exists or is proposed. This Chapter shall not apply to accessory dwelling units and junior accessory dwellings in compliance with Chapter 10.52 (Accessory Dwelling Unit) and Chapter 10.54 (Junior Accessory Dwelling Units). [Source: NEW]

10.92.020 Review Authority

The Community Development Director is responsible for implementation of this Chapter through the processing of a setback exchange application. The Director is also responsible for evaluation, recommendation, and future revision of this Chapter. [Source: Policy and Procedure No. CD-013, modified]

10.92.030 General Standards

A. Front yards on residentially zoned parcels may be less than the required setback, provided that a written request and site plan are submitted. [Source: Policy and Procedure No. CD-017, modified]

B. The reduction of any side yard or rear yard shall be prohibited.

C. The modified front yard setback shall not be less than the required interior side yard for the zone district where the site is located. [Source: Policy and Procedure No. CD-017, modified]

D. Applicant shall designate an area elsewhere on the parcel where no existing or proposed structures, outdoor pools, or hot tubs shall be located or constructed. [Source: Policy and Procedure No. CD-017, modified]

E. A setback exchange, if granted, shall run with the land and shall continue to be valid upon a change of ownership.

10.92.040 Processing, Filing, and Review

A. A setback exchange application shall be processed independently of or concurrently with an entitlement application and/or Building Permit. [Source: Policy and Procedure No. CD-017, modified]

B. A complete application for a setback exchange shall include the following:

1. Complete application forms provided by the Community Development Department.
2. A dimensioned site plan illustrating the location of all structures on the subject property, the proposed encroachment into the required front or rear yard, and the designated replacement area.
3. Any designated replacement area shall be located outside of required setbacks and shall have minimum dimensions of eight feet by eight feet and shall be situated so as to be accessible and useable by the occupant of the premises.
4. Required application fee in accordance with the City's Master Fee Schedule. The required application fee shall be paid at time of application submittal or shall be paid at time of building permit issuance.

C. Submittal of a complete entitlement application and/or Building Permit may cause a review of planning and Building Permit activity for the subject property to ensure compliance with the Reedley Municipal Code. An identified planning/building or code violation may require the property owner to make necessary corrections prior to the issuance of an entitlement. [Source: Policy and Procedure No. CD-017, modified]

10.92.050 Findings

The Community Development Director shall find that the granting of the setback exchange will not be materially detrimental to the public welfare or injurious to property and improvements in the area in which the property is located and will not be in contradiction of the objectives of this Zoning Code. (Source: Policy and Procedure No. CD-017, modified)

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Chapter 10.94

Minor Deviation

Chapter 10.94 Minor Deviation

10.94.010 Purpose

The purpose of the standards established in this Chapter is to promote economic development by creating flexibility in existing property development standards which would otherwise preclude adaptive reuse of existing structures and promote quality, clarity, and consistency in applying those standards, requirements, guidelines, processing, and approval of such entitlement applications. [Source: Policy and Procedure No. CD-013, modified]

10.94.020 Review Authority

The Community Development Director is responsible for implementation of this Chapter through the processing of Minor Deviation application request. The Director is also responsible for evaluation, recommendation, and future revision of this Chapter. [Source: Policy and Procedure No. CD-013, modified]

10.94.030 Application Filing

A complete application for a Minor Deviation shall include the following.

A. Complete application; [Source: Policy and Procedure No. CD-013]

B. Site plan drawing; [Source: Policy and Procedure No. CD-013]

C. Provide a written and detailed explanation of site constraints which identify the property development standard and justify the granting of the Minor Deviation; and [Source: Policy and Procedure No. CD-013, modified]

D. Submit the required application fee in accordance with the current Master Fee Schedule. [Source: Policy and Procedure No. CD-013, modified]

10.94.040 Review Procedures

The following provisions and procedure shall apply to a request for a modification to an existing structure and/or property development standard of the property's zone district classification as established in this Title. [Source: Policy and Procedure No. CD-013]

A. Applicants requesting a Minor Deviation shall submit a complete application to the Community Development Director. [NEW]

B. Applicants requesting a Minor Deviation may have that request processed independently of or concurrently with an entitlement application and/or Building Permit. [Source: Policy and Procedure No. CD-013, modified]

C. A Minor Deviation may be approved by the Community Development Director, subject to such conditions as may be imposed, without any notice or appeal, if it is found that to do so would not be detrimental to the public welfare or injurious to property and improvements in the area in which the property is located. [Source: Policy and Procedure No. CD-013, modified]

D. The Community Development Director may modify by up to 10 percent any property development standard noted in this Title, for any zone district, except for side yard setbacks. [Source: Policy and Procedure No. CD-013, modified]

E. Submittal of an application (i.e., Site Plan Review, Conditional Use Permit, Variance) and/or Building Permit may cause a review of all permit activity for the subject property to ensure compliance with the Zoning Code. An identified violation of the Zoning Code shall require the property owner to make necessary correction before the approval of the Minor Deviation application. [Source: Policy and Procedure No. CD-013]

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Chapter 10.96

Site Plan Review

Chapter 10.96 Site Plan Review

10.96.010 Purpose

The purpose of this Chapter is to provide standards and procedures for the review of applicable development and land use applications to enable the Community Development Director to find a proposed development in compliance with the General Plan, Municipal Code, policies, and improvement standards of the City. [Source: 10.19.1.A, modified]

10.96.020 Applicability

A. Site plan review provisions of this Chapter shall apply to the following:

1. All land uses within the RCO, UR, RM, PO, CC, CS, ML and MH zoning districts; and [Source: 10.19.1.B.1, modified]
2. Any land use subject to architectural design review by the provisions of Chapter 10.98 (Architectural Design Review) of this Title. [Source: 10.19.1.B.2, modified]

B. Site plan review provisions of this Chapter shall not apply to the following, as determined by the Community Development Director:

1. Single-unit dwellings;
2. Land uses related to single-unit dwellings; and
3. Accessory structures in all zoning districts.

10.96.030 Application Filing

A complete application shall be accompanied by a written narrative, operational statement, site plans, elevations, three-dimensional renderings, and other related materials necessary to show that the proposed development, alteration, or use of the site complies with all applicable provisions of this Title. The Community Development Director may require attachments of other written or graphic information, including, but not limited to, statements, numeric data, floor plans, and building cross sections, as a record of the proposal's conformity with the applicable regulations of this Title. The application shall be accompanied by a fee in compliance with the City's Master Fee Schedule.

10.96.040 Determination of Completeness

A. The application for site plan review shall be deemed complete and accepted for processing only when it conforms to all the requirements of Section 10.96.030 (Application Filing) of this Title. Within 30 calendar days (excluding City-recognized holidays) after the application is submitted, the Community Development Director or their designee shall determine whether the application, including all submitted materials, is complete and shall notify the applicant of the determination in writing, including (if appropriate) a description of why the application is incomplete and any additional information that may be required. Upon receipt of any resubmittal of the application, a new 30-day review period shall begin.

B. If the Director determines they cannot approve the site plan without the granting of a Variance or Conditional Use Permit, or the enactment of an amendment to this Title, The Director shall inform the applicant in writing and shall not act on the application until the proper application or an amendment has been submitted in compliance with this Title. [Source: 10.19.3.A, modified]

C. If the Community Development Director determines that the application, including the submitted materials, is not complete, the applicant may appeal such determination to the Planning Commission. The appeal shall be filed in writing with the director within 10 calendar days (excluding City recognized holidays) after notice of the Director's determination. The Planning Commission shall hear the appeal and give a final written determination on the appeal within 60 calendar days (excluding City-recognized holidays) after the Director's receipt of the applicant's appeal.

10.96.050 Application Processing

A. Within 45 calendar days (excluding City recognized holidays) following the date of a deemed complete application status, the Community Development Director shall approve, approve with conditions, or disapprove the site plan. In approving the site plan, the Director shall make the findings established in Section 10.96.070 (Findings) of this Chapter. The action of the Director shall be final unless appealed in compliance with Section 10.96.120 (Appeals) of this Chapter. [Source: 10.19.3.B, modified]

B. The approved site plan, with any conditions shown thereon or attached thereto, shall be signed by the Community Development Director, or their designee, and a copy shall be provided electronically or through the United States Postal Service to the applicant. [Source: 10.19.3.C, modified]

C. Revisions by the applicant to an approved site plan shall be resubmitted to the Community Development Director in compliance with Section 10.96.030 (Application Filing). [Source: 10.19.3.D, modified]

10.96.060 Conditions of Approval

The Community Development Director shall require conditions of approval necessary to protect the public health, safety, and general welfare. Such conditions may include consideration of the following:

A. Special setbacks, spaces, and buffers. [Source: 10.19.6.A, modified]

B. Fences and walls. [Source: 10.19.6.B]

C. Surfacing of parking areas and provisions for surface water drainage subject to City specifications. [Source: 10.19.6.C, modified]

D. Street dedications and improvements, in compliance with Section 10.96.080 (Street Dedications and Improvements) of this Chapter, including service roads or alleys. [Source: 10.19.6.D, modified]

E. Regulation of points of vehicular ingress and egress. [Source: 10.19.6.E]

F. Regulation of signs, in compliance with the standards established in Chapter 10.40 (Sign Regulations) of this Title. [Source: 10.19.6.F, modified]

G. Requiring maintenance of the grounds. [Source: 10.19.6.G]

H. Requiring landscaping and maintenance thereof. [Source: 10.19.6.H]

I. Regulation of noise, vibration, odors, and other similar characteristics. [Source: 10.19.6.I, modified]

J. Measures necessary to eliminate or to effect mitigation to acceptable levels of adverse environmental impacts. [Source: 10.19.6.J]

K. Regulation of time for certain land uses and activities to be conducted on the site. [Source: 10.19.6.K]

L. Time period within which the proposed land use or activity shall be developed and/or take place. [Source: 10.19.6.L]

M. A bond, deposit of money, recorded lien secured by deed of trust or letter of credit for the completion of street improvements and other facilities or for the removal of such use within a specified period of time, to assure conformance with the intent and purposes established in this Title. [Source: 10.19.6.M, modified]

10.96.070 Findings and Decision

A. In acting on a proposed site plan, the Community Development Director shall make the following findings:

1. The site plan complies with all applicable provisions of this Title; [Source: 10.19.7.A, modified]

2. The site plan complies with the current and active General Plan and/or applicable Specific Plan;

3. The following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected and there will not be an adverse effect on surrounding property:

   a. Facilities and improvements. [Source: 10.19.7.B.1]

   b. Vehicular ingress, egress, and internal circulation. [Source: 10.19.7.B.2, modified]

   c. Setbacks. [Source: 10.19.7.B.3]

   d. Height of structures. [Source: 10.19.7.B.4]

   e. Location of services. [Source: 10.19.7.B.5]

   f. Walls. [Source: 10.19.7.B.6]

   g. Landscaping. [Source: 10.19.7.B.7]

   h. Drainage of site; [Source: 10.19.7.B.8]

4. Proposed lighting is so arranged as to deflect the light away from adjoining properties; [Source: 10.19.7.C]

5. Proposed signs shall comply with all applicable provisions of Chapter 10.40 (Sign Regulations) of this Title; and [Source: 10.19.7.D, modified]

6. Approval of the project will be consistent with established legislative policies related to traffic safety, street dedications, street improvements, and environmental quality.

7. The project will not be detrimental to public health, safety, and welfare.

B. A Site Plan Review shall become effective on the 11th calendar day (excluding City-recognized holidays) following the date the Site Plan Review was acted upon by the Director, unless appealed in compliance with Section 10.96.120 (Appeals) of this Chapter.

10.96.080 Street Dedications and Improvements

Because of changes which may occur due to drainage conditions, utility service requirements, or vehicular traffic generated by facilities requiring a Site Plan Review, the following dedications and improvements may be deemed necessary and may be required as a condition or conditions to the approval of any site plan:

A. **Development Bordering or Traversed by an Existing Street.** If the development abuts or is traversed by existing approved and applicable public right(s)-of-way, the applicant may be required to:

1. Dedicate all necessary rights-of-way to widen an abutting local or collector street to the extent of 50 percent of the ultimate width established by the City as the standard for such local or collector street, or the full extent required for a frontage road. [Source: 10.19.8.A.1, modified]

2. Dedicate all necessary rights-of-way to widen a traversing local or collector street to its ultimate width established by the City as the standard for such local or collector street. [Source: 10.19.8.A.2]

3. Dedicate all necessary rights-of-way to widen an abutting or traversing arterial or major arterial street to the standards of width established by the City as the standard for such street. [Source: 10.19.8.A.3, modified]

4. Set back all facilities the required distance from ultimate property lines along a major arterial street as shown on any master, official or precise plan of streets and highways or by the General Plan. [Source: 10.19.8.A.4, modified]

5. Install curbs, gutters, sidewalks, street signs, streetlights, and street trees along one side of an abutting, or along both sides of, a traversing local, collector, arterial, or major arterial street. [Source: 10.19.8.A.5, modified]

6. Install utilities and drainage facilities to the full extent of the service requirements generated by the development. [Source: 10.19.8.A.6]

7. Grade and improve abutting local or collector streets from curb to centerline of the ultimate right of way. [Source: 10.19.8.A.7]

8. Grade and improve traversing local or collector streets from curb to curb. [Source: 10.19.8.A.8]

9. Grade and improve the parking lane and one traffic lane adjacent to the development, along an abutting arterial or major arterial street. [Source: 10.19.8.A.9]

10. Grade and improve both parking lanes and the two outside traffic lanes of a traversing arterial or major arterial street. [Source: 10.19.8.A.10, modified]

B. **Exception.** Except as provided in Subsections C and D of this Section, all new roads shall be dedicated and improved in accordance with the requirements of Subsection A of this Section. [Source: 10.19.8.B, modified]

C. Where a frontage road is already provided and improved along a major arterial, arterial, collector, or local street in accordance with City standards, the curb, gutter, sidewalk, street sign, street lighting, grading, and paving requirements of Paragraphs A.5 and Paragraph A.10 of this Section pertaining to the arterial street shall not be required unless any part of the street is altered or reconstructed. [Source: 10.19.8.C, modified]

D. Where total access to or from an abutting or traversing major arterial street is prohibited as a condition of approval, the curb, gutter, sidewalks, street sign, streetlight, grading, and paving requirements of Paragraph A.5 and Paragraph A.10 of this Section pertaining to major arterial streets shall not be required. [Source: 10.19.8.D, modified]

E. All improvements shall be to City standards existing at the time the site plan is approved and shall be installed at the time of the proposed development. Where it is determined by the City that it is impractical to put in any or all improvements at the time of the proposed development, an agreement to make such improvements may be accepted in lieu thereof. The applicant shall enter into said agreement with the City for the provision of improvements before a Building Permit may be issued, at which time there shall be money deposited with or in favor of the City, or a letter of credit or performance bond posted with the City, in an amount equal to 125 percent of the estimated cost of improvements, as estimated by the City Engineer to guarantee the making of such improvements. [Source: 10.19.8.E, modified]

F. Street dedications and improvements required by this Section shall be considered in relationship to the traffic, utility, and other demands generated by the proposed development and/or land use. [Source: 10.19.8.F, modified]

10.96.090 Building Permit

Before a Building Permit is issued for any structure or sign proposed as part of an approved site plan, the Community Development Director shall determine that the proposed structure(s) location, facilities, and improvements are in substantial conformance with the approved site plan. [Source: 10.19.10, modified]

10.96.100 Lapse of Site Plan Approval

A site plan approval shall lapse and shall become void 24 months following the date on which approval by the Community Development Director, Planning Commission, or City Council became effective unless, prior to the expiration of 24 months, a Building Permit is issued by the Building Division and construction is commenced and diligently pursued toward completion of the site or structures which were the subject of the site plan. Approval may be extended for an additional period or periods of 12 months upon written application to the Director before expiration of the first approval. The Director shall have the authority to grant or deny an extension request. [Source: 10.19.11, modified]

10.96.110 Renewal of Site Plan Approval

A site plan approval may be renewed for an additional 12 months, provided that the following requirements are met: [Source: 10.18.11, modified]

A. Prior to the expiration of the time period granted, an application for renewal of the site plan approval is filed with the Community Development Director. [Source: 10.18.11, modified]

B. The Community Development Director shall grant or deny an application for renewal of a site plan approval. [Source: 10.18.11, modified]

10.96.120 Appeals

A. **Appeal to Planning Commission.** Site plan review decisions shall be appealed in compliance with the following:

1. Within 10 calendar days (excluding City-recognized holidays) following the date of a decision by the Community Development Director, the decision may be appealed in writing to the Planning Commission by the applicant or any other interested party. An appeal shall be filed with the Community Development Department and accompanied by the filing fee determined by the current Master Fee Schedule. The appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Community Development Director or wherein the decision is not supported by the evidence in the record. [Source: 10.19.4.A, modified]

2. The Community Development Director shall give notice to the applicant and to the appellant (if the applicant is not the appellant) of the time the appeal will be considered by the Planning Commission. [Source: 10.19.4.B, modified]

3. **Notice of Planning Commission Public Hearing.** Notice of the public hearing shall be given, at minimum, 10 calendar days (excluding City-recognized holidays) prior to the date of the hearing in accordance with the requirements of Government Code sections 65905 and 65091. [Source: NEW]

4. The Planning Commission shall hear the appeal at its next regular meeting within 45 calendar days (excluding City-recognized holidays) after the filing of the appeal. The Commission may affirm, modify, or reverse a decision of the Community Development Director based on the record and additional evidence submitted by the applicant or other interested party. If the decision is modified or reversed, the Commission shall make the applicable findings prerequisite to the approval of a site plan as provided in Section 10.96.070 (Findings) of this Chapter. The decision of the Commission shall be final unless appealed to the City Council in compliance with Subsection B (Appeal to City Council), below. [Source: 10.19.4.C, modified]

B. **Appeal to City Council.** A decision by the Planning Commission shall be appealed to the City Council in compliance with the following:

1. Within 10 calendar days (excluding City-recognized holidays) following the date of a decision of the Planning Commission on a site plan application, the decision may be appealed to the City Council by the applicant or any other interested party. An appeal shall be filed with the City Clerk and accompanied by the filing fee determined by the current Master Fee Schedule. The appeal shall specifically state wherein it is claimed that there was an error or abuse of discretion by the Commission or where its decision is not supported by the evidence in the record. [Source: 10.19.5.A. modified]

2. The Community Development Director shall transmit to the City Clerk the drawings of the site plan and all other information filed therewith, the findings of the Planning Commission and its decision on the application for review and action. [Source: 10.19.5.B, modified]

3. The City Clerk or their designee shall give notice to the applicant and to the appellant (if the applicant is not the appellant) of the time when the appeal will be considered by the City Council. [Source: 10.19.5.C, modified]

4. Notice of City Council Public Hearing. Notice of the public hearing shall be given, at minimum, 10 calendar days (excluding City-recognized holidays) prior to the date of the hearing in accordance with the requirements of Government Code sections 65905 and 65091. [Source: NEW]

5. The City Council shall hear the appeal of its next regular meeting within 45 calendar days (excluding City-recognized holidays) after the filing date of the appeal. The City Council may affirm, reverse, or modify a decision of the Planning Commission based on the record and additional evidence submitted by the applicant or other interested party. If the decision is modified or reversed, the City Council shall make the applicable findings prerequisite to the approval of a site plan as provided in Section 10.96.070 (Findings) of this Chapter. [Source: 10.19.5.D, modified]

6. A site plan which has been the subject of an appeal to the City Council shall become effective immediately following the date on which the site plan is affirmed or modified by the City Council. [Source: 10.19.5.E, modified]

