# Title 18

# ZONING

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# Chapter 01

# PURPOSE AND INTENT

**Sections:**

**18.01.010 Title and Citation.**
**18.01.020 Principles of the Zoning Ordinance.**

## 18.01.010 Title and Citation.

This chapter shall be known as and shall be cited as the "Ceres Zoning Ordinance."

## 18.01.020 Principles of the Zoning Ordinance.

The zoning ordinance has been prepared in accordance to the following principles:

A. This chapter is adopted to protect and promote the public health, safety, peace, comfort, convenience, prosperity, and general welfare; and further, the purpose of this ordinance is to encourage, classify, designate, regulate, restrict and promote the highest and best location and use of buildings, structures and land for residence, commerce, trade, manufacturing, recreation, community facilities, or other purposes in appropriate places; to regulate and limit the height, number of stories and size buildings and other structures designated, erected or altered; to regulate and determine the size of yards and other open places; and to regulate and limit the density of population, and for said purposes to divide the City into zones of such number, shape, and area as may be deemed best suited to carry out these regulations and provide for their enforcement. Further, such regulations are deemed necessary in order to encourage the most appropriate use of land; to enhance and stabilize the value of property; to provide open space for light and air and to prevent and fight fires; to prevent undue dispersion or concentration of population; to promote orderly and healthy community development; to lessen the congestion of streets; to facilitate adequate provisions for community facilities such as transportation, schools, parks, and other public requirements.

B. This chapter is intended to conform to the Ceres General Plan and all environmental design plans adopted pursuant to the General Plan. Future amendments of these plans shall be reflected in amendments of this zoning ordinance and future amendments to this zoning ordinance shall only be made in conformity with the General Plan and environmental design plans.

C. If any section, subsection, paragraph, sentence, clause or phrase of this chapter for any reason shall be held invalid or unconstitutional, the validity of the remaining portions shall not be affected. The City Council of the City of Ceres hereby declares that it would have enacted this ordinance and each section, subsection, paragraph, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, or phrases are declared to be invalid or unconstitutional.

# Chapter 02

# DEFINITIONS

**Sections:**
**18.02.010 Definitions and Interpretive Provisions.**

## 18.02.010 Definitions and Interpretive Provisions.

For the purpose of carrying out the provisions and intent of this title, words, phrases, and terms shall be deemed to have the meanings ascribed to them and shall be interpreted to have the standards and include the parts, elements and the features set forth in this Chapter. When not inconsistent with the context, words used in the present tense include the future; words in the singular number include the plural; words in the plural number include the singular. The word "shall" is mandatory, and the word "may" is permissive.

“Abut”, “Adjacent”, “Adjoining”: Contiguous to or having a common property line or district line, or separated only by a private street, street, alley or easement.

“Access”, “Access Way”: The place, means, or way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property and use as required by this Title.

“Access”, “Approved”: Access to a State highway, County road, or City street of not less than forty feet (40′) in width, by a connecting access of not less than thirty feet (30′) which said connecting access being owned by the owner of the parcel or parcels to which it furnishes access or an irrevocable easement for the permanent use of such parcel or parcels.

“Accessory Dwelling Unit (ADU)”: An attached or detached residential dwelling unit that is subordinate to a principal residence on the same lot and that provides complete independent living facilities for one or more persons. These units include permanent provisions for bedrooms, bathrooms and kitchen facilities. An accessory dwelling unit shall include efficiency units and manufactured homes as defined by California Health and Safety Code sections 17958.1 and 18007, respectively.

“Accessory Structure/Building”: A structure/building which occupies a portion of a lot, whether attached or detached, and which is subordinate to or incidental to the principal use on the same lot. Such structures/buildings shall include, but are not limited to: patio covers, metal, fabric or wooden structures that cover a vehicle or a recreational vehicle, arbors or trellises, sheds, detached garages, cabanas, workshops, covered or uncovered decks, accessory dwelling unit and similar structures (i.e. pop-up tent or easy up tent structures). No accessory structure/building of any size shall be located within the front yard or exterior side yard area of a single-family residential lot. Accessory structures/buildings may be located within the side yard or rear yard areas of a single-family residential lot provided such structures comply with the applicable setback requirements and if said structures have been legally permitted by the City.

“Accessory Use”: A use subordinate to or incidental to the principal use on the same lot.

“Advertise”: To praise publicly, promote, or otherwise call attention by audio or visual means, to any product, service, activity or occurrence.

“Advertising Structure”: Self-supporting structure erected or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting or other advertisement of any kind, including statuary, may be placed for advertising purposes. "Advertising structure" does not include:

A. Official notices issued by any court or public body or officer.

B. Notices posted by any public officer in the performance of a public duty or by any person in giving legal notices.

C. Directional, warning or information structures required or authorized by law or by Federal, State, County, or City authority.

D. A structure erected near a city or county, which contains the names of such city or county and the names of, or any other information regarding civic, fraternal, or religious organizations erected with the approval of the Director of Community Development.

“Advertisement, Off Site”: To advertise off the location where a product, service, activity or occurrence is or will exist.

“Advertisement, On Site”: To advertise on the location where a product, service, activity or occurrence is or will exist.

“Advisory Agency”: Agencies advisory to the City Council on all matters related to the zoning and use of land and structures. Such agencies shall include but are not limited to the Planning Commission and other committees the City Council may form or authorizes from time to time.

“Aggregate Surface Area”: The computed area of a sign background. Where a sign is composed of "cut-out" elements, the aggregate surface shall be computed on the basis of a rectangle equivalent in dimensions to the extreme height and width dimensions of said display. This definition shall also apply to "script," "panel," and similar signs composed as separate elements. For the purposes of this definition, channel letters or symbols that are not framed by a background will to computed based on the induvial letters or symbols for determiner sign area.

“Agriculture”: The tilling of the soil, the raising of crops, horticulture, viticulture, small livestock farming, dairying and animal husbandry for the purpose of selling the products resulting from such activity for financial gain or profit.

“Airport”: Land and buildings improved and intended for the use, servicing, maintenance or

storage of aircraft.

“Alley” or “Lane”: A public or private way, not more than thirty feet (30′) wide affording only secondary means of access to abutting property.

“Alluvial Fan”: A geomorphologic feature characterized by a cone or fan-shaped deposit of boulders, gravel, and fine sediments that have been eroded from mountain slopes, transported by flood flows, and then deposited on the valley floors, and which is subject to flash flooding, high velocity flows, debris flows, erosion, sediment movement and deposition, and channel migration.

“Alteration”: Any change to the use, or intended use, of land.

“Amendment”: An addition, deletion or a change in the wording, context or substance of this Title or the Zoning Map.

“Animal Hospital”: A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be only incidental to such hospital use.

“Annexation (Annex)”: The extension of the municipal boundaries of the City of Ceres to include land not previously included within the municipal boundaries of the City of Ceres.

“Appeal”: A process for requesting a formal change to an official decision that was made by City officials (i.e., Planning Commission or Director of Community Development). When a person disagrees with a decision, an appeal may be filed so that the City Council can review the determination that was made.

“Apex”: The point of highest elevation on an alluvial fan, which on undisturbed fans is generally the point where the major stream that formed the fan emerges from the mountain front.

“Area of Shallow Flooding”: A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet (1—3′); a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

“Assessor”: The County Assessor of the County of Stanislaus.

“Automobile and Trailer Sales Lot”: An open area, other than a street, used for the display and sales of new or used automobiles and trailer coaches.

“Automobile Body and Paint Shop”: A business which performs automobile and truck body repairs and painting in an enclosed building.

“Automobile Repair Garage”: A business which services automobiles and trucks, does major mechanical repairs, replaces and rebuilds automobile engines and components, excluding body

work.

“Automobile Service Station”: A business engaged primarily in the sale of motor fuels, but also in supplying goods and services generally required in the operation and maintenance of motor vehicles. Operations may include sale of petroleum products; sale and servicing of tires, batteries, automotive accessories, and replacement items; lubrication services; washing of cars.

“Automobile Wrecking”: The wrecking or dismantling of used motor vehicles or trailers, or the storage of, sale of, or dumping of dismantled, obsolete or wrecked motor vehicles or their parts.

“Aviary”: Any place where more than five (5) domestic and/or non-domestic birds are kept outside.

“Bar”: A bar is a retail business establishment that serves alcoholic beverages, such as beer, wine, liquor, cocktails, and other beverages such as mineral water and soft drinks and often sells snack foods such as potato chips or peanuts, for consumption on premises. Some types of bars, such as pubs, may also serve food from a restaurant menu.

“Basement”: A space wholly or partly underground, and having more than one-half (½) of its height, measuring from its floor to its ceiling, below the average adjoining grade; if the finished floor level directly above a basement is more than six feet (6) above grade at any point, such basement shall be considered a story. As it pertains to flooding provisions of this Title, basement shall include any area of the building having its floor subgrade, or below ground level, on all sides.

“Beginning of Construction”: The incorporation of labor and material within the foundation of the building or buildings.

“Block Frontage”: All property fronting on one side of a street between intersecting and intercepting streets, or between a street and right of way, waterway, end of a cul-de-sac, or City boundary. An intercepting street shall determine only the boundary of the block frontage on the side of the street that it intercepts where the City boundary intersects or intercepts a street in a block, the block shall be considered to end at the City boundary.

“Boarding House” or “Rooming House”: A building containing a single-dwelling unit, where lodging is provided with or without meals for compensation to not more than three (3) nontransients.

“Breezeway”: A roofed passageway, open on at least two (2) sides, where the roof is in keeping with the design and construction of the main building. Said breezeway shall be considered an inner court that is created by a roof structure connecting two (2) buildings. The space between buildings connected by a breezeway shall not be less than six feet (6′) in length.

“Building, Structure”: Any structure built and maintained for the support, shelter, or enclosure of persons, animals, or property of any kind. No building shall be located within any future right of way or public easement established by authority of the City Council in the manner prescribed by

law.

“Building, Attached”: Any two (2) or more buildings closer than six inches (6″) together or physically adjoined in some way. Garages shall be considered attached if the roof structure is continuous with the building adjacent to it.

“Building End”: The side(s) of the building that is (are) not the building front or building rear.

“Building Front”: The side(s) of the building where the main entrance or building facade is located.

“Building Height”: The vertical distance measured from sole plate to the highest portion of the roof of the building, exclusive of chimneys, ventilators and other exceptions to building height permitted in the zones in which it is located.

“Building Line”: A line on private property, established by ordinance which regulates the location of buildings and/or structures as they relate to the rights of way of alleys, streets, highways or easements.

“Building, Main”: A building within which is conducted the principal use permitted on the lot, as provided by this Title.

“Building, Metal”: A building whose components are prefabricated and are composed of metal.

“Building Rear”: The side(s) of the building diametrically opposed to the front of the building.

“Building Site”: The ground area of a building, together with all the open space accepted before and required by this Title.

“Business”: Any activity on, or use of, land which involves the buying, selling, processing or improving of things, or the rendering of services and having financial gain as the primary aim of the activity or use; whether or not such activity or use be for hire or on account of the buyer, seller, processor, improver or renderer.

“Cabana”: A detached structure used as a bathhouse or related to a residential trailer, but not used for sleeping purposes.

“Carnival”: A traveling or itinerant commercial amusement enterprise consisting of side shows, vaudeville, games, merry-go-rounds or other mechanical amusement devices temporarily located within the City of Ceres.

“Carport”: A permanent roofed structure with two (2) fully enclosed sides or less to be used for automobile shelter and automobile storage.

“Cellular Mobile Radio-Telephone Utility Facility”: A transmitting and/or communication tower and/or facilities used for either private or quasi-public communication purposes. Cellular

structures are those structures which are independent of all other structures and house cellular equipment. Antennas consist of the following types:

A. Whip Antennas: Cylindrical antennas approximately two inches (2″) in diameter and varying in length from ten feet (10′) to fifteen feet (15′).

B. Dish Antennas: Circular antennas which vary in diameter from two feet (2') to twelve feet (12′).

C. Panel Antennas: Panel antennas incorporate a fiberglass cover/panel backed by a metallic reflector. These antennas vary in approximate size from one foot by six inches (1′ X 6″) to four feet by one foot (4′ X 1′).

D. Small Cell Site - are low-powered cellular radio access nodes that operate in licensed and unlicensed spectrum that have a range of 10 meters to a few kilometers. They are "small" compared to a mobile macrocell, partly because they have a shorter range and partly because they typically handle fewer concurrent calls or sessions.

“Child Care Facility”: Any building, group of buildings, or portion thereof used for the daytime care of children.

“Church”: A permanently located building commonly used for any type of religious worship. Such building shall be fully enclosed with walls (including windows and doors), having a roof (canvas or fabric excluded) and shall conform to applicable legal requirements affecting design and construction.

“Circus”: A traveling or itinerant commercial amusement enterprise utilizing an enclosure of any kind used for exhibitions of horsemanship, acrobatic performances, acts of clowns, feats of animal training, or the like, temporarily located within the City of Ceres

“City”: The incorporated City of Ceres.

“City Clerk”: The City Clerk of the City of Ceres.

“Clinic”: A place for group medical services not involving overnight housing of patients.

“Club”: An association of persons (whether or not incorporated), religious or otherwise, for social purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.

“Coin/card-Operated Amusement Device”: Any video game amusement machine or device operated by means of the insertion of a coin, token, card or similar object for the purpose of amusement or skill and for the playing of which a fee is charged. This shall not include vending machines which are not incorporating game or amusement features nor does this include any coin-operated mechanical music device.

“Commercial”: Is used to describe those areas and buildings within the City of Ceres used primarily for trade or business.

“Commercial Recreation Facility”: Commercial swimming pools, bowling alleys, skating rinks, dance halls, drive-in theaters, walk-in theaters, golf courses and driving ranges and similar uses as determined by the Planning Commission or Director of Community Development. This shall also include amusement game arcades and the operation of more than six (6) "coin-operated amusement devices" as defined in this Section.

“Commission”, “Planning Commission”: The Planning Commission of the City of Ceres.

“Compatible Use”: Any use that by its manner of operation is suitable in the district in which it is located. Said use of land or buildings shall be in harmony with the uses on abutting properties in the same district.

“Conditional Use Permit (CUP)”: A discretionary permit issued by the Planning Commission under the provisions of this Title, to allow a conditional use that may or may not be allowable under the Zoning Ordinance. If approval is granted, the developer/applicant must meet certain conditions to ensure the use is not detrimental to the public health, safety, and welfare and will not impair the integrity and character of the surrounding area. Each application is considered on its individual merits. CUPs require a public hearing approval and are subject to the fulfillment of certain conditions by the developer. An "Administrative Conditional Use Permit" shall mean a specific type of use permit issued by the Director of Community Development. An administrative conditional use permit shall also be subject to the findings set forth in Sections 18.30.030, subsection (E), and 18.30.090 of this Title.

“Corner Cutback”: The provisions for and maintenance of adequate and safe visibility for vehicular and pedestrian traffic at all intersections of streets, alleys, or private driveways. Such space shall be kept free of buildings, structures, and landscaping which would constitute a visual obstruction.

“Cottage Food Operations” (CFO): An enterprise where an individual prepares and packages non-potentially hazardous foods in a primary residential dwelling unit, which serves as his or her private residence, said foods being for the direct and/or indirect sale to consumers, and that does not have more than one full-time equivalent employee, and does not generate gross annual sales beyond those identified in California Health and Safety Code section 113758.

“Council”, “City Council”: The City Council of the City of Ceres.

“County”: The County of Stanislaus.

“County Recorder”: The County Recorder of Stanislaus County.

“Court”: An open, unoccupied space other than yard, on the same lot with a building or group of buildings.

"Development Agreement" (DA): A legislatively approved contract between the City and a person having legal or equitable interest in real property within the jurisdiction that "freezes" certain rules, regulations, and policies applicable to development of a property for a specified period of time, usually in exchange for certain concessions by the owner. These agreements can be amended from time to time.

"Development Unit", "Phase": Those portions and uses of a planned community district that are proposed for development at one time and under one planned unit development permit. Development units may consist of portions of a planned community district or of the entire district.

"Director": shall mean the Director of Community Development for the City of Ceres.

"Domestic Animal": Animals normally kept as pets, as defined in Title 8.

"Dormitory": A guest room designed, intended for or occupied as sleeping quarters by more than two (2) persons, either related or unrelated. Every one hundred (100) square feet of total enclosed floor area in a dormitory shall be considered as a separate guest room for purposes of calculating off-street parking requirements.

"Drainage Channel": Any existing or proposed open ditch, open culvert, open channel or canal, naturally created, designed or constructed to transmit water for flood control or irrigation purposes, which existing or proposed ditch, culvert, channel or canal is delineated on County flood control district plans or on drainage plans prepared by the City of Ceres.

"Driveway": An accessway to a required off-street parking facility that has an impervious surface such as asphalt or concrete.

"Driveway (Single-Family Residential Lot)": A private roadway for the exclusive use of the occupants of a property and their guests which provides vehicular access from a public street to required off-street parking spaces, garages, or recreational vehicle storage for a single-family residential lot. No more than 50% of the lot shall be covered by a driveway.

"Dry Cleaning or Laundry Agency": An establishment, commonly known to the trade as a pickup shop, tailor shop, service inlet or outlet upon, in or through which is operated a service for receiving and delivering wearing apparel, or fabrics to which spotting, sponging, dry cleaning, laundering or pressing or other finishing service is to be performed.

"Dump": A place used for the disposal, abandonment, discarding, dumping, reduction, burial or incineration of any garbage, trash, refuse or waste material.

"Dwelling": A building or portion thereof designed and used exclusively for residential occupancy, with the exception of permitted home occupations, including one-family, two-family and multiple-dwellings, but not including hotels, boarding or rooming houses, tents, cabins, trailers or trailer coaches.

“Dwelling Footprint”: The total square footage of the horizontal areas of a dwelling with attached garage. All horizontal dimensions shall be taken from the exterior faces of walls including walls or other enclosures of enclosed porches. Where a single-family dwelling has a detached garage (and does not include an attached garage), the footprint of the detached garage shall be counted as part of the dwelling.

“Dwelling, Group”: A detached building designed and used for occupancy by two (2) or more families, all sharing the same kitchen and sanitary facilities.

“Dwelling, Multiple”: A detached building designed and used for occupancy by three (3) or more families, all living independently of each other and having separate kitchen and sanitary facilities for each family.

“Dwelling, Single-Family”: A detached building designed or used exclusively for the occupancy of one family and having a kitchen facility for only one family.

“Dwelling, Two-Family”: A detached building designed and used for occupancy by two (2) families, both living independently of each other and having separate kitchen and sanitary facilities for each family. The term “Duplex” shall mean the same as “Dwelling, Two-Family”.

“Dwelling Unit”: One or more rooms used as a residence and constituting a separate and independent housekeeping unit with a single kitchen and sanitary facilities.

“Easement”: A space on a lot or parcel of land, and so indicated on a subdivision map or in a deed restriction, reserved for or used for public utilities or public uses.

“Educational Institution”: Public, parochial and other nonprofit institutions conducting regular academic instruction at kindergarten, elementary, secondary and collegiate levels, and including graduate schools, universities, and nonprofit research institutions. Such institutions must either:

A. Offer general academic instruction equivalent to the standards prescribed by the State Board of Education, or

B. Confer degrees as a college or university of undergraduate or graduate standing, or

C. Conduct research.

This definition does not include schools, academies or institutes, incorporated or otherwise, which operate for a profit, nor does it include commercial or trade schools.

“Elevation Plan”: A mechanically drawn side view of a building(s) or structure(s), including but not limited to the following:

A. Name and address of the owner of the building or structure and the property.

B. Name and address of the person who prepared the plan.

C. Scale, preferably no less than one-quarter inch equals one foot (¼″ = 1′).

D. Date of preparation.

E. Views and proper labeling of the front, rear, and sides of all buildings and structures, including signs.

F. Description by word and/or rendering of all materials exposed on the front, rear and sides of all buildings and structures, including signs.

"Emergency Shelter": Housing with minimal supportive services for homeless persons that is limited to occupancy of six (6) months or less by a homeless person. No individual or household shall be denied emergency shelter because of an inability to pay.

"Employee Housing": Employee housing for six (6) or fewer workers shall be deemed a single-family structure with a residential land use, and shall be treated the same as a single-family structure with a residential land use, and shall be treated the same as a single-family dwelling of the same type in the same zone. Includes but is not limited to farmworker housing.

"Encroachment": The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain which may impede or alter the flow capacity of a floodplain.

"Environmental Design Plan": Any plan established to supplement the General Plan of the City. Examples of such plans include bikeways plans and civic design plans.

"Environmental Impact Report": A detailed statement setting forth the environmental effects and considerations pertaining to a project as specified in section 21100 of the California Environmental Quality Act.

"Environmental Review Committee": A Committee composed of the Director of Community Development, City Engineer and a representative of the County Health Department or their designated representative.

"Erect": To build, construct, attach, hang, place, suspend or fix, and shall also include suspending of wall signs.

"Exterior Architectural Feature": The architectural elements embodying style, design, general arrangement, and components of all the of the outer surfaces of an improvement, including, but not limited to, the kind, color, and texture of the building materials and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement.

“Facade": The front or main face of a building.

“Family”: Two (2) or more persons related by birth, marriage, or adoption; or an individual or group of persons living together in a dwelling unit.

“Federal Government”: The government of the United States of America.

“Fence”: Any structure forming a physical barrier which is so constructed that not less than fifty percent (50%) of the vertical surface is open to permit the transmission of light, air, and vision through the surface in a horizontal plane, but which is impenetrable to persons and animals. This shall include wire mesh, steel mesh, chain link, louver, stake, masonry, vinyl, wrought iron, and other similar materials.

“Flood Boundary and Floodway Map (FBFM)”: The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the floodway.

“Flood Design”: A flood of one percent (1%) frequency over a period of one hundred (100) years, which is used to establish the flood plain.

“Flood, Flooding, or Flood Water”:

A. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; or mudslides which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusual and unforeseeable event which results in "flooding" as defined in this definition.

“Flood Hazard Boundary Map”: The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated the areas of flood hazards.

“Flood Insurance Rate Map (FIRM)”: The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“Flood Insurance Study”: The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

“Flood Plain Administrator”: The individual appointed to administer and enforce the floodplain

management regulations.

“Flood Plain Management”: The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including, but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

“Flood Plain Management Regulations”: This Chapter and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other applications of police power which control development in flood-prone areas. This term describes Federal, State or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

“Flood Plain or Flood-Prone Area”: Any land area susceptible to being inundated by water from any source (see definition of Flood, Flooding, or Flood Water).

“Floodproofing”: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. (Refer to FEMA Technical Bulletins TB1-93, TB 3-93, and TB7-93 for guidelines on dry and wet floodproofing.)

“Floodway”: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot (1′). Also referred to as "regulatory floodway."

“Floodway Encroachment Lines”: The lines marking the limits of floodways on Federal, State, and local floodplain maps.

“Floodway Fringe”: That area of the floodplain on either side of the "regulatory floodway" where encroachment may be permitted.

“Flood Plain”: That area which has been or may be covered by flood water or inundated by ground water during a design flood.

“Floor Area”: The sum of the gross horizontal areas of the several floors of the building, excluding areas used for accessory garage purposes and such basement and cellar areas as are devoted exclusively to uses accessory to the operation of the building. All horizontal dimensions shall be taken from the exterior faces of walls including walls or other enclosures of enclosed porches. Whenever the term "floor area" is used in this Title as a basis for requiring off-street parking for any structure, it shall be assumed that, unless otherwise stated, floor area applies not only to the ground floor area but also to any additional stories and basement of the structure.

“Floor Area Ratio (FAR)”: The ratio of gross building floor area to total lot area expressed as such. Example: two (2) square feet of gross floor area for every three (3) square feet of total lot area would result in a floor area ratio of .66:1.

"Floor Plan": A mechanically drawn top view of a building or structure including but not limited to the following:

A. Name and address of the owner of the building or structure and the property located on.

B. Name and address of the person who prepared the plan.

C. North point.

D. Scale, preferably not less than one-fourth inch equals one foot (¼″ = 1′).

E. Date of preparation.

F. The total square footage of each building area.

G. Location, by dimension and proper labeling of all rooms, hallways, interior spaces, patios and carports.

"Front Wall": The wall of the building or structure nearest the street which the building fronts, but excluding certain architectural features such as cornices, canopies, eaves or embellishments.

"Frontage": The line where a lot abuts a dedicated street or highway right-of-way line. Frontage is expressed in lineal feet and is measured along the right-of-way line. Where a future street or highway right-of-way line has been established on the General Plan or other official plan, frontage shall be measured along that line.

"Functionally Dependent Use": A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

"Garage": An accessory building or portion of a main building used for the housing of vehicles. A garage shall be enclosed on all sides.

"Garage, Private": A garage on the same lot as a dwelling used for the housing of vehicles of the occupants of the dwelling; provided, however, that such private garage shall not be used for the housing of any vehicle with a gross vehicle weight of greater than five (5) tons.

"Garage, Public": Any structure for housing vehicles other than a private garage.

"General Plan": The adopted General Plan for the City of Ceres. The General Plan is the foundation for local land use planning and is amended from time to time. The plan acts as a guide for the City - usually ten (10) to twenty (20) years - consisting of goals and policies for the physical development of the City. Land use ordinances are based on those goals and policies that are listed

in the General Plan. The General Plan covers all of the land within the jurisdiction and any additional land that, in the agency's judgment, bears relation to its planning.

“General Plan Amendment”: A General Plan Amendment is the process by which it is possible to modify the goals and policies listed in the General Plan or modify General Plan land use designations of property from one designation to another.

“Grade”: The gradient, the rate of incline or decline expressed as a percent. For example, a rise of twenty-five feet (25′) in a horizontal distance of one hundred feet (100′) would be expressed as a grade of twenty-five percent (25%). See also "slope" in this Section.

“Greenhouse”: A building or structure chiefly of glass, glass-like or translucent material, cloth or lath, which is devoted to the protection or cultivation of flowers or other tender plants, and shall be classified as a building in determining lot coverage.

“Guest”: Any transient person who occupies a room for sleeping purposes.

“Guest Room”: A room which is designed to be occupied by guests for sleeping purposes, but not including dormitories.

“Hazardous Materials”: all substances included on the comprehensive master list of hazardous substances compiled and maintained by the California Department of Health Services in compliance with State law (Health & Saf. Code, § 25282.)

“House”: (Accessory living quarters) living quarters within a detached accessory building located on the same premises with the main building, for use by temporary guests of the occupant of the premises, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling unit. A guest house shall be deemed to be an accessory building and subject to all the standards related to accessory buildings.

“Hedge”: A plant or series of plants, shrubs or other landscape material, so arranged as to form a physical barrier or enclosure.

“Highest Adjacent Grade”: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

“Highway”: A major or secondary highway as designated on the General Plan.

“Highway Right-of-Way Line”: Either the existing right of way if it conforms to the General Plan or the future right-of-way line for a local, collector or major thoroughfare as designated on the General Plan or adopted plan line. A yard abutting such a street or thoroughfare shall be measured from this future right of way.

“Historic Landmark”: Any improvement that has special historic, cultural, aesthetic, or architectural character, interest, or value as part of the development, heritage, or history of the

City, the State of California, or the Nation, and that has been designated pursuant to this Chapter.

“Historic or Cultural Resource”: Improvements, building, structures, signs, features, sites, places, or other objects of historic, aesthetic, educational, cultural, or architectural significance to the citizens of the City, which may or may not have been officially designated as "historic landmarks" or "historic sites" as defined by this Code.

“Historic Site”: A parcel, parcels or part thereof constituting part of the premises on which a historic or cultural resource is situated, and which has been designated a historic site pursuant to this Chapter.

“Historic Structure”: Any structure that is:

A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states with approved programs.

“Home Occupation”: Any occupation conducted entirely within a dwelling unit and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and which does not change the residential character thereof. Home Occupation shall not include those occupations which are a nuisance by reason of noise, odor, dust, vibration, fumes, smoke, electrical interference, or other causes, and all home occupations shall be subject to the issuance of a home occupation permit issued by the Director of Community Development if he finds that the proposed home occupation meets the requirements of this Section.

“Hospital”, “General Hospital”: An institution in which patients are given medical or surgical care and which is licensed by the State.

“Hotel”: Any building or portion thereof designed for or used by or containing six (6) or more guest rooms or suites of rooms or a combination of six (6) or more guest rooms or suites of rooms and not more than two (2) dwelling units, but not including any institutions in which human beings are housed or detained under legal restraint.

“Improvement”: Any building, structure, place, parking facility, fence, gate, wall, work of art, or other object constituting a physical betterment of real property, or any part of such betterment.

“Industrial”: Is used to describe those areas and buildings within the City used primarily for industry.

“Industrial Recreational Facility”: Active indoor recreation activities that may only be permitted within existing industrial-zoned buildings with a conditional use permit approval and include, but are not limited to: archery ranges, dance studios, fencing clubs, go-kart racing, health clubs, exercise and sports performance training facilities, indoor sports complexes and fields (i.e., baseball fields/batting cages, basketball courts, gymnastics facilities, soccer/football fields, skating/hockey rinks, and tennis courts), martial arts studios, shooting ranges, simulated shooting games (i.e., laser tag and paintball wars, etc.), swimming pools, trampoline facilities, and similar uses as determined and approved by the Planning Commission.

“Industry”: The manufacture, fabrication, processing, reduction or destruction of any article, substance or commodity, or any other treatment thereof in such a manner as to change the form, character or appearance thereof, and including storage elevators, truck storage yards, warehouse, wholesale storage and similar types of enterprises.

“Initial Study”: A preliminary analysis prepared by the lead agency, as required by the California Environmental Quality Act which identifies the potential environmental impacts of a proposed project. This process is used to determine whether an Environmental Impact Report or a Negative Declaration or Mitigated Negative Declaration would be prepared.

“Junior Accessory Dwelling Unit (JADU)”: A unit no more than 500 square feet in size, typically attached to an existing single-family home that has an entrance from the outside directly to the JADU. These units must have a cooking facility but are not required to have sanitary facilities.

“Junk”: Any worn out, cast off, or discarded article or material which is ready for destruction or has been collected or stored for salvage, conversion, or restoration to some use. Any article or material which, unaltered or unchanged, and without further reconditioning can be used for its original purpose readily as when new, shall not be considered junk.

“Junkyard”: Any lot, or the use of any portion of a lot, for the dismantling or wrecking of automobiles or other motor vehicles or machinery, or for the storage or keeping of junk, including scrap metals or other scrap materials or storage of used building and household materials, or storage of leftover materials from the building of individual homes or a subdivision of homes

“Kennel”: A place where five (5) or more dogs or cats over four (4) months old are kept for commercial or noncommercial purposes. The term "kennel" shall not apply to animal control shelters operated by governmental agencies, nonprofit societies for the care of stray animals or to veterinary hospitals.

“Kitchen”: Any room intended or designed to be used or maintained for the cooking or preparation of food.

“LAFCO Out of Boundary Service Agreement”: A process through the Stanislaus County Local Agency Formation Commission (LAFCO) by which it is possible (through an agreement) for the City of Ceres to provide services (including, but not limited to, water and sewer) for property outside its jurisdictional boundaries but generally within its sphere of influence.

“Land Use Zoning Map”: The general zoning map of the City.

“Landscape Plan”: For the purpose of this ordinance, a "landscape plan" shall mean top and side views of a piece of property including but not limited to the following:

A. Name and address of the owners of the property.

B. Name and address of the person who prepared the plan.

C. Overall dimensions of the entire property.

D. Identification of all property lines.

E. North point.

F. Scale, preferably no less than one-quarter inch equals one foot (¼″ = 1′).

G. Date of preparation.

H. Views, location, and proper labeling of all ground covering and irrigation systems.

I. Description by word and/or rendering of all ground covering materials.

“Landscaping/Landscape area”: The area of land that includes the original planting of suitable vegetation (such as trees, shrubs, lawn/grass, mulch/bark) in conformity with the requirements of this Title, and the continued maintenance thereof.

“Laundromat”: An establishment having self- service coin-operated laundry machines, excluding dry cleaning equipment.

“Laundry Plant”: An establishment equipped to perform the service of tailoring, or dry cleaning by immersion and agitation, or by immersion only, in a nonvolatile commercially moisture-free solvent using not more than one dry cleaning machine of a maximum sixty (60) pound capacity with a State licensed operator in attendance at all times and/or one laundry machine of a maximum fifty (50) pound capacity.

“Levee”: A manmade structure, usually an earthen embankment, designed and constructed in

accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

“Levee System”: A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accord with sound engineering practices.

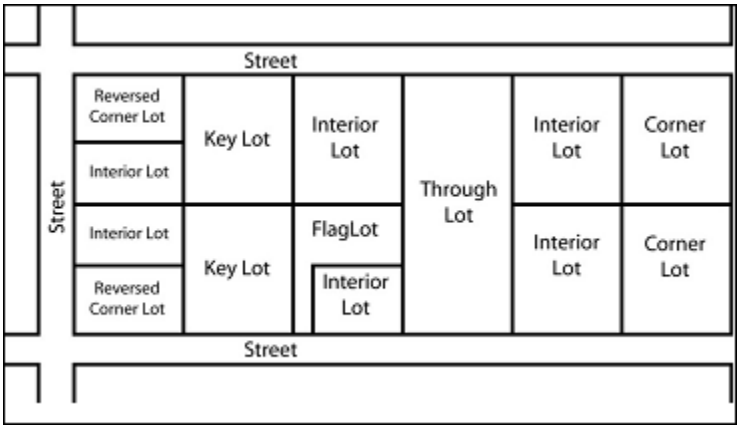
“Liquor”: Any alcoholic or intoxicating beverage.

“Livestock”: Those animals normally used, raised or kept for agricultural purposes.

“Loading Space”: An off-street space or berth on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of commercial vehicles while loading or unloading, which space shall abut a street, alley, or other appropriate means of ingress and egress. A loading space shall be not less than twelve feet (12′) in width, forty feet (40′) in length, and with fourteen feet (14′) of vertical clearance.

“Lot Area”: The total square footage of any one legal lot.

Lot Definitions




“Lot, Corner”: A lot located at the intersection of two (2) or more streets at an angle of not more than one hundred twenty degrees (120°). If the angle is greater than one hundred twenty degrees (120°), it shall be considered an interior lot. If a lot meets the definition of a corner lot but has imposed a nonvehicular access easement and a solid masonry wall on a street side, then this area shall be an interior lot line for purposes of determining yard areas and setbacks. The designation of the front and side of a corner lot may be made by the subdivider.

“Lot Coverage”: That portion of a lot or building site which is occupied by any building, accessory structure or covered patio used for human occupancy.

“Lot”, “Cul-de-Sac” or “Curvilinear”: A lot fronting on, or with more than one-half of its width fronting on the turn-around end of the cul-de-sac street or on the outside curve of a curvilinear street.

“Lot Depth”: The average horizontal distance between the front and rear lot lines of interior lots measured in the same direction as the side lines of interior lots. Lot depth for all other lots is the average horizontal distance from the front lot line to the most opposite lot line.

“Lot, Flag”: A flag lot is a property located behind another property, with an access strip of land to get back to it from a public street.

“Lot, Key”: Any lot so located where the side lot line abuts the rear lot line of one or more lots, and is not separated by an alley.

“Lot or Parcel of Land”: The term lot or parcel of land shall mean:

A. A piece of real property with a separate and distinct number or other designation shown on a plat recorded in the office of the County Recorder of Stanislaus County; or

B. A piece of real property delineated on an approved record of survey, lot split or subparceling map as filed in the office of the County Recorder and abutting at least one public street; or

C. A piece of real property containing not less lot area than required by the zone in which it is located, abutting at least one public street and held under separate ownership from adjacent property prior to the effective date of the ordinance codified in this Title.

“Lot, Reversed Corner”: A corner lot, the side line of which is substantially a continuation of the front lot lines of the lots to its rear, whether across an alley or not.

“Lot, Interior”: A lot other than a corner lot.

“Lot, Substandard”: A lot whose area, width, or depth is less than that required in the zone in which it is located.

“Lot, Through, Double Frontage Lot”: A lot having frontage on two (2) parallel or approximately parallel dedicated streets, not including a corner or reversed corner lot. The Planning Commission shall determine which frontage or frontages shall be considered as the lot front or lot frontages for purposes of compliance with yard, setback, and lot depth provisions of this Title.

“Lot Line”, “Property Line”: Any line bounding a lot as defined by this Code.

“Lot Line, Front”:

A. On an interior lot, "front lot line" means the property line abutting a street.

B. On a corner lot, the subdivider may determine which property line shall be the front lot line.

C. On a through lot or a lot with three (3) or more sides abutting a street, the Planning Commission shall determine which property line shall be the front lot line.

“Lot Line, Rear”: A lot line not normally abutting a street which is normally opposite and most distant from the front lot line. "Rear lot line" shall be established as follows:

A. Interior lots rear lot line shall be opposite the front line.

B. Triangular or irregularly shaped lot, rear lot line shall be established by a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten feet (10').

C. A lot which is bounded on all sides by streets may have no rear lot line.

D. Corner lot, rear lot line will normally be the lot line opposite the front lot line. However, the developer may for site design purposes establish the interior side lot line as the rear lot line and the rear lot line as the interior side lot line. Such designation must be requested by the developer and approved by Director of Community Development.

“Lot Line, Side”: Any lot line not a front lot line or rear lot line. On a lot with three (3) or more sides abutting a street, all lot lines abutting a street, other than the front lot line, may be side lot lines. On lots with two (2) or more sides abutting the street, the side lot line(s) abutting a street shall be the exterior side lot line and the side lot line(s) not abutting a street shall be known as the interior side lot line(s).

“Lot of Record”: A parcel of land as shown on the records of the County Assessor at the time of the passage of the ordinance codified by this Title.

“Lot Width”: The width of the lot at its narrowest width. Said width is determined at the front property line for interior lots through lots and corner lots. The width of cul-de-sac, curvilinear and irregular lots may be determined at the front yard setback line.

“Lowest Floor”: The lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area (see definition of Basement) is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this Chapter. (Note: This definition allows attached garages to be built at grade. Below grade garages are not allowed as they are considered to be basements.)

“Main Dwelling Unit”: The primary dwelling unit, existing or proposed, which provides complete

independent living facilities for one or more persons.

“Maintenance”: The term "maintenance" shall mean:

A. For buildings, walls, fences, driveways, walkways, parking lots, courts, and patios; to paint, repair or perform other various tasks needed to keep the aforementioned in a state as prescribed by the Director of Community Development.

B. For landscaped areas; to water, prune, fertilize, spray or perform other various tasks needed to keep the aforementioned in a maintained and manicured state.

“Marquee”: A fixed shelter used only as a roof extending over a building line and which is entirely supported by the building to which it is attached.

“Manufactured Home”: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

“Manufactured Home Park or Subdivision”: A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

“Mean Ground Level”: The top of the nearest adjoining curb. If there are not adjoining curbs, the "mean ground level" shall mean the average natural elevation of the lot or piece of property.

“Mean Sea Level”: For purpose of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

“Mitigated Negative Declaration”: A written statement prepared by the lead agency, as required by the California Environmental Quality Act stating that revisions or conditions of approval for a project and agreed to by the applicant, will not have a significant effect on the environment.

“Mobile Home”: A transportable structure or trailer coach built on a chassis for future movement, and designed to be used as a dwelling without a permanent foundation when connected to the required utilities, and intended for occupancy by one family. No such structure shall be deemed to be a mobile home which is less than eight feet (8′) nor greater than fourteen feet (14′) in width for a single section, nor less than thirty-two feet (32′) nor greater than seventy feet (70′) in length for a single section.

“Mobile Home Access Drive”: A private thoroughfare which affords internal circulation for a mobile home park.

“Mobile Home Access Drive Line”: The boundary line between an access drive and the abutting mobile home space.

“Mobile Home Access Drive, Side”: That access drive bounding a corner mobile home space and which extends in the same general direction as the line determining the depth of the mobile home space.

“Mobile Home Area”: The sum in square feet of the ground area occupied by a mobile home and all structures on a mobile home space.

“Mobile Home Building Line”: A line parallel with the front mobile home line or access drive and distance there from the depth of the required front yard.

“Mobile Home Park”: Any area or tract of land where space is rented or sold or held for rent to one or more owners or users of residential trailers or mobile homes.

“Mobile Home Park Storage Area”: An area within a mobile home park intended for the storage of items and the accommodation of uses commonly associated with and incidental to the uses permitted in a mobile home park and its operation and maintenance thereof.

“Mobile Home, Residential”: Vehicle with or without motive power, designed and constructed to travel on the public thoroughfares in accordance with the provisions of the California State Vehicle Code and to be used for human habitation.

“Mobile Home Space”: A plot of ground within any trailer park designed for the accommodation of one residential trailer and related facilities.

“Mobile Home Space, Corner”: A mobile home space situated at the intersection of two (2) or more access drives.

“Mobile Home Space Depth”: The horizontal distance between the front and rear mobile home space line.

“Mobile Home Space, Interior”: A mobile home space other than a corner mobile home space.

“Mobile Home Space Line, Front”: In case of an interior mobile home space, a line separating the mobile home space from the access drive, and in the case of a corner lot, a line separating the narrowest access drive frontage of the mobile home space from the access drive.

“Mobile Home Space Line, Rear”: A mobile home space line which is opposite and most distant from the front mobile home space line and, in the case of an triangular or irregularly shaped mobile home space, a line within the mobile home space line, having a length of not less than ten feet (10′).

“Mobile Home Space Line, Side”: Any mobile home space boundary line not a front mobile home space line or a rear mobile home space line.

“Mobile Home Space Width”: The horizontal distance between the side mobile home space lines

measured at right angles to the mobile home space depth at the front mobile home line.

“Mobile Home Space Yard”: An open area on a mobile home space unoccupied and unobstructed from the ground upward.

“Mobile Home Space Yard, Front”: mobile home space yard extending across the full width of the mobile home space, the depth of which is the distance between the front mobile home space line and the building line.

“Mobile Home Space Yard, Rear”: A mobile home space yard contiguous to the rear line of a mobile home space and extending from side line to side line.

“Mobile Home Space Yard, Side”: A mobile home space yard between the mobile home and the side line, extending from the front building line to the rear yard.

“Motel”: A building or group of buildings used for transient residential purposes containing guest rooms or dwelling units with automobile parking space provided in connection therewith, which building or group is designated, intended, or used primarily for the accommodation of transient automobile travelers; including groups designated as auto cabins, auto courts, motor courts, motor hotels, and similar designations.

“Negative Declaration”: A written statement prepared by the lead agency, as required by the California Environmental Quality Act briefly describing the reasons why a proposed project will not have a significant effect on the environment.

“Net Acre”: For the purposes of this ordinance, the term "net acre" shall mean an acre of land less all required public dedications. For computation purposes, a "net acre" is assumed to be seventy-five percent (75%) of a total gross acre, or undeveloped acre, or portion thereof.

“Net Density”: The number of dwelling units per net acre of land.

“Nonconforming Building”: A building or portion thereof lawfully existing on the effective date of the ordinance codified in this Title, which was designed, erected or structurally altered for use which does not conform to the uses permitted in the zone in which it is located, or which does not comply with one or more of the property development standards of the zone in which it is located.

“Nonconforming Use”: A lawful use of a building or land existing on the effective date of the ordinance codified in this Title which does not conform to the uses permitted in the zone in which it is located.

“Nursing Home”: A structure operated as a lodging house in which nursing, dietary, and other personal services are rendered to convalescents, invalids, or aged persons, not including persons suffering from contagious or mental diseases, alcoholism, or drug addiction, and in which surgery is not performed and primary treatment, such as customarily is given in hospitals and sanitariums, is not provided. A convalescent home or a rest home shall be deemed a nursing home.

“Obstruction”: For floodplain purposes, includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, restrain, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

“Open Space”: The area of a lot which is not occupied by building coverage, parking lot or driveway.

“Open Space, Private”: That usable open space which is intended to be used by the occupants of a single dwelling unit.

“Open Space, Public”: That usable open space which is intended to be used by the occupants of several dwelling units.

“Ordinance, Zoning Ordinance”: Title 18 of the Ceres Municipal Code.

“Parking Area, Common”: A public or private parking area jointly used by two (2) or more uses.

“Parking Area, Private”: An open area, other than a street, used for parking of automotive vehicles and restricted from general public use. Such areas shall have frontage on or access to a dedicated street or alley.

“Parking Area, Public”: An area, other than a private parking area or street used for the parking of vehicles and available for public or quasi-public use, either free or for a fee. Such areas shall have frontage on or access to a dedicated street or alley.

“Parking Space, Automobile”: Space exclusive of driveways, ramps, columns, loading areas, office or work areas within a building or open parking area for the parking of one automobile. A parking space shall be not less than nine feet (9′) in width, twenty feet (19′) in length and shall be accessible and usable for the parking of a standard motor vehicle.

“Patio”: An open area or an accessory outdoor living structure not exceeding fourteen feet (14′) in height and open on at least one side. If covered, a patio shall be included for the purposes of determining let coverage and floor area ratio.

“Permittee”: The person, firm or corporation who is proposing to use or who is using the land pursuant to the permit required by this Title at the time the matter is under consideration in connection with any procedure under this Title.

“Permitted Use”: Any use listed as a principal use or accessory use, and shall further include a conditional use as listed for the particular district, provided a conditional use permit is obtained.

“Person”: An individual, firm, partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, the Federal or State government, City, County special district, or any other group or combination acting as an entity, excepting the City.

“Planned Community”: For the purposes of this ordinance, the term "planned community" shall mean:

A. Land under unified control, planned and developed as a whole;

B. In a single development operation or a definitely programmed series of development operations, including all lands and buildings;

C. For principal and accessory structures and uses substantially related to the character of the district;

D. According to comprehensive and detailed plans which include not only streets, utilities, lots or building sites, and the like, but also site plans, floor plans, and elevations for all buildings as intended to be located, constructed, used, and related to each other, and detailed plans for other uses and improvements on the land as related to the buildings, and;

E. With a program for provisions, operation, and maintenance of such areas, improvements, facilities, and services as will be for common use by some or all of the occupants of the district, but will not be provided, operated or maintained at general expense.

“Plant Nursery”: Land and buildings improved and intended for sale of planting stocks, gardening equipment, and related outdoor furniture, supplies, and masonry. “Plant Nursery” shall not include a “Cannabis Business” as defined in Section 5.22.020 of the Ceres Municipal Code.

“Planting, Maintenance Required”: In a space between a fence or wall and a property line or right-of-way line, the planting shall be regulated so as to maintain the required open areas in the fence structure in order to preserve passage of light and air and permit necessary visibility.

“Portable Outdoor Storage Unit”: Any container which is rented, loaned or owned by owners or occupants of property for their temporary use and is designed for the transportation and storage of personal property of any kind.

“Poultry”: A species of fowl.

“Poultry Farm”: Any premises on which the primary use is the breeding, raising or maintaining of poultry for sale, or for production of eggs for sale, or both, or where the primary income from the premises is derived from the aforesaid occupation.

“Prezoning”: The zoning of unincorporated property by the City of Ceres prior to its annexation by the City.

“Private Noncommercial Use”: A use operated by a private nonprofit club or association, such as fraternal association, improvement associations, and similar groups; said use having the purpose primarily of serving the members of the club or association and including uses such as private golf courses, country clubs, swimming pools, riding clubs, private lodges and like uses.

“Property Development Standards”: Regulations to be applied to each district addressing:

A. Lot area.

B. Lot coverage.

C. Lot dimensions.

D. Setback requirements.

E. Distance between buildings.

F. Population density.

G. Building height.

H. Site plan approval.

I. Yards, landscaping, open space requirements.

J. Fences, hedges, walls.

K. Off-street parking and loading.

L. Access.

M. Signing.

N. Laundry and clothes drying areas.

O. Solid waste storage, disposal facilities.

P. Recreational areas.

Q. Park-in-lieu fees.

R. Security.

“Property Line”: Property line shall have the same meaning as lot line.

“Provisions”: Includes all regulations and requirements referred to in reference.

“Quasi-Public Organization”: Any nongovernmental, nonprofit organization that is devoted to public service or welfare.

“Recreational Facility”: a building or place that provides a particular service or is used for a particular industry.

“Recreational Vehicle”: A vehicle which is:

A. Built on a single chassis;

B. Four hundred (400) square feet or less when measured at the largest horizontal projection;

C. Designed to be self-propelled or permanently towable by a light-duty truck; and

D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

“Recycling Center”: An operation which is certified by the California Department of Conservation and which accepts from consumers, and pays or provides the redemption value and applicable redemption bonus pursuant to section 14572 of the California Public Resources Code for empty beverage containers intended to be recycled.

“Regulatory Floodway”: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot (1′).

“Residence”: A building used, designed and intended to be used as a home or dwelling place.

“Residential”: Describes those areas and buildings within the City used primarily for living and dwelling purposes.

“Residential Care Facilities”: A state-licensed structure operating as a lodging house in which nursing, dietary, and other personal services are rendered to convalescents, invalids, or aged persons in return for compensation, but in which no surgical or other primary treatments, such as customarily provided in hospitals or sanitariums are performed, and in which no persons are kept or served who normally would be admissible to a mental hospital. Residential care facilities include convalescent homes, rest homes, nursing homes, and other residential care facilities as deemed similar by the Director of Community Development.

“Rest Home for the Aged”: A building containing a State or County licensed dwelling unit, where lodging is provided with or without meals for compensation to more than three (3) ambulatory, well, and sixty-five (65) years old or over nontransients.

“Restore, Renovate”: To return a use, building, structure, or piece of land to a former or normal state.

“Retail Store”: A business selling goods, wares, services, or merchandise directly to the ultimate consumer.

“Rezoning”: The legislative act of amending a zoning designation of a property on the Zoning Map, which changes said designation from one zone district to another zone district.

“Riverine”: Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

“Room”: An interior space of a building of structure totally enclosed or set apart by walls, including closets or hallways.

“Sanitarium”: A health station or retreat or other place where patients are housed and where medical or surgical treatment is given. This does not include mental institutions or places for the treatment of narcotics addicts.

“Schools; Elementary, Intermediate, Junior High, and High”: An institution of learning which offers instructions in the several branches of learning and study required to be taught in the public schools by the Education Code of the State.

“School, Private”: An institution conducting regular academic instruction at kindergarten, elementary and secondary levels operated by a nongovernmental organization.

“Setback Line, Front Yard”: The line which defines the depth of the required front yard. The setback line is parallel with the street line, or when established by General Plan, with the highway right of way, removed therefrom by the perpendicular distance prescribed for the front yard in the zone.

“Setback Line, Rear Yard or Side Yard”: The line which defines the width or depth of the required rear or side yard. The setback line is parallel with the property line, removed therefrom by the perpendicular distance prescribed for the yard in the zone.

“Shipping Container”: Any container which is rented or purchased by owners or occupants of property for their temporary or permanent use and is designed for storage of personal property of any kind.

“Shopping Center”: Any combination of five (5) or more separately owned and operated offices or commercial uses developed as a single project on a site of at least one acre, and includes neighborhood commercial as well as community commercial uses.

“Side Street”: That street bounding a corner or reversed corner lot which extends in the same

general direction as the line determining the depth of the lot.

"Site Plan, Plot Plan": A mechanical drawing of a piece of property, including but not limited to the following:

A. Name and address of the owner of the property.

B. Name and address of the person who prepared the plan.

C. North point.

D. Scale—preferably no less than one inch equals thirty feet (1″ = 30′), or ( 1/8 ″ = 1′).

E. Date of preparation.

F. Proposed use classification for each building or activity area.

G. All required street widening, street width and parkway widths, and alleys.

H. Location of all existing or proposed public or private easements.

I. Overall dimensions of entire property, identify all property lines.

J. Net area of site.

K. A complete legal description and site address.

L. Indicate the square footage of each building or activity area and total number of parking spaces provided.

M. Location, by dimension and proper labeling, of all:

1. Buildings, building heights and activity areas;

2. Parking areas, including layout of parking stalls and landscaping;

3. Driveways, alleys, and accessways, including entrances to and from;

4. Public streets;

5. Sidewalks (public), and walkways (private);

6. Fences, walls, screens, and landscaping;

7. Exterior lighting;

8. Site drainage, including natural drainage courses;

9. Signs;

10. Recreation areas, facilities.

N. Disposition of all existing buildings on the property.

O. Indicate location and extent of any filled ground or dump conditions.

P. Existing and finish grades and drainage plan.

"Site Plan Approval (SPA)": The approval by the Planning Commission of a site plan, floor plans, elevations and a landscape plan of a proposed development to ensure that the development is in conformity with both the intent and provisions of this Title.

"Slope": A natural or artificial incline, as a hillside or terrace. Slope is usually expressed as a ratio. For example, a horizontal distance of fifty feet (50′) with a rise of one hundred feet (100′) would be expressed as a 1:2 slope.

"Special Flood Hazard Area (SFHA)": An area having special flood hazards and shown on an FHBM or FIRM as Zone A, AO, A1-A30, AE, A99, or AH.

"Stable, Private": A detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

"Stable, Riding": Any stable where horses are kept for hire.

"Storage": The placing or keeping of personal property of any kind in a yard or on a lot.

"Story": A space in a building between the surface of any floor and the surface of the floor next above, or if there be no floor above, then the space between such floor and the ceiling or roof above.

"Story, Half": A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four feet (4′) above the floor of such story, provided, however, that any partial story used for one or more dwelling units, shall be deemed a full story.

"Street, Road": A public or approved private right of way which provides a means of access to abutting property.

"Street, Center Line": The center line of a street or right of way as established by official surveys.

“Street, Collector”: A street which is intended to ultimately serve more than fifty (50) dwelling units and has a minimum width of sixty feet (60′).

“Street Line”: The boundary line between a street right of way and abutting property.

“Street, Local, Minor Street”: A street which is intended to ultimately serve fifty (50) or less dwelling units and has a minimum width of fifty feet (50′).

“Street, Major, Arterial Street”: A street which has a minimum width of one hundred feet (100′).

“Structural Alteration”: Any change in the supporting members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, roof trusses, foundations, piles or retaining walls or similar components.

“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 swimming and wading pools and patios, excepting outdoor areas such as paved areas, walks, tennis courts and similar recreation components.

“Substantial Damage”: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. Market value shall be determined by estimating the cost to replace the structure in new condition and adjusting that cost figure by the amount of depreciation which has accrued since the structure was constructed. The cost of replacement of the structure shall be based on a square foot cost factor determined by reference to a building cost estimating guide recognized by the building construction industry. The amount of depreciation shall be determined by taking into account the age and physical deterioration of the structure and functional obsolescence as approved by the floodplain administrator, but shall not include economic or other forms of external obsolescence. Use of replacement costs or accrued depreciation factors different from those contained in recognized building cost estimating guides may be considered only if such factors are included in a report prepared by an independent professional appraiser and supported by a written explanation of the differences.

“Substantial Improvement”: Any reconstruction, rehabilitation, addition, or other proposed new development of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

A. Any project for improvement of a structure to correct existing violations or State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

B. Any alteration provided that preclude the designation as of a "historic structure," provided the alteration will not preclude the structure's continued designation as a "historic structure."

“Supermarket”: A market having ten thousand (10,000) or more square feet of floor area devoted principally to the sale of food.

“Supportive Housing”: Housing with no limit on length of stay, that is occupied by a target population, and that is linked to an on-site or off-site service that assists the supportive housing residents in retaining housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

“Swimming Pool”: An above grade or below grade body of water created by artificial means which is designed for and offers the possibility of use for swimming, bathing and/or total bodily immersion by any person, any portion of which exceeds eighteen inches (18″) in depth. This definition shall not include: hot tubs, spas, bathtubs, whirlpool baths, therapeutic baths, saunas or similar structures as determined by the Planning Commission when located at least twenty-four inches (24″) above finished grade and physically separated from a swimming pool structure by at least three feet (3′).

“Target Population”: Persons with low incomes who have one or more disability, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5, commencing with Section 4500 of the Welfare and Institutions Code), and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care systems, individuals exiting from institutional settings, veterans, and homeless people.

“Temporary Use”: A use intended to be operated on a temporary or seasonal basis. Temporary uses shall include the following types:

A. Seasonal or Theme-Oriented Use: This type of use shall be limited to fireworks stands, pumpkin lots, Christmas tree lots, and City-sponsored activities. These uses shall not be operated for a period of more than thirty (30) days during a twelve (12) month period.

B. Special Business Use Event: This type of use is defined as one which is operated in conjunction with established permanent commercial uses which do not result in a substantial alteration to the capacity and/or circulation of off-street parking areas as determined by the Director of Community Development. Such activities may include grand openings, sidewalk sales, parking lots sales, promotions, and related activities, and other similar activities as may be determined by the Director of Community Development. The sales of items at such special business or use events shall be limited to only those types of merchandise customarily offered for sale by the business conducting the special business or use event. Special business or use event sales shall be conducted only on property immediately adjacent to the business conducting the sale.

C. Photography/filming: This type of permit shall be processed under temporary use permits as identified under Section 18.30.030, subsection (D), of the Ceres Municipal Code, and shall also be required to receive clearance through the City Council for any street closures or use of public rights of way in accordance with Chapter 12.01 of the Ceres Municipal Code.

“Trade School”: Private schools offering instruction preponderantly in the technical, commercial or trade skills, such as real estate schools, business colleges, electronic schools, automotive and aircraft technicians schools and similar commercial establishments.

“Trailer”: A vehicle without motor power designed and constructed to travel on the public thoroughfares in accordance with the provisions of the California State Vehicle Code and to be used for human habitation. No trailer shall be used as a place of human habitation except in regularly established trailer parks.