10.96.130 Violation and Revocation

A. Upon violation of any applicable provisions of this Chapter, or, if granted subject to a condition or conditions, upon failure to comply with the condition(s), a site plan approval shall be suspended. [Source: NEW]

B. Notice of such suspension and of the City's intent to revoke the approved site plan shall be sent by the Community Development Director immediately to the owner of the subject premises and to the person or persons responsible for noncompliance as determined by the Director. [NEW]

C. Within 45 calendar days (excluding City-recognized holidays) of the suspension, after notice to the owner and to those deemed responsible for noncompliance, the Community Development Director shall consider the suspension and revocation at a public hearing. If not satisfied that the regulation, general provision, or condition(s) are being complied with, the Director shall revoke the approved site plan or take such action as may be necessary to ensure compliance with the regulation, general provision, or condition(s) within five calendar days (excluding City-recognized holidays) after the public hearing. [Source: NEW]

D. A decision of the Community Development Director in compliance with this Chapter shall become final on the 11th calendar day (excluding City-recognized holidays) following the Director's action unless an Appeal is filed with the Planning Commission. [Source: 10.19.12, modified]

10.96.140 Approval to Run with the Land

A site plan approved pursuant to the provisions of this Chapter shall run with the land and shall continue to be valid upon a change of ownership of the site which was the subject of the site plan. [Source: 10.19.13, modified]

Chapter 10.98

Architectural Design Review (Reserved)

Chapter 10.98 Architectural Design Review

10.98.010 Reserved

10.98.020 Reserved

10.98.030 Reserved

10.98.040 Reserved

Chapter 10.100

Conditional Use Permit

Chapter 10.100 Conditional Use Permit

10.100.010 Purpose

In certain zoning districts, some land uses are allowed with the approval of a Conditional Use Permit. The unusual characteristics of conditional land uses require special consideration with respect to the objectives of this Title and their effects on surrounding properties. To achieve these purposes and provide additional flexibility of the land use regulations established in this Title, the Planning Commission is empowered to grant and deny applications for Conditional Use Permits and impose reasonable conditions to the approval of a Conditional Use Permit, subject to appeal of the Commission's decisions to the City Council. [Source: 10.18.1, modified]

10.100.020 Review Authority

The Planning Commission may approve a Conditional Use Permit for a conditional land use established in Article 2 (Zones, Allowable Uses, and Development Standards). [Source: 10.18.2, modified]

10.100.030 Application Filing

A complete application for a Conditional Use Permit shall be submitted to the Community Development Department and shall be accompanied by a written narrative, operational statement, site plans, elevations, three-dimensional renderings, and other related materials necessary to show that the proposed development, alteration, or use of the site complies with all applicable provisions of this Title. The Community Development Director may require attachments of other written or graphic information, including, but not limited to, statements, numeric data, floor plans, and building cross sections, as a record of the proposal's conformity with the applicable regulations of this Title. The application shall be accompanied by a fee in accordance with the City's Master Fee Schedule.

10.100.040 Noticing and Public Hearing Procedures

A. Public Hearing and Notice. Notice of public hearing shall comply with the following:

1. Following acceptance of a Conditional Use Permit application as complete for filing pursuant to Government Code section 65943, the Planning Commission shall hold a public hearing on said application. [Source: 10.18.4.A, modified]

2. Notice of the public hearing shall be given, at minimum, 10 calendar days (excluding City-recognized holidays) prior to the date of the hearing in accordance with the requirements of Government Code sections 65905 and 65091.

B. **Notice.** The Community Development Department shall give written notice to the applicant of the time when the application will be considered by the Planning Commission. [Source: 10.18.6, modified]

C. **Public Hearing; Procedure.** At the public hearing, the Planning Commission shall review the application and the statement and drawings submitted therewith and shall receive pertinent evidence and testimony concerning the proposed use and the proposed conditions under which it would be operated or maintained. [Source: 10.18.5, modified]

10.100.050 Findings and Decision

A. The Planning Commission shall act on the application within 60 calendar days (excluding-City-recognized holidays) following the date of a deemed complete application status or following the closing of the public hearing unless a longer time is allowed under the provisions of Government Code sections 65950-65951 and 65957-65957.1. This 60-calander day (excluding City-recognized holidays) timeline shall not apply if the Conditional Use Permit application is submitted and processed with additional entitlement applications. The Commission may approve, or conditionally approve, an application for a Conditional Use Permit if the Commission makes the following findings:

1. That there are circumstances or conditions applicable to the land, structure, or use which makes the granting of a Conditional Use Permit necessary for the preservation and enjoyment of a substantial property right; [Source: 10.18.7.A, modified]

2. That the proposed use will comply with policies, goals, and objectives of the General Plan, and, if applicable, a Specific Plan; and

3. That the proposed location of the conditional use complies with the objectives of this Title and the purposes of the zone district in which the site is located; and [Source: 10.18.7.B, modified]

4. That the proposed use will comply with each of the applicable provisions of this Title. [Source: 10.18.7.C, modified]

B. A Conditional Use Permit may be granted subject to such conditions as the Planning Commission may prescribe. The Commission may deny an application for a Conditional Use Permit if it is unable to make one or more of the findings required by this Title. A Conditional Use Permit may not grant Variances to the regulations established by this Title for which Variance procedures are prescribed by Chapter 10.102 (Variances) of this Article. A Conditional Use Permit may grant Planned Unit Developments in accordance with Chapter 10.20 (Planned Unit Developments) of this Title. [Source: 10.18.7, modified]

C. A Conditional Use Permit shall become final on the 11th calendar day (excluding City-recognized holidays) following the date it is granted by resolution of the Planning Commission unless an appeal has been filed with the City Council. [Source: 10.18.9, modified]

10.100.060 Conditions of Approval

In approving a Conditional Use Permit, the Planning Commission shall, in its resolution or attached to its resolution, state those conditions, dedications, or requirements of approval reasonably necessary to the use of the proposal to protect the public health, safety, and general welfare. [Source: 10.18.8, modified]

10.100.070 Building Permit

Before a Building Permit shall be issued for any building or structure proposed as part of the approved Conditional Use Permit application, the Community Development Director shall determine that the proposed structure(s) location, facilities, and improvements are in substantial conformance with the site plan and conditions approved by the Planning Commission. [Source: 10.18.10, modified]

10.100.080 Lapse of Conditional Use Permit and Renewals

A. A Conditional Use Permit shall lapse and become void 36 months following the date on which the Conditional Use Permit became effective, unless one of the following occurs:

1. Prior to the expiration of 36 months, a Building Permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site which was the subject of the Conditional Use Permit application.

2. Prior to the expiration of 36 months, the proposed operation is commenced and diligently pursued toward completion on the site which was the subject of the Conditional Use Permit application.

B. **Renewals.** A Conditional Use Permit may be renewed for an additional 12 months, provided that the following requirements are met [Source: 10.18.11, modified]:

1. Prior to the expiration of the time period granted, an application for renewal of the Conditional Use Permit is filed with the Community Development Director. [Source: 10.18.11, modified]

2. The Community Development Director shall grant or deny an application for renewal of a Conditional Use Permit. [Source: 10.18.11, modified]

10.100.090 Time Limit for Development

The Community Development Director may establish a greater time limit than that provided by Section 10.100.080 (Lapse of Conditional Use Permit and Renewals) within which the subject property and land use or any stage or phase thereof shall be commenced and completed. The time limits set by the Director shall be based on the size, nature, and complexity of the proposed development. [Source: 10.18.12, modified]

10.100.100 Suspension and Revocation

A. Upon violation of any applicable provisions of this Chapter, or, if granted subject to a condition or conditions, upon failure to comply with the condition(s), a Conditional Use Permit shall be suspended. [Source: 10.18.14, modified]

B. Notice of such suspension and of the City's intent to revoke the Conditional Use Permit shall be sent by the Community Development Director immediately to the owner of the subject premises and to the person or persons responsible for noncompliance as determined by the Community Development Director. [Source: 10.18.14, modified]

C. Within 45 calendar days (excluding City-recognized holidays) of the suspension, after notice to the owner and to those deemed responsible for noncompliance, the Planning Commission shall consider the suspension and revocation at a public hearing. If not satisfied that the regulation, general provision, or condition(s) are being complied with, the Commission may revoke the Conditional Use Permit or take such action as may be necessary to ensure compliance with the regulation, general provision, or condition(s) within five calendar days after the public hearing. [Source: 10.18.14, modified]

D. The Planning Commission public hearing regarding the suspension and/or revocation shall be properly noticed in compliance with Section 10.100.040 (Noticing and Public Hearing Procedures) of this Chapter. [Source: NEW]

E. A decision of the Planning Commission pursuant to this Section shall become final on the 11th calendar day (excluding City-recognized holidays) following the date it is granted by resolution of the Commission unless an Appeal has been filed with the City Council. [Source: 10.18.14, modified]

10.100.110 New Application

Following the denial or the revocation of a Conditional Use Permit, no application for a Conditional Use Permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within six months from the date of denial or revocation of the Conditional Use Permit. [Source: 10.18.16, modified]

10.100.120 Conditional Use Permit to Run with the Land

A Conditional Use Permit approved in compliance with this Chapter shall run with the land and shall continue to be valid upon a change in owner of the business and or change of ownership of the site or structure which was the subject of the Conditional Use Permit application. [Source: 10.18.17, modified]

10.100.130 Minor Revisions

A Conditional Use Permit may be revised, provided that such revisions are minor, as determined by the Community Development Director. Application for minor revisions shall be made in writing to the Community Development Department. The Director may approve such revisions without public hearing, provided that the Director can determine that the revisions will not substantially change the intensity or character of the use as previously approved by the Planning Commission. The Director's decision may be appealable to the Planning Commission within 10 calendar days (excluding City-recognized holidays) after a decision is rendered. A decision of the Community Development Director shall become final on the 11th calendar day (excluding City-recognized holidays) following the Director's action unless an Appeal is filed with the Planning Commission. [Source: 10.18.18, modified]

10.100.140 Site Plan Review

Approval of a Conditional Use Permit under the provisions of this Chapter shall comply with Chapter 10.96 (Site Plan Review) of this Article. [Source: 10.18.19, modified]

10.100.150 Appeals and Action of City Council

A. **Appeal to City Council.** A decision made by the Planning Commission shall be appealed in compliance with the following:

1. Within 10 calendar days (excluding City-recognized holidays) following the date of a decision of the Planning Commission on a Conditional Use Permit, the decision may be appealed to the City Council by the applicant, the Mayor, a member of the Council, or any other interested party. An appeal shall be in writing and must be timely filed with the City Clerk and accompany the filing fee in compliance with the City's current Master Fee Schedule. The appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Commission or wherein its decision is not supported by the evidence in the record. Late appeals shall not be accepted by the City Clerk. [Source: 10.18.20.A, modified]
2. An appeal filed by a member of the City Council shall not be subject to said fee. [Source: 10.18.20.B, modified]
3. The City Clerk or their designee shall give notice of the public hearing in the manner described in Section 10.100.040 (Noticing and Public Hearing Procedures) of this Chapter. [Source: 10.18.20.C, modified]

B. Action of City Council. City Council action shall comply with the following.

1. The City Council shall hear the appeal at its next regular meeting within 45 calendar days (excluding City-recognized holidays), after the filing of the appeal. The Council may affirm, reverse, or modify a decision of the Planning Commission on a Conditional Use Permit. In the event of a revocation, denial, or modification of a Conditional Use Permit, the Council shall, based on the record transmitted and any additional evidence submitted, make the findings established in this Chapter, when applicable. [Source: 10.18.21.A, modified]
2. A decision on a Conditional Use Permit which has been the subject of an appeal to the City Council shall become final immediately on the date on which the decision is made by the Council. [Source: 10.18.21.B, modified]

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Chapter 10.102

Variances

Chapter 10.102 Variances

10.102.010 Purpose

The purpose of this Chapter is to establish a procedure when the strict application of this Title deprives such property of privileges enjoyed by other properties in the vicinity under identical zoning classification due to special circumstances of the property, including size, shape, topography, location, or surroundings. The power to grant Variances does not extend to use regulations, because the flexibility necessary to avoid results consistent with the objectives of this Title is provided by the conditional use, planned unit development, and amendment provisions of this title. [Source: 10.21.1, modified]

10.102.020 Review Authority

The Planning Commission is responsible for reviewing and granting Variances. The Planning Commission may approve, approve with conditions, or deny Variances to the standards established in this Title pertaining to fences and walls (i.e., height, type, material, location), parcel areas, width, depth, coverage, front yard, rear yard, side yards, height of structures, distances between structures, off street parking facilities, and off-street loading facilities. [Source: 10.21.2, modified]

10.102.030 Application Filing

A complete application for a Variance shall be submitted to the Community Development Department shall include the following information:

A. Name and address of applicant. [Source: 10.21.3.A.1]

B. Statement that the applicant is the owner of the property or is the authorized agent of the owner or the plaintiff in an action of eminent domain to acquire the property involved. [Source: 10.21.3.A.2]

C. Address or description of property. [Source: 10.21.3.A.3]

D. Statement of the precise nature of the Variance requested and why approval is necessary under the purposes described in Section 10.102.010 (Purpose) of this Chapter, together with any other information pertinent to the findings prerequisite to the granting of a Variance prescribed in Section 10.102.050 (Findings and Decision) of this Chapter. This information shall be included in a City-provided supplemental questionnaire which shall be submitted along with a complete application. [Source: 10.21.3.A.4, modified]

E. The application shall be accompanied by a drawing of the site and any adjacent property affected, showing all existing and proposed locations of streets, property lines, uses, structures, driveways, pedestrian walks, off street parking and loading facilities, and landscaped areas. [Source: 10.21.3.B, modified]

F. The application shall be accompanied by a fee set by resolution in the Master Fee Schedule sufficient to cover the cost of handling the application as established in this Chapter. [Source: 10.21.3.D, modified]

10.102.040 Noticing and Public Hearing Procedures

The Planning Commission shall hold a public hearing in accordance with the provisions of Section 10.100.040 (Noticing and Public Hearing Procedures). At a public hearing, the Commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the Variance, particularly with respect to the findings prescribed in Subsection 10.102.050 of this Chapter. [Source: 10.21.5 and 10.21.4, modified]

10.102.050 Findings and Decision

A. The Planning Commission shall act on the application within 60 calendar days (excluding City-recognized holidays) following the date of a deemed complete application status or within 60 calendar days (excluding City-recognized holidays) after the close of a public hearing, if any.

B. The Planning Commission may grant a Variance to regulations prescribed by this Title, as the Variance was applied for or in modified form, if, based on the application, investigation and evidence submitted, the Commission makes the following findings:

1. There are special circumstances or conditions applicable to the property involved, such that strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district. [Source: 10.21.6.A.1, modified]

2. The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the vicinity and in the same zoning district. [Source: 10.21.6.A.2, modified]

3. The granting of the Variance will not create a safety hazard or any other condition inconsistent with the objectives of this Title. [Source: 10.21.6.B.3, modified]

C. The Planning Commission shall grant a Variance to a regulation prescribed by this Title, with respect to off street parking facilities or off-street loading facilities as the Variance was applied for or in modified form, if, based on the application, investigation and the evidence submitted, the commission makes the findings prescribed in Paragraph B and the following additional findings:

1. Neither present nor anticipated future traffic volumes generated by the parcel's land use or the uses of parcels in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation. [Source: 10.21.6.B.1, modified]

2. The granting of the Variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets. [Source: 10.21.6.B.2, modified]

D. In approving a Variance, the Planning Commission shall add such conditions of approval as necessary to ensure the Variance adjustment shall not grant special privilege. [Source: 10.21.6.C, modified]

E. A Variance may be revocable, granted for a limited time period, or granted subject to such condition(s) as the authority (Planning Commission or City Council) that rendered a final decision of the Variance may prescribe. [Source: 10.21.6.D]

F. A Variance shall become effective 10 calendar days (excluding City-recognized holidays) following the date the Variance was granted unless an appeal has been filed with the City Council. [Source: 10.21.6.E, modified]

10.102.060 Appeals and Action of City Council

A. **Appeal to City Council.** A decision made by the Planning Commission shall be appealed in compliance with the following:

1. Within 10 calendar days (excluding City-recognized holidays) following the date of a decision of the Planning Commission on a Variance application, the decision may be appealed to the City Council by the applicant or any other interested party. A written appeal shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Commission or wherein its decision is not supported by the evidence in the record. [Source: 10.21.7.A, modified]

2. The appeal letter shall be accompanied by a fee established in the City of Reedley Master Fee Schedule. The City of Reedley shall be made exempt from the filing fee requirement. [Source: 10.18.20.B, modified]

3. The City Clerk or their designee shall give notice to the applicant and to the appellant (if the applicant is not the appellant) and may give notice to any other interested party at the time when the appeal will be considered by the City Council. [Source: 10.21.7.C, modified]

4. Notice of the public hearing shall be given, at minimum, 10 calendar days (excluding City-recognized holidays) prior to the date of the hearing in accordance with the requirements of Government Code sections 65905 and 65091. [Source: NEW]

5. The Community Development Director shall transmit to the City Clerk the Variance application and all other information filed therewith, the findings of the Planning Commission and their decision on the application for review and action. [Source: 10.21.7.B, modified]

B. **Action of City Council.** The action by City Council shall comply with the following:

1. The City Council shall hear the appeal within 45 calendar days (excluding City-recognized holidays) after the filing of the appeal. The Council may affirm, reverse, or modify a decision of the Planning Commission on a Variance application. If a decision denying a Variance is reversed or a decision granting a Variance is modified, the Council shall, based on the record transmitted and such additional evidence as may be submitted, make the findings prerequisite to the granting of a Variance, when applicable. [Source: 10.21.8.A, modified]

2. A Variance which has been the subject of an appeal to the City Council shall become effective immediately following the date on which the Variance is granted by the Council. [Source: 10.21.8.B, modified]

10.102.070 Lapse of Variance

A Variance shall lapse and become void three years following the date on which the Variance becomes effective unless a condition of the Variance allows for a greater time, or unless prior to the expiration of 36 months, a Building Permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site which was the subject of the Variance application. A Variance may be renewed for an additional 12 months, provided that prior to the expiration date, an application for renewal of the Variance is made to the Community Development Director. The Director may grant or deny an application for renewal of a Variance. [Source: 10.21.9, modified]

10.102.080 Revocation

The revocation of a Variance approval shall be governed by the provision of Section 10.100.100 of this Article. [Source: 10.21.11, modified]

10.102.090 New Application

Following the denial of a Variance application or the revocation of a Variance, no application for the same or substantially the same Variance on the same or substantially the same parcel shall be filed within 12 months of the date of denial of the Variance application or revocation of the Variance. [Source: 10.21.12, modified]

Chapter 10.104

Specific Plans

Chapter 10.104 Specific Plans

10.104.010 Purpose

The purpose of this Chapter is to provide a guide for the orderly physical growth and development of the City, to implement the General Plan, and to promote and protect public health, safety, and general welfare, on an area-specific basis. The purpose of a Specific Plan is to systematically implement the general plan for all or part of the area covered by the general plan. [Source: 10.24.1, modified]

10.104.020 Applicability

Where specific conditions of the Specific Plan are more restrictive than the Zoning Ordinance development standards, the conditions of the Specific Plan shall apply. Where a standard is not addressed in the Specific Plan, the Zoning Ordinance shall apply.