“Transient”: A person who received dwelling accommodations for a price, with or without meals, for a period of not more than one hundred eighty (180) consecutive days.

“Transitional Housing”: Buildings configured as rental housing developments, but operated under program requirements that require termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six (6) months from the beginning of the assistance.

“Usable Open Space”: The term "usable open space" shall mean:

A. The aggregate area of front, side and rear yards, uncovered patios, and balconies and decks having a depth of not less than six feet (6′) and area not less than sixty feet (60′), on a building site or building which is available and accessible to the occupants of the building or building site for purposes of active and/or passive outdoor recreation.

B. This area is exclusive of driveways, areas for off-street parking and services, and ground level areas with a width of less than five feet (5′) or maximum dimension of under ten feet (10′). At least seventy-five percent (75%) of the usable open space shall have a slope of ten percent (10%) or less.

“Use”: The purpose for which land or building is erected, enlarged, arranged, designed or intended, or for which land or building is or may be occupied or maintained.

“Used”: Includes the words "arranged for," "designed for," "occupied for," or "intended to be occupied for."

“Variance”: A permit for deviation from the provisions established in the zone in which the property is located, granted by the Planning Commission pursuant to and intended to permit the fair use of property in cases where the strict enforcement of the law would, because of exceptional conditions on the land such as the location, size, shape or slope of the lot, work an unnecessary

hardship on the subject property which would not apply to other properties in the same zone.

“Visual Obstruction”: Any fence, hedge, tree, shrub, wall or structure exceeding three feet (3′) in height, measured from the crown of intersecting or intercepting streets, alleys or driveways, which limit the visibility of persons in motor vehicles on the streets, alleys or driveways. This does not include trees kept trimmed of branches below a minimum height of seven feet (7′).

“Wall”: Any structure or device forming a physical barrier, which is so constructed that fifty percent (50%) or more of the vertical surface is closed and prevents the passage of light, air, and vision through the surface in a horizontal plane. This shall include concrete, concrete block, wood or other materials that are solids and are so assembled as to form a solid barrier. Walls shall be constructed to conform to the standards of the City’s Building Code and/or California Building Code. Walls within in front or exterior side-yard setback shall not be more than three feet (3’) in height.

“Water Surface Elevation”: The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

“Watercourse”: A lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. "Watercourse" includes specifically designated areas in which substantial flood damage may occur.

“Wholesaling”: The selling of any type of goods for the purpose of resale.

“Yard”: Any open space other than a court on the same lot with a building or a dwelling group, which space is generally open from the ground to the sky, except for the projections and/or accessory buildings permitted by this Title.

“Yard, Front”: A space between the front yard setback line and the front lot line of the existing or future highway right-of-way line, and extending the full width of the lot.

“Yard, Rear”: A space between the rear yard setback line and the rear lot line, extending the full width of the lot.

“Yard, Side”: A space extending from the front yard setback line, or from the front lot line where no front yard is required by this Title, to the rear yard setback line or rear lot line between a side line and side yard setback line.

“Yard, Exterior Side”: A space extending from the front yard setback line to the rear year setback line for a property that is located on a corner.

“Zone (District)”: A portion of the City within which the use of land and structures and the location, height, and bulk of structures are governed by this Title.

# Chapter 03

# PLANNING RESPONSIBILITIES

**Sections:**

**18.03.010 Purpose.**
**18.03.020 Composition of the Ceres Planning Agency.**
**18.03.030 Responsibilities of the City Council.**
**18.03.040 Responsibilities of the Planning Commission.**
**18.03.050 Responsibilities of the Director of Community Development.**
**18.03.060 Establishment of the General Plan Review Committee.**
**18.03.070 Sign Review Committee.**

## 18.03.010 Purpose.

The purpose of this chapter is to establish the administration of this title and to set forth the basic responsibilities of the officials and bodies charged with its administration.

## 18.03.020 Composition of the Ceres Planning Agency.

Section 65100 of the California Government Code requires each jurisdiction to establish a planning agency to carry out the land use and planning functions of the jurisdiction. The functions of the Planning Agency, as designated by this title, may be any one (1) of the following, as further defined in this chapter and title. In the absence of an assignment, the City Council shall have the Planning Agency responsibility and authority.

A. City Council;

B. Planning Commission;

C. Director of Community Development.

## 18.03.030 Responsibilities of the City Council.

The City Council shall have the following land use responsibilities:

A. Members of the Planning Commission shall be appointed by the Mayor and approved by the City Council as provided in Title 2 of this Code.

B. Hear and decide appeals of the decisions of the Planning Commission.

C. Hear and decide applications for zoning amendments, General Plan amendments, community plans, specific/master plans, special planning areas, prezoning, and development agreements. In the event that applications for other land use permits are requested in conjunction with these entitlements, the City Council shall also be the final decision-making body for the other land use permits.

D. Direct planning-related policy amendments and special studies as necessary or desired.

E. Exercise such other powers and duties as are prescribed by State law or local ordinance.

**18.03.040 Responsibilities of the Planning Commission.**

The Planning Commission shall have the following land use responsibilities:

A. Hear and decide appeals of the decisions of the Planning Division and the Director of Community Development.

B. Hear and decide applications for conditional use permits, variances, major design review (e.g., site plan approval or specific plan site plan entitlements), extensions to nonconforming use status, tentative subdivision maps, and tentative parcel maps.

C. Review and approve or disapprove official zoning interpretations.

D. Hear and make recommendations to the City Council on applications or proposals for amendments to this title.

E. Initiate studies of amendments to this title and make recommendations to the City Council for amendments to this title.

F. Hear and make recommendations to the City Council on applications for zoning amendments, the General Plan and its amendments, specific/master plans, special planning areas, prezoning, and other related planning studies.

G. Exercise such other powers and duties as are prescribed by State law, local ordinance, or as directed by the City Council.

**18.03.050 Responsibilities of the Director of Community Development.**

The Director of Community Development shall have the responsibility and authority to administer and enforce this title as follows:

A. Maintain the sections of this title, zoning map, and all records of zoning actions and interpretations.

B. Advise the City Council, City Manager, and Planning Commission on planning matters.

C. Decide administrative permits, minor deviations, minor uniform sign programs, parking reduction permits, reasonable accommodation permits, and temporary use permits.

D. Staff meetings and provide administrative services for the Planning Commission.

E. Direct planning-related policy amendments and special studies as necessary or desired.

F. Conduct administrative functions authorized by this title, including distribution and receipt of

permit applications and corresponding fees, application review and public noticing, determination and issuance of administrative permits and approvals, and preparation of staff reports with recommendations, proposed findings, and proposed conditions for quasi-judicial and legislative actions by the City Council and Planning Commission.

G. Provide information to the public and facilitate public participation on planning matters.

H. Prepare official zoning interpretations for Planning Commission review and action.

I. Hear and decide applications for minor design reviews and minor use permits.

J. Hear and decide tentative subdivision, vesting subdivision map and other land use entitlement extensions.

K. Exercise such other powers and duties as are prescribed by State law, local ordinance, or as directed by the City Manager.

**18.03.060 Establishment of the General Plan Review Committee.**

The City Council may form a committee for the purposes of reviewing updating, and recommending amendments to the City's General Plan. The Committee shall be composed of two (2) Planning Commissioners; two (2) City Council members; and such other members as the City Council may from time to time determine are necessary or desirable. All members shall be appointed by the Mayor with the concurrence of the City Council. Each member of the General Plan Review Committee shall serve at the pleasure of the Mayor for an indefinite term, and may be removed by the recommendation of the Mayor and confirmation by a majority vote of the City Council.

**18.03.070 Sign Review Committee.**

The City Council, may at any time, establish a Committee for the purpose of reviewing and updating the City's Zoning Code as it relates to sign regulations. The committee shall be composed of two (2) Council members and two (2) Planning Commissioners. Committee meetings may be called at the discretion of the Mayor or Chairman of the Planning Commission.

# Chapter 04

# GENERAL PROVISIONS AND ADMINISTRATIVE ADJUSTMENTS

**Sections:**

**18.04.010 Components.**
**18.04.020 Application and Interpretation.**
**18.04.030 Ambiguity.**
**18.04.040 Permitted Uses Only.**
**18.04.050 Open Space –Encroachment.**
**18.04.060 Open Space –Other Buildings.**
**18.04.070 Addition of Permitted/Conditional Uses.**
**18.04.080 Similar Uses Permitted or Conditional.**
**18.04.090 Uses of Nonconforming Site.**
**18.04.100 Yard Requirements –Measurement.**
**18.04.110 Coverage –Measurement.**
**18.04.120 Appeal to City Council.**
**18.04.130 Administrative Adjustments –Purpose.**
**18.04.140 Administrative Adjustments –Scope of Authority.**
**18.04.150 Adjustment Criteria.**
**18.04.160 Administrative Adjustment Report.**
**18.04.170 Site Plan Approval.**

## 18.04.010 Components.

This Title shall consist of a zoning map and it will determine districts, control land uses, restrain population densities, specify uses and locations of structures, designate appropriate landscaping of certain structural uses, determine areas and dimensions of sites, provide for off-street parking and loading facilities, and prescribe other regulations in order to protect the public health, safety, and welfare of the City.

## 18.04.020 Application and Interpretation.

In their interpretation and application, the provisions of this Title shall be held to be minimum requirements. This Title shall apply to all property whether owned by private persons, firms, corporations or organizations; by the United States of America or any of its agencies; by the state of California or any of its agencies or political subdivisions; by any City or county, including the City or any of its agencies; or by any authority or district organized under the laws of the state of California, all subject to the following exceptions:

A. Public streets and alleys;

B. Underground utility lines and facilities;

C. Underground communications lines;

D. Overhead communications lines;

E. Overhead electric distribution lines, not including transmission and distribution substations;

F. Railroad rights-of-way;

G. Transmission lines.

**18.04.030 Ambiguity.**
Except as otherwise expressly provided pursuant to other provisions of this Title, if ambiguity arises concerning the appropriate classification of a particular use within the meaning and intent of this Title, or with respect to height, yard requirements, area requirements, or zone boundaries, and as they may pertain to unforeseen circumstances, it shall be the duty of the Planning Commission to ascertain all pertinent facts and by resolution, set forth its findings and interpretations, and thereafter such interpretations shall govern unless appealed to the City Council pursuant to Section 18.03.030. Upon review, such interpretation may be approved, disapproved or modified by the City Council.

**18.04.040 Permitted Uses Only.**
No structure or part thereof shall be erected, altered or enlarged, nor shall any site or structure be used, designated or intended for use other than the uses listed in this Code as permitted or conditional in the zone in which such structure, land or premises is located.

**18.04.050 Open Space –Encroachment.**
No structure shall be erected, nor shall any existing structure be altered, enlarged, rebuilt or moved into any zone, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, site area, and building location regulations designated for the zone in which such structure or open space is located.

**18.04.060 Open Space –Other Buildings.**
No yard or other open space provided about any structure for the purpose of complying with provisions of this Title shall be considered as providing a yard or open space for any other structure, and no yard or other open space on one site shall be considered as providing a yard or open space for a structure on any other site.

**18.04.070 Addition of Permitted/Conditional Uses.**
A. Upon application or on its own initiative, the Planning Commission may add to the list of permitted or conditional uses, if the Planning Commission makes the following findings:

1. That any addition to the list of permitted or conditional uses will be in accordance with the purposes of the zone in which the use is proposed;

2. That the use will be an appropriate addition to the list of permitted or conditional uses because the use has the same basic characteristics as the uses permitted in the zone;

3. That the use will not be detrimental to the public health, safety or welfare;

4. That the use will not adversely affect the character of the zone in which it is to be permitted;

5. That the use will not create more odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness or be more objectionable than the uses permitted in the zone;

6. That the use will not create any greater hazard of fire or explosion than the hazards normally associated with the uses permitted in the zone;

7. That the use is within conformance with the purpose, intent, and policies of the General Plan.

B. Additions may be made to the list of permitted or conditional uses by resolution of the Planning Commission, subject to ratification by the City Council. The Planning Commission and City Council may, at their discretion, hold a public hearing on a proposed addition.

**18.04.080 Similar Uses Permitted or Conditional.**

A. When a use is not specifically listed in the zoning ordinance and does not appear to be covered by a general category, the Director of Community Development has the discretion to make the finding that the use can be permitted subject to the granting of a conditional use permit if the use is similar in nature and intensity to other uses listed.

B. It is further recognized that every conceivable use cannot be identified in this Title, and anticipating that new uses will evolve over time, this establishes the Director of Community Development's authority to compare a proposed use and measure it against those listed in this Title that are similar in nature and intensity in order to make a determination that the use is "similar" and may be permitted by right or allowed subject to the granting of a conditional use permit.

C. In determining "similarity" the Director of Community Development shall make all of the following findings:

1. The proposed use shall meet the intent of and be consistent with the goals, objectives, and policies of the General Plan;

2. The proposed use shall meet the stated purpose and general intent of the zone in which the use is proposed to be located;

3. The proposed use shall not adversely impact the public health, safety and general welfare of the City's residents; and

4. The proposed use shall share characteristics common with, and not be of greater intensity, density or generate more environmental impact, than those uses listed in the land use zone in which it is to be located.

**18.04.090 Uses of Nonconforming Site.**

Except as otherwise provided in this Title, a site having an area, frontage, width or depth less than the minimum prescribed for the zone in which the site is located, as depicted on a duly approved and recorded subdivision map, or a site for which a deed or valid contract of sale was recorded prior to the adoption of this Title, and that had a legal area, frontage, width and depth at the time that the subdivision map, deed or contract of sale was recorded, such sites may be used for any permitted use, but shall be subject to all other regulations for the zone in which the site is located.

**18.04.100 Yard Requirements –Measurement.**

A. Required yards shall be measured as the minimum horizontal distance from the property line of the site or street line to a line parallel on the site; provided, that where a precise street plan has been adopted by the City Council, required yards shall be measured from the property line, and no provision of this Title shall be construed to permit a structure or use to extend beyond such line; and provided further, that where a site abuts on a street having only a portion of its required width dedicated or reserved for street purposes, required yards shall be measured from a line drawn on the boundary of the additional width required for street purposes abutting the site.

B. On a site that is not rectangular or approximately rectangular in shape, required yards shall be measured in the manner prescribed by the Director of Community Development in accordance with adopted codes and ordinances.

**18.04.110 Coverage –Measurement.**

Percentage of a site area covered by structures shall be measured by dividing the number of square feet of horizontal area covered by structures, open or enclosed, by the total horizontal area within the property line of the site.

**18.04.120 Appeal to City Council.**

Where the Planning Commission is authorized to make any decision pursuant to the provisions of the Ceres Zoning Ordinance and that decision is to be subject to appeal to the City Council, the following procedure shall apply.

A. The interested person adversely affected may, upon payment of an appeal fee as may be established by resolution of the City Council, appeal any decision, determination or requirement of the Planning Commission by filing a notice thereof in writing with the City Clerk, setting forth in detail the action and the grounds upon which the appeal is based within ten (10) days after the action that is the subject of the appeal. Such notice shall state specifically where it is claimed there was an error or abuse of discretion by the Planning Commission.

B. Upon the filing of an appeal, the City Council shall set the matter for hearing. Such hearings shall be held within thirty (30) days after the date of filing the appeal or receipt of City Councilmember requests. The City Clerk shall give notice of the hearing according to the procedure required for the initial action by the Planning Commission, except that the timing of such notice shall be not less than ten (10) days before the hearing.

C. In holding the hearing on the matter, the City Council may receive any and all information

pertinent to the matter, regardless of whether such information was first presented to the Planning Commission. In the case of decisions by the Planning Commission that followed a public hearing, the City Council shall hold a new public hearing on the matter. Upon the close of the hearing, the City Council shall vote to either confirm the decision of the Planning Commission, overturn the decision, or confirm the decision with modifications, and the City Council may continue the item to the next meeting if necessary to direct staff to prepare a conforming resolution with findings, which shall be considered by the City Council at the next scheduled City Council meeting. In the case of a tie vote, the Planning Commission decision shall stand, and shall be considered final as of the date of the City Council vote.

**18.04.130 Administrative Adjustments –Purpose.**

The purpose of an administrative adjustment is to provide action on projects that are routine in nature but may require an interpretation of established policies and standards set forth in the zoning ordinance.

**18.04.140 Administrative Adjustments –Scope of Authority.**

A. Notwithstanding the provisions of Chapter 18.31 related to variances, the Director of Community Development or his or her designee shall have the authority to grant administrative adjustments to development standards contained within this Title.

B. Upon written request, the Director of Community Development may approve, conditionally approve, or deny without notice minor adjustments to the following development standards; building and landscaping setbacks, site area, lot width, building height, parking.

C. Any administrative adjustment shall be limited to no more than twenty percent (20%) of a required development standard. In making the adjustment, the Director of Community Development shall make a finding that the adjustment is consistent with the criteria listed in Section 18.04.150. With respect to adjustments to building setbacks and building height, the adjustment shall also be approved by the Fire Chief or his or her designee prior to granting the administrative adjustment.

**18.04.150 Adjustment Criteria.**

The Director of Community Development shall record the decision in writing along with the basis for the decision. The Director of Community Development may approve or conditionally approve an application, with or without conditions, only if all the following criteria are met:

A. That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, creating a practical difficulty or unnecessary hardship;

B. That granting of the administrative adjustment is necessary to provide consistency with properties in the same vicinity and land use designation or development standards within which the administrative adjustment is sought;

C. That granting the administrative adjustment will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in such vicinity and land

use designation or development standards in which the property is located;

D. That granting the administrative adjustment will not be inconsistent with the goals and policies of the General Plan.

**18.04.160 Administrative Adjustment Report.**

The Planning Commission may request that the Director of Community Development report to the Planning Commission a summary of the administrative adjustment applications that have been processed and approved during the proceeding calendar year.

**18.04.170 Site Plan Approval.**

Where required by this Title, a site plan, elevations of all buildings, floor plans of all buildings, and a landscape plan shall be submitted to the Planning Commission to enable it to make a finding that the proposed development is in conformity with both the intent and provisions of this Title.

A. Filing: Application for site plan approval shall be filed by the owner of the property for which the approval is sought, or by the authorized representative of the owner.

B. Form and Contents: Application shall be made to the Planning Commission on forms furnished by the Planning Division and shall be full and complete, including such data as may be prescribed by the Planning Commission to assist in determining the validity of the request. The applicant shall verify the petition and the date of verification shall be noted on the petition.

C. Filing Fee. When an application for site plan approval is filed, a uniform fee shall be paid in such amount as determined by the City Council from time to time by resolution.

D. Application Review. The Planning Division shall investigate the facts bearing on any case involving an application for site plan approval to provide the Planning Commission with data essential for action consistent with the intent of the Title and the General Plan. Applicants are strongly encouraged to be present at the Planning Commission meeting scheduled for the consideration of the application.

E. Duration. Site plan approvals shall expire in twenty-four (24) months from approval by the Planning Commission or when approved by the City Council under appeal. If substantial improvements have begun within the twenty-four (24) months, the site plan approval application may be deemed valid as determined by the Director of Community Development. The Director of Community Development's determination may be appealed to the Planning Commission and subsequently to the City Council. Upon expiration of a site plan approval, a new application must be submitted for approval by the Planning Commission. Where the General Plan land use designation or policies have changed and said site plan approval application is not consistent with such change, the site plan approval shall be null and void.

# Chapter 05

# ZONING MAPS

**Sections:**

**18.05.010 Establishment of Zone Names.**
**18.05.020 Designation of Zone Names.**
**18.05.030 Determination of Boundaries.**
**18.05.040 Rights of Way and Water Determination.**
**18.05.050 Vacated Boundary Lines.**
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**18.05.100 Zoning Annexed Areas.**

## 18.05.010 Establishment of Zone Names.

A. In order to classify, regulate, restrict and segregate the uses of land and buildings, to regulate and restrict the height and bulk of buildings and to regulate the area of yards and other open spaces about buildings, and to regulate the density of population, several classes of zones are established to be known as follows:

1. Agricultural zone, abbreviate as A;

2. Residential agricultural zone, abbreviated as R-A;

3. Single-family residential zone, abbreviated as R-1;

4. Two-family residential zone, abbreviated as R-2;

5. Medium density residential zone, abbreviated as R-3;

6. Medium High density residential zone, abbreviated as R-4;

7. High density residential zone, abbreviated as R-5

7. Low density residential zone (Mitchell Road Corridor Specific Plan), abbreviated as RL-7;

8. Medium density residential zone (Mitchell Road Corridor Specific Plan), abbreviated as RM-15;

9. High density residential zone (Mitchell Road Corridor Specific Plan), abbreviated as RH-25;

10. Community facility zone, abbreviated as C-F;

11. Planned community zone, abbreviated as PC;

12. Industrial park zone (Mitchell Road Corridor Specific Plan), abbreviated as IP;

13. Light industrial zone, abbreviated as M-1;

14. General industrial zone, abbreviated as M-2;

15. Administrative Professional zone, abbreviated as A-P;

16. Neighborhood commercial zone, abbreviated as C-1;

17. Community commercial zone, abbreviated as C-2;

18. Service commercial zone, abbreviated as C-3;

19. Highway commercial zone, abbreviated as H-1;

20. Community commercial zone, abbreviated as CC;

21. Highway commercial zone, abbreviated as HC;

22. Regional commercial zone, abbreviated as RC;

23. Mixed use zone 1 (Mitchell Road Corridor Specific Plan), abbreviated as MX-1;

24. Mixed use zone 2 (Mitchell Road Corridor Specific Plan), abbreviated as MX-2;

25. Airport overlay zone, abbreviated as A-O;

26. Historic preservation zone, abbreviated as H-P;

**18.05.020 Designation of Zone Names**

The designations, locations, and boundaries of the zones set forth in this Title shall be shown on the Zoning Maps of the City. Said Maps and all notations, references, data, and other information shown thereon shall be and are hereby adopted and made a part of this Title. Said maps, properly attested, shall be and remain on file in the offices of the Planning Division.

**18.05.030 Determination of Boundaries.**

Where indicated, zone boundaries are approximately street, alley or lot lines, said lines are determined to be the boundaries of the zone. Otherwise, the boundaries shall be determined by the dimensions shown on the General Zoning Map. In the absence of a dimension, the boundary shall be determined by the Director of Community Development by use of the scale shown on the Map.

**18.05.040 Rights of Way and Water Determination.**
A street, alley, railroad or railway right of way, watercourse, drainage channel or body of water included on the Zoning Map shall, unless otherwise indicated, be included within the zone of adjoining property on either side thereof, and where such street, alley, watercourse, drainage channel or body of water serves as a boundary between two (2) or more different zones, the center line, or midway line, of such right of way, watercourse, channel or body of water extending to the general direction of the long dimension thereof shall be considered the boundary between zones.

**18.05.050 Vacated Boundary Lines.**
In the event that a vacated street, alley, right of way, or easement was the boundary between two (2) zones, the new zone boundaries shall be at the new property line or at a line established at or within fifty feet (50′) of the center line of the street, alley, right of way or easement that has been vacated.

**18.05.060 Uncertain Boundaries.**
Where uncertainties exist, the Director of Community Development, upon written application or upon own initiative, shall by written decision determine the location of such boundaries.

**18.05.070 Map to Be on File.**
The original of the general zoning map shall be kept on file with the City Clerk and shall constitute the original record. A copy of the map shall also be filed with the Planning Division.

**18.05.080 Zoning Map Amendments.**
All amendments and changes shall be recorded by the secretary of the Planning Commission with the City Clerk after such amendments or changes become effective. This data shall at that time be filed with the Director of Community Development. A new amended general zoning map shall be prepared by the Planning Division at the end of each fiscal year upon which is shown all changes and amendments enacted during the previous period of time. Said zoning map shall thereafter be filed with the City Clerk and Planning Division.

**18.05.090 Zoning Map Revisions.**
The City Council may from time to time order the revision of the Official Zoning Map by the Planning Division so as to include all changes to date and to replace the original or amended Official Zoning Map which is part of this Title. No changes shall be made upon such revised map that have not been made through regular zone change procedure.

**18.05.100 Zoning Annexed Areas.**
Territory annexed by of the city of Ceres will be zoned under the following conditions:

A. Prezoning: The City may prezone unincorporated territory adjoining the City for the purpose of determining the zoning that will apply to the property in such territory in the event of subsequent annexation to the City:

1. The method and procedure for establishing such prezones shall be the same as set forth in this Title and as provided for in chapter 4 of the Government Code, Zoning Regulations,

sections 65800-65907.

2. Unincorporated territory which has been prezoned shall carry a "p" prefix before the zone classification and shall be so designated on the Official Zoning Map of the City.

3. The zone classification which has been established by prezoning procedure for unincorporated territory shall become effective at the time that the annexation of such territory to the City becomes effective, at which time the "p" prefix shall be deemed automatically removed from the zone classification.

B. Prezoning Required: All territory considered for annexation shall be required to prezone said territory with a zone classification which is consistent with the General Plan land use designation. However, prezoning is not required when a master plan or specific plan is initiated by the City or a project proponent for annexation of territory into the City limits.

C. Prezoning shall be processed in accordance with the provisions of Chapter 18.32, Zoning Amendments.

# Chapter 06

# COMMUNITY FACILITIES ZONE (C-F)

**Sections:**

**18.06.010 Purpose and Intent.**
**18.06.020 Principal Uses.**
**18.06.030 Accessory Uses.**
**18.06.040 Conditional Uses.**
**18.06.050 Prohibited Uses.**
**18.06.060 Property Development Standards.**

## 18.06.010 Purpose and Intent.

The C-F Community Facilities Zone is intended to accommodate governmental, public utility, public education facilities, and quasi-public medical, cultural, and service facilities.

## 18.06.020 Principal Uses.

Buildings, structures, and land shall be used, and building and structures shall hereafter be erected, structurally altered, or enlarged in the C-F Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.06.060. Permitted uses shall include:

A. All facilities owned, leased, or operated by the City, the County, the State, the Federal government, the Ceres Unified School District and other governmental districts.

B. All privately owned, quasi-public facilities such as general hospitals, health clinics, museums, libraries, educational institutions, auditoriums, parks and playgrounds, cultural centers, cemeteries, etc.

## 18.06.030 Accessory Uses.

The following uses shall be permitted as accessory to the principal uses in the C-F Zone:

A. Concession stands and facilities for public convenience.

B. Recreation structures and equipment.

C. Storage buildings for public vehicles.

D. Other buildings and uses customarily appurtenant to permitted uses.

E. Signs, which pertain only to permitted use on the premises.

F. Public and private off-street parking facilities as specified in Section 18.06.060, subsection (L).

G. Off-street loading facilities as specified in Section 18.26.120, subsection (M).

**18.06.040 Conditional Uses.**
The following uses may be permitted in the C-F Zone subject to a conditional use permit as provided for in Chapter 18.30 of this Title:

A. The facilities of all public utilities as defined by the California Public Utilities Code.

B. The facilities of public utilities incorporated as political entities by the State.

C. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular telephone antennas.

**18.06.050 Prohibited Uses.**
The following uses are expressly prohibited in the C-F Zone:

A. Residential uses.

B. Commercial uses.

C. Industrial uses.

D. Mobile homes and trailers.

E. Metal buildings, except for accessory buildings used exclusively for storage. All such accessory metal buildings shall be treated with some rust or corrosion-inhibiting substance.

F. Off-site advertising.

**18.06.060 Property Development Standards.**
The following property development standards shall apply to all land and buildings in the C-F Zone:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:

1. For all principal uses, the minimum lot area shall be ten thousand (10,000) square feet.

2. For uses requiring a use permit, the minimum lot area shall be determined by the Planning Commission.

B. Lot Coverage: Maximum allowable lot coverage by structures for all uses shall be sixty percent (60%).

C. Lot Dimensions: For all new lots and proposed rezoning, the following provisions shall apply; unless otherwise approved by the Planning Commission.

1. Width:

a. All interior lots shall have a minimum width of sixty feet (60′).

b. All corner lots shall have a minimum width of seventy-five feet (75′).

c. All cul-de-sac or curvilinear lots shall have a minimum width of forty feet (40′) at the front line.

2. Depth: All lots shall have a minimum depth of one hundred feet (100′).

D. Setback Requirements: The following setback requirements shall apply to all uses in the C-F Zone.

1. Front Yard: Twenty-five feet (25′) minimum except detached accessory structures shall have a fifty-foot (50′) minimum front yard Setback. No accessory structure/building shall be located within the front yard.

2. Side Yard:

a. Interior side yard—five feet (5′) minimum.

b. Exterior side yard—twenty-five feet (25′) minimum.

3. Rear Yard: Ten feet (10′) minimum. When property in a C-F Zone is contiguous with a Residential Zone on the same block frontage, the property in the C-F Zone shall be required to have the same size rear yard as the Residential Zone property or greater.

4. Cellular Equipment Supports: Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular equipment, shall not be located within a distance equal to twice the height of the tower from a residentially zoned parcel. Small cell sites that are placed in the existing right-of-way on utility poles or street lights shall have no setback requirement.

E. Distance Between Buildings: The following provisions shall apply for distance between main buildings, accessory buildings, and between main and accessory buildings on the same lot. Whenever two (2) or more buildings of mixed height are adjacent to one another, the distance provisions pertaining to the highest of the buildings shall apply.

1. For buildings end to end, the minimum distance between buildings shall be ten feet (10′) for single-story buildings, twenty feet (20′) for two (2) story buildings, and thirty feet (30′) for three (3) story buildings.

2. For buildings rear to end or front to end with space for exit or entry purposes, the minimum distance between buildings shall be fifteen feet (15′) for single-story buildings, twenty-five

feet (25′) for two (2) story buildings, and thirty-five feet (35′) for three (3) story buildings.

3. For buildings front to rear with space for entry or exit purposes, the minimum distance between buildings shall be twenty feet (20′) for single-story buildings, thirty feet (30′) for two (2) story buildings, forty feet (40′) for three (3) story buildings.

4. For buildings front to front arranged about an interior court with a driveway in said interior court, the driveway being access to parking area or building, the minimum distance between buildings shall be thirty feet (30′) for single-story, forty feet (40′) for two (2) story, and fifty feet (50′) for three (3) story buildings. However, if no driveway is provided, the minimum distance shall be twenty-five feet (25′) for single-story buildings, thirty-five feet (35′) for two (2) story buildings, and forty-five feet (45′) for three (3) story buildings.

F. Floor Area Ratio Requirements:

1. For all single-story buildings and the first story of all multiple-story buildings, the maximum allowable Floor Area Ratio shall be 0.60:1.0.

2. For all multiple story buildings, the maximum allowable Floor Area Ratio shall be .96:1.0 for all floors except the first story.

G. Building Height Requirements:

1. No main building erected in the C-F Zone shall have a height greater than thirty-five feet (35′) or greater than three (3) stories.

2. No accessory building erected in the C-F Zone shall have a height greater than one story or greater than fifteen feet (15′).

3. The following projections may exceed the height requirements of this section:

a. Penthouses or roof structures specifically for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building;

b. Fire or parapet walls, skylights, towers, church steeples or similar religious structures, flagpoles, chimneys, water tanks or wireless masts or similar structures, when approved by the Planning Commission, provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances.

c. No penthouse, roof structures, or any space above the height limit shall be allowed for the purpose of providing additional floor space. Any area that falls within the area designated as an airport or other overlay zone shall comply with the height limitations prescribed by that zone, if they are lower than those prescribed.

H. Site Plan Approval: Before any building is erected on any lot, a site plan and floor plan of all

buildings and their elevations and a landscape plan shall be submitted to and approved by the Planning Commission. At the discretion of the Director of Community Development, this provision may not apply to City initiated projects or facilities when they are deemed minor in nature or to address a pending health and safety issue. In those circumstances, the particular City initiated project or facilities may proceed to Building Permit stage, without having received Planning Commission approval.

I. Yards, Landscaping, Open Space Requirements:

1. Yards: The minimum individual yard requirements for all uses shall be the same as those listed in the setback requirements in subsection D of this Section, with the exception of the following uses:

a. General hospitals shall be subject to the following minimum individual yard requirements:

i. Front yard: 50’ minimum

ii. Side yard: 30’ interior minimum; 50’ minimum

iii. Rear yard: 40’ minimum

b. Educational institutions shall be subject to the following minimum individual yard requirements:

i. Front yard: 40′ minimum.

ii. Side yard: 30′ interior minimum; 40′ exterior minimum

iii. Rear yard: 30′ minimum.

2. Landscaping: All yards shall be landscaped and maintained and meet requirements of the State of California Model Water Efficient Landscape Ordinance (MWELO). Where a single-family residence exists on a lot, a minimum of fifty (50%) percent of the required front yard of said lot shall be maintained as landscape area and in which mow strips shall not be permitted and no more than fifty (50%) percent of the front yard area shall comprise of concrete, asphalt, or hardscape material such as decorative rock or brick, or paving stones. All landscaped areas that abut public property shall include a four-inch (4″) raised planter area along the line of abutment.

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges and Walls:

1. When any use abuts a residential zone, a six-foot (6′) high solid masonry wall or landscaped and maintained fence shall be required.

2. All general hospitals, educational institutions shall be required to have a six-foot (6′) high solid masonry wall or landscaped and maintained fence on all sides adjacent to another use.

3. Fences may be constructed of any generally acceptable material except that barbed wire, razor wire, and electric charged fences are not allowed within thirty (30) feet of any residential zone. However, an exception to this subsection may be granted pursuant to a conditional use permit.

L. Off-Street Parking Requirements:

1. Public business offices: at least one (1) space for every two hundred (200) square feet of net floor area except areas used exclusively for storage.

2. Places of public assembly: at least one (1) space for every five (5) seats or one (1) space for every fifty (50) square feet of floor area usable for seating if seats are not fixed in all facilities in which simultaneous use is probable as determined by the Director of Community Development.

3. Public buildings and grounds other than schools and administrative offices: at least one (1) space for every two (2) employees, plus the number of additional spaces prescribed by the Director of Community Development.

4. Public utility structures and installation: at least one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

5. Bus depots, railroad/transfer stations and yards, and airports and heliports and other transportation and terminal facilities: at least one (1) space for every two (2) employees plus the number of additional spaces prescribed by the Director of Community Development.

6. Schools and colleges, including public, parochial and private elementary, high schools, kindergartens, and nursery schools: at least one (1) space for each employee, including teachers and administrators and one (1) space for every four (4) students in grade nine (9) and above.

7. Hospitals, sanitariums, and charitable and religious institutions providing sleeping accommodations: at least one and one-half (1½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Community Development Director.

8. Libraries, museums, art galleries, and similar uses: at least one (1) space for every six

hundred (600) square feet of net floor area and one (1) space for every two (2) employees.

9. Post offices: at least one (1) space for every one thousand (1,000) square feet of net floor area and one (1) space for each employee.

10. Off-street parking must comply with the standards established by Chapter 18.25.

M. Loading Requirements: All uses that require the receipt, delivery, or distribution of goods by truck with the potential frequency of once a day or greater, one loading berth, plus any additional berths as may be prescribed by the Director of Community Development. Off-street loading must comply with the requirements established by Chapter 18.25.

N. Access:

1. All uses shall be located on streets with a classification of collector thoroughfares or greater as designated by the General Plan, with the exception of general hospitals and educational institutions, excepting not including elementary schools.

2. All general hospitals and educational institutions, except for elementary schools, shall be located on streets with a classification of major thoroughfares or greater as designated by the General Plan.

3. All ingress to and egress from public property shall be in a forward motion.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, Clothes Drying Areas, Facilities: No provisions.

Q. Solid Waste Storage, Disposal Facilities:

1. For all uses, no open storage is allowed.

2. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each use or development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the use, uses or development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

R. Recreational Facilities: No provisions.

S. Park-In-Lieu Fees: No provisions.

# Chapter 07

# R-A RESIDENTIAL AGRICULTURE ZONE

**Sections:**

**18.07.010 Property Development Standards.**
**18.07.020 Principal Uses.**
**18.07.030 Accessory Uses.**
**18.07.040 Conditional Uses.**
**18.07.050 Prohibited Uses.**
**18.07.060 Property Development Standards.**

## 18.07.010 Property Development Standards.

The R-A, Residential Agriculture Zone is intended to provide for residential and agricultural purposes, primarily the growing of nursery stock, flowers, fruits, and vegetables, with appropriate single-family dwellings with a minimum lot area of one acre. The R-A zone aims to preserve lands best suited for agriculture from the encroachment of incompatible uses, to prevent the intrusion of urban development into agricultural areas in such a manner as to make agricultural production uneconomical or impractical to preserve in agricultural use, and provide appropriate areas for certain predominantly open uses of land that are not injurious to agricultural uses but that may not be harmonious with urban uses.

## 18.07.020 Principal Uses.

Buildings, structures, and land shall be used and buildings and structures shall hereafter be erected, altered or enlarged in the R-A Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.07.060. The following uses shall be permitted by right:

A. Single-family dwellings.

B. Farms and ranches for orchards, tree crops, field crops, row crops, berry and bush crops, flower gardening, production and wholesale nurseries, aviaries.

C. Farms and ranches for animal husbandry and livestock farming, provided:

1. There be no more than one horse, mule, cow, steer, nor more than three (3) goats, sheep or similar livestock, nor more than ten (10) chickens, turkeys or similar fowl for each acre of lot area.

2. The minimum lot size for such a use shall be one acre.

3. There shall be no such animal and no pen, coop, stable, barn or corral within twenty feet (20′) of any lot line abutting a street, or within thirty-five feet (35′) of any other lot line, or within fifty feet (50′) of any dwelling or other building used for human habitation

on the same or adjacent lot.

D. Horticulture.

E. Apiaries.

F. Churches or other religious institutions on a minimum lot size of one acre and located on a major thoroughfare or primary collector as designated by the General Plan.

G. Residential care facilities, licensed with the State of California. See definition under Section 18.02.010 of this Title.

H. Transitional housing. See definition under Section 18.02.010 of this Title.

I. Supportive housing. See definition under Section 18.02.010 of this Title.

**18.07.030 Accessory Uses.**

The following uses shall be permitted as accessory to the principal uses in the R-A Zone:

A. Private stables, greenhouses, lathehouses, barn corrals, pens or other similar rooms, buildings or structures for the storage of packing products produced or raised on the same premises, and petroleum products for exclusive use on the premises.

B. Rooming and boarding of not more than three (3) persons per single-family dwelling unit.

C. Private garages and off-street parking areas.

D. Private swimming pools, exclusively for the use of the residents and guests, subject to the following provisions:

1. There shall be a minimum of three (3′) foot unobstructed clearance provided along at least sixty percent (60%) of the perimeter of all swimming pools constructed in order to provide adequate access to the pool for safety purposes. The three (3′) foot unobstructed clearance area shall be measured from the edge of the water line along the perimeter of the pool to the property line.

a. No more than forty percent (40%) of the perimeter of the pool may contain architectural or landscaping features which encroach into the three (3′) foot unobstructed clearance area by this Chapter.

2. In no case shall swimming pool accessory mechanical equipment be permitted within the required front yard setback area or within the 5-foot side yard and rear yard setback areas, except when it is located at least ten feet (10′) from any dwelling, at which time said accessory mechanical equipment shall have no minimum setback requirement from side yard and rear yard property lines.

E. Signs, subject to the provisions of Chapter 18.26.

F. Storage of trailers and mobile homes, subject to the provisions for accessory uses.

G. Portable outdoor storage units and shipping containers, subject to the provisions of Section 18.28.110.

H. Other accessory uses and accessory buildings customarily appurtenant to a permitted use, as determined by the Director of Community Development.

I. Home occupations subject to the requirements of Section 18.02.010, "home occupation."

K. Subdivision tract sales offices, signs, flags and temporary construction/job site trailers, subject to provisions of Chapter 18.38.

K. Kennels, subject to the provisions of Section 18.28.080.

L. Cottage food operations, subject to the requirements as defined under Section 18.02.010.

M. Accessory Dwelling Units, subject to the provisions of Section 18.28.060.

**18.07.040 Conditional Uses.**
The following uses may be permitted in the R-A Zone subject to a conditional use permit:

A. Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations, ambulance service and other public buildings, structures and facilities.

B. Country clubs and related uses.

C. Sale of agricultural products produced on the premises, provided that a City business has been obtained.

D. Schools.

E. Public riding stables and academies.

F. Public buildings; except for storage, corporation, repair yards.

G. Public utility substations.

H. Churches or other religious facilities on a lot size of less than one acre.

I. State licensed general hospitals.

J. State licensed sanitariums.

K. State licensed child care facilities.

M. Public parks and playgrounds.

N. Temporary tract sales office and tract signs, for subdivisions less than twenty (20) lots and as permitted in Chapter 18.38 of this Title.

O. Aviaries, subject to the provisions contained in Section 18.28.050 of this Title.

**18.07.050 Prohibited Uses.**
The following uses are prohibited in the R-A Zone unless expressly allowed by this Chapter:

A. Multiple dwellings.

B. Commercial uses.

C. Industrial uses.

D. Trailers and mobile homes for residential uses.

E. Metal buildings, except accessory buildings used exclusively for storage. All such accessory metal buildings shall be treated with some rust or corrosion-inhibiting substance. Portable outdoor storage units and shipping containers shall comply with Section 18.28.110.

F. Off-site advertising.

G. Possession of animals not classified as household pets under Title 8 of this Code.

**18.07.060 Property Development Standards.**
The following property development standards shall apply to all land and buildings in the R-A Zone:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:

1. For all principal uses, the minimum lot area shall be one (1) acre.

2. For uses requiring a use permit, conditions as specified by the Planning Commission.

B. Lot Coverage: The maximum allowable lot coverage by structures for all uses shall be fifteen percent (15%). Additional ten percent (10%) allowable lot coverage is provided for accessory structures proposed on single-family lots when the dwelling footprint has reached the

fifteen percent (15%) maximum. The additional ten percent (10%) allowance shall be calculated based on multiplying ten percent (10%) by the size of the lot.

C. Lot Dimensions: For all new lots and proposed rezoning, the following provisions shall apply, unless otherwise approved by the Planning Commission:

1. Width:

a. All lots except cul-de-sac lots shall have a minimum width of one hundred twenty-five feet (125′).

b. All cul-de-sac or curvilinear lots shall have a minimum width of eighty-five feet (85′) at the front line.

2. Depth: All lots shall have a minimum depth of one hundred fifty feet (150′).

D. Setback Requirements: The following setback requirements shall apply to all uses without livestock or fowl as listed in Section 18.07.020, subsection (C), of this Chapter:

1. Front Yard: Twenty-five feet (25′) minimum, except detached accessory structures shall have a fifty-foot (50′) minimum front yard setback. No accessory structure/building shall be located within the front yard or exterior side yard area of a single-family lot.

2. Side Yard:

a. Interior Side Yard: For lots having two (2) interior side yard areas, one such interior side yard shall have a setback of at least twelve feet (12′), and the other interior side yard setback shall be at least five feet (5′). For lots having only one interior side yard, the setback shall be at least twelve feet (12′). A third garage space may be substituted for a portion of the required twelve feet (12′) such that a side yard setback of five feet (5′) is permitted adjacent to a third garage space. Detached accessory structures located in the rear half of the lot shall have a minimum interior 4-foot side yard setback requirement, unless constructed with appropriate fire-resistive walls as required by the California Building Code.

b. Exterior Side Yard: Twenty-five feet (25′) minimum.

c. New Home Designs (side yard): Development of new single-family homes shall be designed such that their attached or detached garages are positioned on the 12’ side yard setback side.

3. Rear Yard: Twenty-five feet (25′) minimum. Detached accessory structures shall have a minimum rear yard setback requirement of four feet (4’). A minimum setback of five feet (5′) shall be required for a garage that is accessed from an alley. In all cases a minimum clearance of eight feet (8′) shall be required between an accessory structure and

the lowest overhead utility line located in an alley. Accessory structures shall be constructed to meet the requirements of the applicable California Building Code.

4. Livestock Or Fowl: For those uses with livestock or fowl as listed in Section 18.07.020, subsection (C), of this Chapter, the following provisions shall apply: there shall be no such animal and no pen, coop, stable, barn or corral within twenty feet (20′) of any lot line abutting a street, or within thirty-five feet (35′) of any other lot line, or within fifty feet (50′) of any dwelling or other building used for human habitation on the same or adjacent lot.

E. Distance Between Buildings: The following provisions shall apply for the distance between main buildings, accessory buildings and between main and accessory buildings on the same lot, except for those buildings and accessory buildings listed in Section 18.07.020, subsection (C), of this Chapter. Whenever two (2) or more buildings of mixed height are adjacent to one another, the distance provisions pertaining to the highest of the buildings shall apply.

1. For buildings end to end, the minimum distance between buildings shall be ten feet (10′) for single story buildings, and twenty feet (20′) for two (2) story buildings.

2. For buildings rear to end or front to end with space for exit or entry purposes, the minimum distance between buildings shall be fifteen feet (15′) for single story buildings, twenty-five feet (25′) for two (2) story buildings.

3. For buildings front to rear with space for entry or exit purposes the minimum distance between buildings shall be twenty feet (20′) for single story buildings, and thirty feet (30′) for two (2) story buildings.

4. For buildings front to front arranged about an interior court with a driveway to said interior court, the driveway being access to parking area or building, the minimum distance between buildings shall be thirty feet (30′) for single story buildings, and forty feet (40′) for two (2) story buildings. However, if no driveway is provided, the minimum distance shall be twenty-five feet (25′) for single story buildings, and thirty-five feet (35′) for two (2) story buildings.

F. Floor Area Ratio Requirements:

1. For single story buildings and the first story of all multiple story buildings, the maximum allowable Floor Area Ratio shall be .15:1.

2. For all two (2) story buildings the maximum allowable Floor Area Ratio shall be .24:1.

G. Building Height Requirements: No building erected shall have a height greater than two (2) stories or twenty-five feet (25′), whichever is less as defined under Section 18.02.010. Permitted projections above this higher include: ventilating fans or similar equipment required to

operate and maintain the building, skylights, church steeples, flag poles, chimneys, or similar structures, when approved by the Planning Commission, provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances.

H. Population Density: For all residential uses, there shall be a minimum of one acre of lot area for each dwelling unit.

I. Site Plan Approval: Before any group dwelling, condominium, or nonresidential building is erected on any lot, a site plan, floor plan of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of this Chapter.

J. Yards, Landscaping, Open Space Requirements:

1. Yards: The minimum individual yard requirements for all uses shall be the same as those listed in the setback requirements in Section 18.07.060, subsection D, with the exception of the following conditional uses: general hospitals, sanitariums, nursing homes, residential care facilities, maternity homes, elementary schools, high schools, and child care facilities.

a. For sanitariums, nursing homes, residential care facilities, and maternity homes, minimum individual yards shall comply with the following:

(1) Front yard: 20′ minimum.

(2) Side yard:
25′ feet interior minimum.
25′ exterior minimum.

(3) Rear yard: 25′ minimum.

b. For schools, and childcare facilities minimum individual yards shall comply with the following:

(1) Front yard: 40′ minimum.

(2) Side yard:
30′ interior minimum.
40′ exterior minimum.

(3) Rear yard: 30′ minimum.

c For general hospitals, minimum individual yards shall comply with the following:

(1) Front yard: 50′ minimum.

(2) Side yard;
40′ interior minimum.
50′ exterior minimum.

(3) Rear yard: 40′ minimum.

d. The minimum rear yard requirements for all residential uses may be reduced by up to fifty percent (50%) if the minimum overall yard area requirement is met.

2. Landscaping:

a. For all residential uses, Front yard and exterior side yard areas of single-family homes shall be landscaped and maintained. Where a single-family residence exists on a lot, a minimum of fifty (50%) percent of the required front yard of said lot shall be maintained as landscape area and in which mow strips shall not be permitted and no more than fifty (50%) percent of the front yard area shall comprise of concrete, asphalt, or hardscape material such as decorative rock or brick, or paving stones.

b. All other uses shall provide landscaping which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements.

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges and Walls: When any elementary school, high school, public buildings, public utility substation, church, general hospital, sanitarium, residential care facility, maternity home, child care facility, place of public assembly, or commercial use abut an R-A Zone, a six (6′) foot high solid masonry wall or landscaped and maintained fence shall be required.

L. Off-Street Parking Requirements:

1. For all single-family residential uses, two (2) parking spaces per dwelling unit. The parking or storage of any vehicles, beyond the provided driveway, within the front yard and exterior side yard landscape areas of a single-family residence is prohibited.

2. For all schools, general hospitals, sanitariums, residential care facilities, public buildings, public utility substations, and places of public assembly, the following off-street parking requirements shall apply:

a. Schools, including public, parochial, and private elementary schools, high

schools, kindergartens and nursery schools: One (1) space for each employee and one (1) space for every four (4) students in grades nine (9) through twelve (12).

b. General hospitals, sanitariums, and charitable and religious institutions providing sleeping accommodations: One and one-half (1½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Director of Community Development.

c. Residential care facilities: One (1) space for every three (3) licensed beds.

d. Public buildings and grounds other than schools and administrative offices: One (1) space for every two (2) employees, plus the number of additional spaces prescribed by the Director of Community Development.

e. Public utility structures and installations: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

f. Places of public assembly: one (1) space for every five (5) seats or one (1) space for every fifty (50) square feet of floor area usable for seating if seats are not fixed in all facilities in which simultaneous use is probable as determined by the Director of Community Development.

M. Loading Requirements:

1. For all residential uses, no requirements.

2. For all permitted farms and ranches, as determined by the Director of Community Development.

3. For all allowed country clubs, schools, public utility substations, public buildings, general hospitals, and churches. When any of the foregoing requires the receipt, delivery or distribution of goods by truck with the potential frequency of once a day or greater, one berth, plus any additional berths as may be required by the Director of Community Development.

4. Off-street loading shall comply with the standards established by Chapter 18.25 of this Title.

N. Access:

1. Vehicular Access:

a. The following conditional uses shall be located on streets with a classification of major thoroughfares or greater as designated by the General Plan:

general hospitals, churches, high schools.

b. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.

c. All ingress to and egress from public property shall be in a forward motion.

2. Pedestrian Access: There shall be pedestrian access from a dedicated street to property use for residential purposes. Driveways shall be considered pedestrian access.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, clothes drying areas, and facilities shall not be allowed in front and exterior side yards.

Q. Solid Waste Storage, Disposal Facilities:

1. No open storage shall be allowed.

2. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each residential unit when two (2) or more such units are located on the same lot or for each residential development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

R. Recreational Facilities:

1. For single-family dwellings, no requirements.

2. For condominium group and cluster dwellings, as required by the Planning Commission upon site plan approval.

S. Park-In-Lieu Fees: Parkland dedication or in-lieu fees shall be required of all new residential uses in the R-A Zone, based on a per dwelling unit assessment. Park-in-lieu fees shall be calculated established in Chapter 13 of Title 17.

# Chapter 08

# R-1, SINGLE-FAMILY RESIDENTIAL ZONE

**Sections:**

**18.08.010 Purpose and Intent.**
**18.08.020 Principal Uses.**
**18.08.030 Accessory Uses.**
**18.08.040 Conditional Uses.**
**18.08.050 Prohibited Uses.**
**18.08.060 Property Development Standards.**

## 18.08.010 Purpose and Intent.

The R-1, Single-Family Residential Zone is intended to provide for the development of single-family residential homes to urban standards, together with the schools, parks, open spaces and other public services required for a satisfactory family environment. This Chapter intended to provide living area within the City where regulations are designed to: Promote and encourage a suitable environment for family life; provide space for community facilities needed to complement urban residential areas and for institutions that require a residential environment; minimize traffic congestion; and avoid an overload of utilities designed to service only low density residential use.

## 18.08.020 Principal Uses.

Buildings, structures, and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged in the R-1 Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to public health, safety, and welfare. All uses shall be subject to the property development standards provided for in Section 18.08.060:

A. Single-family dwellings.

B. Two-family dwellings on corner lots, subject to the following provisions:

1. A minimum lot area of eight thousand (8,000) square feet;

2. The main entrance, garage, and driveway serving each unit shall front on separate streets.

3. Architectural and site plan approval under Section 18.12.120, subsection (I).

C. Mobile homes on permanent foundations that are certified under the National Mobile Home Construction and Safety Standards Act of 1974. Mobile homes permitted under this provision shall utilize roofing materials, roof overhang and siding materials customary to conventionally constructed single-family detached dwellings in the vicinity.

E. Churches on a minimum lot size of one acre and located on a major thoroughfare or primary

collector as designated by the General Plan.

F. Residential care facilities, licensed with the State of California.

G. Transitional housing.

H. Supportive Housing.

**18.08.030 Accessory Uses.**

The following uses shall be permitted as accessory to the principal uses in the R-1 Zone:

A. Private garages and off-street parking areas.

B. Private swimming pools, exclusively for the use of the residents and guests, subject to the following provisions:

1. There shall be a minimum of three--foot (3′) unobstructed clearance provided along at least sixty percent (60%) of the perimeter of all swimming pools constructed in order to provide adequate access to the pool for safety purposes. The three-foot (3′) unobstructed clearance area shall be measured from the edge of the water line along the perimeter of the pool to the property line.

a. No more than forty percent (40%) of the perimeter of the pool may contain architectural or landscaping features which encroach into the three-foot (3′) unobstructed clearance area required by this Chapter.

2. In no case shall swimming pool accessory mechanical equipment be permitted within the required front or side yard setback area, or within the five-foot (5’) side yard and rear yard setback areas, except when it is located at least ten feet (10′) from any dwelling, at which time said accessory mechanical equipment shall have no minimum setback requirement from side yard and rear yard property lines.

C. Signs subject to the provisions of Chapter 18.26.

D. Portable outdoor storage units and shipping containers, subject to the provisions of Section 18.28.110.

E. Other accessory uses and accessory structures customarily appurtenant to a permitted use, as determined by the Director of Community Development.

F. Home occupations subject to the requirements of Section 18.02.010, "home occupations."

G. Subdivision tract sales offices, signs, flags and temporary construction job site trailers, subject to provisions of Chapter 18.38.

H. Kennels, subject to the provisions of Section 18.28.080

I. Cottage food operations, subject to the requirements as defined under Section 18.02.010.

J. Accessory Dwelling Units and Junior Accessory Dwelling Units subject to Section 18.28.060.

**18.08.040 Conditional Uses.**
The following uses may be permitted in the R-1 Zone subject to a conditional use permit:

A. Country clubs and related uses.

B. Horticulture.

C. Schools.

D. Public utility substations.

E. Churches on a lot size of less than one acre.

F. State licensed general hospitals.

G. State licensed sanitariums.

H. State licensed child care facilities.

I. Public parks and playgrounds.

J. Temporary tract sales office and tract signs, for subdivisions less than twenty (20) lots and as permitted in Chapter 18.38 of this Title.

K. Aviaries subject to Section 18.28.050 of this Title.

**18.08.050 Prohibited Uses.**
The following uses are expressly prohibited in the R-1 Zone:

A. Multiple dwellings.

B. Commercial uses, except as permitted by Sections 18.08.020 through 18.08.040.

C. Industrial uses.

D. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular equipment.

E. Overnight storage or parking of trucks with a gross vehicle weight of greater than five (5) tons.

F. The keeping of any livestock.

G. Agricultural uses.

H. Metal buildings/structures, except for accessory buildings used exclusively for storage. All such accessory metal buildings shall be treated with some rust or corrosion-inhibiting substance. Portable outdoor storage units and shipping containers shall comply with Section 18.28.110.

I. Off-site advertising.

J. Fortunetelling and related activities as defined in Chapter 5.12 of this Code.

K. Adult businesses as defined in Chapter 5.15 of this Code.

G. Possession of animals not classified as household pets under Title 8 of this Code.

**18.08.060 Property Development Standards.**

The following property development standards shall apply to all land and buildings in the R-1 Zone:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:

1. For interior lots, the minimum lot area shall be six thousand two hundred (6,200) square feet.

2. For corner lots, the minimum lot area shall be seven thousand five hundred (7,500) square feet.

3. For uses requiring a conditional use permit, the minimum lot area shall be as specified by the Planning Commission.

B. Lot Coverage: The maximum allowable lot coverage by structures for all uses shall be forty percent (40%). Additional ten percent (10%) allowable lot coverage is provided for accessory structures proposed on single-family lots when the dwelling footprint has reached the forty percent (40%) maximum. The additional ten percent (10%) allowance shall be calculated based on multiplying ten percent (10%) by the size of the lot.

C. Lot Dimensions: For all new lots and proposed rezoning, the following provisions shall apply; unless otherwise approved by the Planning Commission:

1. Width:

a. All interior lots shall have a minimum width of sixty feet (60′).

b. All corner lots shall have a minimum width of seventy-five feet (75′).

c. All cul-de-sac or curvilinear lots shall have a minimum width of forty feet (40′) at the front line.

2. Depth: All lots shall have a minimum depth of one hundred feet (100′).

D. Setback Requirements: The following setback requirements shall apply to all uses in the R-1 Zone:

1. Front Yard: Twenty feet (20′) minimum, except detached accessory structures shall have a thirty-five foot (35′) minimum front yard setback. No accessory structure/building shall be located within the front yard or exterior side yard area of a single-family lot.

2. Side Yard:

a. Interior Side Yard: For lots having two (2) interior side yard areas, one such interior side yard shall have a setback of at least twelve feet (12′), and the other interior side yard setback shall be at least five feet (5′). For lots having only one interior side yard, the setback shall be at least twelve feet (12′). Garage space may be substituted for a portion of the required twelve feet (12′) such that a side yard setback of five feet (5′) is permitted adjacent to the garage space. Detached accessory structures, including recreational vehicles and boats, located in the rear half of the lot shall have a minimum interior four-foot (4’) side yard setback requirement, unless constructed with appropriate fire-resistive walls as required by the California Building Code.

b. Exterior Side Yard: Fifteen feet (15′) minimum for main dwelling except garages and access parking areas shall be a minimum of twenty feet (20′) from the property line.

c. New Home Designs (side yard): Development of new single-family homes shall be designed such that their attached or detached garages are positioned on the 12’ side yard setback side.