10.104.030 Procedure

The procedure for adoption, amendment, and revocation of a Specific Plan shall be established in accordance with the California Government Code. [Source: 10.24.10, modified]

Chapter 10.106

Environmental Review

Chapter 10.106 Environmental Review

10.106.010 Purpose

A. The purpose of this Chapter is to comply with Public Resources Code, Section 21082 that mandates local agencies to establish criteria and procedures for the evaluation of projects and the preparation of environmental impact reports, and negative declarations. As part of the review to determine whether an application for a development project is complete, the Community Development Director shall conduct a preliminary assessment of potential environmental issues. [Source: NEW]

B. The purpose of this review is to help the City decide if the project is subject to environmental review and, if so, which issues may require analysis. An application subject to environmental review pursuant to the California Environmental Quality Act (CEQA) shall not be considered complete until the applicant has submitted all studies and other documentation the Community Development Director has deemed necessary to make an environmental determination. [Source: NEW]

10.106.020 Applicability and CEQA References

A. Applicability. The California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., applies to development projects as may be determined by the City. [Source: NEW]

B. CEQA References. Any reference to "CEQA," includes Public Resources Code 21000 et. seq. [Source: NEW]

10.106.030 Review for Exemption.

If the Director determines that the application is subject to review under CEQA, within 30 calendar days (excluding City-recognized holidays) after determining that the application is complete, the Community Development Director shall determine if the project is exempt from environmental review in compliance with to State law, CEQA Guidelines, and all applicable City environmental guidelines adopted in compliance with CEQA. [Source: NEW]

A. If the Community Development Director has determined that a project is exempt from environmental review under CEQA, such determination shall be supported with necessary written findings and substantial evidence and included in any public notice required for the project. The notice shall include a citation to the applicable statute or CEQA Guideline section under which it is found to be exempt. [Source: NEW]

B. Following approval of a project that is exempt from CEQA review, the Director or the applicant may file a Notice of Exemption with the Fresno County Clerk. The applicant for a project shall be responsible for any fees required to file such notice.

10.106.040 Environmental Review Application

If the proposed project is not exempt from environmental review, the applicant shall submit an application for environmental review. After receiving an environmental review application and required studies, the Community Development Director shall determine whether to require preparation of an Environmental Impact Report (EIR), Negative Declaration or Mitigated Negative Declaration or whether the project is within the scope of a Master EIR, or other appropriate document authorized by CEQA. To make this determination, the Director shall prepare or cause the preparation of an Initial Study at the applicant's expense. [Source: NEW]

10.106.050 Preparation of an Initial Study

A. The Initial Study shall be prepared in compliance with State law, CEQA Guidelines and any environmental guidelines that the City has adopted in compliance with CEQA. [Source: NEW]

B. Following completion of the Initial Study, the Community Development Director shall notify the applicant in writing of changes to the project deemed necessary to reduce or avoid any significant effects or revise the project to reduce its impacts to less than significant identified in the Initial Study; or[Source: NEW]

C. Within 30 calendar days (excluding City-recognized holidays) following the date of the notification described above, the applicant shall provide written notification to the Director indicating that the proposed modifications are acceptable or shall propose alternative measures that will achieve the same result. If the applicant does not agree to revise the project, an EIR shall be prepared. Alternatively, if the applicant does not respond to letter the application shall be terminated by the City. [Source: NEW]

D. If an EIR is being prepared, an Initial Study is not mandatory as outlined by CEQA. [Source: NEW]

10.106.060 Determination of Environmental Significance

Based on the Initial Study, the Community Development Director will make one of the following findings and prepare the appropriate environmental documentation in compliance with State law, CEQA Guidelines and any environmental guidelines that the City has adopted in compliance with CEQA. [Source: NEW]

A. The project will have "No Significant Impacts" on the environment, and a Negative Declaration will be prepared; [Source: NEW]

B. The project has been modified to mitigate potential environmental impacts to a level of insignificance and a Mitigated Negative Declaration will be prepared; [Source: NEW]

C. The project is within the scope of a Master EIR or other appropriate document authorized by CEQA, no additional significant environmental effect will result, and no additional mitigation measures or alternatives may be required; or [Source: NEW]

D. The proposed project will have, or may have, significant impact(s) and an EIR will be required. [Source: NEW]

10.106.070 Review Authority for the CEQA Finding

The Review Authority of the entitlement shall also have the authority to adopt the related CEQA finding. For example, should the Director be the Review Authority, the Director shall also have the authority to approve the related CEQA finding. [Source: NEW]

10.106.080 Appeals

Notwithstanding other provisions of this Code, the applicant or any aggrieved person may appeal the following environmental determinations made by non-elected, decision-making bodies of the City directly to City Council, unless the Council is the approving authority for the project: [Source: NEW]

A. Determination that a project is or is not subject to environmental review. [Source: NEW]

B. Determination that a project is exempt from environmental review. [Source: NEW]

C. Approval of a Negative Declaration or Mitigated Negative Declaration. [Source: NEW]

D. Approval of a Finding of Conformity with the Master EIR. [Source: NEW]

E. Certification of a Final EIR. [Source: NEW]

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Title 10 – Zoning Code

Article 7 – Zoning Code

Administration

PUBLIC REVIEW DRAFT

April 2024

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Chapter 10.110

Amendments

Chapter 10.110 Amendments

10.110.010 Purpose

The purpose of this Chapter is to provide procedures for amending the text of this Zoning Code or the Official Zoning Map whenever public necessity, convenience, and general welfare require such amendment to maintain consistency with the General Plan. Such amendments shall be made in accordance with the procedures prescribed in this Chapter. [Source: 10-22-1, modified]

10.110.020 Initiation

An application to amend the general plan, rezone land, change or revise a zoning district regulation, requirement(s) for off-street and or loading facilities, general provisions, exceptions, or other provisions may be initiated by:

A. A property owner;

B. The City Manager;

C. City Council action;

D. Planning Commission recommendation to the City Council; and/or

E. Council action to adopt an interim ordinance in compliance with State Law.

10.110.030 Application and Fee

A. Application. A qualified applicant, the Community Development Director, the City Council, or Planning Commission shall submit a rezone application or plan amendment on a form prescribed by the Director. The Director may require an applicant to submit such additional information and supporting data as considered necessary to process the rezone application as described below. A resolution of initiation may act as the application for the City Council or Planning Commission. [Source: NEW]

1. Name and address of the applicant. [Source: NEW]
2. Statement that the applicant is the owner of the property for which the application for a rezone is proposed, or the authorized agent of the owner, or the plaintiff in an action of eminent domain to acquire the property involved. [Source: NEW]
3. Address and description of the property. [Source: NEW]
4. Description of the proposed change(s).

B. **Coordination with Other Applications.** The Community Development Director may allow any necessary applications for amendments to zoning regulations or for approval of discretionary permits to be processed concurrently with the proposed Amendments. [Source: New]

C. **Application Fees.** The application shall be accompanied by a fee set by a resolution of the City Council in the Master Fee Schedule, sufficient to cover the cost of processing the application as prescribed in this Chapter. [Source: 10-22-3(C)]

10.110.040 Noticing and Public Hearing Procedures

A. **Public Hearing Initiation.** The Planning Commission shall hold a public hearing on each application for a rezone or relief of a zoning district regulation, off-street parking or loading facilities requirement, general provision, exception, or other provision of this Title initiated by a property owner or authorized agent, the City Manager (or their designee), the City Council, or the Planning Commission can bring a recommendation to the City Council. [Source: 10-22-4(A)-Modified]

B. **Notice of Public Hearing.** When an application is initiated for any amendment as described above in section 10.110.040(A), the public shall be provided a notice of the hearing in compliance with State Law (Government Code Sections 65090-65094 and 66451.3 and Public Resources Code 21000 et seq.) and as required by this Chapter. Notice of a public hearing shall be given at least 10 days before the date of the public hearing: [Source: 10-22-4(B 1-3)-Modified]

1. **Contents of Notice.** Notices shall comply with the following standards:

    a. **Hearing Information.** The date, time, place, and purpose of the hearing and the name of the hearing body; the phone number and street address of the Department where an interested person could call or visit to obtain additional information.

    b. **Project Information.** The City's project case number (if the case is assigned a number) assigned to the application; a general explanation of the matter to be considered; a general explanation of the purpose of the application; a general description, in text and/or by diagram, of the location of the property that is the subject of the hearing.

    c. **Statement of Environmental Document.** If a draft Negative Declaration (ND), Mitigated Negative Declaration (MND), or Environmental Impact Report (EIR) has been prepared for the project, or if the project has been determined to be exempt, in compliance with the provisions of the California Environmental Quality Act (CEQA). The hearing notice shall include a statement that the hearing body will also consider approval of the draft Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report

2. **Method of Notice Distribution.** The distribution of notices shall comply with the following standards:

    a. Published and circulated in a local newspaper; and

    b. First class mailing, postage prepaid, a notice of the hearing shall be mailed to all owners of real property within a 350-foot radius, unless a different radius is specified elsewhere in this Title, that is subject to the hearing in accordance with Government Code Section 65091; and

    c. First class mailing, postage prepaid, a notice of the hearing to any person who has filed a written request therefore with the Planning Commission. Such request may be submitted at any time during the calendar year and shall apply for the balance of such year; and

    d. Posted on the City's website.

3. **Additional Notices.** The Community Development Director, at their discretion, may increase the public notice distance requirements if, in their opinion, the project has the potential to impact properties outside of the standard mailing radius. [Source: NEW]

10.110.050 Report

The Community Development Director shall prepare a report and recommendation to the Planning Commission on any application for an amendment to this Code. The report shall include a description of the proposed amendment, and analysis of implications of the amendment, an environmental document prepared in compliance with the California Environmental Quality Act, and a City staff recommendation. [Source: NEW]

10.110.060 Planning Commission Action

Following the public hearing, the Planning Commission shall make a written recommendation to the Council as to whether the change would be consistent with the General Plan and the purposes and intended application of the Zoning Code change proposed. The Planning Commission, through the Community Development Department, shall transmit a report to the City Council recommending that the application be granted or denied, or that the proposal be adopted or rejected, together with one copy of the application, resolution of the Planning Commission or request of the City Council, the scale drawing of the parcel and the surrounding area and all other data filed therewith, the report of the Community Development Director and the findings of the Planning Commission. [Source: 10-22-7-Modified]

10.110.070 City Council Action

A. Upon receipt of the resolution and report of the Planning Commission, the City Council shall hold a public hearing. [Source: 10-22-8, modified]

B. Notice of the time and place of said hearing shall be given in the time and manner provided under Section 10.100.040 (Noticing and Public Hearing Procedures) of this Chapter. The notice shall include a summary of the Planning Commission recommendation, if available at the time of the notice. [Source: 10-22-8(B)]

C. After the close of the public hearing, the City Council shall make a specific finding in writing as to whether the amendment is required to achieve the objectives of this Title and, when applicable, whether the amendment would be consistent with the General Plan and the purposes and application intended for the zoning district classification proposed. [Source: 10-22-8(C)]

D. After the conclusion of the hearing, the City Council may approve, modify, or deny the proposed application. If the Council proposes any substantial modification not previously considered by the Planning Commission during its hearing, the proposed modification shall be re-referred to the Planning Commission for report and recommendation at a public hearing where notice shall be given in the time and manner provided under Section 10.100.040 (Noticing and Public Hearing Procedures) of this Chapter. The failure of the Planning Commission to report within 45 calendar days (excluding City-recognized holidays) after the referral shall be deemed a recommendation to approve and the application, as amended, shall be returned to Council for adoption. [Source: NEW]

E. Action by City Council shall be final. [Source: NEW]

10.110.080 New Application

Following the denial of an application submitted and processed in accordance with this Chapter, no application for the same or substantially the same change shall be filed within 12 months of the date of denial of the application. [Source: 10-22-11]

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Chapter 10.112

Administration and Enforcement

Chapter 10.112 Administration and Enforcement

10.112.010 Permits, Certificates, and Licenses

A. All officials, departments, and employees of the City vested with the authority or duty to issue permits, certificates, or licenses, shall comply with the provisions of this Article and shall issue no permit, certificate, or license which conflicts with the provisions of this Zoning Code. Any permits, certificates, or licenses issued in conflict with the provisions of this Zoning Code shall be void. [Source: 10-23-1A]

B. Before issuing a business license for any new business or for a new location for any existing business activity, the Community Development Director or their designee, or other authorized licensing official within the Community Development Department, shall issue a Zoning Clearance. [Source: 10-23-1B]

10.112.020 Community Development Director

A. Duties. The Community Development Director or their designee shall be the official responsible for the enforcement of this Title. In the discharge of their duty, the Director shall have the right to enter on any site or to enter any structure for the purpose of investigation and inspection, provided that the right of entry shall be exercised only at reasonable hours and that in no case shall any structure be entered in the absence of the owner or tenant without written permission from the owner or the written order of a court of competent jurisdiction. The Director may serve notice requiring the removal of any structure or use in violation of this Title to the owner or their authorized agent, on a tenant, or on an architect, builder, contractor, or other person who commits or participates in any violation. The Director may request the City Attorney to institute necessary legal proceedings to enforce the provisions of this Title, and the City Attorney is hereby authorized to institute appropriate actions to that end. The Director may call upon the Chief of Police and his authorized agents to assist in the enforcement of this Title. [Source: 10-23-2A]

B. Arrest and Citation Powers. The Community Development Director, and such other persons as shall be designated by the Director, are hereby designated under this Code with all power, duty, rights, authority, and responsibility pertaining thereto. They shall have the right, authority, and duty to exercise the responsibilities of the office in accordance with the provisions of this Code. [Source: 10-23-2B]

C. In accordance with the provisions of Penal Code Section 836.5, the Community Development Director, and all others authorized by the Director, shall have the power of arrest and citation as described in Penal Code Section 836.5 and Chapter 5C (commencing with Section 853.6) with regard to any violation of the provisions of Title 9 (Building Regulations) of the City Code pertaining to building regulations and the provisions of California State law pertaining to the Uniform Building Code, National Electrical Code, Uniform Plumbing Code, all primary and secondary codes thereto, Uniform Mechanical Code, Uniform Housing Code and Uniform Code for the Abatement of Substandard or Dangerous Buildings, plus provisions of this Title 10 (Zoning Regulations) pertaining to zoning and Title 11 (Subdivision Regulations) pertaining to subdivisions and other divisions of land. These powers shall be exercised in accordance with the provisions of California law pertaining to citation authority for these purposes; provided however, the Director shall not have any other power to take persons into custody except for the purpose of exercising restraint of any person who fails or refuses to execute a written promise to appear and then only until such time as the assistance of a police officer or other peace officer can be obtained; and provided further, the provisions hereof do not create any other peace officer status or authority on the Director except as described in this Chapter. [Source: 10-23-2B]

10.112.030 Fees

A. Application Fees. The City Council authorizes the collection of fees relating to applications administered under this title. Said fees shall be established by the Master Fee Schedule. [Source: 10-23-4A]

B. Development Impact Fees. Development impact fees shall comply with the following standards:

1. Authority To Impose and Charge. The City Council is hereby granted authority to establish and charge development impact fees as a condition of approval of a development project for the purpose of defraying the costs of public facilities (including public improvements, public services, and community amenities) related to development projects. Development impact fees may be established and charged to pay for the cost of development of transportation facilities, law enforcement facilities, fire protection facilities, general government facilities, storm drainage facilities, wastewater facilities, water facilities, and parks and recreation facilities. [Source: 10-23-4B]

2. In enacting resolutions establishing and imposing such development impact fees, the City Council shall establish the specific amount of the fee, describe the benefit and impact area on which the development impact fee is imposed, list the specific public improvements to be financed, describe the estimated cost of the facilities, describe the reasonable relationship between the fees and the various types of developments, and establish the time for payment.

3. The City Council may further provide by resolution that specific limitations will apply to reductions, adjustments, waivers or deferrals of development impact fees, and the City Council may, in such resolution, establish such specific limitations. [Source: 10-23-4B]

4. Such resolutions shall be adopted in accordance with the provisions of Government Code Chapter 5, Division 1 of Title 7 (commencing with Section 66000). [Source: 10-23-4B]

5. With regard to storm drain facilities impact fees, no less than 50 percent of such current impact fees collected by the City shall be spent on projects that specifically result in Kings River water being recharged to the aquifer underlying the City. Recharge shall take place at location(s) no farther than three miles from the City limits, unless approved by any applicable government agency(ies). Unless otherwise required to do so by law, the City shall not decrease the amount of storm drain facilities impact fees below the amount reflected in the applicable development impact fee schedule. The City shall maintain this practice in full force and effect until the first of either of the following occurs: a) the City achieves overall groundwater sustainability, or b) the groundwater sustainability agency of which the City is a member has an approved plan to achieve sustainability. In calculating overall groundwater sustainability, the City may include offsets for recharge, including at those locations for which development impact fees or other City funds were used to create recharge facilities whether within or outside of the current City limits. [Source: 10-23-4B]

10.112.040 Violations and Penalties

A. Any person violating any provision of this Zoning Code shall be guilty of a misdemeanor or, at the discretion of the City Attorney, an infraction. A person shall be deemed guilty of a separate offense for each day during any portion of which a violation of this Zoning Code is committed, continued, or allowed by the person. [Source: 10-23-5A]

B. Any structure erected, moved, altered, enlarged or maintained and any use of a parcel contrary to the provisions of this Title shall be and is hereby declared to be unlawful and a public nuisance, and the City Attorney shall immediately institute necessary legal proceedings for the abatement, removal and enjoinment thereof in the manner provided by law, and shall take such other steps as may be necessary to accomplish these ends, and shall apply to a court of competent jurisdiction to grant such relief as will remove or abate the structure or use and restrain or enjoin the person from erecting, moving, altering or enlarging the structure or using the parcel contrary to the provisions of this Title. [Source: 10-23-5B]

C. All remedies provided for in this Chapter shall be cumulative and not exclusive. [Source: 10-23-5C]

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Title 10 – Zoning Code

Article 8 – Definitions

PUBLIC REVIEW DRAFT

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Chapter 10.120

Definitions

Chapter 10.120 Definitions

10.120.010 General

This Chapter provides definitions of terms and phrases used in this Zoning Code that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Chapter conflict with definitions in other provisions of the Reedley City Code, these definitions shall control for the purposes of this Zoning Code. If a word is not defined in this Chapter, or in other provisions of the Reedley City Code, the Community Development Director shall determine the correct definition in compliance with Article 1 (Enactment and Applicability). [Source: NEW]

10.120.020 "A" Definitions

Abut. Immediately contiguous or physically touching. [Source: NEW]

Adjacent. Near or close to. [Source:10-2-3-A-4]

Administrative Review. A review used to determine whether findings can be made that a land use is in compliance with the intent and provisions of this Zoning Code. [Source: 10-2-3-A-5]

Accessory Living Quarter. See definition for "Guest Quarter." [Source: 10-2-3-A-3]

Accessory Structure.