3. Rear Yard: Minimum fifteen percent (15%) of lot depth, but not be required to exceed twenty-five feet (25′) maximum. Detached accessory structures shall have a minimum rear yard setback requirement of four feet (4’), unless constructed with appropriate fire restrictive walls as required by the California Building Code. A minimum setback of five feet (5′) shall be required for a garage that is accessed from an alley. In all cases a minimum clearance of eight feet (8′) shall be required between an accessory structure and the lowest overhead utility line located in an alley. Accessory structures shall be constructed to meet the requirements of the applicable California Building Codes.

E. Distance Between Buildings: The following provisions shall apply for distance between main buildings and accessory buildings on the same lot. Whenever two (2) or more buildings of mixed height are adjacent to one another, the distance provisions pertaining to the highest of the buildings shall apply.

1. For buildings end to end, the minimum distance between buildings shall be ten feet (10′) for single story buildings, and twenty feet (20′) for two (2) story buildings.

2. For buildings rear to end or front to end with space for exit or entry purposes, the minimum distance between buildings shall be fifteen feet (15′) for single story buildings, and twenty-five feet (25′) for two (2) story buildings.

3. For buildings front to rear with space for entry or exit purposes the minimum distance between buildings shall be twenty feet (20′) for single story buildings, and thirty feet (30′) for two (2) story buildings.

4. For buildings front to front arranged about an interior court, with a driveway to said interior court, the driveway being access to parking area or buildings, the minimum distance between buildings shall be thirty feet (30′) for single story buildings, and forty feet (40‘) for two (2) story buildings. However, if no driveway is provided, the minimum distance shall be twenty-five feet (25′) for single story buildings, and thirty-five feet (35′) for two (2) story buildings.

5. Distance between main buildings and accessory buildings shall be as required by the adopted California Building Code.

F. Floor Area Ratio Requirements:

1. Interior Lots:

a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.40:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.54:1.0.

2. Corner Lots:

a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.40:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.64:1.0.

G. Building Height Requirements: No main building shall have a height greater than two (2)

stories or twenty-five feet (25′); whichever is less as defined under Section 18.02.010 of this Title. No accessory building erected shall have a height greater than one story or fifteen feet (15′), whichever is less. Permitted projections above this height include: ventilating fans or similar equipment required to operate and maintain the building, skylights, church steeples, flagpoles, chimneys, or similar structures, when approved by the Planning Commission, provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances.

H. Population Density: For all residential uses, there shall be a minimum of six thousand two hundred (6,200) square feet of lot area for each dwelling unit.

1. Site Plan Approval: Before any group dwelling, condominium, or nonresidential building, excluding accessory buildings, is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of this Chapter.

I. Yards, Landscaping, Open Space Requirements:

1. Yards: The minimum individual yard requirements for all uses shall be the same as those listed in the setback requirements in subsection D. of this Section, with the exception of the following conditional uses: general hospitals, sanitariums, residential care facilities, maternity homes, schools, and child care facilities.

a. For sanitariums, residential care facilities, and maternity homes, minimum individual yards shall comply with the following:

(1) Front Yard: Twenty feet (20′) minimum.

(2) Side Yard:
Twenty-five feet (25′) interior minimum.
Twenty-five feet (25′) exterior minimum.

(3) Rear Yard: Twenty-five feet (25′) minimum.

b. For schools and child care facilities minimum individual yards shall comply with the following:

(1) Front Yard: Forty feet (40′) minimum.

(2) Side Yard:
Thirty feet (30′) interior minimum.
Forty feet (40′) exterior minimum.

(3) Rear Yard: Thirty feet (30′) minimum.

c. For general hospitals, minimum individual yards shall comply with the following:

(1) Front Yard: Fifty feet (50′) minimum.

(2) Side Yard:
Forty feet (40′) interior minimum.
Fifty feet (50′) exterior minimum.

(3) Rear Yard: Forty feet (40′) minimum.

d. The minimum rear yard requirements for all residential uses may be reduced by up to fifty percent (50%) if the minimum overall yard area requirement is met.

2. Landscaping:

a. For all single-family residential uses, live landscaping shall be provided in the front yard and exterior side yard setbacks. Front yard and exterior side yard areas of single-family homes shall be landscaped and maintained. Where a single-family residence exists on a lot, a minimum of fifty (50%) percent of the required front yard of said lot shall be maintained as landscape area and in which mow strips shall not be permitted and no more than fifty (50%) percent of the front yard area shall comprise of concrete, asphalt, or hardscape material such as decorative rock or brick, or paving stones. Said landscaped areas shall be equipped with an automatic irrigation system and seven (7) day timer and be maintained at all times. The irrigation system shall comply with the Ceres Water Efficient Landscaping Guidelines and Standards.

b. All other uses shall provide landscaping which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements.

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

J. Fences, Hedges And Walls: When any school, public building, public utility substation, church, general hospital, sanitarium, residential care facility, maternity home, child care facility, place of public assembly or commercial use abuts an R-1 Zone, a seven-foot (7′) high solid masonry wall shall be required. Under certain circumstances, the Planning Commission may permit a landscaped and maintained fence. Residential units shall be subject to the provisions of Chapter 18.27 of this Title, “Fences, Hedges and Walls Standards.”

K. Off-Street Parking Requirements:

1. For all single-family residential uses, two (2) fully enclosed and covered off-street parking spaces per unit. Existing garages may be converted to additional living area subject to the approval of the Director of Community Development if at least two (2) off-street parking spaces can be provided. The parking or storage of any vehicles within the front yard and exterior side yard landscape areas of a single-family residence is prohibited.

2. For all schools, general hospitals, sanitariums, residential care facilities, public buildings, public utility substations and places of public assembly, the following off-street parking requirements shall apply:

a. Schools, including public, parochial and private elementary schools, high schools, kindergartens and nursery schools: one (1) space for each employee and one (1) space for every four (4) students in grades nine (9) through twelve (12).

b. General hospitals, sanitariums, and charitable and religious institutions providing sleeping accommodations: one and one-half (1½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Director of Community Development.

c. Residential care facilities: one (1) space for every three (3) licensed beds.

d. Public buildings and grounds other than schools and administrative offices: one (1) space for every two (2) employees, plus the number of additional spaces prescribed by the Director of Community Development.

e. Public utility structures and installation: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

f. Places of public assembly: one (1) space for every five (5) seats or one (1) space for every fifty (50) square feet of floor area usable for seating if seats are not fixed in all facilities in which simultaneous use is probable as determined by the Director of Community Development.

L. Off-Street Loading Requirements:

1. For all residential uses, no requirements.

2. For all allowed country clubs, schools, public utility substations, public buildings, general hospitals, and churches: when any of the foregoing requires the receipt, delivery or distribution of goods with the potential frequency of once a day or greater, one berth, plus any additional berths as may be required by the Director of Community Development.

3. Off-street loading shall comply with the standards established by Chapter 18.25 of this Title.

M. Access:

1. Vehicular Access:

a. The following conditional uses shall be located on streets with a classification of major thoroughfares or greater as designated by the General Plan: general hospitals, churches, high schools.

b. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.

c. All ingress to and egress from public property shall be in a forward motion with the exception of single-family dwellings.

2. Pedestrian Access: There shall be pedestrian access from a dedicated street to property used for residential purposes. Driveways shall be considered pedestrian access.

N. Signing: All signage shall comply with Chapter 18.26 of this Title.

O. Laundry, clothes drying areas, and facilities shall not be allowed in front and exterior side yards.

P. Solid Waste Storage, Disposal Facilities:

1. No open storage shall be allowed.

2. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each residential unit when two (2) or more such units are located on the same lot or for each residential development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

Q. Recreational Facilities:

1. For single-family dwellings, no requirements.

2. For condominium group and cluster dwellings, as required by the Planning Commission upon site plan approval.

R. Park-In-Lieu Fees: Park land dedication or in-lieu fees shall be required of all new

residential uses, based on a per dwelling unit assessment. Park-in-lieu fees shall be calculated as established in Chapter 13 of Title 17.

# Chapter 09

## R-2, TWO-FAMILY RESIDENTIAL ZONE (LOW DENSITY)

**Sections:**

**18.09.010 Purpose and Intent.**
**18.09.020 Principal Uses.**
**18.09.030 Accessory Uses.**
**18.09.040 Conditional Uses.**
**18.09.050 Prohibited Uses.**
**18.09.060 Property Development Standards.**

### 18.09.010 Purpose and Intent.

The R-2, Two-Family Residential Zone is intended to provide for the development of two (2) unit attached housing consistent with the "Low Density Residential" ( up to 7 dwelling units/acre) and "Medium Density Residential" (7 to 12 dwelling units/acre) land use designations of the General Plan, together with the schools, parks, open spaces and other public services required for a satisfactory family environment. The R-2 Zone may be used as a buffer or transition between residential areas of different densities and housing types. The R-2 Zone may also be used to provide a mix of attached and detached housing.

### 18.09.020 Principal Uses.

Buildings, structures, and land shall be used, and buildings and structures shall hereafter be erected, structurally altered or enlarged in the R-2 Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.09.060.

A. Single-family dwellings.

B. Two-family dwellings, subject to site plan approval under Section 18.09.060, subsection (I).

C. Group and cluster dwellings, condominiums, subject to site plan approval under Section 18.09.060, subsection (I).

D. Mobile homes on permanent foundations that are certified under the National Mobile Home Construction and Safety Standards Act of 1974. Mobile homes permitted under this provision shall utilize roofing materials, roof overhang and siding materials customary to conventionally constructed single-family detached dwellings in the vicinity.

E. Churches on a minimum lot size of one acre and located on a major thoroughfare or primary collector as designated by the General Plan.

F. Residential care facilities, licensed with the State of California. See definition under

Section 18.02.010 of this Title.

G. Transitional housing. See definition under Section 18.02.010 of this Title.

H. Supportive housing. See definition under Section 18.02.010 of this Title.

**18.09.030 Accessory Uses.**

The following uses shall be permitted as accessory to the principal uses in the R-2 Zone:

A. Rooming and boarding, subject to the following provisions:
1. Not more than two (2) persons per single-family dwelling unit.
2. Not more than one person per dwelling unit for two-family uses.

B. Private garages and off-street parking areas.

C. Private swimming pools, exclusively for the use of the residents and guests, subject to the following provisions:

1. There shall be a minimum of three-foot (3′) unobstructed clearance provided along at least sixty percent (60%) of the perimeter of all swimming pools constructed in order to provide adequate access to the pool for safety purposes. The three-foot (3′) unobstructed clearance area shall be measured from the edge of the water line along the perimeter of the pool to the property line.

a. No more than forty percent (40%) of the perimeter of the pool may contain architectural or landscaping features which encroach into the three-foot (3′) unobstructed clearance area required by this Chapter.

2. In no case shall swimming pool accessory mechanical equipment be permitted within the required front or side yard setback area or within the five-foot (5’) side yard and rear yard setback areas, except when it is located at least ten feet (10′) from any adjacent dwelling, at which time said accessory mechanical equipment shall have no minimum setback requirement from side yard and rear yard property lines.

D. Signs, subject to the provisions of Chapter 18.26.

E. Portable outdoor storage units, and shipping containers, subject to the provisions of Section 18.28.110.

F. Other accessory uses and accessory buildings customarily appurtenant to a permitted use, as determined by the Director of Community Development.

G. Home occupations subject to the requirements of Section 18.02.010, “home occupation.”

H. Subdivision tract sales offices, signs, flags and temporary construction/job site trailers,

subject to provisions of Chapter 18.80.

I. Kennels, subject to the provisions of Section 18.28.080.

J. Cottage food operations, subject to the requirements as defined under Section 18.02.010.

K. Second dwelling units, Accessory dwelling units and Junior accessory dwelling units subject to Section 18.28.060.

**18.09.040 Conditional Uses.**
The following uses may be permitted in the R-2 Zone subject to a conditional use permit.

A. Country clubs and related uses.

B. Horticulture.

C. Schools.

D. Public buildings, except for storage, corporation, repair yards.

E. Public utility substations.

F. Churches on a lot size of less than one acre.

G. State licensed general hospitals.

H. State licensed sanitariums.

I. State licensed child care facilities.

J. Public parks and playgrounds.

K. Temporary tract sales office and tract signs, for subdivisions less than twenty (20) lots and as permitted in Chapter 18.38 of this Title.

L. Aviaries, subject to the provisions contained in Section 18.28.050 of this Title.

**18.09.050 Prohibited Uses.**
The following uses are expressly prohibited in the R-2 Zone:

A. Medium-high density multiple-family dwellings.

B. Commercial uses.

C. Industrial uses.

D. Self-supporting, monopole or guyed towers constructed for the purpose or supporting cellular equipment.

E. Overnight storage or parking of trucks with a gross vehicle weight of greater than five (5) tons.

F. The keeping of any livestock.

G. Agricultural uses as defined in Section 18.02.010 of this Title.

H. Metal buildings except for accessory buildings used exclusively for storage. All such accessory metal buildings shall be treated with some rust or corrosion-inhibiting substance. Portable outdoor storage units and shipping containers shall comply with Section 18.28.110.

I. Off-site advertising.

J. Fortunetelling and related activities as defined in Chapter 5.12 of this Code.

K. Adult businesses as defined in Chapter 5.15of this Code.

L. Possession of animals not classified as household pets under Title 8 of this Code.

**18.09.060 Property Development Standards.**

The following property development standards shall apply to all land and buildings in the R-2 Zone:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:

1. For all single-family lots, the following provisions shall apply:

a. For interior lots, the minimum lot area shall be six thousand two hundred (6,200) square feet.

b. For corner lots, the minimum lot area shall be seven thousand five hundred (7,500) square feet.

c. For uses requiring a conditional use permit, the minimum lot area shall be as specified by the Planning Commission.

2. For all other principal uses, the minimum lot area shall be nine thousand (9,000) square feet.

3. For uses requiring a use permit, as specified by the Planning Commission.

B. Lot Coverage: The maximum allowable lot coverage by structures shall be as follows:

1. Single-family lots, the maximum allowable lot coverage by structures for all uses shall be forty percent (40%). Additional ten percent (10%) allowable lot coverage is provided for accessory structures proposed on single-family lots when the dwelling footprint has reached the forty percent (40%) maximum. The additional ten percent (10%) allowance shall be calculated based on multiplying ten percent (10%) by the size of the lot.

2. For all other interior lots, the maximum allowable lot coverage shall be fifty percent (50%).

3. For all other corner lots, the maximum allowable lot coverage shall be forty-five percent (45%).

C. Lot Dimensions: For all new lots and proposed rezoning, the following provisions shall apply; unless otherwise approved by the Planning Commission:

1. Width:

a. All interior lots shall have a minimum width of sixty feet (60′).

b. All corner lots shall have a minimum width of seventy-five feet (75′).

c. All cul-de-sac or curvilinear lots shall have a minimum width of forty feet (40′) at the front line.

2. Depth: All lots shall have a minimum depth of one hundred feet (100′).

D. Setback Requirements: The following setback requirements shall apply to all uses in the R-2 Zone:

1. Front Yard: Twenty feet (20′) minimum setback, except detached accessory structures shall have a thirty-five foot (35′) minimum front yard setback. No accessory structure/building shall be located within the front yard or exterior side yard area of a single-family lot.

2. Side Yard:

a. Interior Side Yard: For lots having two (2) interior side yard areas, one such interior side yard shall have a setback of at least twelve feet (12‘), and the other interior side yard setback shall be at least five feet (5‘). For lots having only one interior side yard, the setback shall be at least twelve feet (12’). A garage space may be substituted for a portion of the required twelve feet (12’) such that a side yard setback of five feet (5’) is permitted adjacent to the garage space. Detached accessory structures located in the rear half of the lot shall have a minimum interior 4 -foot side yard setback requirement, unless constructed with appropriate fire-

resistive wall as required by the California Building Code.

b. Exterior Side Yard: Ten feet (10′) minimum.

c. New Home Designs (side yard): Development of new single-family homes shall be designed such that their attached or detached garages are positioned on the 12’ side yard setback side.

3. Rear Yard: Minimum twenty percent (20%) of lot depth, but not be required to exceed twenty-five feet (25′) maximum. Detached accessory structures shall have a minimum rear yard setback requirement of four feet (4’), unless constructed with appropriate fire-resistive walls as required by the California Building Code. A minimum setback of five feet (5′) shall be required for a garage that is accessed from an alley. In all cases a minimum clearance of eight feet (8′) shall be required between an accessory structure and the lowest overhead utility line located in an alley. Accessory structures shall be constructed to meet the requirements of the applicable California Building Code.

E. Distance Between Buildings: The following provisions shall apply for distance between main buildings and accessory buildings on the same lot. Whenever two (2) or more buildings of mixed height are adjacent to one another, the distance provisions pertaining to the highest of the buildings shall apply.

1. For buildings end to end, the minimum distance between buildings shall be ten feet (10′) for single story buildings, and twenty feet (20′) for two (2) story buildings.

2. For buildings rear to end or front to end with space for exit or entry purposes, the minimum distance between buildings shall be fifteen feet (15′) for single story buildings, and twenty-five feet (25′) for two (2) story buildings.

3. For buildings front to rear with space for exit or entry purposes, the minimum distance between buildings shall be twenty feet (20′) for single story buildings, and thirty feet (30′) for two (2) story buildings.

4. For buildings front to front arranged about an interior court with a driveway to said interior court, the driveway being access to parking area or building, the minimum distance between buildings shall be thirty feet (30′) for single story buildings, and forty feet (40′) for two (2) story buildings. However, if no driveway is provided, the minimum distance shall be twenty-five feet (25′) for single story buildings, and thirty-five feet (35′) for two (2) story buildings.

5. Distance between main buildings and accessory buildings shall comply with the Uniform Building Code.

F. Floor Area Ratio Requirements:

1. For single-family interior lots:

   a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.40:1.0.

   b. For all two (2) story buildings, the maximum allowable FAR shall be 0.54:1.0.

2. For single-family corner lots:

   a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.40:1.0.

   b. For all two (2) story buildings, the maximum allowable FAR shall be 0.64:1.0.

3. All other interior lots:

   a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.50:1.0.

   b. For all two (2) story buildings, the maximum allowable FAR shall be 0.80:1.0.

4. All other corner lots:

   a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.45:1.0.

   b. For all two (2) story buildings, the maximum allowable FAR shall be 0.72:1.0.

G. Building Height Requirements: No main building shall have a height greater than two (2) stories or twenty-five feet (25′); whichever is less as defined under Section 18.02.010 of this Title. No accessory building erected shall have a height greater than one story or fifteen feet (15′) whichever is less.

Permitted projections above this height include: ventilating fans or similar equipment required to operate and maintain the building, skylights, church steeples, flagpoles, chimneys, or similar structures, when approved by the Planning Commission, provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. Any area of an R-2 Zone that falls within an area designated as an Airport Overlay Zone shall comply with the height limitations prescribed by that Zone, if they are more restrictive.

H. Population Density: For all residential uses, the density shall not exceed ten (10) dwelling units/acre for those properties that are zoned R-2 and designated medium density residential (7 to 12 dwelling units/acre) in the General Plan, or exceed seven (7) dwelling units/acre for those

properties that are zoned R-2 and designated low density residential (up to 7 dwelling units/acre) in the General Plan.

I. Site Plan Approval: Before any two-family dwellings on a corner lot, group dwelling, condominium, or nonresidential building is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of this Chapter.

J. Yards, Landscaping, Open Space Requirements:

1. Yards: The minimum individual yard requirements for all uses shall be the same as those listed in the setback requirements in subdivsion D of this Section, with the exception of the following conditional uses: general hospitals, sanitariums, residential care facilities, maternity homes, elementary schools, high schools, and child care facilities.

a. For sanitariums, residential care facilities, and maternity homes, minimum individual yards shall comply with the following:

(1) Front Yard: Twenty feet (20′) minimum.

(2) Side Yard:
Twenty-five feet (25′) interior minimum.
Twenty-five feet (25′) exterior minimum.

(3) Rear Yard: Twenty-five feet (25′) minimum.

b. For schools and child care facilities minimum individual yards shall comply with the following:

(1) Front Yard: Forty feet (40′) minimum.

(2) Side Yard:
Thirty feet (30′) interior minimum.
Forty feet (40′) exterior minimum.

(3) Rear Yard: Thirty feet (30′) minimum.

c. For general hospitals, minimum individual yards shall comply with the following:

(1) Front Yard: Fifty feet (50′) minimum.

(2) Side Yard:
Forty feet (40′) interior minimum.
Fifty feet (50‘) exterior minimum.

(3) Rear Yard: Forty feet (40′) minimum.

d. The minimum rear yard requirements for all residential uses may be reduced by up to fifty percent (50%) if the minimum overall yard area requirement is met.

2. Landscaping:

a. For all single-family residential uses, live landscaping shall be provided in the front yard and exterior side yard setbacks. Front yard and exterior side yard areas of single-family homes shall be landscaped and maintained. Where a single-family residence exists on a lot, a minimum of fifty (50%) percent of the required front yard of said lot shall be maintained as landscape area and in which mow strips shall not be permitted and no more than fifty (50%) percent of the front yard area shall comprise of concrete, asphalt, or hardscape material such as decorative rock or brick, or paving stones. Said landscaped areas shall be equipped with an automatic irrigation system and seven (7) day timer and be maintained at all times. The irrigation system shall comply with the Ceres Water Efficient Landscaping Guidelines and Standards.

b. All other uses shall provide landscaping which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges And Walls: When any elementary school, high school, public building, public utility substation, church, general hospital, sanitarium, residential care facility, maternity home, child care facility, place of public assembly, or commercial use abuts an R-2 Zone or R-1 Zone, a six-foot (6′) high solid masonry wall shall be required. Under certain circumstances the Planning Commission may permit a landscaped and maintained fence. Residential units shall be subject to the provisions of Chapter 18.27 of this Title, Fences, Hedges and Walls Standards.

L. Off-Street Parking Requirements:

1. For all single-family residential uses, two (2) fully enclosed and covered off-street parking spaces per unit. Existing garages may be converted to additional living area subject to the approval of the Director of Community if at least two (2) off-street parking spaces can be provided. The parking or storage of any vehicles within the front yard and exterior side yard landscape areas of a single-family residence is prohibited

2. For all two-family residential uses, one and one-half (1½) spaces per dwelling unit, one of which shall be covered.

3. For all schools, general hospitals, sanitariums, residential care facilities, nursery homes, public buildings, public utility substations and places of public assembly, the following off-street parking requirements shall apply:

a. Schools: one (1) space for each employee and one (1) space for every four (4) students in grades nine (9) through twelve (12).

b. General hospitals, sanitariums, and charitable and religious institutions providing sleeping accommodations: one and one-fourth (1¼) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Director of Community Development.

c. Residential care facilities: one (1) space for every three (3) licensed beds.

d. Public buildings and grounds other than schools and administrative offices: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

e. Public utility structures and installations: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

f. Places of public assembly: one (1) space for every five (5) seats or one (1) space for every fifty (50) square feet of floor area usable for seating if seats are not fixed as determined by the Director of Community Development.

M. Off-Street Loading Requirements:

1. For all residential uses: no requirements.

2. For all allowed country clubs, schools, public utility substations, public buildings, general hospitals, and churches: if the use requires the receipt, delivery, or distribution of goods with the potential frequency of once a day or greater: one berth, plus any additional berths as may be required by the Director of Community Development.

3. Off-street loading shall comply with the standards established by Chapter 18.25 of this Title.

N. Access:

1. Vehicular Access:

a. The following conditional uses shall be located on streets with a classification of major thoroughfares or greater as designated by the General Plan:

general hospitals, churches, and high schools.

b. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.

c. All ingress to and egress from public property shall be in a forward motion with the exception of single-family and two-family dwellings.

2. Pedestrian Access: There shall be pedestrian access from a dedicated street to property used for residential purposes. Driveways shall be considered pedestrian access.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, clothes drying areas, and facilities shall not be allowed in front and exterior side yards.

Q. Solid Waste Storage, Disposal Facilities:

1. No open storage shall be permitted.

2. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each residential unit when two (2) or more such units are located on the same lot or for each residential development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

R. Recreational Facilities:

1. For single-family and two-family dwellings, no requirements.

2. For condominium group and cluster dwellings, as required by the Planning Commission upon site plan approval.

S. Park-In-Lieu Fees: Parkland dedication or in-lieu fees shall be required of all new residential uses, based on a per dwelling unit assessment. Park-in-lieu fees shall be calculated as established in Chapter 13 of Title 17.

# Chapter 10

## R-3, MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL ZONE

**Sections:**

**18.10.010 Purpose and Intent.**
**18.10.020 Principal Uses.**
**18.10.030 Accessory Uses.**
**18.10.040 Conditional Uses.**
**18.10.050 Prohibited Uses.**
**18.10.060 Property Development Standards.**

### 18.10.010 Purpose and Intent.

The R-3, Medium Density Residential Zone is intended to provide for the development of medium-high density housing consistent with the "Medium Density Residential" (7- 12 dwelling units/acre) land use designations of the General Plan, together with the schools, parks, open spaces and other public services required for a satisfactory family environment.

### 18.10.020 Principal Uses.

Buildings, structures, and land shall be used, and buildings and structures shall be erected, structurally altered or enlarged in the R-3 Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.10.060 of this Chapter:

A. Single family dwellings

B. Two-family dwellings, subject to site plan approval under Section 18.10.060, subsection (I).

C. Condominium, group and cluster dwellings. subject to site plan approval under Section 18.10.060, subsection (I).

D. Medium density multiple-family dwellings, subject to site plan approval under Section 18.10.060, subsection (I).

E. Mobile homes on permanent foundations that are certified under the National Mobile Home Construction and Safety Standards Act of 1974. Mobile homes permitted under this provision shall utilize roofing materials, roof overhang and siding materials customary to conventionally constructed single-family detached dwellings in the vicinity.

F. Churches on a minimum lot size of one acre and located on a major thoroughfare or primary collector as designated by the General Plan.

G. Residential care facilities, licensed with the State of California.

H. Transitional housing

I. Supportive housing.

**18.10.030 Accessory Uses.**

The following uses shall be permitted as accessory to the principal uses in the R-3 Zone:

A. Rooming and boarding:

1. Not more than two (2) persons per single-family dwelling unit.

2. Not more than one person per dwelling unit for two-family uses.

3. Not more than one person per dwelling unit for medium-high density multiple-family uses.

B. Private garages and off-street parking areas.

C. Private swimming pools, exclusively for the use of the residents and guests, subject to the following provisions:

1. There shall be a minimum of three-foot (3′) unobstructed clearance provided along at least sixty percent (60%) of the perimeter of all swimming pools constructed in order to provide adequate access to the pool for safety purposes. The three-foot (3′) unobstructed clearance area shall be measured from the edge of the waterline along the perimeter of the pool to the property line.

a. No more than forty percent (40%) of the perimeter of the pool may contain architectural or landscaping features which encroach into the three-foot (3′) unobstructed clearance area required by this Chapter.

2. In no case shall swimming pool accessory mechanical equipment be permitted within any required front or side yard setback area, or within the five-foot (5’) side yard and rear yard setback areas, except when it is located at least ten feet (10′) from any adjacent dwelling, at which time said accessory mechanical equipment shall have no minimum setback requirement from side yard and rear yard property lines.

D. Signs, subject to the provisions of Chapter 18.26 of this Title.

E. Overnight storage or parking of trucks with a gross vehicle weight of five (5) tons or less.

F. Portable outdoor storage units, and shipping containers, subject to the provisions of Section 18.28.110.

G. Other accessory uses and accessory buildings customarily appurtenant to a permitted use,

as determined by the Director of Community Development.

H. Home occupations subject to the requirements of Section 18.02.010 of this Title.

I. Subdivision tract sales offices, signs, flags, and temporary construction/job site trailers, subject to provisions of Chapter 18.80 of this Title.

J. Kennels, subject to the provisions of Section 18.28.080.

K. Cottage food operations, subject to the requirements as defined under Section 18.02.010.

L. Accessory Dwelling Unit and Junior Accessory Dwelling Units subject to Section 18.28.060 of this Title.

**18.10.040 Conditional Uses.** The following uses may be permitted in the R-3 Zone subject to a conditional use permit:

A. Private clubs.

B. Horticulture.

C. Educational institutions.

D. Public buildings, except for storage, corporation, repair yards.

E. Public utility substations.

F. Churches on a lot size of less than one acre.

G. State licensed General hospitals.

H. State licensed Sanitariums.

I. State licensed child care facilities.

J. Public parks and playgrounds.

K. Temporary tract sales office and tract signs, for subdivisions less than twenty (20) lots and as permitted in Chapter 18.38 of this Title.