A. **Accessory Structure, Nonresidential.** A structure that is physically detached from, secondary and incidental to, and commonly associated with a nonresidential use or structure. Nonresidential accessory structures shall not change or alter the character of the nonresidential use or structure. Illustrative examples of nonresidential accessory structures include storage sheds and open-air structures. For additional regulations, see Chapter 10.32 (Accessory Structures). [Source: NEW]

B. **Accessory Structure, Residential.** A structure that is physically detached from, secondary and incidental to, and commonly associated with a residential use or structure. Residential accessory structures shall not change or alter the character of the residential use or structure. Illustrative examples of residential accessory structures include detached garages, carports, porticos, porte-cocheres, sheds, workshops, gazebos, greenhouses, cabanas, trellises, play structures, aviaries, and covered patios, . For additional regulations, see Chapter 10.32 (Accessory Structures). For accessory dwelling unit, see "Dwelling, Accessory Dwelling Unit (ADU)." For junior accessory dwelling unit, see "Dwelling, Junior Accessory Dwelling Unit (JADU)." [Source: NEW]

Accessory Use. A use that is clearly subordinate, incidental, and secondary to the primary use of the land, or any use that is determined by the Community Development Director to be customarily part of or related to the primary use of the land and does not change the character of the primary use or primary structure. [Source: NEW]

Adult Daycare Facility. See definition for "Community Care Facility." [Source: NEW]

Adult Entertainment Business. See Title 3, Chapter 12 (Sexually Oriented Businesses) of the Reedley Municipal Code. [Source: NEW]

Agricultural Employee/Worker Housing. Residential housing whose occupancy is restricted to persons who are employed in agriculture, including the raising or harvesting of any agricultural commodities. See "Agriculture." [Source: NEW]

Agriculture. The practice of farming, including tilling of soil, the raising of crops, horticulture, viticulture, aviculture, apiculture, livestock grazing, the raising of small animals and poultry, domestic livestock farming, dairying, and animal husbandry. [Source: NEW]

A. **Agriculture, Animal Husbandry.** The raising, breeding, and caring of farm animals (e.g., cattle, horses, goats, sheep, chickens, hogs, rabbits, birds) as a commercial agricultural venture or minor occupation. [Source: NEW]

B. **Agriculture, Dairies.** An agricultural establishment raising large animals for the primary purpose of milking, including cattle, goats, and sheep. [Source: NEW]

C. **Agriculture, Horticulture.** Agricultural crops, fruit trees, hay crops, nurseries for producing trees, vines and other horticultural stock, orchards, pasture crops, nut trees, row crops, vineyards, and other plant crops. Horticulture activities exclude marijuana and hemp cultivation. [Source: NEW]

Airport, Heliport, and Helipad. Any area which is used or is intended to be used for the taking off and landing of aircraft, including helicopters and any appurtenant areas which are used or are intended to be used for airport structure or facilities, including open spaces, taxiways and "tie down" areas. [Source: 10-2-3-A-8]

Alcohol Beverage. Alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances, and sales of which requires a State Department of Alcoholic Beverage Control (ABC) license. [Source: 10-18A-6, 10-2-3-A-9]

Alcohol Beverage Sales. The retail sale of alcoholic beverages. Title 3, Chapter 11 (Alcoholic Beverage Licenses) of the Reedley Municipal Code.

A. **Alcoholic Beverage Sale, Accessory.** The retail sale of alcoholic beverages that is clearly subordinate to, incidental to, and clearly secondary to the primary use of the land, and which is licensed and regulated by the California Department of Alcoholic Beverage Control. Illustrative examples include commercial recreation facilities or restaurants which serve alcohol for on-site consumption and convenience stores which sell alcohol for off-site consumption. The total floor area dedicated to the accessory sale of alcohol shall not exceed 25 percent of the gross floor area of the primary use of the land. For alcohol beverages sales for off-site consumption that exceed 25 percent threshold, see "Alcohol Beverages Sales, Standalone." For alcohol beverages sales for on-site consumption that exceed the 25 percent threshold, see "Bar." [Source: NEW]

B. **Alcoholic Beverage Sales, Standalone.** A retail establishment dedicated to the exclusive sale of alcoholic beverages for consumption off-site and which is licensed and regulated by an agency under the jurisdiction and control of the State of California. Illustrative examples include liquor stores and bottle shops. For accessory alcohol sales, see "Alcoholic Beverage Sales, Accessory." For on-site consumption of alcoholic beverages, see "Bar." [Source: NEW]

Alley. Any dedicated right-of-way intended for vehicular service to the rear or side of property served by a street. [Source: 10-2-3-A-10]

Alter. To make any change in the floor plan, or supporting or load bearing components of a structure, such as bearing walls, columns, beams, girders, or floor joists. [Source: 10-2-3-A-11]

Ambulance Service. A commercial facility where ambulances are stored, and from which ambulances and emergency personnel are dispatched to emergencies. [Source: NEW]

AMI. Area Median Income, adjusted for family size, applicable to Fresno County as published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or successor statutes) by the United States Department of Housing and Urban Development or its successor in accordance with California Health and Safety Code Sections 50079.5, 50105 and 50093 or successor statutes. [Source: NEW]

Amendment. A change in the wording, context, or substance of this Zoning Code, an addition or deletion or a change in the zone district boundaries or classification upon the zoning map. [Source: 10-2-3-A-12]

Ancillary Services. See definition for "Accessory Use." [Source: NEW]

Animal Hospital. See definition for "Veterinary Clinic." [Source: NEW]

Animal Product Processing. An establishment which provides processing and rendering services of deceased animals and animal byproducts for retail sales, marketing, and packaging. Illustrative examples include slaughterhouses and taxidermists. [Source: NEW]

Antenna. One or more rods, panels, discs, or similar devices used for the transmission or reception of radio or electromagnetic frequency signals. [Source: NEW]

A. **Omni-directional antenna** ("whip" antenna) transmits and receives radio frequency signals in a 360-degree, radial pattern. For the purpose of this Code, an omni-directional antenna is up to 15 feet in height and up to seven inches in diameter. [Source: NEW]

B. **Directional antenna** ("panel" antenna) transmits and receives radio frequency signals in a specific directional pattern of less-than 360. [Source: NEW]

C. **Parabolic antenna** ("dish" antenna) is a bowl-shaped device for the reception and transmission of radio frequency signals in a specific directional pattern. Also referred to as a satellite dish. [Source: NEW]

D. **Satellite Dish Antenna.** An apparatus capable of receiving communications from a transmitter relay located in planetary orbit. [Source: 10.13.5.C.1, 10-2-3-S-1]

Apartment. See definition for "Dwelling, Multi-Unit." [Source: NEW]

Assisted Living Facility. See definition for "Community Care Facility." [Source: NEW]

Athletic Club. See definition for "Gym." [Source: NEW]

Auction House. Indoor or outdoor facility devoted to the sale of property (e.g., merchandise, vehicles, etc.) and animals (e.g., cattle, horses, etc.) to bidders under the supervision of an agent or entity. See Title 3, Chapter 6 (Auctions) in the Reedley Municipal Code. [Source: NEW]

Automatic Telling Machine (ATM). Computerized, self-service machines used by banking customers for financial transactions, including deposits, withdrawals, and fund transfers, without contact with financial institution personnel. The machines may be located at or within banks, or in other locations, in compliance with Article 2 (Zones, Allowable Uses, and Development Standards). [Source: NEW]

Automotive Service Station. See definition for "Vehicle Repair and Service, Minor." [Source: NEW]

Automobile Wrecking Yard. See definition for "Vehicle Salvage and Dismantling Facility." [Source: NEW]

10.120.030 "B" Definitions

Bakery. See definition for "Restaurant."

Bank and Financial Institution. Commercial establishment, including a federally chartered bank, savings and loan association, investment services, industrial loan company, or credit unions, that provides retail banking services to individuals and businesses. Does not include pawnshops, payday lending, tax refund anticipation loan businesses, and/or check cashing businesses. [Source: NEW]

Banquet Hall. See definition for "Place of Assembly". [Source: NEW]

Bar. An establishment whose primary business is the sale of alcoholic beverages to customers for onsite consumption, which may also provide live entertainment (e.g., music and/or dancing, comedy, etc.) in conjunction with alcoholic beverage sales. This does not include on-site manufacturing of alcoholic beverages. Also referred to as a tavern or cocktail lounge. [Source: 10-2-3-B-4, modified]

Barbed Wire. Wire for fences or barriers having sharp barbs or points of metal twisted into smooth wire at regular intervals. [Source: 10-2-3-B-5]

Bed and Breakfast Inn. A commercial use within a residential dwelling used for sleeping facilities for not more than six guest units available to the public for hire on an overnight or limited term basis with a 30-day maximum stay and operated as an accessory use to the owner or manager's residence. Such use may also include a continental breakfast if limited to guests. See Section 10.50.030 (Bed and Breakfast Inns) for additional development and operational standards for bed and breakfast inns. [Source: 10-2-3-B-6, modified]

Beekeeping. The keeping and maintenance of a collection of hives or colonies of bees. Also known as "apiary." [Source: NEW]

Billboard. See Chapter 10.30 Sign Regulations). [Source: 10-2-3-B-7, modified]

Biological Agent. A microorganism or infectious substance, or any naturally occurring, bioengineered or synthesized component of any such microorganism or infectious substance up to and including Risk Groups 1 – 4 classifications as defined by the National Institute of Health (NIH) or the United States Center for Disease Control (CDC). [Source: NEW]

Biosafety Level (BSL). The four ascending levels of containment precautions, referred to as Biosafety Levels 1 through 4, required to isolate dangerous biological agents in an enclosed laboratory facility as set forth in the most current edition of Biosafety in Microbiological and Biomedical Laboratories (BMBL) published by the U.S. Department of Health and Human Services Centers for Disease Control and Prevention (CDC) and National Institutes of Health (NIH), based on the primary risk criteria of infectivity, severity of disease, transmissibility, and the nature of the work being conducted. Each level of containment describes the microbiological practices, safety equipment, and facility safeguards for the corresponding level of risk associated with handling an agent. [Source: NEW]

Block. All property fronting on one side of a street between intersecting and intercepting streets, or between a street and a right-of-way, waterway, end of a cul-de-sac, or city or county boundary. Where the city-county boundary intersects or intercepts a street in a block as described herein, the block shall be considered to end at the city or county boundary. [Source: 10-2-3-B-8]

Block Frontage. All property fronting on one side of a street between a street and right-of-way, waterway, or between intersecting or intercepting streets, the end of a dead end street, or city or county boundary measure along a street line. An intercepting street shall determine only the boundary of the frontage on the side of the street that it intercepts. [Source: 10-2-3-B-9, modified]

Boarding, Animal. See "Kennel." [Source: 10-2-3-B-10, modified]

Boarding or Rooming House. A dwelling other than a hotel, motel, bed and breakfast inn, or emergency shelter where lodging and meals are provided for compensation for five but not more than 15 persons. [Source: 10-2-3-B-11, modified]

Body Art. Body piercing, tattooing, branding, or the application of permanent cosmetics or makeup. [Source: 10.13.8.B.1]

Body Art Activity. Any temporary or permanent application, process of application, sterilization, sanitation, cleaning, preparation, implementation, or other procedure, used in the conduct of body art or any associated activity, which is necessary to conduct "body art", as defined in this Article. [Source: 10.13.8.B.2]

Body Art Facility. The specified structure or section of a structure, including reception areas, the procedure area and the decontamination and sterilization area used for the purpose of performing body art on clients. "Body art facility" does not include those facilities that only pierce ears with a disposable, single use, presterilized clasp and stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear, such as the type of mechanism used at a jewelry store. [Source: 10-2-3-B-14]

Body Art Practitioner. A person that has completed an approved bloodborne pathogen training course and is registered with and received a permit from the Fresno County Department of Public Health to conduct body art activity, including permanent cosmetics or makeup. [Source: 10.13.8.B.4]

Body Piercing. The creation of an opening in the human body for the purpose of inserting jewelry or other decoration. Includes, but is not limited to, the piercing of the ear, including the tragus, lip, tongue, navel, nose, or eyebrow. Does not include the piercing of the ear, except the tragus, with a disposable, single use, presterilized clasp and stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear. [Source: 10.13.8.B.4]

Branding. The process in which a mark or marks are burned into human skin tissue with a hot iron or other instrument with the intention of leaving a permanent scar. [Source: 10.13.8.B.6]

Breezeway. A roofed passageway, open on at least two sides, connecting the main structure on a site with another main structure or accessory structure or accessory use on the same site. [Source: 10-2-3-B-19]

Brewery, Distillery, and Winery.

A. **Brewery.** Establishments where malt beverages are manufactured and or produced on the premises. Also see "Tasting Room." Such enterprise(s) are subject to regulation by an agency under the jurisdiction and control of the State of California. [Source: NEW]

B. **Distillery.** Establishments which produce distilled spirits for consumption, sales, and or distribution. Such enterprise(s) are subject to regulation by an agency under the jurisdiction and control of the State of California. These uses are incidental to the production of spirits and are permitted accessory uses to a distillery. Also see "Tasting Room." [Source: NEW]

C. **Winery.** An agricultural processing facility producing wine on the premises from fruit or fruit juices through fermentation or the refermenting of still wine into sparkling wine that is bonded through the alcohol, tobacco tax and trade bureau and has a current license from the applicable State agency under the jurisdiction and control of the State of California. Also see "Tasting Room." [Source: NEW]

Building. A permanently located structure, having exterior walls and a roof, for the housing or enclosure of persons, goods, possessions, or property of any kind. Mobile homes, travel trailers and other vehicles, even though permanently immobilized, shall not be deemed to be buildings. [Source: 10-2-3-B-20]

Building Material Sales and Storage. Indoor and/or outdoor retail establishment selling hardware, tools, lumber, landscaping materials, and other building materials. May also include the rental of tools and equipment used in the building trades. [Source: NEW]

Business Support Services. See definition for "Home and Business Services." [Source: NEW]

10.120.040 "C" Definitions

Car Wash. A facility having the following definitions:

A. **Automated Drive-through.** A facility that provides for washing of vehicles through a volume of sound in compliance with the General Plan fully automated car wash facility where the customer drives the vehicle into the facility and remains in the car during the wash process. [Source: 10-2-3-C-4(A), modified]

B. **Mechanical.** A facility that provides for the washing of vehicles using mechanical equipment such as conveyor chains, blowers, steam guns, roller brushes, and high-pressure vacuum units or similar equipment. The customer exits the vehicle and waits for the attendant to complete the washing, cleaning, and driving of the vehicle. This car wash has a waiting area for the customer and a designated finishing and/or detailing area to complete the car care service. [Source: 10-2-3-C-4(B), modified]

C. **Self-service.** A facility that provides vehicle washing to be done by the customer. There are no employees other than service people who check and maintain the equipment, open and close the facility, and provide general supervision of the use of the facility. Equipment shall be limited to a water softener, water heater, soap mixing tank, low pressure vacuum units, and a one horsepower electric motor and pump for each stall or similar equipment which shall produce only a volume of sound in compliance with the General Plan. [Source: 10-2-3-C-5, modified]

Carport. An accessory structure or portion of a primary structure open on one or more sides designed for the parking or storage of motor vehicles, without full enclosure. [Source: 10-2-3-C-2]

Card Room. Any structure, or portion thereof, for which legal gambling or gaming is conducted. The term shall include any restaurant, bar, assembly room, meeting room, lodge room or fraternity building or facility, or office which is part of or appurtenant to the room or rooms in which legal gambling or gaming is conducted. [Source: NEW]

Caretaker's Residence. A single-unit residence on the same property with, or on abutting property owned by the owner of, a nonresidential use, which residence is occupied by one or more persons charged with the care or protection of facilities used in such nonresidential use. [Source: 10-2-3-C-3, modified]

Cemetery. Land used or intended to be used for the burial of the dead, and dedicated for such purposes, including columbarium, crematoriums, mausoleums, and mortuaries, when operated in conjunction with and within the boundaries of such premises. [Source: 10-2-3-C-6]

Child Daycare Home. See definition for "Family Daycare Home." [Source: NEW]

Church. See definition for "Place of Assembly." [Source: NEW]

Cigar Lounge. An establishment that is dedicated, in whole or in part, to the smoking of tobacco products, electronic cigarettes, or other substances, including but not limited to establishments known variously as cigar lounges, hookah lounges, tobacco clubs, tobacco bars, etc. (Collectively referred to as "smoking lounge(s).").

Clinic. See definition for "Office, Medical." [Source: 10-2-3-C-7, modified]

Club, Lodge, Meeting Hall. See definition for "Place of Assembly." [Source: NEW]

College. See definition for "School, Private/Public College and University." [Source: NEW]

College, Trade. See definition for "School, Technical and Vocational." [Source: NEW]

Commercial, Office. See definition for "Office, Professional." [Source: 10-2-3-C-12, modified]

Commercial Recreation and Entertainment Facility.

A. **Commercial Recreation and Entertainment Facility, Indoor.** Indoor establishment where entertainment (participant or spectator) is provided for a fee (admission or membership) for the pleasure of the patrons, either independent of or in conjunction with another use. Does not include theaters, cinemas, adult entertainment businesses, bars, or shooting ranges. See "Commercial Recreation and Entertainment Facility, Cinema or Theater. Illustrative examples of indoor commercial recreation and entertainment uses include: [Source: NEW]

- Arcade
- Axe throwing
- Bowling alley
- Indoor archery
- Indoor ice/roller skating rink
- Pool and billiard room
- Soccer arena
- Volleyball court

B. **Commercial Recreation and Entertainment Facility, Cinema or Theater.** Indoor or outdoor establishment where entertainment (participant or spectator) is provided for a fee (admission or membership) for the pleasure of the patrons, either independent of or in conjunction with another use. Does not include adult entertainment businesses, bars, or any of those uses specified as indoor commercial recreation and entertainment facilities. See "Commercial Recreation and Entertainment Facility, Indoor." Illustrative examples include movie theaters, cinemas, amphitheaters, and play theaters. [Source: NEW]

Commercial Speech. Any speech or writing which promotes and/or proposes a commercial transaction. [Source: NEW]

Communication Equipment Building. See definition for "Utility Facility and Infrastructure." [Source: 10-2-3-C-13, modified]

Community Care Facility. In compliance with Title 22 of the California Code of Regulations, any facility, place, or structure which is maintained and operated to provide residential care, day treatment, adult day care, or foster family agency services for children or adults, including, but not limited to the physically handicapped, mentally impaired, incompetent persons, elderly, and abused or neglected children. This use is further categorized by size: *Small* (six or fewer residents) and *Large* (seven or more residents). For the purpose of this Zoning Code, small community care facilities shall be considered a residential use, whereas large community care facilities shall be considered a commercial use. Community care facilities include the following: [Source: NEW]

A. **Adult Daycare Facility.** Facility that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. [Source: 10-2-3-C-14, modified]

B. **Child Therapeutic Day Services Facility**. Facility that provides care, counseling, educational or vocational support, or social rehabilitation services on less than a 24-hour basis to persons under 18 years of age who would otherwise be placed in foster care or who are returning to families from foster care. [Source: NEW]

C. **Community Treatment Facility.** Facility that provides care and mental health treatment services to children in a group setting. Program components shall be subject to program standards developed by the State. [Source: NEW]

D. **Foster Home.** Facility that provides 24-hour care for foster children which is owned, leased, or rented and is the residence of the foster parent(s), including their family, in whose care the foster children have been placed. [Source: NEW]

E. **Residential Care Facility.** Group care facility for 24-hour care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual. Includes residential care facilities for the elderly, skilled nursing, convalescent homes, intermediate care facilities, assisted living establishments, and memory care. [Source: NEW]

F. **Social Rehabilitation Facility.** Residential facility which provides social rehabilitation services for no longer than 18 months in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling. [Source: NEW]

Condition of Approval. A requirement which must be carried out by the activity, land use, or applicant to retain a project's approved status. [Source: 10-18A-6, modified]

Conditional Use Permit. A permit which requires special consideration of conditional land uses so that it may be located properly with respect to the objectives of this Zoning Code and with respect to their effects on surrounding properties. Conditional Use Permits also may give the zone district land use regulations of this Zoning Code the additional flexibility necessary to achieve the objectives of this Zoning Code. Conditional Use Permits shall comply with the standards established in Chapter 10.100 (Conditional Use Permit) of this Zoning Code. [Source: 10-2-3-C-15, modified]

Consignment Store. See definition for "Retail Sales, Secondhand." [Source: NEW]

Contiguous. See definition for "Abut." [10-2-3-C-16]

Contractor Storage Yard. A facility which provides storage for a contractor licensed by the State for large equipment, vehicles, or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses such as offices and repair facilities. [Source: NEW]

Convalescent Home. See definition for "Community Care Facility." [Source: NEW]

Convenience Store. See definition for "Retail Sales, Convenience Store." [Source: NEW]

Corner Cutoff Area. A space on a corner parcel and any driveway/alley/right-of-way/access easement in which all visual obstructions (e.g., fencing, structures, and plantings) that inhibit visibility and thus cause a hazard to traffic and pedestrian safety are prohibited. See Section 10.30.060 (Corner Cutoff Area). [Source: 10-2-3-C-18, modified]

Country Club. A private club organized and operated for social purposes and possessing outdoor recreational facilities, such as golf courses, tennis courts, or polo grounds. [Source: NEW]

Cul-De-Sac. A street closed at one end with a circular turnaround. [Source: 10-2-3-C-19, modified]

10.120.050 "D" Definitions

Daycare Center. A childcare facility, other than a family daycare home, which provides nonmedical care and supervision of children under the age of 18 years of age for periods of less than 24 hours; including the following subtypes, all of which are required to be licensed by the State: [Source:10-2-3-D-2, modified]

A. **Daycare Center, Accessory Use.** A day care facility that is operated in conjunction with a business, school, housing development, or religious facility. Includes infant centers, preschools, and extended child day care facilities not exceeding 24 hours. [Source: NEW]

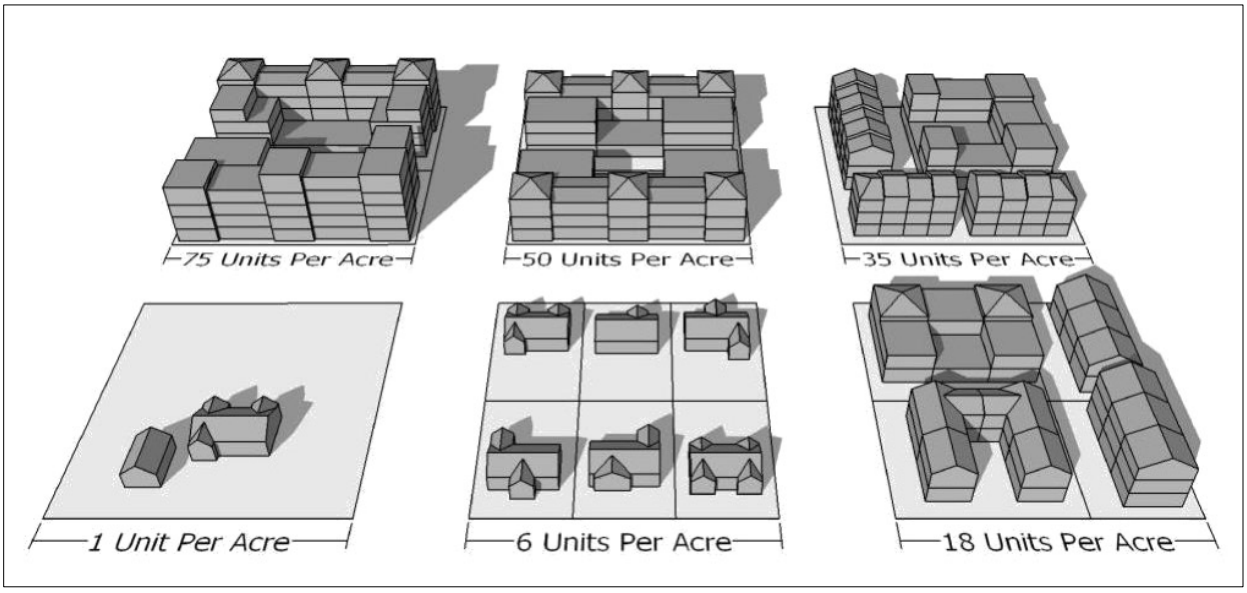
B. **Daycare Center, Primary Use.** A standalone day care facility not operated as a child day care home or accessory day care center. Includes infant centers, preschools, and extended child day care facility. [Source: NEW]

Day Spa and Salon. See definition for "Health or Day Spa." [Source: NEW]

Deemed Approved Status. The status of any legal activity in existence immediately prior to the effective date of any ordinance or this Code. [Source: 10-18A-6, modified]

Density. The number of dwelling units per gross acre, unless otherwise stated, for residential uses, and the floor area ratio (FAR) for commercial uses (see definition for "Floor Area Ration (FAR)." See Figure 10.120-1 (Residential Density – Dwelling Unit Per Acre), below. [Source: 10-2-3-D-4, modified]

FIGURE 10.120-1
RESIDENTIAL DENSITY – DWELLING UNIT PER ACRE



Density Bonus. As defined by Government Code Section 65915 et seq., is an increased density over the maximum authorized density which is granted to an owner/developer of a housing project meeting the qualifying requirements of Government Code Section 65915. When determining the number of dwelling units that are to be affordable, the number of dwelling units authorized by the density bonus shall not be included. See Section 10.50.050 (Density Bonus and Concessions for Affordable Housing). [Source: 10-2-3-D-5, modified]

Density Bonus Housing Agreement. A legally binding agreement between an owner/developer and the City of Reedley to ensure that the requirements of this Code and State law are satisfied. The agreement shall establish the number of bonus units, their size, location, terms, and conditions of affordability, and production schedule. The agreement shall also require proper management and maintenance of the units. See Section 10.50.050 (Density Bonus and Concessions for Affordable Housing). [Source: NEW]

Department Store. See "Retail Sales, General." [Source: NEW]

Development Standard. Any definitive, measurable characteristic or aspect of a development, specified by this Zoning Code, such as, but not limited to, yard setbacks, parking, building height, parcel area and dimensions, and defined linear distances such as for signs and spacing requirements. [Source: 10-2-3-P-11, modified]

Distribution Facility. See definition for "Warehousing Facility." [Source: NEW]

Drive-In and Drive-Through Sales. Facilities where food or other products may be purchased by motorists without leaving their vehicles. These facilities include, but are not limited to, fast-food restaurants, drive-through coffee, dairy products, and pharmacies, excluding any and all tobacco products and tobacco-related products, and excluding any and all alcohol products. [Source: NEW]

Dump. See definition for "Refuse Disposal Site." [Source: NEW]

Duplex. See definition for "Dwelling, Two-Unit." [Source: NEW]

Dwelling. A structure or portion thereof, designed exclusively for residential purposes, but not including hotels, motels, boarding and rooming houses, rest homes, convalescent homes, nursing homes, community care facilities, or childcare nurseries. This use was previously referred to as "family unit" in prior versions of this Code. Also see definition for "Household Unit." [Source: 10-2-3-D-11, modified]

A. **Dwelling, Accessory Dwelling Unit (ADU).** An attached or detached dwelling unit that provides complete independent living facilities on the same parcel as a legal single-unit or multi-unit dwelling, including permanent provisions for living, sleeping, eating, a full kitchen facility, and a bathroom facility. See Chapter 10.52 (Accessory Dwelling Unit) and Chapter 10.54 (Junior Accessory Dwelling Unit). [Source: NEW]

B. **Dwelling, Junior Accessory Dwelling Unit (JADU).** An accessory dwelling unit which is located within the living space of an existing primary single-unit dwelling, as defined in the California Health and Safety Code. See Chapter 10.52 (Accessory Dwelling Unit) and Chapter 10.54 (Junior Accessory Dwelling Unit). [Source: NEW]

C. **Dwelling, Manufactured Home and Mobile Home.** A structure intended for human habitation manufactured or constructed under authority of the Federal Manufactured Home Construction and Safety Standards, or State law. The structure is manufactured either in whole or in substantial part at an off-site location, transported to and assembled on-site, and placed on a permanent foundation. See Section 10.50.110 (Mobile Home Parks). [Source: 10-2-3-D-12, modified]

D. **Dwelling, Multi-Unit.** A residential structure containing four or more residential dwelling units, each of which is for the occupancy by one or more persons living as a single household unit, including fourplexes, apartments, and townhouses. [Source: NEW]

E. **Dwelling, Single-Unit.** Residential structure, including manufactured housing and mobile homes, when placed on a permanent foundation system, containing one dwelling unit located on a single parcel of land for occupancy by a single household. [Source: NEW]

F. **Dwelling, Three-Unit.** A residential structure containing three residential dwelling units, each of which is for the occupancy by one or more persons living as a single household unit, including triplexes, rowhouses, and townhouses. [Source: NEW]

G. **Dwelling, Two-Unit.** A residential structure containing two residential dwelling units, each of which is for the occupancy by one or more persons living as a single household unit, including duplexes and townhouses. [Source: NEW]

10.120.060 "E" Definitions

Easement. A grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity. [Source: 10-2-3-E-2, modified]

Educational Facilities. See definition for "School." [Source: NEW]

Electrical Distribution Substation. See definition for "Utility Facility and Infrastructure." [Source: NEW]

Electrical Transmission Substation. See definition for "Utility Facility and Infrastructure." [Source: NEW]

Emergency Shelter. Housing with minimal supportive services for homeless persons limited to occupancy of six months or less. In compliance with Government Code Section 65583(a)(4), emergency shelters shall also include other interim intervention facilities, including but not limited to bridge housing, navigation center, and respite or recuperative care. No individual or household may be denied emergency shelter because of an inability to pay. [Source: 10-2-3-E-6, modified]

Employee Housing.

A. **Employee Housing, Large.** Privately owned housing which houses seven or more employees in living quarters and is provided in connection with any work, whether or not rent is involved. Employee housing is subject to the provisions of the Employee Housing Act. [Source: 10-2-3-E-7, modified]

B. **Employee Housing, Small**. Privately owned housing which houses up to six employees in living quarters and is provided in connection with any work, whether or not rent is involved. Employee housing is subject to the provisions of the Employee Housing Act. [Source: 10-2-3-E-7, modified]

Equipment Sales and Rental Facility. Service establishment with or without outdoor storage/rental yards, which offer a wide variety of equipment types, including construction equipment. [Source: NEW]

10.120.070 "F" Definitions

Family. See definition for "Household Unit." [Source: 10-2-3-F-2, modified]

Family Daycare Home. A single-unit dwelling used by the occupant to provide day care and supervision for up to 14 children in compliance with the Health and Safety Code. Children under the age of 10 years who reside in the home do not count as a part of the 14-child maximum. [Source: NEW]

Farmer's Market and Multi-Tenant Market. An indoor or outdoor commercial establishment with multiple vendors that facilitates the sale of produce, plants, prepared foods and beverages, and other commercial goods. Establishments consist of booths, tables, or stands. [Source: NEW]

Farmworker Housing. See definition for "Agricultural Employee Housing." [Source: NEW]

Fence. Any structural device forming a vertical physical barrier, other than a wall (see definition for "Wall") intended to either mark the boundary of property, or act as a visual, noise, or security barrier. A fence may be made of a variety of materials and constructed with or without openings (see definition for "Fence, Open" and "Fence, Screened") in compliance with Chapter 10.34 (Fences, Walls, and Hedges). [Source: 10-2-3-F-4, modified]

Fence, Open. A fence, 50 percent or more of the vertical surface of which is open to the transmission of light, air, and vision. [Source: 10-2-3-F-5]

Fence, Screened. A fence, 90 percent or more of the vertical surface of which is closed to the transmission of light, air, and vision. [Source: 10-2-3-F-6]

Final Map. An official subdivision map filed for recordation with the County Recorder in compliance with Title 11 (Subdivisions) of Reedley Municipal Code and the Subdivision Map Act, evidencing divisions of land. Also referred to as a "Tract Map". [Source: 10-2-3-F-7]

Fixed Vending Establishment. A vending establishment consisting of one or more mobile vendors operating on private property. [Source: Policy and Procedure No. CD-012, modified]

Frontage. That portion of a parcel of property which abuts a dedicated public street or highway. [Source: 10-2-3-F-10]

Funeral and Burial Services.

A. **Funeral and Burial Services, Body Preparation and Cremation.** A facility where deceased persons are stored and/or prepared for burial, cremation, or viewing. Viewings, sales of funeral related items (i.e., caskets, urns), and funeral/memorial services are not allowed. See "Funeral and Burial Services, Funeral Home." [Source: NEW]

B. **Funeral and Burial Services, Funeral Home.** A facility which facilitates the sale of funeral and memorial service-related items (i.e., caskets, urns, memorial items). The facility may allow funeral memorial services and/or viewings. Does not include body preparation or cremation services of deceased persons. See "Funeral and Burial Services, Body Preparation and Cremation." [Source: NEW]

10.120.080 "G" Definitions

Gas Station. See definition for "Vehicle Fueling Station." [Source: NEW]

Garage, Private. See definition for "Accessory Structure." [Source: NEW]

Garage, Repair. See definition for "Vehicle Repair and Service." [Source: NEW]

Garage, Public. See definition for "Parking Facility." [Source: NEW]

Garden Structure. See definition for "Accessory Structure." [10-2-3-G-8, modified]

General Plan. The City of Reedley General Plan, including all its elements and all amendments to the General Plan, as adopted by the City Council under the provisions of Government Code Sections 65300 et seq., and referred to in this Zoning Code as the "General Plan." [Source: 10-2-3-G-5, modified]

General Plan Amendment (GPA). The legislative act of changing the General Plan, including, but not limited to, a change in land use designation, circulation designation, or a modification of the text itself. [Source: 10-2-3-G-6]

Golf Course. A tract of land, either public or private, dedicated to playing the game of golf, and improved with trees, greens, fairways, and hazards. Golf course may include related facilities such as clubhouses, golf schools and driving ranges and accessory uses such as restaurants, pro shops, and related facilities. See "Country Club." [Source: NEW]

Group Housing.

A. **Group Housing, Large.** Any structure, facility, premises, or portion thereof, at which seven or more persons reside in a group occupancy setting, but not including a hotel, motel, fraternity, sorority, rooming and/or boarding house, skilled nursing facility or emergency shelter. This facility is generally characterized by the provision of a prearranged or organized household structure or program. Residents of a facility may also receive medical treatment in addition to any nonmedical supportive services in a residential or congregate care setting, as opposed to a hospital. [Source: 10-2-3-G-7, modified]

B. **Group Housing, Small.** Any structure, facility, premises, or portion thereof, at which up to six persons reside in a group occupancy setting, but not including a hotel, motel, fraternity, sorority, rooming and/or boarding house, skilled nursing facility or emergency shelter. This facility is generally characterized by the provision of a prearranged or organized household structure or program. Residents of a facility may also receive medical treatment in addition to any nonmedical supportive services in a residential or congregate care setting, as opposed to a hospital. [Source: 10-2-3-G-7, modified]

Guest. Any transient person who occupies a room for sleeping purposes. [Source: 10-2-3-G-9]

Guest Room. A room which is designed to be occupied by one or more guests for sleeping purposes but without full kitchen facilities, not including dormitories. [Source: 10-2-3-G-11]

Guest Quarters. An accessory structure that provides sleeping or living accommodations located on the same premises with an existing main structure, such accommodations having no full kitchen facilities (See definitions for "Kitchen", "Kitchenette", and "Wet Bar") and not rented or otherwise used as a separate dwelling unit. [Source: 10-2-3G-10]

Gym and Athletic Club. A commercial membership facility that provides fitness services and facilities including, but not limited to, weight rooms, exercise classes and courses, exercise equipment, and health and lifestyle training. [Source: NEW]

10.120.090 "H" Definitions

Health or Day Spa. Establishments engaged in the purchase, sale or transaction of personal services rendered by licensed professionals such as manicurists, aestheticians, makeup artists, hairstylists, massage therapists, and other related health and beauty professionals. Shall include a sauna, whirlpool, cryotherapy chamber, and other similar amenities for the incidental use of patrons. May include beauty shop, nail salon, barber shop, or massage establishment/parlor. See "Personal Service, General." [Source: 10-2-3-D-3, modified]

Hedge. A series of plant material arranged in a formal pattern to create a barrier of plants which are cut or clipped to create a living fence. [Source: 10-2-3-H-2]

Helipad. See definition for "Airport, Heliport, Helipad." [Source: NEW]

Heliport. See definition for "Airport, Heliport, Helipad." [Source: NEW]

Home and Business Service. Establishment providing homeowners, landlords, and other businesses with services including maintenance, repair and service, testing, and rental including: [Source: NEW]

- Advertising service
- Business equipment repair/service
- Commercial art and design
- Protective service
- Computer-related services
- Soil and materials testing
- Window cleaning
- Photo developing and processing
- Mail advertising service
- Janitorial service (including carpet cleaning services)
- Extermination service
- Appliance repair services
- Linen suppliers
- Locksmiths
- Property management services
- Heating, ventilation, and air conditioning (HVAC) repair and installation services

Home Occupation. The conduct of an art or profession, the offering of a service or the conduct of a business, or the handicraft manufacture of products within a residential dwelling, subject to the property owner's authorization, which use is clearly incidental and secondary to the use of the structure for dwelling purposes and which does not change the character thereof. [Source: 10-2-3-H-3, modified]

Horse Stable. Private or commercial structure including, but not limited to, a corral or paddock for the keeping of one or more horses. [Source: 10-2-3-S-47]

Hospital. Facility providing medical, physical, psychiatric, or surgical services on a 24-hour basis for sick or injured persons primarily on an in-patient basis and including ancillary facilities for out-patient and emergency treatment, diagnostic services, training, research, administration, and ancillary services to patients, employees, or visitors (i.e., cafeteria, gift/flower shop, waiting rooms, pharmacy). [Source: 10-2-3-H-3, modified]

Hotel/Motel. A commercial establishment that provides lodging, and usually food services (restaurant), entertainment and personal services to the public based on an agreed payment of a fixed amount of money in exchange for use of the guestroom for a fixed period of time, typically on a nightly or weekly basis, but not for more than 29 consecutive days, but excluding a housing facility, emergency shelter, fraternity, sorority, rooming or boarding house, rest home or family. "Hotel" shall not be construed to include trailer court, hospital or other institutional building or jail or other building where persons are housed under restraint. [Source: 10-2-3-H-4, modified]

Household Unit. One or more persons, related or unrelated, living together as a single integrated household in a dwelling unit. [Source: NEW]

10.120.100 "I" Definitions

Illegal Activity. An activity which has been determined to be in noncompliance with the established performance standards, permit processing procedures, and required activities in this Code. Such an activity, land use, and/or entitlement shall lose its approved status and shall no longer be considered an approved activity. [Source: 10-18A-6]

Industrial. Establishment engaged in the manufacturing of finished parts or products either from raw materials or previously prepared materials, within an enclosed structure. Includes processing, fabrication, assembly, treatment, testing, packaging, storage/warehousing, incidental office space, sales, and distribution of the parts or products. Excludes vehicle/equipment rentals, vehicle repair and service, vehicle sales. [Source: NEW]

A. **Industrial, Hazardous.** Manufacturing facilities that produce or use explosives, or basic chemicals, and other establishments creating products predominantly by chemical processes. Facilities included in this definition manufacture four general classes of products: [Source: NEW]

1. Ammunition manufacturing;
2. Biofuels or batteries;
3. Chemical products to be used in further manufacture, including synthetic fibers, plastic materials, dry colors, and pigments; and
4. Finished products to be used for ultimate consumption, including prescription/over-the-counter drugs, cosmetics, batteries, and soaps; or to be used as materials or supplies in other industries including paints, fertilizers, petroleum, oils, tar, asphalt, gas, and explosives.