L. Aviaries, subject to the provisions contained in Section 18.28.050 of this Title.

**18.10.050 Prohibited Uses.**
The following uses are expressly prohibited in the R-3 Zone:

A. High density multiple-family dwellings.

B. Commercial uses.

C. Industrial uses.

D. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular equipment.

E. Overnight storage or parking of trucks with a gross vehicle weight of greater than five (5) tons.

F. The keeping of any livestock.

G. Agricultural uses, as defined in Section 18.02.010 of this Title.

H. Metal buildings except accessory buildings used exclusively for storage. All such accessory metal buildings shall be treated with some rust or corrosion-inhibiting substances. Portable outdoor storage units and shipping containers shall comply with Section 18.28.110.

I. Off-site advertising.

J. Fortunetelling and related activities as defined in Chapter 5.12 of this Code.

K. Adult businesses as defined in Chapter 5.15 of this Code.

L. Possession of animals not classified as household pets under Title 8 of this Code.

**18.10.060 Property Development Standards.**

The following property development standards shall apply to all land and buildings in the R-3 Zone:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:

1. For all principal uses, the minimum lot area shall be six thousand (6,000) square feet.

2. For uses requiring a use permit, as specified by the Planning Commission.

B. Lot Coverage: The maximum allowable lot coverage by structures shall be as follows:

1. For single-family lots, see Section 18.10.060 of this Title.

2. For all other interior lots, fifty percent (50%).

3. For all other corner lots, forty-five percent (45%).

C. Lot Dimensions: For all new lots and proposed rezoning, the following provisions shall apply, unless otherwise approved by the Planning Commission:

1. Width:

a. All interior lots shall have a minimum width of sixty feet (60′).

b. All corner lots shall have a minimum width of seventy-five feet (75′).

c. All cul-de-sac or curvilinear lots shall have a minimum width of forty feet (40′) at the front line.

2. Depth: All lots shall have a minimum depth of one hundred feet (100′).

D. Setback Requirements: The following setback requirements shall apply to all uses in the R-3 Zone:

1. Front Yard: Twenty feet (20′) minimum, except detached accessory structures shall have a thirty-five foot (35′) minimum front yard setback. No accessory structure/building shall be located within the front yard area.

2. Side Yard:

a. Interior Side Yard: For lots having two (2) interior side yard areas, one such interior side yard shall have a setback of at least twelve feet (12‘), and the other interior side yard setback shall be at least five feet (5‘). For lots having only one interior side yard, the setback shall be at least twelve feet (12‘). A garage space may be substituted for a portion of the required twelve feet (12‘) such that a side yard setback of five feet (5‘) is permitted adjacent to a garage space. Detached accessory structures located in the rear half of the lot shall have a minimum interior 4 -foot side yard setback requirement, unless constructed with appropriate fire-resistive walls as required by the California Building Code.

b. Exterior Side Yard: Twenty feet (20′) minimum.

c. New Home Designs (side yard): Development of new single-family homes shall be designed such that their attached or detached garages are positioned on the twelve-foot (12’) side yard setback side.

3. Rear Yard: Minimum twenty percent (20%) of lot depth, but not be required to exceed twenty-five feet (25′) maximum. Detached accessory structures shall have a minimum rear yard setback requirement of four feet (4’). A minimum setback of five feet (5′) shall be required for a garage that is accessed from an alley. In all cases a minimum

clearance of eight feet (8′) shall be required between an accessory structure and the lowest overhead utility line located in an alley. Accessory structures shall be constructed to meet the requirements of the applicable California Building Codes.

E. Distance Between Buildings: The following provisions shall apply for distance between main buildings and accessory buildings on the same lot. Whenever two (2) or more buildings of mixed height are adjacent to one another, the distance provisions pertaining to the highest of the buildings shall apply.

1. For buildings end to end, the minimum distance between buildings shall be ten feet (10′) for single story buildings, twenty feet (20′) for two (2) story buildings.

2. For buildings rear to end or front to end with space for exit or entry purposes, the minimum distance between buildings shall be fifteen feet (15′) for single story buildings, and twenty-five feet (25′) for two (2) story buildings.

3. For buildings front to rear with space for exit or entry purposes, the minimum distance between buildings shall be twenty feet (20′) for single story buildings, and thirty feet (30′) for two (2) story buildings.

4. For buildings front to front arranged about an interior court with a driveway to said interior court, the driveway being access to parking area or building, the minimum distance between buildings shall be thirty feet (30′) for single story buildings, and forty feet (40′) for two (2) story buildings. However, if no driveway is provided, the minimum distance shall be twenty-five feet (25′) for single story buildings, and thirty-five feet (35′) for two (2) story buildings.

5. Distance between main buildings and accessory buildings shall comply with the California Building Code.

F. Floor Area Ratio Requirements:

1. For single-family and two-family interior lots:

a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.40:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.54:1.0.

2. For single-family and two-family corner lots:

a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.40:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be

0.64:1.0.

3. All other interior lots:

a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.50:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.80:1.0.

c. For all two and one-half (2 ½) story buildings, the maximum allowable FAR shall be 0.96:1.0.

4. All other corner lots:

a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.45:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.72:1.0.

c. For all two and one-half (2 ½) story buildings, the maximum allowable FAR shall be 0.86:1.0.

G. Building Height Requirement: No main building erected shall have a height greater than three stories or forty feet (40′), whichever is less, as defined under Section 18.02.010 of this Title. No accessory building erected shall have a height greater than one story or fifteen feet (15′), whichever is less. Permitted projections above this height include: ventilating fans or similar equipment required to operate and maintain the building, skylights, church steeples, flagpoles, chimneys, or similar structures, when approved by the Planning Commission; provided that the same may be safely erected and maintained at such height in view of surrounding conditions and circumstances. Any area that falls within the area designated as an Airport Overlay Zone shall comply with the height limitations prescribed by the Zone, if they are more restrictive.

H. Population Density: For all residential uses, the density shall not exceed twelve (12) dwelling units/acre, the maximum density permitted for properties designated medium-high density residential (7-12 dwelling units/acre) in the General Plan.

I. Site Plan Approval: Before any two-family dwellings on a corner lot, group dwelling, condominium, medium density multiple-family dwelling, and nonresidential building is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of this Chapter.

J. Yards, Landscaping, Open Space Requirements:

1. The minimum individual yard requirements for all uses shall be the same as those listed in the setback requirements in subsection D of this Section, with the exception of the following conditional uses: general hospitals, sanitariums, residential care facilities, maternity homes, educational institutions, and child care facilities.

a. For sanitariums, residential care facilities, and maternity homes, minimum individual yards shall comply with the following:

(1) Front Yard: Twenty feet (20′) minimum.

(2) Side Yard:
Twenty-five feet (25′) interior minimum.
Twenty-five feet (25′) exterior minimum.

(3) Rear Yard: Twenty-five feet (25′) minimum.

b. For educational institutions and child care facilities, minimum individual yards shall comply with the following:

(1) Front Yard: Forty feet (40′) minimum.

(2) Side Yard:
Thirty feet (30′) interior minimum.
Forty feet (40′) exterior minimum.

(3) Rear Yard: Forty feet (40′) minimum.

c. For general hospitals, minimum individual yards shall comply with the following:

(1) Front Yard: Fifty feet (50′) minimum.

(2) Side Yard:
Forty feet (40′) interior minimum.
Fifty feet (50′) exterior minimum.

(3) Rear Yard: Forty feet (40′) minimum.

d. The minimum rear yard requirements for all residential uses may be reduced by up to fifty percent (50%) if the minimum overall yard area requirement is met.

2. Landscaping:

a. For all single-family residential uses, live landscaping shall be provided in

the front yard and exterior side yard setbacks. Front yard and exterior side yard areas of single-family homes shall be appropriately landscaped and maintained. Where a single-family residence exists on a lot, a minimum of fifty (50%) percent of the required front yard of said lot shall be maintained as landscape area and in which mow strips shall not be permitted and no more than fifty (50%) percent of the front yard area shall comprise of concrete, asphalt, or hardscape material such as decorative rock or brick, or paving stones. Said landscaped areas shall be equipped with an automatic irrigation system and seven (7) day timer and be maintained at all times. The irrigation system shall comply with the Ceres Water Efficient Landscaping Guidelines and Standards.

b. All other uses shall provide landscaping which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall contain a four-inch (4″) raised planter box along the line of abutment.

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges And Walls:

1. When any educational institution, child care facility, sanitarium, residential care facility, maternity home, general hospital, place of public assembly, public buildings, public utility substation or commercial use abuts a residential zone, a six-foot (6′) high solid masonry wall shall be required. When multiple-family development abuts a single-family development a six-foot (6′) high masonry wall shall be required. Under certain circumstances, the Planning Commission may permit a landscaped and maintained fence.

2. When any medium-high density multiple-family residential dwelling greater than five (5) units abuts a single-family or two-family residential dwelling, a six-foot (6′) high solid masonry wall or landscaped and maintained fence shall be required.

3. Residential units shall be subject to the provisions of Chapter 18.27 of this Title.

L. Off-Street Parking Requirements:

1. For all single-family residential uses, two (2) fully enclosed and covered off-street parking spaces per unit. Existing garages may be converted to additional living area subject to the approval of the Director of Community Development if at least two (2) off-street parking spaces can be provided. The parking or storage of any vehicles within the front yard and exterior side yard landscape areas of a single-family residence is prohibited.

2. For all other residential uses: one and one-half (1½) spaces for one-bedroom

dwelling units, two (2.0) spaces for two bedroom dwelling units, two and one-half (2½) spaces for any unit with three bedrooms or more, one of which shall be covered. Provided further that for multiple-family residential projects devoted entirely to persons fifty-five (55) years of age and older, off-street parking requirements shall be as approved by the Planning Commission through the site plan approval process, but in no case shall have less than one (1) space per dwelling unit.

3. For all educational institutions, general hospitals, sanitariums, residential care facilities, public buildings, public utility substations, and places of public assembly, the following off-street parking requirements shall apply:

a. Educational institutions: one (1) space for each employee and one (1) space for every four (4) students in grades nine (9) through twelve (12) and one (1) space for every two (2) students above grade twelve (12).

b. General hospitals, sanitariums and charitable and religious institutions providing sleeping accommodations: one and one-half (1½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Director of Community Development.

c. Residential care facilities: one (1) space for every three (3) licensed beds.

d. Public buildings and grounds other than schools and administrative offices: one (1) space for every two (2) employees, plus the number of additional spaces prescribed by the Director of Community Development.

e. Public utility structures and installations: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

f. Places of public assembly: one (1) space for every five (5) seats or one (1) space for every fifty (50) square feet of floor area usable for seating if seats are not fixed in all facilities in which simultaneous use is probable as determined by the Director of Community Development.
Off-street parking requirements are explained in Chapter 18.25 of this Title.

M. Off-Street Loading Requirements:

1. For all residential uses, no requirements.

2. For all allowed private clubs, educational institutions, public utility substations, public buildings, general hospitals, and churches requiring the receipt, delivery, or distribution of goods with the potential frequency of once a day or greater: one berth, plus any additional berths as may be prescribed by the Community Development Director.

3. Off-street loading shall comply with the standards established by Chapter 18.25 of this Title.

N. Access:

1. Single-Family: For all single-family uses, see Section 18.08.060, subsection M, of this Title.

2. Two-Family: For all two-family uses, see Section 18.09.060, subsection N, of this Title.

3. Vehicular Access:

a. All medium-high density multiple-family residential uses shall be located on streets with a classification of collector thoroughfares or greater as designated by the General Plan.

b. The following conditional uses shall be located on streets with a classification major thoroughfare or greater as designated by the General Plan: general hospitals, churches, high schools.

c. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.

d. All ingress to and egress from public property shall be in a forward motion.

e. Where nonconforming double frontage lots exist, a two-family dwelling may be developed with access from each public right of way and where such unit is developed with a two (2) car enclosed garage, said two-family unit may back out onto the public right of way with a classification of secondary collector or lower.

4. Pedestrian Access: There shall be pedestrian access from a dedicated street to property used for residential purposes. Driveways and sidewalks shall be considered pedestrian access.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, Clothes Drying Areas, Facilities:

1. Laundry, clothes drying areas, and facilities shall not be allowed in front and exterior side yards.

2. For all medium-high density multiple-family residential dwellings, each lot shall provide clothes drying areas; either mechanical, solar, or both, which shall be sufficiently concealed from public view.

Q. Solid Waste Storage, Disposal Facilities:

1. For all uses, no open storage of solid waste allowed.

2. For all medium density multiple-family residential dwellings: each dwelling unit shall have a minimum of twenty (20) cubic feet of enclosed and concealed trash containers.

3. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each residential unit when two (2) or more such units are located on the same lot or for each residential development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

R. Recreational Facilities:

1. For single-family and two-family dwellings, no requirements.

2. For condominium group and cluster dwellings, as required by the Planning Commission upon site plan approval.

3. For medium-high density multiple-family residential dwellings, there shall be not less than one hundred (100) square feet of recreation area per dwelling unit, up to twenty-five percent (25%) of which may be provided indoors.

S. Park-In-Lieu Fees: Park land dedication or in-lieu fees shall be required of all new residential uses, based on a per dwelling unit assessment. Park-in-lieu fees shall be calculated as established in Chapter 13 of Title 17.

# Chapter 11

## R-4, MEDIUM-HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL ZONE

**Sections:**

**18.11.010 Purpose and Intent.**
**18.11.020 Principal Uses.**
**18.11.030 Accessory Uses.**
**18.11.040 Conditional Uses.**
**18.11.050 Prohibited Uses.**
**18.11.060 Property Development Standards.**

### 18.11.010 Purpose and Intent.

The R-4, High Density Residential Zone is intended to provide for the development of high density housing consistent with the "Medium High Density Residential" (12-20 dwelling units/acre) land use designations of the General Plan, together with the schools, parks, open spaces and other public services required for a satisfactory family environment.

### 18.11.020 Principal Uses.

Buildings, structures, and land shall be used, and buildings and structures shall be erected, structurally altered or enlarged in the R-4 Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.11.060:

A. Single-family dwellings.

B. Two-family dwellings, subject to site plan approval under Section 18.11.060, subsection (I).

C. Condominium, group and cluster dwellings, subject to site plan approval under Section 18.11.060, subsection (I).

D. Medium density multiple-family dwellings, subject to site plan approval under Section 18.11.060, subsection (I).

E. Medium-high density multiple-family dwellings, subject to site plan approval under Section 18.11.060, subsection (I).

F. Mobile homes on permanent foundations that are certified under the National Mobile Home Construction and Safety Standards Act of 1974. Mobile homes permitted under this provision shall utilize roofing materials, roof overhang and siding materials customary to conventional single-family detached homes in the vicinity.

G. Churches on a minimum lot size of one acre and located on a major thoroughfare or primary

collector as designated by the General Plan.

H. Residential care facilities, licensed with the State of California.

H. Employee housing for no more than six (6) workers.

I. Transitional housing.

J. Supportive housing.

**18.11.030 Accessory Uses.**

The following uses shall be permitted as accessory to the principal uses in the R-4 Zone:

A. Rooming and Boarding:

1. Not more than two (2) persons per single-family dwelling unit.

2. Not more than one person per unit for two-family uses.

3. Not more than one person per dwelling unit for medium density multiple-family uses.

B. Private garages and off-street parking areas.

C. Private swimming pools, exclusively for the use of the residents and guests, subject to the following provisions:

1. There shall be a minimum of three-foot (3′) unobstructed clearance provided along at least sixty percent (60%) of the perimeter of all swimming pools constructed in order to provide adequate access to the pool for safety purposes. The three--foot (3′) unobstructed clearance area shall be measured from the edge of the water line along the perimeter of the pool to the property line.

a. No more than forty percent (40%) of the perimeter of the pool may contain architectural or landscaping features which encroach into the three-foot (3′) unobstructed clearance area required by this Chapter.

2. In no case shall swimming pool accessory mechanical equipment be permitted within the required front yard setback area or within the five-foot (5’) side yard and rear yard setback areas, except when it is located at least ten feet (10′) from any adjacent dwelling, at which time said accessory mechanical equipment shall have no minimum setback requirement from a property line.

D. Signs, subject to the provisions of Chapter 18.26.

E. Overnight storage or parking of trucks with a gross vehicle weight of five (5) tons or less.

F Portable outdoor storage units, and shipping containers, subject to the provisions of Section 18.28.110.

G. Other accessory uses and accessory buildings customarily appurtenant to a permitted use, as determined by the Director of Community Development.

H. Home occupations subject to the requirements of Section 18.02.010.

I. Subdivision tract sales offices, signs, flags, and temporary construction or job site trailers, subject to provisions of Chapter 18.38.

J. Kennels, subject to the provisions of 18.28.080.

K. Cottage food operations, subject to the requirements as defined under Section 18.02.010.

L. Accessory Dwelling Units and Junior Accessory Dwelling Units subject to Section 18.28.060 of this Title.

**18.11.040 Conditional Uses.**

The following uses may be permitted in the R-4 Zone subject to a conditional use permit:

A.

B. Private clubs.

C. Horticulture.

D. Educational institutions.

E. Public buildings, except for storage, corporation, repair yards.

F. Public utility substations.

G. Churches on a lot size of less than one acre.

H. State licensed general hospitals.

I. State licensed sanitariums.

J. State licensed child care facilities.

K. Public parks and playgrounds.

L. Mobile home parks, subject to the provisions in Section 18.28.070 of this Title.

M. Temporary tract sales office and tract signs, for subdivisions less than twenty (20) lots and as permitted in Chapter 18.38 of this Title.

N. Aviaries, subject to the provisions contained in Section 18.28.050 of this Title.

**18.11.050 Prohibited Uses.**

The following uses are expressly prohibited in the R-4 Zone:

A. Commercial uses.

B. Industrial uses.

C. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular equipment.

D. Overnight storage or parking of trucks with a gross vehicle weight of greater than five (5) tons.

E. The keeping of any livestock.

F. Agricultural uses, except accessory buildings used exclusively for storage.

G. Metal buildings, except accessory buildings used exclusively for storage.

H. All such accessory metal buildings shall be treated with some rust or corrosion-inhibiting substance. Portable outdoor storage units and shipping containers shall comply with Section 18.28.110.

I. Fortunetelling and related activities as defined in Chapter 5.12 of this Code.

J. Adult businesses as defined in Chapter 5.15 of this Code.

K. Possession of animals not classified as household pets under Title 8 of this Code.

**18.11.060 Property Development Standards.**

The following property development standards shall apply to all land and buildings in the R-4 Zone, unless otherwise specified in Section 18.11.040 of this Chapter:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:
   1. For all principal uses, the minimum lot area shall be five thousand three hundred (5,300) square feet.
   2. For uses requiring a use permit, the minimum lot area shall be as specified by the use permit.

B. Lot Coverage: The maximum allowable lot coverage by structures shall be as follows:

1. For single-family and two-family lots, the maximum allowable lot coverage by structures for all uses shall be forty percent (40%). Additional allowable ten percent (10%) lot coverage is provided for accessory structures proposed on single-family lots when the dwelling footprint has reached the forty percent (40%) maximum. The additional ten percent (10%) allowance shall be calculated based on multiplying ten percent (10%) by the size of the lot.

2. For all other interior lots, sixty percent (60%).

3. For all other corner lots, fifty-four percent (54%).

C. Lot Dimensions: For all new lots and proposed rezoning, the following provisions shall apply, unless otherwise approved by the Planning Commission:

1. Width:
   a. All interior lots shall have a minimum width of sixty feet (60′).
   b. All corner lots shall have a minimum width of seventy-five feet (75′).
   c. All cul-de-sac or curvilinear lots shall have a minimum width of forty feet (40′) at the front line.
2. Depth: All lots shall have a minimum depth of one hundred feet (100′).

D. Setback Requirements: The following setback requirements shall apply to all uses in the R-4 Zone:

1. Front Yard: Twenty feet (20′) minimum, except detached accessory structures shall have a thirty-five foot (35′) minimum front yard setback. No accessory structure/building shall be located within the front yard area of a single-family lot.

2. Side Yard:

   a. Interior Side Yard: For lots having two (2) interior side yard areas, one such interior side yard shall have a setback of at least twelve feet (12‘), and the other interior side yard setback shall be at least five feet (5‘). For lots having only one interior side yard, the setback shall be at least twelve feet (12‘). A garage space may be substituted for a portion of the required twelve feet (12‘) such that a side yard setback of five feet (5‘) is permitted adjacent to a third garage space. Detached accessory structures located in the rear half of the lot shall have a minimum interior 4 -foot side yard setback requirement, unless constructed with fire appropriate fire-resistive walls pursuant to the California Building Code.

   b. Exterior Side Yard: Twenty feet (20′) minimum.

c. New Home Designs (side yard): Development of new single-family homes shall be designed such that their attached or detached garages are positioned on the 12’ side yard setback side.

3. Rear Yard: Minimum twenty percent (20%) of lot depth, but not be required to exceed twenty-five feet (25′) maximum. Detached accessory structures shall have a minimum rear yard setback requirement of 4 feet. A minimum setback of five feet (5′) shall be required for a garage that is accessed from an alley. In all cases a minimum clearance of eight feet (8′) shall be required between an accessory structure and the lowest overhead utility line located in an alley. Accessory structures shall be constructed to meet the requirements of the applicable California Building Codes.

E. Distance Between Buildings: The following provisions shall apply for distance between main buildings and accessory buildings on the same lot. Whenever two (2) or more buildings of mixed height are adjacent to one another, the distance provisions pertaining to the highest of the buildings shall apply.

1. For buildings end to end, the minimum distance between buildings shall be ten feet (10′) for single-story buildings, twenty feet (20′) for two (2) story buildings, and thirty feet (30′) for three (3) story buildings.

2. For buildings rear to end or front to end with space for exit or entry purposes, the minimum distance between buildings shall be fifteen feet (15′) for single-story buildings, twenty-five feet (25′) for two (2) story buildings, and thirty-five feet (35′) for three (3) story buildings.

3. For buildings front to rear with space for exit or entry purposes, the minimum distance between buildings shall be twenty feet (20′) for single-story buildings, thirty feet (30′) for two (2) story buildings, and forty feet (40′) for three (3) story buildings.

4. For buildings front to front arranged about an interior court with a driveway to said interior court, the driveway being access to parking area or building, the minimum distance between buildings shall be thirty feet (30′) for single-story buildings, forty feet (40′) for two (2) story buildings, and fifty feet (50′) for three (3) story buildings. However, if no driveway is provided, the minimum distance shall be twenty-five feet (25′) for single-story buildings, thirty-five feet (35′) for two (2) story buildings, and forty-five feet (45′) for three (3) story buildings.

5. Distance between main buildings and accessory buildings shall comply with the California Building Code.

F. Floor Area Ratio Requirements:

1. For all single-family lots:

a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 40:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.64:1.0.

c. For all three (3) story buildings, the maximum allowable FAR shall be 0.96:1.0.

2. For all two-family interior lots:

a. For single-story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.50:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.80:1.0.

c. For all three (3) story buildings, the maximum allowable FAR shall be 1.20:1.0.

3. For all two-family corner lots:

a. For single-story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.45:1.0.

b. For two (2) story buildings, the maximum allowable FAR shall be 0.72:1.0.

c. For all three (3) story buildings, the maximum allowable FAR shall be 1.08:1.0.

4. For all other interior lots:

a. For single-story buildings and the first story of all multiple-story buildings, the maximum allowable FAR shall be 0.60:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.95:1.0.

c. For all three (3) story buildings, the maximum allowable FAR shall be 1.94:1.0.

5. For all other corner lots:

a. For single-story buildings and the first story of all multiple-story buildings, the maximum allowable FAR shall be 0.54:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.86:1.0.

c. For all three (3) story buildings, the maximum allowable FAR shall be 1.30:1.0.

G. Building Height Requirements: No main building or accessory building erected shall have a height greater than three (3) stories or thirty-five feet (40′), whichever is less. The Planning Commission may Permit projections above this height include: ventilating fans or similar equipment required to operate and maintain the building, skylights, church steeples, flagpoles, chimneys, television antennas or wireless masts, or similar structures; provided that the same may be safely erected and maintained at such height in view of surrounding conditions and circumstances. Any area that falls within the area designated as an Airport Overlay Zone shall comply with the height limitations prescribed by that Zone, if they are more restrictive.

H. Population Density: For all residential uses, the density shall not exceed twenty (20) dwelling units/acre.

I. Site Plan Approval: Before any two-family dwellings on a corner lot, group dwelling, condominium, medium density multiple-family dwelling, medium-high density multiple-family dwelling, high density multiple-family dwelling or nonresidential building is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of this Chapter.

J. Yards, Landscaping, Open Space Requirements:

1. The minimum individual yard requirements for all uses shall be the same as those listed in the setback requirements in subsection D of this Section, with the exception of the following conditional uses: general hospitals, sanitariums, residential care facilities, maternity homes, educational institutions, and child care facilities.

a. For sanitariums, residential care facilities, and maternity homes, minimum individual yards shall comply with the following:

(1) Front yard: 20′ minimum.

(2) Side yard:
25′ interior minimum.
25′ exterior minimum.

(3) Rear yard: 25′ minimum.

b. For educational institutions and child care facilities minimum individual yards shall comply with the following:

(1) Front yard: 40′ minimum.

(2) Side yard:
30′ interior minimum.
40′ exterior minimum.

(3) Rear yard: 40′ minimum.

c. For general hospitals, minimum individual yards shall comply with the following:

(1) Front yard: 50′ minimum.

(2) Side yard:
40′ interior minimum.
50′ exterior minimum.

(3) Rear yard: 40′ minimum.

d. The minimum rear yard requirements for all residential uses may be reduced by up to fifty percent (50%) if the minimum overall yard area is met.

2. Landscaping:

a. For all single-family residential uses, live landscaping shall be provided in the front yard and exterior side yard setbacks. Front yard and exterior side yard areas of single-family homes shall be landscaped and maintained. Where a single-family residence exists on a lot, a minimum of fifty (50%) percent of the required front yard of said lot shall be maintained as landscape area and in which mow strips shall not be permitted and no more than fifty (50%) percent of the front yard area shall comprise of concrete, asphalt or hardscape material such as decorative rock or brick, or paving stones. Said landscaped areas shall be equipped with an automatic irrigation system and seven (7) day timer and be maintained at all times. The irrigation system shall comply with the Ceres Water Efficient Landscaping Guidelines and Standards.

b. All other uses shall provide landscaping, which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall contain a four-inch (4″) raised planter box along the line of abutment.

3. Open Space Requirements: Additional open space requirements shall be specified

by the Planning Commission upon site plan approval.

K. Fences, Hedges and Walls:

1. When an educational institution, child care facility, sanitarium, residential care facility, maternity home, general hospital, place of public assembly, public building, public utility substation, or commercial use abuts a residential zone a six-foot (6′) high solid masonry wall shall be required. When multiple-family development abuts a single-family development, a six-foot (6′) high solid masonry wall shall be required. Under certain circumstances, the Planning Commission may permit a landscaped and maintained fence.

2. When any medium or medium high density multiple-family residential dwelling greater than five (5) units abuts a single-family or two-family residential dwelling, a six-foot (6′) high solid masonry wall or landscaped and maintained fence shall be required.
3. Residential units shall be subject to the provisions of Chapter 18.27 of this Title, "Fences, Hedges and Walls Standards."

L. Off-Street Parking Requirements:

1. For all single-family residential uses, two (2) fully enclosed and covered off-street parking spaces per unit. Existing garages may be converted to additional living area subject to the approval of the Community Development Director if at least two (2) off-street parking spaces can be provided. The parking or storage of any vehicles within the front yard and exterior side yard landscape areas of a single-family residence is prohibited.

2. For all other residential uses: one and one-half (1½) spaces for one bedroom dwelling units, two (2.0) spaces for two bedroom dwelling units, two and one-half (2½) spaces for any unit with three bedrooms or more, one of which shall be covered. Provided further that for multiple-family residential projects devoted entirely to persons fifty-five (55) years of age and older, off-street parking requirements shall be as approved by the Planning Commission through the site plan approval process, but in no case shall have less than one (1) space per dwelling unit.

3. For all educational institutions, general hospitals, sanitariums, residential care facilities, public utility substations, and places of public assembly, the following off-street parking requirements shall apply:

a. Educational institutions: One (1) space for each employee and one (1) space for every four (4) students in grades nine (9) through twelve (12) and one (1) space for every two (2) students above grade twelve (12).

b. General hospitals, sanitariums, and charitable and religious institutions providing sleeping accommodations: One and one-half (1½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Director of Community Development.

c. Residential care facilities: one (1) space for every three (3) licensed beds.

d. Public buildings and grounds other than schools and administrative offices: one (1) space for every two (2) employees, plus the number of additional spaces prescribed by the Director of Community Development.

e. Public utility structures and installations: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

f. Places of public assembly: one (1) space for every five (5) seats or one (1) space for every fifty (50) square feet of floor area usable for seating if seats are not fixed in all facilities in which simultaneous use is probable as determined by the Director of Community Development.