B. **Industrial, Major.** The manufacturing, processing, storing, and/or testing of goods using large quantities of raw materials, and generally requiring high capitalization and production of large quantities of output. Major industrial uses often sell products to other businesses rather than consumers. Characteristics of major industrial uses include, but are not limited to, heavy trucking activity, noise, emissions requiring Federal or State environmental permits, and use of large quantities of raw materials. Examples of major industrial uses include, concrete and plaster manufacturing, metal production, firearm manufacturing, glass product manufacturing, paving and roofing materials manufacturing, synthetic product manufacturing, wood and lumber processing, pulp and pulp paper product manufacturing, textile and leather product manufacturing, cotton processing, rubber processing, coal processing, and assembly and manufacturing of vehicle and/or vessels (including aircraft). [Source: NEW]

C. **Industrial, Minor.** The manufacturing, processing, storing, and/or testing of consumer-oriented goods in a manner that does not produce noticeable odors, air emissions, noise, or other environmental effects, and that has limited associated trucking activity. Minor industries generally require limited amounts of raw materials to produce goods. Examples of minor industrial uses include food and beverage manufacturing/production, artisan/craft product manufacturing, cold storage and packing houses, bottling plant, electronics, equipment and appliance manufacturing, small-scale manufacturing/assembly, machine shops, dyeing plant, metal product fabrication, clay and pottery product manufacturing, optical glass production, commercial laundries and dry-cleaning plants, cabinet shop, welding shop, and assembly of small electronics and medical equipment. [Source: NEW]

D. **Infill Development.** A project of less than five acres in the city limits, which is consistent with General Plan and Zoning Code, is served by all required utilities and public services, and would not result in any traffic, noise, air or water quality effects related to the surrounding built environment. [Source: 10-2-3-I-1]

E. **Intermediate Care Facility.** See "Community Care Facility." [Source: NEW]

10.120.110 "J" Definitions

Junk. Any worn out, cast off, or discarded article or material that is ready for destruction or has been collected or stored for salvage or conversion to some use; some of which may be re-useable. [Source: 10-2-3-J-1, modified]

Junkyard. A site or portion of a site on which waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including used furniture and household equipment yards, house wrecking yards, used lumber yards and the like; excepting a site on which uses are conducted within a completely enclosed structure and excepting automobile wrecking yards as defined in this section. An establishment for the sale, purchase or storage of used cars, farm equipment or salvaged machinery in operable condition and the processing of used or salvaged materials as part of a manufacturing operation shall not be deemed a junkyard. [Source: 10-2-3-J-3]

10.120.120 "K" Definitions

Kennel. Any parcel, building, structure, enclosure, or premises where domesticated household animals are boarded, trained, or kept, whether in special buildings or runways or not. May also include daytime boarding and activity for animals (e.g., "doggie daycare" "doggie hotel") and ancillary grooming facility. [Source: 10-2-3-K-2, modified]

Kitchen. A room or space within a structure intended to be used for the cooking or preparation of food. A kitchen includes appliances or fixtures for the storage and/or preparation of food, including but not limited to refrigeration, dishwashers, countertops, cabinets, sinks, or cooking facilities (e.g., cook tops, stoves, ovens). For the purpose of this definition, wet bars are exempt. [Source: 10-2-3-K-2, modified]

Kitchenette. Any room used or intended or designed to be used for cooking or the preparation of food that does not include a primary heating source. [Source: 10-2-3-K-3]

10.120.130 "L" Definitions

Land Use. The purpose for which a site or structure is arranged, designed, intended, constructed, moved, erected, altered, or enlarged or for which either a site or structure is or may be occupied or maintained. [Source: 10-2-3-U-3, modified]

Land Use, Allowed. A land use which is listed as "allowed" in any given zoning district in this Zoning Code. Allowed land uses need not meet special requirements as a condition precedent to be allowed to establish in a given zone district. Also referred to as "land use allowed by-right". [Source: 10-2-3-U-7, modified]

Land Use, Ancillary. A land use incidental, related, appropriate, and clearly subordinate to the main use of the site or building, which ancillary use does not alter the principal use of the site. Ancillary land uses shall make up less than 50 percent of a site. Also referred to as "accessory use". [Source: 1-0-2-3-U-4, modified]

Land Use, Conditional. A land use which is listed as a conditional use in any given zoning district in this Zoning Code. Conditional uses may be required to meet certain requirements as a condition precedent to the granting of a use permit which will allow the establishing of a conditional use as established in Chapter 10.100 (Conditional Use Permit). [Source: 10-2-3-U-5, modified]

Land Use, Nonconforming. Use of a structure or land which, under this title, does not conform with the use regulations for the district in which it is located. [Source: 10-2-3-U-6, modified]

Land Use, Primary. The land use that makes up more than 50 percent, if not all, of a parcel. Also referred to as "main use". [Source: 10-2-3-U-8, modified]

Landscaping. The planting and continued maintenance of suitable vegetation in conformity with the requirements of Chapter 10.36 (Landscaping) of this Zoning Code. [Source: 10-2-3-L-1, modified]

Large Family Daycare Home. See definition for "Family Day Care Home." [Source: NEW]

Legal Nonconforming Alcoholic Beverage Sales Activity. An alcoholic beverage sales activity which was a nonconforming use in compliance with the nonconforming use regulations in Section 10.50.020 (Alcohol Beverage Sales Establishments) of this Code, and for which a valid license had been issued by an agency under the jurisdiction and control of the State of California and used in the exercise of the rights and privileges conferred by the license, at a time immediately prior to the effective date of the deemed approved alcoholic beverage sale regulations. Such an activity shall be considered a deemed approved activity, and shall no longer be considered a legal nonconforming activity, except such activity shall be subject to those zoning regulations relating to nonconforming uses as specified in Section 10.50.020 (Alcohol Beverage Sales Establishments) as of the effective date of the deemed approved alcoholic beverage sale regulations. [Source: 10-18A-6]

Legal Nonconforming Structure: A structure which was lawfully erected prior to the adoption of this Zoning Code, but which no longer conforms with the standards of setbacks, coverage, yard space, height of structures or distance between structures prescribed in the regulations for the zone district in which the structure is in compliance with the Zoning Code. Legal nonconforming structures shall be subject to the regulations established in Article 5 (Nonconformities). [Source: 10-2-3-L-3]

Legal Nonconforming Use: Use of a structure or land which was lawfully established and maintained prior to the adoption of this Zoning Code, but which, under this title, does not conform with the use regulations for the district in which it is located. Legal nonconforming structures shall be subject to the regulations established in Article 5 (Nonconformities). [Source: 10-2-3-L-4]

Loading. The removal or placement of any commodity in, on, or from a vehicle of any type. [Source: 10-2-3-L-5]

Loading Space. An off-street space or berth on the same lot with a primary structure, or contiguous to a group of structures for the temporary parking of commercial vehicles while loading or unloading, which space abuts a street, alley, or other appropriate means of ingress and egress. [Source: 10-2-3-L-6]

Local Contact Person. A person designated by an owner or the owner's agent, who, if designated to act as such, shall be available to respond to notification of a complaint regarding the dwelling, and take remedial action necessary. A local contact person may be the owner or the owner's agent.

Lodge. See definition for "Place of Assembly." [Source: 10-2-3-L-7 modified]

Lot. See definition for "Parcel." [Source: 10-2-3-L-9, modified]

Lot Area. See definitions for "Parcel Area." [Source: 10-2-3-L-10, modified]

Lot Coverage. See definition for "Parcel Coverage." [Source: 10-2-3-L-12, modified]

Lot Depth. See definitions for "Parcel Depth." [Source: 10-2-3-L-13, modified]

Lot Width. See definition for "Parcel Width." [Source: 10-2-3-L-23, modified]

Lounge. See definition for "Bar." [Source: NEW]

Low Barrier Navigation Center. Housing or shelter in which a resident who is homeless or at risk of homelessness may live temporarily while waiting to move into permanent housing. Allowed within mixed use projects in commercial zone districts. [Source: NEW]

10.120.140 "M" Definitions

Marijuana Cultivation, Personal Use. The planting, growing, harvesting, drying, and processing of up to six marijuana plants or any part thereof by persons 21 years of age or older for personal use or transfer without any compensation whatsoever to persons 21 years of age or older. [Source: NEW]

Medical Building. See "Office, Medical." [Source: NEW]

Mezzanine. An intermediate floor placed in any story or room. When the total area of any such mezzanine floor exceeds thirty-three and one- third percent (33 1/3) of the total floor area in that room, it shall be considered as constituting an additional story. The clear height above or below the mezzanine floor construction shall be not less than seven feet. [Source: 10-2-3-M-2, modified]

Mini Storage. See "Storage Facility, Personal." [Source: NEW]

Minor Deviation. A modification of up to 10 percent of any property development standard noted in the text of this Zoning Code, for any "zone district", as defined in this Zoning Code, that is found to not be detrimental to the public welfare or injurious to property and improvements in the area in which the property is located. Minor deviations shall be applied for and processed in compliance with Chapter 10.94 (Minor Deviation). [Source: 10-2-3-M-4]

Mixed-Use. A parcel developed as a unit containing more than one land use type. [Source: NEW]

Mobile Home Parks. Any parcel or contiguous parcels of land, designed or intended to be used to accommodate mobile homes on a permanent or semi-permanent basis, in compliance with Section 10.50.110 (Mobile Home Parks) of this Code. [Source: NEW]

Mobile Recycling Unit. See definition for "Recycling Facility, Small Collection." [Source: NEW]

Mobile Vendor. A mobile vendor is a fully enclosed vehicle with cooking, hot holding, mechanical refrigeration equipment, and electrical generator. All food preparation must be done on the vehicle or at commercial kitchens permitted as commissaries. Vehicles, food, equipment, or utensils used for retail operations may NOT be stored, used, prepared, or serviced at private homes. [Source: Fresno County Environmental Health, Consumer Food Program]

Motel. See definition for "Hotel/Motel.". [Source: NEW]

Motor Vehicle Wrecking Yard. See definition for "Vehicle Salvage and Dismantling Facility." [Source: NEW]

Museum. A commercial, public, or quasi-public facility that provides space for preserving and exhibiting artistic, historical, scientific, natural, or other objects of interest. Activities may include the sale of objects collected and memorabilia, the sale of crafts work and artwork, boutiques, and the holding of meetings and social events. [Source: NEW]

10.120.150 "N" Definitions

Nightclub. See definition for "Bar." [Source: NEW]

Noncommercial Speech. Any message that is not commercial speech, which includes but is not limited to, messages concerning political, religious, social, ideological, public services and informational topics.

10.120.160 "O" Definitions

Occupant. Any person who is on or in a short-term rental property other than service providers, the owner, or Local Contact Person, whether or not the person stays overnight. [Source: NEW]

Occupancy Frontage. A single linear dimension measured horizontally along the front of a structure which defines the limits of a particular occupancy at that location and which has direct customer (pedestrian or vehicular) access through an exterior wall which is visible from the public right-of-way. [Source: 10-2-3-O-1]

Off Street Loading Facility. A site or a portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives and landscaped areas. [Source: 10-2-3-O-2]

Off Street Parking Facility. A site or a portion of a site devoted to the off street parking of motor vehicles including parking spaces, aisles, access drives and landscaped areas. [Source: 10-2-3-O-3]

Office. Facility or business that predominantly offers medical, professional, or business services. [Source: NEW]

A. **Office, Medical.** Facility primarily providing outpatient medical, mental health, minor surgical, and other similar personal health services, but which is separate from a hospital, including: medical, dental, and psychiatric offices, outpatient care facilities, acupuncture, and other allied health services. [Source: NEW]

B. **Office, Professional.** Facility and businesses that predominantly offer professional and/or business services including, but not limited to architects, attorneys, accountants, advertising, computer support, land use planners, and other similar professional services and uses. [Source: NEW]

Operator. The owner(s) or the designated agent of the owner(s) who is responsible for compliance with all applicable provisions of Title 10 – Zoning Code of the City of Reedley. "Operator" includes a lessee. [Source: NEW]

Owner. The person(s) or entity(ies) that holds legal or equitable title to a dwelling. [Source: NEW]

10.120.170 "P" Definitions

Parcel. A recorded parcel of real property under single ownership, lawfully created as required by the Subdivision Map Act and City ordinances, including this Zoning Code. Types of lots include the following (see Figure 10.120-2 (Parcel Types)). [Source: 10-3-L-10, modified]

A. **Corner Parcel**. A parcel located at the intersection of two or more streets, where they intersect at an interior angle of not more than 135 degrees. If the intersection angle is more than 135 degrees, the parcel is considered an interior lot. [Source: 10-2-3-L-11, modified]

B. **Flag parcel.** A parcel having access from the building site to a public street by means of private right-of-way strip that is owned in fee. [Source: NEW]

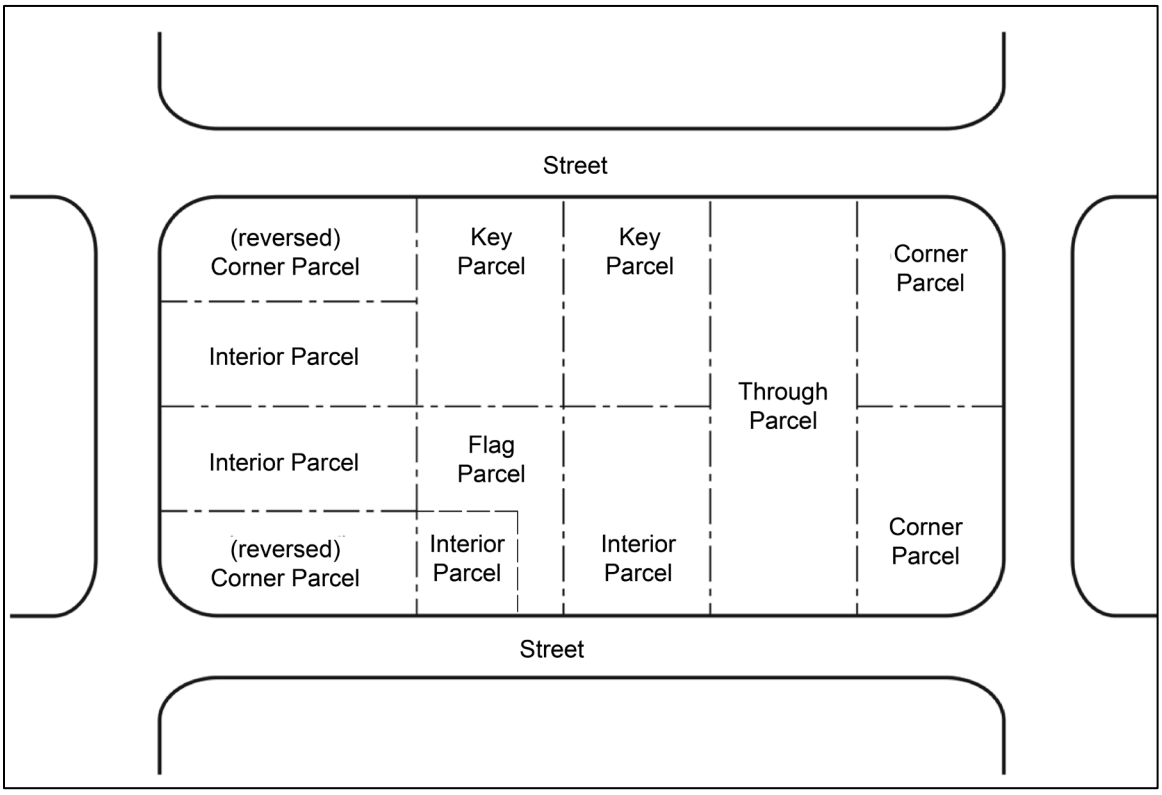
C. **Interior Parcel.** A parcel abutting only one street. [Source: 10-2-3-L-15, modified]

D. **Key Parcel.** An interior parcel, the front of which adjoins the side property line of a corner parcel. [Source: 10-2-3-L-16, modified]

E. **Reverse Corner Parcel.** A corner parcel, the rear of which abuts the side of a key parcel. [Source: 10-2-3-L-21, modified]

F. **Through Parcel.** A parcel with frontage on two generally parallel streets. [Source: 10-2-3-L-22, 10-2-3-L-14, modified]

FIGURE 10.120-2
PARCEL TYPES



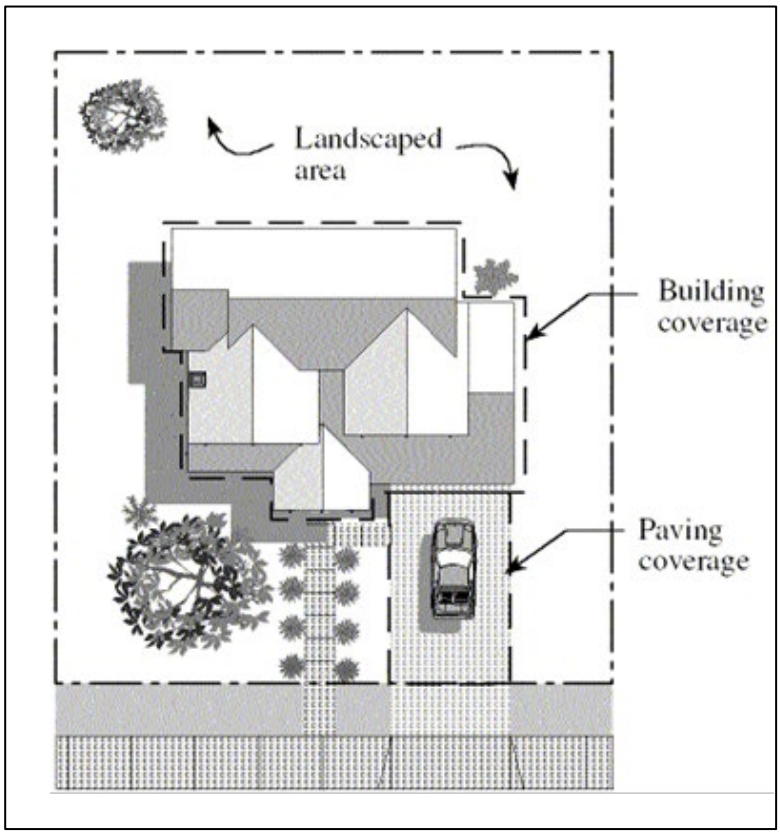
Parcel Area. The total horizontal area within the parcel lines of a parcel. [Source: 10-2-3-L-10, modified]

A. **Gross Parcel Area.** The parcel width multiplied by the parcel depth. See Figure 10.120-3 (Parcel Features).

B. **Net Parcel Area.** The gross parcel area subtracted by the horizontal area of all easements on the parcel. See Figure 10.120-3 (Parcel Features).