4. All uses must comply with the Off-street parking standards provided in Chapter 18.25.

M. Off-Street Loading Requirements:

1. For all residential uses, no requirements.

2. For all allowed private clubs, educational institutions, public utility substations, public buildings, general hospitals and churches requiring the receipt, delivery, or distribution of goods with the potential frequency of once a day or greater: one berth, plus any additional berths as may be prescribed by the Director of Community Development.

3. Off-street loading shall comply with the standards established by Chapter 18.25 of this Title.

N. Access:

1. Single-Family: For all single-family uses, see Section 18.08.060, subsection M, of this Title.

2. Two-Family: For all two-family uses, see Section 18.09.060, subsection N, of this Title.

3. Vehicular Access:

a. All medium-high density multiple-family residential uses shall be located on streets with a classification of collector thoroughfares or greater as designated by the General Plan.

b. The following conditional uses shall be located on major thoroughfares as designated by the General Plan: general hospitals and educational institutions, except for elementary schools.

c. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on property requiring off-street parking.

d. All ingress to and egress from public property shall be in a forward motion.

e. Where nonconforming double frontage lots exist, a two-family dwelling may be developed with access from each public right of way and where such unit is developed with a two (2) car enclosed garage, said two-family unit may back out onto the public right of way with a classification of secondary collector or lower.

4. Pedestrian Access: There shall be pedestrian access from a dedicated street to property used for residential purposes, driveways and sidewalks shall be considered pedestrian access.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, Clothes Drying Areas, Facilities:

1. Laundry, clothes drying areas, and facilities shall not be allowed in front and exterior side yards.

2. For all high density multiple-family residential dwellings, each lot shall provide clothes drying areas; either mechanical, solar, or both, which shall be sufficiently concealed from public view.

Q. Solid Waste Storage, Disposal Facilities:

1. No open storage of solid waste shall be allowed.

2. For all high density multiple-family residential dwellings; each dwelling unit shall have a minimum of twenty (20) cubic feet of enclosed and concealed trash containers or the ability to access an appropriately sized trash enclosure.

3. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each residential unit when two (2) or more such units are located on the same, or for each residential development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient

Landscaping Guidelines and Standards.

R. Recreational Facilities:

1. For single-family and two-family dwellings, no requirements.

2. For condominium group and cluster dwellings, as required by the Planning Commission upon site plan approval.

3. For medium and medium-high density multiple-family residential dwellings, there shall be not less than one hundred (100) square feet of recreation area per dwelling unit, up to twenty-five percent (25%) of which may be provided indoors.

S. Park-In-Lieu Fees: Park land dedication or in-lieu fees shall be required of all new residential uses, based on a per dwelling unit assessment. Park-in-lieu fees shall be calculated as established in Chapter 13 of Title 17.

# Chapter 12

# R-5, HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL ZONE

**Sections:**

**18.12.010 Purpose and Intent.**
**18.12.020 Principal Uses.**
**18.12.030 Accessory Uses.**
**18.12.040 Conditional Uses.**
**18.12.050 Prohibited Uses.**
**18.12.060 Property Development Standards.**

## 18.12.010 – Purpose and Intent.

The R-5, High Density Residential Zone is intended to provide for the development of high density housing consistent with the "High Density Residential" (20-30 dwelling units/acre) land use designations of the General Plan, together with the schools, parks, open spaces and other public services required for a satisfactory family environment.

## 18.12.020 – Principal Uses.

Buildings, structures, and land shall be used, and buildings and structures shall be erected, structurally altered or enlarged in the R-5 Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.12.060:

A. Single-family dwellings.

B. Two-family dwellings, subject to site plan approval under Section 18.12.060, subsection (I).

C. Condominium, group and cluster dwellings, subject to site plan approval under Section 18.12.060, subsection (I).

D. Medium density multiple-family dwellings, subject to site plan approval under Section 18.12.060, subsection (I).

E. Medium-high density multiple-family dwellings, subject to site plan approval under Section 18.12.060, subsection (I).

F. Mobile homes on permanent foundations that are certified under the National Mobile Home Construction and Safety Standards Act of 1974. Mobile homes permitted under this provision shall utilize roofing materials, roof overhang and siding materials customary to conventional single-family detached homes in the vicinity.

G. Churches on a minimum lot size of one acre and located on a major thoroughfare or primary collector as designated by the General Plan.

H. Residential care facilities, licensed with the State of California. See definition under Section 18.02.010 of this Title.

I. Employee housing for no more than six (6) workers.

J. Transitional housing. See definition under Section 18.02.010 of this Title.

K. Supportive housing. See definition under Section 18.02.010 of this Title.

**18.12.030 – Accessory Uses.**
The following uses shall be permitted as accessory to the principal uses in the R-5 Zone:

A. Private garages and off-street parking areas.

B. Private swimming pools, exclusively for the use of the residents and guests, subject to the following provisions:

1. There shall be a minimum of three-foot (3′) unobstructed clearance provided along at least sixty percent (60%) of the perimeter of all swimming pools constructed in order to provide adequate access to the pool for safety purposes. The three-foot (3′) unobstructed clearance area shall be measured from the edge of the water line along the perimeter of the pool to the property line.

a. No more than forty percent (40%) of the perimeter of the pool may contain architectural or landscaping features which encroach into the three-foot (3′) unobstructed clearance area required by this Chapter.

2. In no case shall swimming pool accessory mechanical equipment be permitted within the required front yard setback area or within the 5-foot side yard and rear yard setback areas, except when it is located at least ten feet (10′) from any adjacent dwelling, at which time said accessory mechanical equipment shall have no minimum setback requirement from a property line.

C. Signs, subject to the provisions of Chapter 18.26.

D. Overnight storage or parking of trucks with a gross vehicle weight of five (5) tons or less.

E. Portable outdoor storage units, and shipping containers, subject to the provisions of Section 18.28.110.

F. Other accessory uses and accessory buildings customarily appurtenant to a permitted use, as determined by the Director of Community Development.

G. Home occupations subject to the requirements of Section 18.02.010.

H. Subdivision tract sales offices, signs, flags, and temporary construction or job site trailers, subject to provisions of Chapter 18.38.

I. Kennels, subject to the provisions of Section 18.28.080.

J. Cottage food operations, subject to the requirements as defined under Section 18.02.010.

K. Second dwelling units Accessory Dwelling Units and Junior Accessory Dwelling Units subject to Section 18.28.060 of this Title.

**18.12.040 - Conditional Uses.**
The following uses may be permitted in the R-5 Zone subject to a conditional use permit:

A. Private clubs.

B. Horticulture.

C. Educational institutions.

D. Public buildings, except for storage, corporation, repair yards.

E. Public utility substations.

F. Churches on a lot size of less than one acre.

G. State licensed general hospitals.

H. State licensed sanitariums.

I. State licensed child care facilities.

J. Public parks and playgrounds.

K. Mobile home parks, subject to the provisions in Section 18.48.090 of this Title.

L. Temporary tract sales office and tract signs, for subdivisions less than twenty (20) lots and as permitted in Chapter 18.38 of this Title.

M. Aviaries, subject to the provisions contained in Section 18.28.050 of this Title.

**18.12.050 – Prohibited Uses.**
The following uses are expressly prohibited in the R-4 Zone:

A. Commercial uses.

B. Industrial uses.

C. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular equipment.

D. Overnight storage or parking of trucks with a gross vehicle weight of greater than five (5) tons.

E. The keeping of any livestock.

F. Agricultural uses, except accessory buildings used exclusively for storage.

G. Metal buildings, except accessory buildings used exclusively for storage. Portable outdoor storage units and shipping containers shall comply with Section 18.28.110.

H. All such accessory metal buildings shall be treated with some rust or corrosion-inhibiting substance.

I. Fortunetelling and related activities as defined in Chapter 5.12 of this Code.

J. Adult businesses as defined in Chapter 5.15 of this Code.

K. Possession of animals not classified as household pets under Title 8 of this Code.

**18.12.060 - Property Development Standards.**
The following property development standards shall apply to all land and buildings in the R-5 Zone, unless otherwise specified in Section 18.18.080 of this Chapter:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:

1. For all principal uses, the minimum lot area shall be five thousand three hundred (5,300) square feet.

2. For uses requiring a use permit, the minimum lot area shall be as specified by the use permit.

B. Lot Coverage: The maximum allowable lot coverage by structures shall be as follows:

1. For single-family and two-family lots, the maximum allowable lot coverage by structures for all uses shall be forty percent (40%). Additional allowable lot coverage is provided for accessory structures proposed on single-family lots when the dwelling footprint has reached the forty percent (40%) maximum.

2. For all other interior lots, sixty percent (60%).

3. For all other corner lots, fifty-four percent (54%).

C. Lot Dimensions: For all new lots and proposed rezoning, the following provisions shall apply, unless otherwise approved by the Planning Commission:

1. Width:

a. All interior lots shall have a minimum width of sixty feet (60′).

b. All corner lots shall have a minimum width of seventy-five feet (75′).

c. All cul-de-sac or curvilinear lots shall have a minimum width of forty feet (40′) at the front line.

2. Depth: All lots shall have a minimum depth of one hundred feet (100′).

D. Setback Requirements: The following setback requirements shall apply to all uses in the R-5 Zone:

1. Front Yard: Twenty feet (20′) minimum, except detached accessory structures shall have a thirty-five foot (35′) minimum front yard setback. No accessory structure/building shall be located within the front yard area of a single-family lot.

2. Side Yard:

a. Interior Side Yard: For lots having two (2) interior side yard areas, one such interior side yard shall have a setback of at least twelve feet (12‘), and the other interior side yard setback shall be at least five feet (5‘). For lots having only one interior side yard, the setback shall be at least twelve feet (12‘). A third garage space may be substituted for a portion of the required twelve feet (12‘) such that a side yard setback of five feet (5‘) is permitted adjacent to a third garage space. Detached accessory structures located in the rear half of the lot shall have a minimum interior 5-foot side yard setback requirement.

b. Exterior Side Yard: Twenty feet (20′) minimum.

c. New Home Designs (side yard): Development of new single-family homes shall be designed such that their attached or detached garages are positioned on the 12’ side yard setback side.

3. Rear Yard: Minimum twenty percent (20%) of lot depth, but not be required to exceed twenty-five feet (25′) maximum. Detached accessory structures shall have a

minimum rear yard setback requirement of 5 feet. A minimum setback of five feet (5′) shall be required for a garage that is accessed from an alley. In all cases a minimum clearance of eight feet (8′) shall be required between an accessory structure and the lowest overhead utility line located in an alley. Accessory structures shall be constructed to meet the requirements of the applicable California Building Codes.

E. Distance Between Buildings: The following provisions shall apply for distance between main buildings and accessory buildings on the same lot. Whenever two (2) or more buildings of mixed height are adjacent to one another, the distance provisions pertaining to the highest of the buildings shall apply.

1. For buildings end to end, the minimum distance between buildings shall be ten feet (10′) for single-story buildings, twenty feet (20′) for two (2) story buildings, and thirty feet (30′) for three (3) story buildings.

2. For buildings rear to end or front to end with space for exit or entry purposes, the minimum distance between buildings shall be fifteen feet (15′) for single-story buildings, twenty-five feet (25′) for two (2) story buildings, and thirty-five feet (35′) for three (3) story buildings.

3. For buildings front to rear with space for exit or entry purposes, the minimum distance between buildings shall be twenty feet (20′) for single-story buildings, thirty feet (30′) for two (2) story buildings, and forty feet (40′) for three (3) story buildings.

4. For buildings front to front arranged about an interior court with a driveway to said interior court, the driveway being access to parking area or building, the minimum distance between buildings shall be thirty feet (30′) for single-story buildings, forty feet (40′) for two (2) story buildings, and fifty feet (50′) for three (3) story buildings. However, if no driveway is provided, the minimum distance shall be twenty-five feet (25′) for single-story buildings, thirty-five feet (35′) for two (2) story buildings, and forty-five feet (45′) for three (3) story buildings.

5. Distance between main buildings and accessory buildings shall comply with the California Building Code.

F. Floor Area Ratio Requirements:

1. For all single-family lots:

a. For single story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 40:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.64:1.0.

c. For all three (3) story buildings, the maximum allowable FAR shall be 0.96:1.0.

2. For all two-family interior lots:

a. For single-story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.50:1.0.
b. For all two (2) story buildings, the maximum allowable FAR shall be 0.80:1.0.
c. For all three (3) story buildings, the maximum allowable FAR shall be 1.20:1.0.

3. For all two-family corner lots:

a. For single-story buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 0.45:1.0.

b. For two (2) story buildings, the maximum allowable FAR shall be 0.72:1.0.

c. For all three (3) story buildings, the maximum allowable FAR shall be 1.08:1.0.

4. For all other interior lots:

a. For single-story buildings and the first story of all multiple-story buildings, the maximum allowable FAR shall be 0.60:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.95:1.0.

c. For all three (3) story buildings, the maximum allowable FAR shall be 1.94:1.0.

5. For all other corner lots:

a. For single-story buildings and the first story of all multiple-story buildings, the maximum allowable FAR shall be 0.54:1.0.

b. For all two (2) story buildings, the maximum allowable FAR shall be 0.86:1.0.

c. For all three (3) story buildings, the maximum allowable FAR shall be 1.30:1.0.

G. Building Height Requirements: No main building or accessory building erected shall have

a height greater than three (3) stories or forty feet (40′), whichever is less. The Planning Commission may Permit projections above this height include ventilating fans or similar equipment required to operate and maintain the building, skylights, church steeples, flagpoles, chimneys, television antennas or wireless masts, or similar structures; provided that the same may be safely erected and maintained at such height in view of surrounding conditions and circumstances. Any area that falls within the area designated as an Airport Overlay Zone shall comply with the height limitations prescribed by that Zone, if they are more restrictive.

H. Population Density: For all residential uses, the density shall not exceed thirty (30) dwelling units/acre, for properties designated High Density Residential in the General Plan.

I. Site Plan Approval: Before any two-family dwellings on a corner lot, group dwelling, condominium, medium density multiple-family dwelling, medium-high density multiple-family dwelling, high density multiple-family dwelling or nonresidential building is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of this Chapter.

J. Yards, Landscaping, Open Space Requirements:

1. The minimum individual yard requirements for all uses shall be the same as those listed in the setback requirements in subsection D, with the exception of the following conditional uses: general hospitals, sanitariums, residential care facilities, maternity homes, educational institutions, and child care facilities.

a. For sanitariums, residential care facilities, and maternity homes, minimum individual yards shall comply with the following:

(1) Front yard: 20′ minimum.

(2) Side yard:
25′ interior minimum.
25′ exterior minimum.

(3) Rear yard: 25′ minimum.

b. For educational institutions and child care facilities minimum individual yards shall comply with the following::

(1) Front yard: 40′ minimum.

(2) Side yard:
30′ interior minimum.
40′ exterior minimum.

(3) Rear yard: 40′ minimum.

c. For general hospitals, minimum individual yards shall comply with the following:

(1) Front yard: 50′ minimum.

(2) Side yard:
40′ interior minimum.
50′ exterior minimum.

(3) Rear yard: 40′ minimum. d. The minimum rear yard requirements for all residential uses may be reduced by up to fifty percent (50%) if the minimum overall yard area is met.

2. Landscaping:

a. For all single-family residential uses, live landscaping shall be provided in the front yard and exterior side yard setbacks. Front yard and exterior side yard areas of single-family homes shall be appropriately landscaped and maintained. Where a single-family residence exists on a lot, a minimum of fifty (50%) percent of the required front yard of said lot shall be maintained as landscape area and in which mow strips shall not be permitted and no more than fifty (50%) percent of the front yard area shall comprise of concrete, asphalt or hardscape material such as decorative rock or brick, or paving stones. Said landscaped areas shall be equipped with an automatic irrigation system and seven (7) day timer and be maintained at all times. The irrigation system shall comply with the Ceres Water Efficient Landscaping Guidelines and Standards.

b. All other uses shall provide landscaping, which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall contain a four-inch (4″) raised planter box along the line of abutment.

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges and Walls:

1. When an educational institution, child care facility, sanitarium, residential care facility, maternity home, general hospital, place of public assembly, public building, public utility substation, or commercial use abuts a residential zone a six-foot (6′) high solid masonry wall shall be required. When multiple-family development abuts a single-family development, a six-foot (6′) high solid masonry wall shall be required. Under certain circumstances, the Planning Commission may permit a landscaped and maintained fence.

2. When any medium or medium high density multiple-family residential dwelling greater than five (5) units abuts a single-family or two-family residential dwelling, a six-foot (6′) high solid masonry wall or landscaped and maintained fence shall be required.
3. Residential units shall be subject to the provisions of Chapter 18.27 of this Title, "Fences, Hedges and Walls Standards."

L. Off-Street Parking Requirements:

1. For all single-family residential uses, two (2) fully enclosed and covered off-street parking spaces per unit. Existing garages may be converted to additional living area subject to the approval of the Community Development Director if at least two (2) off-street parking spaces can be provided. The parking or storage of any vehicles within the front yard and exterior side yard landscape areas of a single-family residence is prohibited.

2. For all other residential uses: one and one-half (1½) spaces one bedroom dwelling units, two (2.0) spaces for two bedroom dwelling units, two and one-half (2½) spaces for any unit with three bedrooms or more, one of which shall be covered. Provided further that for multiple-family residential projects devoted entirely to persons fifty-five (55) years of age and older, off-street parking requirements shall be as approved by the Planning Commission through the site plan approval process, but in no case shall have less than one (1) space per dwelling unit.

3. For all educational institutions, general hospitals, sanitariums, residential care facilities, public utility substations, and places of public assembly, the following off-street parking requirements shall apply:

a. Educational institutions: One (1) space for each employee and one (1) space for every four (4) students in grades nine (9) through twelve (12) and one (1) space for every two (2) students above grade twelve (12).

b. General hospitals, sanitariums, and charitable and religious institutions providing sleeping accommodations: One and one-half (1½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Director of Community Development.

c. Residential care facilities: one (1) space for every three (3) licensed beds.

d. Public buildings and grounds other than schools and administrative offices: one (1) space for every two (2) employees, plus the number of additional spaces prescribed by the Director of Community Development.

e. Public utility structures and installations: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

f. Places of public assembly: one (1) space for every five (5) seats or one (1) space for every fifty (50) square feet of floor area usable for seating if seats are not fixed in all facilities in which simultaneous use is probable as determined by the Director of Community Development.

4. All uses must comply with the Off-street parking standards provided in Chapter 18.25.

M. Off-Street Loading Requirements:

1. For all residential uses, no requirements.

2. For all allowed private clubs, educational institutions, public utility substations, public buildings, general hospitals and churches requiring the receipt, delivery, or distribution of goods with the potential frequency of once a day or greater: one berth, plus any additional berths as may be prescribed by the Director of Community Development.

3. Off-street loading shall comply with the standards established by Chapter 18.25 of this Title.

N. Access:

1. For Single-Family: For all single-family uses, see Section 18.08.060, subsection M, of this Title.

2. Two-Family: For all two-family uses, see Section 18.09.060, subsection N, of this Title.

3. Vehicular Access:

a. All high density multiple-family residential uses shall be located on streets with a classification of collector thoroughfares or greater as designated by the General Plan.

b. The following conditional uses shall be located on major thoroughfares as designated by the General Plan: general hospitals and educational institutions, not including elementary schools.

c. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on property requiring off-street parking.

d. All ingress to and egress from public property shall be in a forward motion.

e. Where nonconforming double frontage lots exist, a two-family dwelling

may be developed with access from each public right of way and where such unit is developed with a two (2) car enclosed garage, said two-family unit may back out onto the public right of way with a classification of secondary collector or lower.

4. Pedestrian Access: There shall be pedestrian access from a dedicated street to property used for residential purposes, driveways and sidewalks shall be considered pedestrian access.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, Clothes Drying Areas, Facilities:

1. Laundry, clothes drying areas, and facilities shall not be allowed in front and exterior side yards.

2. For all high density multiple-family residential dwellings, each lot shall provide clothes drying areas; either mechanical, solar, or both, which shall be sufficiently concealed from public view.

Q. Solid Waste Storage, Disposal Facilities:

1. No open storage of solid waste shall be allowed.

2. For all high density multiple-family residential dwellings; each dwelling unit shall have a minimum of twenty (20) cubic feet of enclosed and concealed trash containers or the ability to access an appropriately sized trash enclosure.

3. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each residential unit when two (2) or more such units are located on the same, or for each residential development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

R. Recreational Facilities:

1. For single-family and two-family dwellings, no requirements.

2. For condominium group and cluster dwellings, as required by the Planning Commission upon site plan approval.

3. For medium and medium-high density multiple-family residential dwellings, there

shall be not less than one hundred (100) square feet of recreation area per dwelling unit, up to twenty-five percent (25%) of which may be provided indoors.

S. Park-In-Lieu Fees: Park land dedication or in-lieu fees shall be required of all new residential uses, based on a per dwelling unit assessment. Park-in-lieu fees shall be calculated as established in Chapter 13 of Title 17.

# Chapter 13

# P-C, PLANNED COMMUNITY ZONE

**Sections:**

**18.13.010 Purpose and Intent.**
**18.13.020 General Provisions.**
**18.13.030 Master Plan.**
**18.13.040 Development Plan.**
**18.13.050 Property Development Standards.**

## 18.13.010 Purpose and Intent.

The purpose of this District is to establish a needed level of preplanning for the development or redevelopment of land and to encourage innovative design solutions while retaining positive land use relationships and compatibility of uses. Specifically, this chapter seeks to facilitate the variation of standards of the Zoning Code under proper planning, to achieve, where appropriate, unique and innovative community design whenever it can be demonstrated that such variation will result in an environment superior to that possible under the normal application of standards.

## 18.13.020 General Provisions.

The following general provisions shall apply to all P-C Zones:

A. A P-C Zone may be established only on a parcel or parcels of at least one acre.

B. P-C Zones shall comply with the General Plan.

C. Development of a P-C Zone may proceed by phases. Such phases shall be reasonable and logical in size, shape, and function, and in relationship to other development units within the Zone.

D. All land in a proposed P-C Zone shall be held in one ownership, under unified control, or have the written consent or agreement of all owners of property proposed for inclusion in the development.

E. Fortunetelling and related activities as defined in Chapter 5.12 of this Code shall not be permitted in any P-C Zone.

F. The City may initiate a P-C Zone where, in the opinion of the City, the establishment of such Zone is in the best interest of the City.

G. The Director of Community Development may authorize the review of the master plan and development plan simultaneously.

H. Adult businesses as defined in Chapter 5.15 of this Code shall be permitted in any P-C

Zone, where M-1 or M-2 uses are approved or contemplated by the General Plan.

I. Aviaries shall be permitted in any P-C zone, subject to the provisions of Section 18.28.050.

J. Accessory Dwelling Units and Junior Accessory Dwelling Units shall be permitted in any P-C zone, subject to the provisions of Section 18.28.060.

K. Mobile home parks shall be permitted in any P-C zone, subject to the development standards of Section 18.28.070.

**18.13.030 Master Plan.**

An application for a Planned Community Zone shall be accompanied by a master plan (maps and explanatory text) for the entire area and such other material as specified by this Chapter. A master plan need not be prepared when the City initiates the rezoning.

A. Requirements: The project master plan shall, when required, set forth the following:

1. Location and boundaries for the area proposed for the planned unit development.

2. Present an approximate proposed topography of the area including natural features that are to be retained (i.e., stands of trees, rock outcroppings, streams, etc.).

3. Proposed uses of all land including, but not limited to, residential, commercial and professional centers, public buildings, school sites, recreational facilities, and all common open spaces.

4. Proposed densities of all areas indicated for residential development.

5. Proposed property development standards as applicable in Section 18.13.050 of this Chapter. All mobile home parks shall also comply with the property development standards of Section 18.28.070 of this Title.

6. The location and width of all public and private streets.

7. General site data, including acreage in total development, total acreage in each density classification, school sites, and total acreage devoted to common open space.

B. The Application Procedure:

1. The property owner of record, or his authorized agent, may submit an application and master plan for Planned Community zoning to the Planning Commission. The Planning Commission shall hold a public hearing on such project master plan and may approve or conditionally approve the project master plan if it finds the criteria set forth in this Chapter have been satisfied.

a. The City may initiate a rezoning to P-C in accordance with the procedures as set forth in this Code.

2. The Planning Commission may deny the application if it finds that any of the required criteria have not been satisfied or that the project master plan would be detrimental to the public peace, health, safety, or welfare.

3. The decision and findings of the Planning Commission shall be forwarded along with the project master plan to the City Council. The City Council shall hold a public hearing and either approve, conditionally approve, or deny the project master plan. The decision of the City Council shall be final.

4. Public hearing procedures shall be governed by the procedures outlined in Chapter 18.32 of this Title.

5. An application for a Planned Community Zone shall be accompanied by a filing fee as established by resolution from time to time by the City Council.

6. An adopted master plan may be modified upon approval by the Community Development Director. Such modification shall be approved only when the Community Development Director deems the modification to be minor in nature.

**18.13.040 Development Plan.**

After the establishment of a P-C Zone by the acceptance of a master plan a development plan which is in conformance with the approved project master plan shall be filed with the Planning Commission. A master plan need not be on file when the City initiates the rezoning to Planned Community, and instead, a development plan shall be judged upon its merits in accordance with the intent of the Planned Community Zoning.

A development plan may cover all or a portion of the area included in the P-C Zone. No building permit shall be issued for any new building or structure unless a development plan has been approved pursuant to this Title. Residential remodels, additions, and accessory structures and similar modifications are not subject to a development approval or conditional use permit. An approved development plan may be modified upon approval by the Director of Community Development. Such modification shall be approved only when, in the opinion of the Director of Community Development, such modification is deemed minor in nature. The development plan shall be subject to a conditional use permit in the P-C Zone.

A. The development plan shall set forth the following and shall be presented in the form as may be required by the Director of Community Development.

1. The exact boundaries and legal description of the property to be developed.

2. All proposed improvements that are to be constructed on the land and their precise locations including (but not limited to) all residential and nonresidential structures,

recreational facilities and typical plans showing walls, fences, trash areas, streets, and walk areas.

3. Common open space showing size, grades and function upon completion where appropriate.

4. The location and dimension of all off-street parking facilities, public and private.

5. Location and size of all public and quasi-public sites if applicable.

6. A tabulation of the percentage of total building coverage of the development.

7. A tabulation of densities within each project area or sector.

8. Building elevations of typical architectural styles to be constructed.

9. A schematic landscaping plan indicating the type and size of plant material to be used, and method of providing permanent maintenance to all planted areas and open space.

10. Floor plans of typical dwelling units, the unit size in square feet and the amount and private open space in square feet.

11. If applicable, a subdivision map showing land divisions. The tentative and final subdivision map shall comply with the State Subdivision Map Act and Title 17 of this Code with the following exceptions:

a. All lots less than twenty (20) acres may not be required to front on a publicly maintained right of way.

b. Design requirements.

c. Unless an earlier expiration date is specified in the permit, any permit issued in conjunction with a tentative subdivision map shall expire no sooner than the approved tentative map, or any extension thereof.

12. A proposed construction schedule from ground breaking to occupancy.

B. The following design guidelines are established for all P-C Zones:

1. The overall plan shall achieve and integrate land and building relationship.

2. Private and public open spaces, pedestrian and vehicular circulation facilities, parking facilities and other pertinent amenities when proposed by the applicant or required by the City shall be an integral part of the landscape and particular attention shall be given to the retention of natural landscape features of the site. When the design consists of single-

family dwellings with private open space, such private open spaces fronting public or private roads shall be landscaped.

3. The layout of structures and other facilities shall affect a conservation in street and utility improvements.

4. Recreational areas proposed by the applicant or required by the City shall be generally dispersed throughout the development and shall be easily accessible from all structural units.

5. Architectural unity, as well as the establishment of varying architectural styles and environmental harmony within the development and within the surrounding properties, shall be attained.

6. Fencing and screening shall be incorporated in the design, when proposed by the applicant or required by the City.

C. Accessory structures in residentially designated parcels shall be subject to provisions defined in 18.02.010 and listed in Section 18.28.060.

**18.13.050 Property Development Standards.**

The following property development standards shall apply to all land and buildings in the P-C Zone, with the exception of mobile home parks.

A. Lot Areas: No requirements for individual dwelling units, however, the total lot area of the P-C District shall not be less than one acre.

B. Lot Coverage: In the area covered by the development plan, exclusive of all rights of way, the maximum lot coverage shall be as approved by the Planning Commission or City Council as established by the General Plan, except for residentially designated parcels which shall comply with the following lot coverage standards:

1. Single-family units: The maximum allowable lot coverage by structures for all uses shall be forty percent (40%).

2. Two-family units:

a. for interior lots, fifty percent (50%);

b. for corner lots, forty-five percent (45%).

3. Medium density multiple-family units:

a. for interior lots, fifty percent (50%);

b. for corner lots, forty-five percent (45%).