Parcel Coverage. The percentage of total site area occupied by structures. Structure coverage includes the primary structure, all accessory structures (e.g., carports, garages, patio covers, storage sheds, trash dumpster enclosures, etc.) and architectural features (e.g., chimneys, balconies, decks above the first floor, porches, stairs, etc.). Parcel coverage is measured from exterior wall to exterior wall. Parcel coverage does not include the landscaped area of a parcel or paving coverage. See Figure 10.120-3 (Parcel Coverage). [Source: 10-2-3-L-12, modified]

FIGURE 10.120-3
PARCEL COVERAGE



Parcel Line or Property Line. Any recorded boundary of a parcel. Types of parcel lines are as follows (see Figure 10.120-4 (Parcel Features)):

C. **Front Parcel Line.** On an interior parcel, the parcel line separating the parcel from the street or City right-of-way. The front parcel line on a corner parcel is the line with the shortest frontage. If the street-fronting parcel lines of a corner parcel are equal in length, the front parcel line shall be determined by the Director. On a through parcel, both parcel lines are front parcel lines, and the parcel is considered to have no rear parcel line. [Source: 10-2-3-L-17, modified]

D. **Interior Side Parcel Line.** Any side parcel line not abutting a street. [Source: NEW]

E. **Rear Parcel Line.** A parcel line that does not intersect the front parcel line, which is most distant from and most closely parallel to the front parcel line. [Source: 10-2-3-L-18, modified

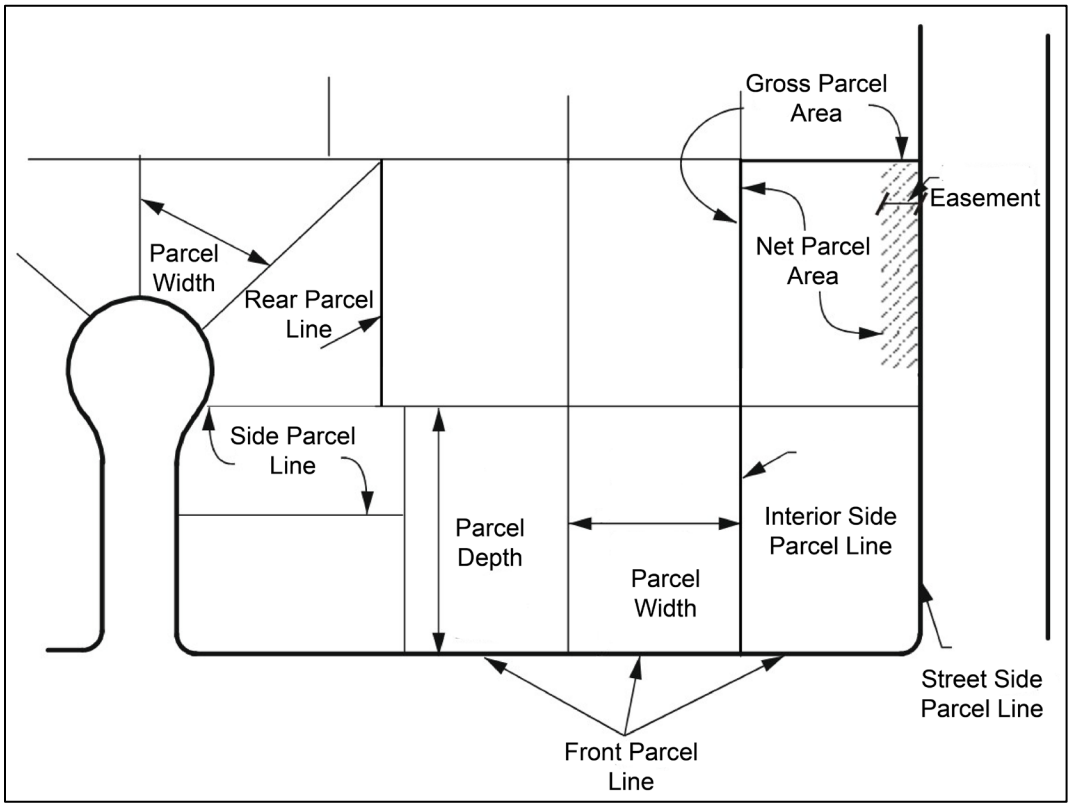
F. **Side Parcel Line.** Any parcel line that is not a front or rear parcel line. [Source: 10-2-3-L-19, modified]

G. **Street Side Parcel Line.** The longer street fronting parcel line of a corner lot. [Source: NEW]

Parcel Depth. The depth of a parcel shall be the horizontal length of a straight line connecting the midpoints of the front and rear parcel lines. See Figure 10.120-4 (Parcel Features). The Director shall determine parcel depth for parcels of irregular shape. [Source: 10-2-3-L-13, modified]

Parcel Width. The horizontal distance between the side parcel lines, measured at right angles to the parcel depth at a point midway between the front and rear parcel lines. See Figure 10.120-4 (Parcel Features). The Director shall determine parcel width for parcels of irregular shape. [Source: 10-2-3-L-23, modified]

FIGURE 10.120-4
PARCEL FEATURES



Parcel Map. A map showing the subdivision of land involving four or fewer parcels, in compliance with Title 11 (Subdivision Regulations) of the Reedley Municipal Code and the Subdivision Map Act. [Source: 10-2-3-P-1]

Park. Open space, river, river-access, beaches, and/or beach-access facilities owned and operated and/or formally designated, whether named or unnamed, by the City Council. [Source: provided by City Staff]

Parking District. A government parking district maintained by the Federal, State, County , City or special district. [Source: 10-2-3-P-2]

Parking Facility. A site or a portion of a site devoted to the off-street parking of motor vehicles including parking spaces, aisles, access drives and landscaped areas. [Source: 10-2-3-O-4, modified]

Patio. An outdoor space that is typically paved or made of a solid base and unobstructed from the base to the sky. [Source: 10-2-3-P-3]

Patio Cover. An outdoor space that is typically paved or made of a solid base and has a structure projecting over it. Also referred to as a porch. [Source: 10-2-3-P-4]

Pedestrianways: a paved surface, protected from motorized vehicles and bicycles, which is specifically designated or intended to be open to pedestrian travel.

Pennant. Lightweight plastic, fabric, or other materials, suspended from a rope, wire, or string designed to move in the wind. Does not include banners or individual flags mounted on a single pole. [Source: 10-2-3-P-5, modified]

Permanent Cosmetics or Makeup. Any application of pigment to or under the skin of a person for the purpose of permanently or semi-permanently changing the color or appearance of the skin. Includes, but is not limited to, permanent or semi-permanent eyeliner, eyebrows, or lip color. Applicators of permanent cosmetics or makeup are considered body art practitioners. [Source: 10.13.8.B.7]

Personal Service, General. Commercial establishment that provides personal services. May also include accessory retail sales of products related to the personal services. Does not include health or day spas of any kind. See "Health or Day Spa." General personal services include: [Source: NEW]

- Alterations
- Ambulance service
- Barber and beauty shop
- Clothing rental shop
- Dry-cleaning
- Laundromat (self-service laundry)
- Locksmith
- Nail salon
- Shoe repair
- Hair Salon

Petrol Station. See definition for "Vehicle Fueling Station."

Place of Assembly. Facility intended for public or private assembly and meetings, including civic and private auditoriums, banquet halls, community centers, conference, and convention facilities, meeting halls for clubs and other membership organizations, and places of worship (i.e., church, synagogue). [Source: NEW]

Planned Land Use Designation. The depiction of different land use designations as shown by various colors on the General Plan Land Use Map. Each designation is identified and goals and policies for each planned land use designation are listed in the General Plan. [Source: 10-2-3-P-8]

Plate Line. The top horizontal line of a building wall upon which the roof rests.

Playground. An outdoor recreation area which provides recreation oriented to children with facilities which typically include play structures and spaces for court games and field games. [Source: NEW]

Printing Shop. A commercial establishment that provides duplicating services using photocopy, blueprint, and/or offset printing equipment, including collating of booklets and reports, for orders from an individual, business, profession, service, industry, or government organization. [Source: NEW]

Processing Facility. See definition for "Recycling Facility." [Source: NEW]

Professional Office. See definition for "Office, Professional." [Source: NEW]

Property Development Standard. See definition for "Development Standard." [Source: 10-2-3-P-11, modified]

Public and Quasi-Public Use. Any property, structure, or land use therof that is owned, leased, and/or maintained by the City of Reedley, Fresno County, State of California, or Federal Government. These uses include:

A. **Library.** Public facility that provides the use of literary, musical, artistic, or reference materials. [Source: NEW]

B. **Public Building.** Structure used (either owned or rented) by public agencies, including City of Reedley, Fresno County, State of California, and or Federal administration buildings; fire stations, and other fire prevention and firefighting facilities; police and sheriff substations and headquarters, including interim incarceration facilities, and post offices. Does not include facilities specifically identified under another land use category, including schools. [Source: NEW]

C. **Public Structures.** Including telecommunication towers, monuments, and statues.

D. **Public Recreation Area.** Noncommercial outdoor recreation area that provides a variety of recreational facilities including playground equipment, open space areas for active and passive recreation and picnicking, and sport and active recreational facilities. May also include enclosed structures providing for recreational opportunities and community gardens. [Source: NEW]

Public Artwork.

For the purposes of inclusion in the development process, public artwork shall be defined as follows:

A. Sculpture: freestanding, wall supported or suspended; kinetic, electronic; in any appropriate material or combination of materials. [Source: 10-2-3-P-12]

B. Murals or portable paintings: in any appropriate material or variety of materials, with or without collage or the addition of nontraditional materials or means. [Source: 10-2-3-P-12]

C. Photography, original works of graphic art, limited edition prints, works on/off paper, original paintings on approved walls or surfaces. [Source: 10-2-3-P-12]

D. Earthworks, fiber works, waterworks, neon, glass, mosaics, or any combination or forms of media including sound, literary elements, holographic images, or hybrids of media and new genres. [Source: 10-2-3-P-12]

E. Furnishings or fixtures, including, but not limited to, gates, railings, streetlights or seating, if created by artists as unique elements. [Source: 10-2-3-P-12]

F. Artistic or aesthetic elements of the overall architecture or landscape design if created by a professional artist or a design team that includes a professional visual artist. [Source: 10-2-3-P-12]

G. The following items shall not be eligible for inclusion as public artwork:

H. Directional elements such as supergraphics, signage or color coding except where these elements are integral parts of an overall design created by a professional visual artist.

I. "Art objects" which are mass produced or of standard manufacture, such as playground equipment, fountains, or statuary elements, unless incorporated into an artwork by a project artist. [Source: 10-2-3-P-12]

J. Mass produced reproductions, by mechanical or other means, of original works of art. [Source: 10-2-3-P-12]

K. Decorative, ornamental, architectural or functional elements which are designed by the building architect, as opposed to elements created by an artist commissioned for that purpose. [Source: 10-2-3-P-12]

Public Entrance. A doorway which has been designed for the primary use of the patrons or customers of that commercial use. Also referred to as “customer entrance”. [Source: 10-2-3-P-13]

Public Utility Service Yard. See definition for “Utility Facility and Infrastructure.”

10.120.180 “Q” Definitions

Quasi-Public Organization. Any nongovernment organization that is devoted to public service and welfare. [Source: 10-2-3-Q-1]

10.120.190 “R” Definitions

Railroad Right-of-Way. A piece of real property for the accommodation of main lines or branch line railroad tracks, switching equipment and signals, but not including lands on which stations, offices, storage buildings, spur tracks, sidings, section gang and other employee housing yards or other uses are located. [Source: 10-2-3-R-1]

Razor Wire. A mesh of metal strips with sharp edges, usually strung along the tops of fences in three parallel strips. [Source: 10-2-3-R-2]

Reasonable Accommodation. Providing individuals with disabilities, or developers of housing for individuals with disabilities, flexibility in the application of land use, zoning and building regulations, policies, practices and procedures or waiving enforcement, if necessary, to ensure equal access to housing for individuals with disabilities in compliance with Chapter 10.90 (Reasonable Accommodation), and State and Federal fair housing laws. [Source: 10-2-3-R-3, modified]

Recreational Vehicle (RV). A motor home, travel trailer, truck camper or camping trailer, with or without motive power, designed not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. [Source: 10-2-3-R-4, modified]

Recreational Vehicle (RV) Park. A parcel, or contiguous parcels, of land under single ownership, designed or intended to be used to accommodate recreational vehicles on a transient basis (30 days of continuous occupancy or less). [Source: 10-2-3-T-10, modified]

Recyclable Material. Includes paper, plastics, glass, aluminum, corrugated cardboard, and other materials which can be separated from regular garbage for reuse not including yard waste diverted from the solid waste stream. [Source: 10-2-3-R-5]

Recycling.

A. **Recycling, Collection Facility.** A center for the acceptance by donation, redemption, or purchase of recyclable materials from the public. Such a facility does not use power driven processing equipment except as indicated in Section 10.50.140 (Recycling Facilities) of this Title.

B. **Reverse Vending Machine.** An automated mechanical device which accepts at least one or more types of empty beverage containers including, but not limited to, aluminum cans, glass and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the state. A reverse vending machine may sort and process containers mechanically, provided that the entire process is enclosed within the machine. In order to accept and temporarily store all three (3) container types in a proportion commensurate with their relative redemption rates, and to meet the requirements of certification as a recycling facility, multiple grouping of reverse vending machines may be necessary. [Source: 10.13.6.C, 10-2-3-R-10]

C. **Bulk Reverse Vending Machine.** A bulk reverse vending machine is a reverse vending machine that is larger 50 square feet, is designed to accept more than one container at a time and will pay by weight instead of container. [Source: 10.13.6.C]

D. **Collection Facility, Small.** Small collection facilities which occupy an area of not more than 500 square feet, and may include: [Source: 10.13.6.C.2, 10-2-3-C-9]

a. A mobile unit;

b. Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet;

c. Kiosk type units which may include permanent structures; and/or

d. Unattended containers placed for the donation of recyclable materials

E. **Collection Facility, Large.** Large collection facilities which may occupy an area of more than 500 square feet and may include permanent structures. [Source: 10.13.6.C.3, 10-2-3-C-9]

F. **Mobile Recycling Unit.** An automobile, truck, trailer, or van, licensed by the California Department of Motor Vehicles which is used for the collection of recyclable materials. A mobile recycling unit also means the bins, boxes or containers transported by trucks, vans, or trailers, and used for the collection of recyclable materials. [Source: 10.13.6.C]

G. **Processing Facility.** A structure or enclosed space used for the collection and processing of recyclable materials. "Processing" means the preparation of material for efficient shipment or to an end user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include the following:

H. **Light Processing Facility.** A light processing facility occupies an area of under 45,000 square feet of gross collection, processing and storage area and has up to an average of two outbound truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source separated recyclable materials and repairing of reusable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers. [Source: 10.13.6.C.1.1]

I. **Heavy Processing Facility.** A heavy processing facility is any processing facility other than a light processing facility. [Source: 10.13.6.C.2.1]

J. **Recycling Facility.** A center for the collection and/or processing of recyclable materials. A certified recycling facility or certified processor means a recycling facility certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property, business, or manufacturer. [Source: 10.13.6.C]

K. **Recycling Facility, Transfer Station.** A facility which sorts and removes recyclable materials (including paper, metal, wood, inert materials such as soils and concrete, green waste, glass, aluminum and cardboard) through separation and sorting technologies to divert these materials from the waste stream otherwise destined for a refuse disposal site. [Source: NEW]

Refuse Disposal Site. A place used for the disposal, abandonment, processing, or discarding by burial, incineration or by any other means of any garbage, sewage, trash, refuse, rubble, waste material, offal, or dead animals. [Source: 10-2-3-D-9, modified]

Research and Development Activities. A facility for scientific research, and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, biotechnological, medical, and mechanical components in advance of product manufacturing. This use shall include assembly of related products from parts produced off-site where the manufacturing activity is secondary to the research and development activities. [Source: NEW]

Residence. A structure containing a dwelling unit designed for occupancy or occupied by one or more household units. [Source: 10-2-3-R-7, modified]

Restaurant. A fixed commercial establishment where, during all business hours, food and beverages are prepared, sold, and served to patrons, for consumption on or off the premises. Establishments shall comply with all applicable local, State, and Federal regulations regarding eating and drinking establishments. Use to include fine dining establishments, sandwich shops, delicatessens, donut shops, tearooms, cafes, and ice cream parlors. [Source: NEW]

Restaurant, Established. A fixed commercial establishment that was in operation prior to the approved placement of a "fixed" vending establishment. [Source: Policy and Procedure No. CD-012]

Retail Sales.

A. **Retail Sales, Appliances and Furniture.** A commercial establishment engaged primarily in the selling of household appliances, mattresses, and furniture, including incidental repair services. Examples of these establishments include: [Source: NEW]

- Draperies
- Floor coverings
- Home appliances
- Home furnishings
- Home sound systems
- Interior decorating materials and services
- Large musical instruments (i.e., piano, organ)
- Movable spas and hot tubs
- Office furniture
- Outdoor furniture
- Televisions

B. **Retail Sales, Convenience Store.** A commercial establishment which carries a range of merchandise oriented to convenience and travelers' shopping needs. These stores may be part of a vehicle fueling station. The sales floor area devoted to alcohol sales shall not exceed 25 percent of the total floor area dedicated to merchandise sales, or as determined by the Community Development Director. [Source: NEW]

C. **Retail Sales, General.** Commercial establishment within a structure, engaged in selling goods or merchandise to the general public for profit. Examples of these establishments and types of merchandise include but are not limited to: [Source: NEW]

- Appliances
- Art studio and gallery
- Artists' supplies
- Bakeries (retail only)
- Bicycle sales and rentals
- Books
- Cameras and photographic supplies
- Carpeting and floor covering
- Clothing and accessories
- Drug and discount stores
- Electronic equipment
- Fabrics and sewing supplies
- Firearm and ammunition sales
- Florists and houseplant stores (indoor sales only)
- Gift shops
- Handcrafted items
- Hardware
- Hobby materials
- Home decor
- Jewelry
- Kitchen utensils
- Luggage and leather goods
- Medical supplies and equipment
- Monument and headstones
- Motor vehicle parts and accessories
- Musical instruments
- Newsstands
- Office supplies
- Orthopedic supplies
- Paint and wallpaper
- Pet supplies and grooming
- Pharmacies
- Religious goods
- Shoe stores
- Small wares
- Specialty shops
- Sporting goods and equipment
- Stationery
- Toys and games
- Travel services

D. **Retail Sales, Home Improvement and Garden Supply.** A retail store for the sale of tools, paint, ornamental plants, lawn care supplies, and other similar equipment and supplies. May include the sale of lumber, drywall, roofing, and other similar building materials. [Source: NEW]

E. **Retail Sales, Secondhand.** Commercial establishment principally engaged in the buying, selling, or accepting on consignment, secondhand tangible personal property and other activities as defined in California Business and Professions Code. Includes secondhand clothing and antique stores. Also known as a thrift store, antique store, or pawn shop. [Source: NEW]

F. **Retail Sales, Smoke Shop.** Retail store utilized primarily for the sale of tobacco products, tobacco paraphernalia, vaping equipment, and or smoking products, and in which the sale of other products is merely incidental. [Source: NEW]

Rifle or Pistol Range. Indoor or outdoor facility for the sport of shooting at targets using recreational and low-power equipment such as airguns, BB guns, or airsoft guns, and or high-power equipment such as shot guns, long guns, semi-automatic-rifles, automatic rifles, and hand guns. [Source: NEW]

Right-of-way. Land in which the City owns the fee or has an easement devoted to or required for use as a transportation facility and may lawfully grant access pursuant to applicable law, and includes the surface, the air space over the surface and the area below the surface of such right-of-way.

Roadside Stand. A temporary structure used for the display and sale of produce, plants and or flowers. [Source: NEW]

Roofline. The highest point of the main roof structure or a highest point of a parapet wall other than such architectural features such as cupolas, pylons, projections or minor raised portions of the roof. [Source: 10-2-3-R-11]

10.120.200 "S" Definitions

Salvage and Dismantling Facility. See definition for "Vehicle Salvage and Dismantling Facility."

School. Educational institution, including elementary, middle, junior high, and high schools, serving transitional kindergarten through 12th grade students, offering general academic instruction equivalent to the standards prescribed by the State Board of Education, and including denominational and sectarian, boarding schools, charter schools, and military academies. Also includes community colleges, public or private colleges, universities, and professional schools granting associate arts degrees, certificates, undergraduate and graduate degrees, and requiring for admission at least a high school diploma or equivalent general academic training. [Source: 10-2-3-S-2, 10-2-3-S-3, modified]

A. **School, Private.** Privately owned and operated facility or institution providing academic instruction for students in compliance with the California Education Code. Includes special education and alternative learning schools. Illustrative examples include elementary schools, junior highs, high schools, colleges, and universities. [Source: 10-2-3-S-2, 10-2-3-S-3, modified]

B. **School, Technical and Vocational.** A public or private post-secondary school providing occupational and job training. Use does not include recreational activities (i.e., dance lessons, martial arts classes, music instruction). See "Studio - Art, Dance, Music, and Photography." [Source: NEW]

Second Dwelling Unit. See definition for "Accessory Dwelling Unit." [Source: NEW]

Self-storage. See definition for "Storage Facility, Personal." [Source: NEW]

Sensitive Receptors or Uses. A religious institution, post-secondary educational institution, public education facility, school, regularly established boys' club or girls' club or any public building regularly frequented by children, essential government operation, facility, and/or structure, public park, community center, senior center, public trail or public structure; or a residential zone district. [Source: NEW]

Setback Line. The minimum distance as established in this Zoning Code between any property line and the closest point on any supporting wall, post, or pillar of any structure related thereto. [Source: 0-2-3-B-25, modified]

Short-term Rental. The rental of a dwelling or a portion thereof by the owner to another person or group of persons for occupancy, dwelling, lodging or sleeping purposes for a period of less than 30 consecutive calendar days. [Source: NEW]

Short-term Renal Unit. The habitable interior space of a dwelling, or any portion thereof, that is being rented, or is intended to be rented, as a short-term rental to a person or group of persons. [Source: NEW]

Sign. See Chapter 10.40 (Sign Regulations). [Source: 10-2-3-S-7, modified]

Sign Area. See Chapter 10.40 (Sign Regulations). [Source: 10-2-3-S-8, modified]

Site. See definition for "Parcel." [Source: 10-2-3-B-26, 10-2-3-S-37, modified]

Site Area. See definition for "Parcel Area." [Source: 10-2-3-S-38, modified]

Site Depth. See definition for "Parcel Depth." [Source: 10-2-3-S-39, modified]

Site Plan. A plan, prepared to scale, showing accurately all of the existing physical characteristics of the subject property, and not limited to, property lines and dimensions, phase lines, vicinity map, project site address, contact information of the property owner, applicant and design consultant, dimensioning, north arrow, title block, tables depicting development standards and uses proposed for a specific parcel of land. [Source: 10-2-3-S-40]

Site Plan Review. See Chapter 10.96 (Site Plan Review). [Source: 10-2-3-S-41]

Site Depth. See definition for "Parcel Depth."

Site Width. See definition for "Parcel Width." [Source: 10-2-3-S-42, modified]

Skilled Nursing Facilities. See definition for "Community Care Facility." [Source: NEW]

Small Family Daycare Home. See definition for "Family Day Care Home."

Solid Masonry Wall. See definition for "Wall." [10-2-3-W-3, modified]

Solid Waste Disposal Facility. See definition for "Refuse Disposal Site." [Source: NEW]

Specified Anatomical Area. Includes less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breast below the top of the areola; or Human male genitals in a discernibly turgid state, even if completely and opaquely covered. [Source: 10-2-3-S-45]

Specified Sexual Activity. See Title 3, Chapter 12 (Sexually Oriented Businesses) of the Reedley Municipal Code. [Source: 10-2-3-S-46, modified]

Stable. See definition for "Horse Stable." [Source: NEW]

Storage Facility.

A. **Storage Facility, Personal.** Facility with structures generally containing small individual compartmentalized areas or lockers rented as individual storage spaces or outdoor storage for motor vehicles, recreational vehicles, and boats. Storage of vehicles may not be required to be located completely within an enclosed building, but the rental office/waiting area is required to be completely within an enclosed building. [Source: 10-2-3-S-50, modified]

B. **Storage Facility, Restricted.** Facility used for storage and distribution of generally dangerous and hazardous materials, including, but not limited to, chemicals, gasoline, biofuels, petroleum, propane, and explosives. [Source: NEW]

Single Resident Occupancy. See definition for "Single Room Occupancy (SRO)."

Single Room Occupancy (SRO). Any residential structure containing more than five units intended or designed to be used, rented, or hired out to be occupied for sleeping purposes, generally for one or two persons per unit. SRO tenants typically share amenities within the building, such as common area(s), bathroom/half-bath, kitchens and/or kitchenettes. Occupancy may be either temporary or permanent residence. [Source: 10-2-3-S-37, modified]

Story. A space in a structure between the surface of any floor and the surface of the floor next above, or if there is no floor above, then the space between such floor and the ceiling of the roof above. [Source: 10-2-3-S-50,]

Street. A public or private way permanently dedicated or reserved as a primary means of access to abutting property. [Source: 10-2-3-S-51]

Street Line. The boundary line between street right of way and abutting property. [Source: 10-2-3-S-52]

Structure, Alteration. Any change in the supporting members of a structure, such as foundations, bearing walls, columns, beams, floor or roof joists, girders or rafters, or any change in the exterior dimensions of a building, excepting those changes which may result from providing minor repairs and structure maintenance. [Source: 10-2-3-S-53]

Structure, Area of. The sum in square feet of the ground areas occupied by all structures on a parcel. [Source: 10-2-3-B-22, modified]

Structure. Anything constructed or built, any edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, which requires location on the ground or is attached to something having a location on the ground, including covered patios, excepting outdoor areas such as paved areas, walks, tennis courts, and similar recreation areas. [Source: 10-2-3-S-55, modified]

Structure, Height of. The vertical distance measured from the adjoining curb level to the highest point of the structure, exclusive of chimneys and ventilators; provided, however, that where buildings are setback from the street line, the height shall be measured from the average elevation of the finished grade at the front of the structure. [Source: 10-2-3-B-23, modified]

Structure, Nonconforming. A structure which, under this title, does not conform with the standards of coverage, yard space, height of structures or distance between structures prescribed in the regulations for the district in which the structure is located. [Source: 10-2-3-S-57]

Structure, Primary. A structure within which is conducted the main land use allowed on the parcel or site as provided by this Zoning Code. [Source: 10-2-3-B-24, 10-2-3-S-56, modified]

Studio - Art, Dance, Music, and Photography. Facilities for: individual and group instruction and training in the arts; production rehearsal; photography, martial arts training; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment. [Source: NEW]

Studio - Broadcasting and Film Recording. Commercial and public communication establishment that broadcasts or records radio, motion picture, film, television, and other digital productions entirely within a structure. Does not include transmission and receiving apparatus (e.g., antennas and towers), which are included under the definition of "Telecommunications Facilities." [Source: NEW]

Subdivision. The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by streets, utility easements or railroad rights-of-way. Any conveyance of land to a governmental agency, public entity, public utility or subsidiary of a public utility for conveyance to that public utility for rights-of-way shall not be considered a division of land for purposes of computing the number of parcels. For purposes of the preceding sentence, any conveyance of land to a governmental agency shall include a fee interest, an easement or a license. See Title 11 (Subdivision Regulations) of the Reedley Municipal Code. [Source: 10-2-3-S-58]

Subdivision Map. A map showing the subdivision of land of five or more parcels, in compliance with Title 11 (Subdivision Regulations) of the Reedley Municipal Code. [Source: 10-2-3-S-59]

Subdivision Map Act. Government Code Division 2 of title 7, commencing with section 66410, as amended from time to time, involving the regulation and control of the design and improvement of subdivisions. See Title 11 (Subdivision Regulations) of the Reedley Municipal Code. [Source: 10-2-3-S-60]

Supportive Housing. See definition for "Transitional Housing." [Source: NEW]

10.120.210 "T" Definitions

Tasting Room. A commercial establishment that may or may not contain a kitchen and is devoted to the sampling, onsite consumption, and sales of wine, beer, and or distilled spirits either produced on or off the premises.

Tattoo. To insert pigment, ink or dye under the surface of the skin of a person by pricking with a needle or otherwise, to permanently change the color or appearance of the skin or to produce an indelible mark or figure visible through the skin. Tattooing does not include the application of permanent makeup. [Source: 10.13.8.B.8, 10-2-3-T-1]

Tattoo Parlor. See definition for "Body Art Facility." [Source: 10-2-3-T-3]

Temple. See definition for "Place of Assembly." [Source: NEW]

Tentative Map. A map made for the purpose of showing the design and improvement of a proposed division of land and the existing conditions in and around it and required to be presented to the community development department in order to officially commence the process of dividing the land in compliance with Title 11 (Subdivision Regulations) of the Reedley Municipal Code. [Source: 10-2-3-T-4]

Towing Yard. A commercial establishment providing for the storage of operative or inoperative vehicles. Includes parcels used for parking towaways, impounding, repossession, and storage (excluding personal storage) for buses and recreational vehicles, but does not include vehicle dismantling. [Source: NEW]

Trade School. See definition for "School, Technical and Vocational." [Source: NEW]

Trailor, Utility. A vehicle without motive power, designed and constructed to travel on public thoroughfares in compliance with the provisions of the Vehicle Code, and to be used only for carrying property. [Source: 10-2-3-T-6]

Trailer Sales Lot. See definition for "Vehicle Sales, New or Used."

Transit Storage. Temporary storage, not to exceed 180 days, of any building, structure, personal property, or other thing which is in the process of being transported from one site to a destination site pursuant to a contract or other legally binding commitment to deliver such thing at the destination site. While in transit storage, the object stored shall not be altered in any way, and buildings or structures shall be secured to prevent unauthorized entry and habitation. [Source: 10-2-3-T-7]

Transitional Housing. Temporary, supportive accommodation that is intended to bridge the gap from homelessness to permanent housing by offering structure, supervision, support, life skills, and in some cases, education, and training. Transitional housing units are residential uses allowed in all zone districts that allow residential uses, subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone district. [Source: 10-2-3-T-9, modified]

Transit Station and Terminal. A rail or light-rail station, ferry terminal, bus hub, or bus transfer station. [Source: NEW]

Travel Trailer. See definition for "Recreational Vehicle." [Source: 10-2-3-T-9, modified]

Travel Trailer Park. See definition for "Recreational Vehicle Park." [Source: 10-2-3-T-10, modified]

Traverse. To pass along or go across. [Source: NEW]

Triplex. See definition for "Dwelling, three-Unit." [Source: 10-2-3-T-11 modified]

10.120.220 "U" Definitions

Unified Center. A unified group of two or more office, commercial or industrial uses planned and designed to function as an integral unit on a single parcel or contiguous parcels and which utilize common off street parking and access, landscaping, loading facilities and points of ingress and egress. Also known as a Shopping Center or Unified Shopping Center. [Source: 10-2-3-U-1]

Usable Satellite Signal. Refers to the quality of reception and is considered a satellite signal which, when viewed on a conventional television set, is at least equal in picture quality to that received from local commercial television stations. [Source: 10.13.5.C.2, 10-2-3-U-2]

Use. See definition for "Land Use." [Source: 10-2-3-U-3, modified]

Use, Ancillary. See definition for "Land Use, Ancillary." [Source: 1-0-2-3-U-4, modified]

Use, Conditional. See definition for "Land Use, Conditional." [Source: 10-2-3-U-5, modified]

Use, Nonconforming. See definition for "Land Use, Nonconforming.". [Source: 10-2-3-U-6, modified]

Utility Facility and Infrastructure. Facility supporting public and private utilities, including, but not limited to electricity, water, and/or natural gas. [Source: NEW]

10.120.230 "V" Definitions

Vehicle and Freight Terminal. An establishment where the primary activities are furnishing services incidental to air, motor freight, and rail transportation, where freight transferring occurs. This includes freight forwarding services; freight terminal facilities; joint terminal and service facilities; packing, crating, inspection, and weighing services; postal service bulk mailing distribution centers; transportation arrangement services; repair and storage of vehicles as ancillary activities; truck terminals; and trucking facilities. [Source: NEW]

Vehicle Fueling Station. A commercial establishment selling gasoline, diesel, alternative fuel, or electricity for the on-site fueling or charging of vehicles. May include a convenience store and provide secondary services incidental to fuel or charging services. Does not include the storage or repair of wrecked vehicles, vehicle rentals, or vehicle repair and service. [Source: NEW]

Vehicle Rental Facility

A. **Vehicle Rental, General.** Commercial establishment that rents automobiles, construction equipment, motorcycles, recreational vehicles, trucks, trailers, and similar vehicles and equipment, including on-site storage and incidental maintenance. Sales office shall be located entirely within an enclosed structure. [Source: NEW]

B. **Vehicle Rental, Limited.** Commercial establishment that rents small vehicles, including, bicycles, mopeds, scooters, Segways, and similar sized vehicles with electric power, engines less than 100cc, or are human powered. May also include the maintenance, minor repair, and on-site storage of the equipment offered for rent when conducted within fully enclosed structure. [Source: NEW]

C. **Vehicle Rental, Office Only.** Commercial establishment that rents automobiles, motorcycles, recreational vehicles, trucks, and other types of transportation vehicles that are not stored on-site. [Source: NEW]

Vehicle Repair and Service. The repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, water vessels, golf carts, and other motor vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This includes the following categories: [Source: NEW]

A. **Vehicle Repair and Service, Major.** Major repair of automobiles, motorcycles, recreational vehicles, or trucks including light duty trucks (i.e., gross vehicle weight of less than 10,000 pounds) and heavy-duty trucks (i.e., gross vehicle weights more than 10,000 pounds). Examples of uses include full-service motor vehicle repair garages; body and fender shops; brake shops; machine shops; paint shops; and transmission shops. [Source: NEW]

B. **Vehicle Repair and Service, Minor.** Minor repair of automobiles, motorcycles, recreational vehicles, or light duty trucks, vans, or similar size motor vehicles (i.e., vehicles that have gross vehicle weights less than 10,000 pounds) including detailing services; servicing of cooling, electrical, fuel and exhaust systems; brake adjustments; relining and repairs; oil and lube shops; smog shops, tire and battery sales and installation (not including recapping); and wheel alignment and balancing. Also includes the service or the repair or installation of vehicle radio/audio equipment. [Source: NEW]

Vehicle Sales, New or Used. The retail sales of more than one, new or used, automobile. It may also include the retail sales of other vehicles such as vans, pickup trucks, and sports utility vehicles (SUVs), typically purchased for personal use and/or transportation, and may include commercially rated vehicles. This definition may also include as ancillary uses: repair and service to vehicles for sale on the subject site when conducted entirely within an enclosed structure, and automotive detailing. [Source: NEW]

Vehicle Salvage and Dismantling Facility. Outdoor commercial establishment primarily engaged in assembling, breaking up, sorting, and the temporary storage and distribution of recyclable or reusable scrap and waste materials from vehicles. Includes incidental wholesale or retail sales of parts from those vehicles. [Source: NEW]

Vending Unit. A commercially manufactured, motorized mobile self-contained food unit in which ready-to-eat food is cooked, wrapped, packaged, processed, or portioned for service, sale, or distribution. [Source: Policy and Procedure No. CD-012, 10-2-3-V-1]

Vendor. The owner agent/operator of the "vending unit." [Source: Policy and Procedure No. CD-012, 10-2-3-V-2]

Veterinary Clinic.

A. **Veterinary Clinic, with Boarding Services.** A commercial establishment providing medical care or surgical treatment for domestic animals and household pets with all such operations being conducted wholly within a building. The establishment also serves as a facility where animals can be kept for commercial purposes within an enclosed structure beyond a short time incidental to medical care. Facility uses may additionally include breeding, buying, selling, renting, exhibiting, or training of animals. [Source: 10-2-3-A-14, 10-2-3-V-3, modified]

B. **Veterinary Clinic, without Boarding Services.** A commercial establishment providing medical care or surgical treatment for domestic animals and household pets with all such operations being conducted wholly within a building. Use as a kennel shall be limited to short time boarding incidental to medical care and within an enclosed structure. [Source: 10-2-3-A-14, 10-2-3-V-3, modified]

Vesting Tentative Map. A tentative subdivision map or tentative parcel map which meets the City ordinances, standards, and policies in effect at the time of its approval and on its approval confers a vested right on the subdivider to proceed in substantial compliance with ordinances, policies and standards in effect at the time the City determines the application for approval of the map is complete. At the time a vesting tentative map is filed, it shall have the words "vesting tentative map" conspicuously printed on its face. [Source: 10-2-3-V-4]

Visual Obstruction. Any fence, hedge, tree, shrub, wall, or structure exceeding three feet in height, measured from the crown of intersecting or intercepting streets, alleys or driveways, which limits the visibility of persons in motor vehicles on said streets, alleys or driveways. This does not include trees kept trimmed of branches below a minimum height of seven feet (7'). [Source: 10-2-3-V-5]

10.120.240 "W" Definitions

Wall. Any structure or device approved by the Director designed to prevent the passage of light, air, and vision, and substantially reduce noise levels. [Source: 10-2-3-W-3, modified]

Warehousing and Distribution Facility. A building or buildings used for the storage of goods, of any type, when such building or buildings contain more than 500 square feet of storage space, and where no retail operation is conducted. [Source: 10-2-3-W-2]

Wet Bar. An area within a dwelling unit, other than a kitchen, which is used for the preparation and serving of beverages. Shall contain a sink and at least one of the following: refrigerator, ice maker, blending appliance(s), electric kettle(s), or coffee maker. [Source: NEW]

Wildlife Preserve. A site with wildlife habitat and other environmental resources intended to be preserved in their natural state. [Source: NEW]

Telecommunication Facility. Facility that includes equipment which supports the transmission and/or receipt of electromagnetic/radio signals. Telecommunication facilities include cellular radiotelephone service facilities, personal communications service facilities (including wireless internet), specialized mobile radio service facilities, and commercial paging service facilities. Components of these types of facilities can consist of the following: antennas, repeaters, microwave dishes, horns, and other types of equipment for the transmission or receipt of the signals, telecommunication towers or similar structures supporting the equipment, equipment structures, parking area, and other necessary development. [Source: NEW]

Wholesaling. The selling of any type of goods for the purpose of resale. [Source: 10-2-3-W-3]

10.120.250 "X" Definitions

Reserved.

10.120.260 "Y" Definitions

Yard. An area between a parcel line and a required setback, unobstructed and unoccupied from the ground upward, except for projections permitted by this Zoning Code. See Section 27.20.040 (Setback Measurement and Exceptions). [Source: 10-2-3-Y-1, modified]

A. **Front Yard.** An area extending across the full width of the parcel between the front parcel line and the required front yard setback. [Source: 10-2-3-Y-12, modified]

B. **Rear Yard.** An area extending the full width of the parcel between a rear parcel line and the required rear yard setback. [Source: 10-2-3-Y-3, modified]

C. **Side Yard.** An area extending from the front yard to the rear yard between the nearest side parcel line and the required side yard setback. [Source: 10-2-3-Y-4, modified]

10.120.270 "Z" Definitions

Zone(ing) District. A zone district established by this zoning code. Also referred to as zoning designation. [Source: 10-2-3-Z-1]

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