4. Medium high density multiple-family units:

a. for interior lots, sixty percent (60%);

b. for corner lots, fifty-four percent (54%).

C. Lot Dimensions: All lot dimensions shall be as approved by the Planning Commission.

D. Setback Requirements: All setback requirements in the P-C Zone shall be as approved by the Planning Commission, excluding requirements for accessory structures, minor alterations and additions, which shall comply with the following requirements:

1. Single-family units: The setback requirements are listed in Section 18.08.060, subsection D.

2. Two-family units: The setback requirements are as listed in Section 18.09.060, subsection D.

3. Medium density multiple-family: The setback requirements are as listed in Section 18.10.060, subsection D.

4. Medium high density multiple-family units: The setback requirements are as listed in Section 18.11.060, subsection D.

E. Distance Between Buildings: No requirements, except that all buildings shall be shaped, designed, and organized to allow adequate access of persons, light, and air as approved by the Planning Commission or City Council.

F. Floor Area Ratio Requirements: As approved by the Planning Commission.

G. Building Height Requirements: As approved by the Planning Commission, except any area that falls within the area designated as an Airport Overlay Zone shall comply with the height limitations prescribed by that Zone, if they are more restrictive than those prescribed by the master plan.

H. Population Density: The population density for all residential uses shall not exceed the density as established by the General Plan.

I. Site Plan Approval: No application is required; however, approval shall be accomplished through approval of the conditional use permit required for the development plan. The Planning Commission shall have the approval authority of the architectural style and design of development within the P-C Zoning District. Unless otherwise approved, single-family development shall provide a minimum of 6:12 pitch for roof systems.

J. Yards, Landscaping, Open Space Requirements:

1. Yards: All front, side, and rear yards shall be shown on the development plan and approved by the Planning Commission depending on the placement and type of structures.

2. Landscaping:

a. All open spaces shall be landscaped.

b. A landscaping plan, including a permanent underground irrigation system which also shows finished grades for the entire project, shall be as approved Director of Community Development prior to the issuance of a building permit. All landscaped areas shall be maintained. Front yard and exterior side yard areas of single-family homes shall be landscaped and maintained. Where a single-family residence exists on a lot, a minimum of fifty (50%) percent of the required front yard of said lot shall be maintained as landscape area and in which mow strips shall not be permitted and no more than fifty (50%) percent of the front yard area shall comprise of concrete, asphalt, or hardscape material such as decorative rock or brick, or paving stones. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall contain a four-inch (4″) raised planter box along the line of abutment.

c. All private yards and open space facing or adjacent to a public or private roadway shall be landscaped and an underground irrigation system shall be installed prior to occupancy of the units. Such landscape plan and irrigation system are subject to approval by Director of Community Development and shall comply with the Ceres Water Efficient Landscaping Guidelines and Standards.

3. Open Space Requirements:

a. Private open space:

(1) For all ground-level dwelling units, a minimum of four hundred (400) square feet of private open space per unit shall be provided.

b. Common open space, where proposed by the applicant or required by the City, the minimum common open space requirements shall be as follows:

(1) Single-family units: thirty-five percent (35%) of the gross designated single-family area.

(2) Two-family units: thirty percent (30%) of the gross designated two-

family area.

(3) Medium density multiple-family units: twenty-five percent (25%) of the gross designated medium density multiple-family area.

(4) Medium-high density multiple-family units: twenty-five percent (25%) of the gross designated medium-high density multiple-family area.

K. Fences, Hedges and Walls: The type, size, and location of all fences, hedges, and walls shall be as shown on the approved development plan.

L. Off-Street Parking Requirements: Off-street parking for all uses shall be the same as the requirements specified for the same or similar uses in other sections of this Title, as determined by the Director of Community Development, and comply with the standards established in Chapter 18.25. The parking or storage of any vehicles within the front yard exterior side yard landscape areas of a single-family residence is prohibited.

M. Off-Street Loading Requirements: Off-street loading for all uses shall be the same as the requirements specified for the same or similar uses, as determined by the Director of Community Development.

N. Access:

1. Vehicular Access:

a. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on property requiring off-street parking.

b. All ingress to and egress from public property shall be in a forward motion, except for single- and two-family residences abutting on local streets.

2. Pedestrian Access: There shall be pedestrian access from a private or dedicated street to property used for residential purposes. A driveway shall be considered pedestrian access.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, Clothes Drying Areas, Facilities: For all residential uses, each lot shall have adequate clothes drying facilities, as determined by the Planning Commission, which shall not be visible from adjacent, adjoining or public property.

Q. Solid Waste Storage, Disposal Facilities:

1. For all uses, no open storage of solid waste allowed.

2. For all residential uses, each dwelling unit shall have a minimum of twelve (12) cubic feet of enclosed and concealed trash containers.

3. For all other uses, solid waste and disposal facilities shall be provided as determined by the Planning Commission, and sufficiently concealed from public view.

R. Recreational Facilities: Recreational facilities shall be as approved by the Planning Commission.

S. Park-In-Lieu Fees: Park land dedication or in-lieu fees shall be required of all new residential uses in the P-C Zone, subject to credit for open space provided.

T. Recreational Vehicles and Trailers: Parking or storage of recreational vehicles, motor homes, or other similar recreational equipment and trailers with the front yard area of interior lots and the front and exterior side yards of corner lots including driveways of said lots shall be prohibited. The placement of recreational equipment when stored within the side yard and rear yard area shall be screened from public view.

U. Recreational Storage Area: The Planned Community development shall provide for an area, as approved by the Planning Commission sufficient in size to provide for the storage of recreational vehicles, mobile homes, or other similar recreational vehicles and trailers. Storage of such equipment and vehicles shall be used exclusively for said residents.

# Chapter 14

# A-P, ADMINISTRATIVE PROFESSIONAL ZONE

**Sections:**

**18.14.010 Purpose and Intent.**
**18.14.020 Principal Uses.**
**18.14.030 Accessory Uses.**
**18.14.040 Conditional Uses.**
**18.14.050 Prohibited Uses.**
**18.14.060 Property Development Standards.**

## 18.14.010 Purpose and Intent.

The purpose of the A-P, Administrative Professional Zone is to provide for and promote concentrations of nonretail businesses and professional offices where such uses are desirable.

## 18.14.020 Principal Uses.

Buildings, structures, and land shall be used, and buildings and structures shall hereafter be erected, structurally altered or enlarged in the A-P Zone only for the following purposes, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.14.060 of this Chapter. All uses and storage shall be conducted within a totally enclosed building with the exception of public utility substations, or other outdoor displays of goods typically used outdoors specifically permitted by the Director of Community Development, as long as the outdoor display is not within the public right of way, does not block pedestrian (including handicapped) or vehicular access, or occupy required parking spaces:

A. Administrative, financial, professional offices.

B. Ambulance services.

C. Art galleries.

D. Artist and photographers studios.

E. Banks and loan institutions.

F. Child care facilities and nursery schools.

G. Editorial offices.

H. Educational institutions.

I. Employment agencies.

J. Exhibit halls, however, sale of items exhibited shall be subject to a conditional use permit.

K. General research, but not involving the manufacture, fabrication, processing or sale of products.

L. Insurance brokers, adjusters, and agents.

M. Law offices.

N. Libraries.

O. Lodges and meeting halls.

P. Medical, dental and biological laboratories.

Q. Medical, dental and therapeutic clinics.

R. Mortuaries.

S. Museums.

T. Newsstands.

U. Notary publics.

V. Optometrists.

W. Orthopedic equipment and supplies.

X. Pharmacies.

Y. Physicians' equipment and supplies.

Z. Public buildings.

AA. Public utility substations.

BB. Real estate brokers.

CC. Stenographers, public.

DD. Tax consulting services.

EE. Ticket agencies.

FF. Vocational colleges, such as barber and beauty colleges, modeling schools, medical training schools.

GG. Other uses which the Director of Community Development or Planning Commission may deem to be similar in character and purpose to those enumerated above.

HH. Churches on a minimum lot size of one acre and located on a major thoroughfare or primary collector as designated by the General Plan.

**18.14.030 Accessory Uses.**

A. The following uses shall be permitted as accessory to all the principal uses:

1. Public and private off-street parking facilities as specified in Section 18.14.060 subdivision L of this Chapter.

2. Signs in accordance with Chapter 18.26 of this Title.

3. Minor storage structures for goods sold at retail.

4. Off-street loading facilities as specified in Section 18.14.060, subsection M, of this Chapter.

**18.14.040 Conditional Uses.**

The following uses may be permitted in the A-P Zone subject to a conditional use permit as provided for in Chapter 18.30 of this Title:

A. Restaurants, coffee shops and/or tea rooms.

B. Confectionery stores.

C. Florists.

D. Gift shops.

E. Office supply stores.

F. Barber shops and beauty shops.

G. Churches, on a lot size of less than one acre.

H. State licensed general hospitals.

I. State licensed sanitariums, residential care facilities, and maternity homes.

J. State licensed child care facilities.

L. Public parks and playgrounds.

M. Fortunetelling and related activities as defined in Chapter 5.12 of this Code; provided that no fortunetelling establishment shall be located closer than one thousand feet (1,000′) to any other licensed fortunetelling establishment.

N. Residential uses. However, the Director of Community Development and Planning Commission shall ensure that residential use does not preempt office use.

O. Methadone clinics or similar.

**18.14.050 Prohibited Uses.**

The following uses are expressly prohibited in an A-P Zone:

A. Industrial waste.

B. Commercial uses not otherwise expressly allowed in this Chapter.

C. Mobile homes and trailers.

D. The keeping of any livestock.

E. The keeping of more than three (3) domestic animals.

F. Agricultural uses.

G. Metal buildings, except accessory buildings used exclusively for storage. All such accessory metal buildings shall be treated with some rust or corrosion-inhibiting substance.

H. Off-site advertising.

I. Adult businesses as defined in Chapter 5.15 of this Code.

**18.14.060 Property Development Standards.**

The following property development standards shall apply to all land and buildings in the A-P Zone:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:

1. For all principal uses, the minimum lot area shall be eight thousand (8,000) square feet.

2. For uses requiring a use permit, as specified by the Planning Commission.

B. Lot Coverage:
For nonresidential use, the maximum allowable lot coverage by structures for all uses shall be thirty percent (30%).

C. Lot Dimensions: For all new lots and proposed rezoning, the following provisions shall apply; unless otherwise approved by the Planning Commission:

1. Width:

a. All interior lots shall have a minimum width of sixty feet (60′).

b. All corner lots shall have a minimum width of seventy-five feet (75′).

c. All cul-de-sac or curvilinear lots shall have a minimum width of forty feet (40′) at the front line.

2. Depth: All lots shall have a minimum depth of one hundred feet (100′).

D. Setback Requirements: The following setback requirements shall apply to all uses in the A-P Zone:

1. Front Yard: Fifteen feet (15′) minimum, except detached accessory structures shall have a thirty-five foot (35′) minimum front yard.

2. Side Yard:

a. Interior Side Yard—Eight Foot (8′) Minimum. However, for a residential use within the zone, one interior side yard shall have a setback of at least twelve feet (12‘). A garage space may be substituted for a portion of the required twelve feet (12‘) such that a side yard setback of five feet (5‘) is permitted adjacent to the garage space.

b. Exterior side yard—fifteen-foot (15′) minimum.

3. Rear Yard: Ten feet (10′) minimum.

4. When property in an A-P Zone is contiguous with an R Zone on the same block frontage, the property in the A-P Zone shall be required to have the same size rear yard as the R Zone property or greater.

E. Distance Between Buildings: The following provisions shall apply for distance between main buildings, accessory buildings, and between main and accessory buildings on the same lot. Whenever two (2) or more buildings of mixed height are adjacent to one another, the distance provisions pertaining to the highest of the buildings shall apply.

1. For buildings end to end, the minimum distance between buildings shall be ten feet (10′) for single-story buildings, and twenty feet (20′) for two (2) story buildings.

2. For buildings rear to end or front to end with space for exit or entry purposes, the minimum distance between buildings shall be fifteen feet (15′) for single-story buildings, and twenty-five feet (25′) for two (2) story buildings.

3. For buildings front to rear with space for exit or entry purposes, the minimum distance between buildings shall be twenty feet (20′) for single-story buildings, and thirty feet (30′) for two (2) story buildings.

4. For buildings front to front arranged about an interior court with a driveway to said interior court, the driveway being access to parking area or building, the minimum distance between buildings shall be thirty feet (30′) for single-story buildings, and forty feet (40′) for two (2) story buildings. However, if no driveway is provided, the minimum distance shall be twenty-five feet (25′) for single story buildings, and thirty-five feet (35′) for two (2) story buildings.

F. Floor Area Ratio Requirements:

1. For all nonresidential buildings and the first story of all multiple story buildings, the maximum allowable FAR shall be 1.0:1.0.

2. For all residential single story and two (2) story buildings at R-1, R-2, R-3, R-4, and R-5 densities, floor area ratio requirements shall be those set forth in Sections 18.08.060, subsection F, 18.09.060, subsection F, 18.10.060, subsection F, 18.11.060, subsection F, and 18.12.120, subsection F, respectively.

G. Building Height Requirements: No main building erected shall have a height greater than two (2) stories or twenty-five feet (25), whichever is less. No accessory building erected in an A-P Zone shall have a height greater than one story or fifteen feet (15′), whichever is less. Permitted projections above this height include: penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, flagpoles, roof signs when permitted in the zone, chimneys, water tanks or wireless masts or similar structures, when approved by the Planning Commission; provided, that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. No penthouses or roof structures, or any space above the height limit shall be allowed for the purpose of providing additional floor space. Any area of an A-P Zone that falls within the area designated as an Airport Overlay Zone shall comply with the height limitations prescribed by that Zone, if they are more restrictive.

H. Population Density: For all residential uses, the density shall not exceed twenty-five (25) dwelling units per acre.

I. Site Plan Approval: Before any building is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of this Chapter.

J. Yards, Landscaping, Open Space Requirements:

1. Yards: Except as otherwise provided, the minimum yard requirements for all principal uses shall be as follows:

a. Front yard—ten feet (10′) minimum.

b. Interior side yard—five feet (5′) minimum.

c. Exterior side yard—five feet (5′) minimum.

d. Rear yard—five feet (5′) minimum.

2. Hospitals, Sanitariums, and similar facilities.: The minimum yard requirements for general hospitals, sanitariums, residential care facilities, maternity homes, educational institutions, and child care facilities shall be as follows:

a. For sanitariums, residential care facilities, and maternity homes, minimum individual yards shall comply with the following:

(1) Front yard: 20′ minimum.

(2) Side yard:
25′ interior minimum.
25′ exterior minimum.

(3) Rear yard: 25′ minimum.

b. For educational institutions and child care facilities, minimum individual yards shall comply with the following:

(1) Front yard: 40′ minimum.

(2) Side yard:
30′ interior minimum.
40′ exterior minimum.

(3) Rear yard: 30′ minimum.

c. For general hospitals minimum individual yards shall comply with the following:

(1) Front yard: 50′ minimum.

(2) Side yard:
40′ interior minimum.
50′ exterior minimum.

(3) Rear yard: 40′ minimum.

3. Landscaping: All uses shall provide landscaping which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall include a four-inch (4″) raised planter box along the line of abutment.

4. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges and Walls:

1. All nonresidential uses that abut a residential zone, a six-foot (6′) high solid masonry wall or landscaped and maintained fence shall be required. Fencing requirements between nonresidential uses and residential uses shall be approved by the Planning Commission.

2. All multiple-family residential use with greater than five (5) units that abut a single-family or two-family residential dwelling, shall provide a six-foot (6′) high solid masonry wall, or landscaping and maintained fence shall be required.

3. All general hospitals, sanitariums, residential care facilities, maternity homes, educational institutions, and child care facilities shall be required to have a six-foot (6′) high solid masonry wall or landscaped and maintained fence on all sides adjacent to another use.

L. Off-Street Parking Requirements:

1. Ambulance service: one (1) space for each employee on the maximum shift, plus any additional spaces as prescribed by the Director of Community Development.

2. Public business and professional offices except medical and dental offices: one (1) space for every two hundred seventy-five (275) square feet of net floor area, not including areas used exclusively for storage.

3. Libraries, museums, art galleries and similar uses: one (1) space for every six hundred (600) square feet of net floor area and one (1) space for every two (2) employees.

4. Banks, loan, and title companies: one (1) space for every two hundred (200) square feet of net floor area, not including floor area used exclusively for storage.

5. Schools and colleges, including public, parochial and private elementary, high schools, kindergarten and nursery schools: one (1) space for every employee, including teachers and administrative and one (1) space for every four (4) students in grade eleven (11) and above.

6. General research institutions: one (1) space for each employee on the maximum shift, plus any additional spaces as prescribed by the Director of Community Development.

7. Places of public assembly: one (1) space for every six (6) seats or one (1) space for every sixty (60) square feet of floor area usable for seating if seats are not fixed in all facilities in which simultaneous use is probable as determined by the Director of Community Development.

8. Medical and dental offices: one (1) space for every one hundred fifty (150) square feet of net floor area plus one (1) space for every two (2) employees for medical office buildings or complexes with up to six thousand (6,000) square feet of net floor area served by a single parking lot; or one (1) space for every two hundred (200) square feet of net floor area plus one (1) space for every two (2) employees for medical office buildings or complexes with six thousand (6,000) to twelve thousand (12,000) square feet of net floor area served by a single parking lot; or one (1) space for every two hundred fifty (250) square feet of net floor area plus one (1) space for every two (2) employees for medical office buildings or complexes with over twelve thousand (12,000) square feet of net floor area serviced by a single parking lot.

9. Funeral homes, mortuaries: one (1) space for every five (5) seats of the aggregate number of seats provided in all assembly rooms of the mortuary.

10. Public buildings and grounds other than schools: one (1) space for every two (2) employees, plus the number of additional open spaces prescribed by the Director of Community Development.

11. Public utility structures and installations: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

12. Post offices: one (1) space for every one thousand (1,000) square feet of net floor area and one (1) space for each employee.

13. Business, professional, trade, art, craft, music and dancing schools, and colleges: one (1) space for each employee including the teachers and administrators and one additional for every two (2) students sixteen (16) years or older.

14. Retail stores, food, drug, variety stores, and similar enterprises: one (1) space for every two hundred (200) square feet of net floor area exclusively for administrative office, storage or truck loading.

15. Restaurants, bars, cafes and other establishments for sale and consumption on the premises of food and beverages: one (1) space for every three (3) seats.

16. General hospitals, sanitariums, and charitable and religious institutions providing sleeping accommodations: one and one-half (1½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Director of Community Development.

17. Residential care facilities: one (1) space for every three (3) licensed beds.

18. For all residential uses at R-1, R-2, R-3, and R-4 densities, two (2) fully enclosed and covered off-street parking spaces per unit.

M. Off-street loading requirements: all uses that require the receipt, delivery or distribution of goods by truck with the potential frequency of once a day or greater; one loading berth, plus such additional berths as may be prescribed by the Director of Community Development. Off-street loading shall comply with the standards established by Chapter 18.25 of this Title.

N. Access:

1. All main vehicular access to an A-P Zone shall be through streets with a classification of collector or greater, as required by the General Plan.

2. All general hospitals allowed in the A-P Zone shall be located on streets with a classification of major thoroughfare or greater as designated by the General Plan.

3. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.

4. All ingress and egress to and from public property shall be in a forward motion, except for a single-family dwelling on a minor street. Access for the reconstruction of an existing nonconforming building shall be as approved by the Planning Commission and Director of Community Development.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, clothes drying areas, and facilities shall not be allowed in front and exterior side yards. For all medium and medium-high density multiple-family residential dwellings, each lot shall provide clothes drying areas; either mechanical, solar, or both, which shall be sufficiently concealed from public view.

Q. Solid Waste Storage, Disposal Facilities:

1. No open storage shall be permitted.

2. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each use or development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the use, uses or development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

3. For residential use at R-3 and R-4 densities, as set forth in Sections 18.10.060, subsection Q, and 18.11.060, subsection Q, respectively. However, two-family dwellings, shall be subject to the requirements set forth in Section 18.09.060, subdivision Q.

R. Park-In-Lieu Fees: For all residential uses, park land dedication or in-lieu fees shall be required, based on a per dwelling unit assessment. Park-in-lieu fees shall be calculated as established in Chapter 13 of Title 17.

# Chapter 15

# C-1, NEIGHBORHOOD COMMERCIAL ZONE

**Sections:**

**18.15.010 Purpose and Intent.**
**18.15.020 Principal Uses.**
**18.15.030 Accessory Uses.**
**18.15.040 Conditional Uses.**
**18.15.050 Prohibited Uses.**
**18.15.060 Property Development Standards.**

## 18.15.010 Purpose and Intent.

The C-1, Neighborhood Commercial Zone is intended to be a very limited commercial area to serve the needs of the immediate neighborhood for convenience goods only. The stores in this Zone are intended to fit into the residential pattern of surrounding neighborhoods without creating either architectural or traffic conflicts. This Zone is not intended to expand into larger-scale shopping centers.

## 18.15.020 Principal Uses.

Buildings, structures, and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged in the C-1 Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.15.060 of this Chapter. All uses and storage shall be conducted within a totally enclosed building with the exception of public utility substations, nursery stock, and incidental goods or other outdoor displays of goods typically used outdoors (i.e., lawnmowers, play structures, or vehicles, etc.) specifically permitted by the Director of Community Development, as long as the outdoor display is not within the public right of way, does not block pedestrian, handicap, or vehicular access, or occupy required parking spaces. Principal uses in the C-1 Zone shall include:

A. General: Those convenience-oriented uses in the A-P Zone that clearly follow the intent and purpose of the C-1 Zone including, but not limited to:

1. Banks, savings and loan institutions.

2. Libraries.

3. Pharmacies.

B. Retail Stores:

1. Art galleries.

2. Art supplies.

3. Bakery sales.

4. Delicatessens, provided no on-sale consumption of alcoholic beverages shall be permitted.

5. Drive-in dairies.

6. Florists.

7. Food stores, including dressed poultry or rabbits, eggs, bakeries, and ice cream confectioneries. All produce must be sold on the premises, and there shall be no slaughtering or dressing of poultry on-premises.

8. Gift shops.

9. Grocery, fruit, and vegetable stores.

10. Hardware stores.

11. Hobby shops.

12. Jewelry stores.

13. Meat or fish markets.

14. Paint supply stores.

15. Photographic supply stores.

16. Plant nurseries.

17. Restaurants, tea rooms, cafes, provided no dancing or on-sale consumption of alcoholic beverages shall be permitted.

18. Variety stores.

19. Bicycle shops.

20. Confectionery shops.

21. Cosmetic shops.

22. Craft shops.

23. Garden supply and related masonry and patio furniture stores.

24. Health food stores.

25. Ice cream parlors.

26. Flooring stores.

27. Maternity shops.

28. Novelty shops.

29. Piano sales and service stores.

30. Redemption centers.

31. Stationery stores.

32. Toy stores.

33. Wallpaper materials and supply stores.

34. Yarn shops.

C. Services:

1. Appliance, radio-television store and repair shops.

2. Barbershop or beauty shops.

3. Bill paying offices.

4. Child care facilities

5. Dry cleaning or laundry agencies.

6. Laundromats.

7. Libraries.

8. Post offices.

9. Public utility customer service offices.

10. Tailors.

11. Taxicab offices.

12. Food catering services.

13. Gunsmiths.

14. Landscape services.

15. Printing and copying services.

16. Picture framing services.

D. Miscellaneous:

1. Botanical gardens.

2. Commercial horticulture establishments.

3. Public buildings.

4. Public utility substations.

5. Churches on a minimum lot size of one acre and located on a major thoroughfare or primary collector as designated by the General Plan.

E. Others: Other uses which the Director of Community Development or the Planning Commission may deem to be similar in character and purpose to those enumerated above.

**18.15.030 Accessory Uses.**

The following uses may be permitted as accessory to the principal uses in the C-1 Zone:

A. Residential uses clearly secondary and incidental to the principal use.

B. Signs in accordance with Chapter 18.26 of this Title.

C. Minor enclosed storage structures for goods sold at retail.

D. Public and private off-street parking facilities as specified in Section 18.15.060, subdivision L, of this Chapter.

E. Off-street loading facilities as specified in Section 18.15.060, subsection M, of this Chapter.

F. The operation of six (6) or less coin-operated amusement devices.

G. Recycling center consisting of an area less than five hundred (500) square feet, subject to site plan approval.

**18.15.040 Conditional Uses**.
The following uses may be permitted in the C-1 Zone subject to a conditional use permit as provided in Chapter 18.30 of this Title:

A. Drive-in restaurants.

B. State licensed general hospitals.

C. Liquor stores, with sales for off-premises consumption only. On-premises alcohol consumption may be permitted within the C-1 Zone subject to the following provisions:

1. On-premises alcohol consumption shall be operated only in conjunction with a bona fide "public eating place" as defined in the State Business and Professions Code.

2. On-premises alcohol consumption shall be permitted only within neighborhood commercial shopping centers located along major thoroughfares as identified in the City General Plan.

3. On-premises alcohol consumption shall be restricted to one establishment per neighborhood commercial shopping center.

E. Churches on a lot size of less than one acre.

F. Music, musical instruments, and record stores.

G. Music studios.

H. Dance studios.

I. Mortuaries.

J. Automobile service stations subject to the requirements of Section 18.28.090 of this Title.

K. Fortunetelling and related activities as defined in Chapter 5.12 of this Code, provided that no fortunetelling establishment shall be located closer than one thousand feet (1,000′) to any other licensed fortunetelling establishment.

L. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular telephone antennas.

**18.15.050 Prohibited Uses**

The following uses are expressly prohibited in the C-1 Zone:

A. Residential uses, except as provided for in Section 18.15.060 subdivision A of this Chapter.

B. Trailers, mobile homes for residential uses.

C. Industrial uses.

D. On-premises consumption of alcoholic beverages, except as provided by Section 18.15.080, subsection D.

E. Wholesaling and warehousing.

F. Metal buildings, except accessory buildings used exclusively for storage. All such accessory metal buildings shall be treated with some rust or corrosion-inhibiting substance.

G. Off-site advertising, unless otherwise specifically permitted by Chapter 18.26 of this Title.

H. Recycling center consisting of an area greater than five hundred (500) square feet.

I. Adult businesses as defined in Chapter 5.15 of this Code.

J. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular equipment.

K. Methadone clinics or similar.

**18.15.060 Property Development Standards.**

The following property development standards shall apply to all land and buildings in the C-1 Zone:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:

1. For all principal uses, the minimum lot area shall be ten thousand (10,000) square feet.

2. For uses requiring a use permit, the minimum lot area shall be as specified by the Planning Commission.

B. Lot Coverage: The maximum allowable lot coverage by structures shall be fifty percent (50%).

C. Lot Dimensions: For all new lots and proposed rezoning, the following provisions shall apply; unless otherwise approved by the Planning Commission:

1. Width:

a. All interior lots shall have a minimum width of sixty feet (60′).

b. All corner lots shall have a minimum width of seventy-five feet (75′).

c. All cul-de-sac or curvilinear lots shall have a minimum width of forty feet (40′) at the front line.

2. Depth: All lots shall have a minimum depth of one hundred feet (100′).

D. Setback Requirements:

1. Front Yard: Ten feet (10′) minimum, except detached accessory structures shall have a twenty-foot (20′) minimum front yard.

2. Side Yard:

a. Interior side yard—five feet (5′) minimum.

b. Exterior side yard—ten feet (10′) minimum.

3. Rear Yard: Ten feet (10′) minimum.

4. When property in a C-1 Zone is continuous with any yard in an R-Zone on the same block frontage, the property in the C-1 Zone shall be required to have the same size yard as the R-Zone property or greater.

E. Distance Between Buildings: The following provisions shall apply for distance between main buildings, accessory buildings, and between main and accessory buildings on the same lot. Whenever two (2) or more buildings of mixed height are adjacent to one another, the distance provisions pertaining to the highest of the buildings shall apply.

1. For buildings end to end, the minimum distance between buildings shall be ten feet (10′) for single-story buildings, and twenty feet (20′) for two (2) story buildings.

2. For buildings rear to end or front to end with space for exit or entry purposes, the minimum distance between buildings shall be fifteen feet (15′) for single-story buildings, and twenty-five feet (25′) for two (2) story buildings.

3. For buildings front to rear with space for exit or entry purposes, the minimum distance between buildings shall be twenty feet (20′) for single-story buildings, and thirty feet (30′) for two (2) story buildings.

4. For buildings front to front arranged about an interior court with a driveway to said interior court, the driveway being access to parking area or building, the minimum distance between buildings shall be thirty feet (30′) for single-story buildings, and forty feet (40′) for two (2) story buildings. However, if no driveway is provided, the minimum distance shall be twenty-five feet (25′) for single-story buildings, and thirty-five feet (35′) for two (2) story buildings.

F. Floor Area Ratio Requirements:

1. For all single story buildings and the first story of all multiple story buildings, the maximum allowable Floor Area Ratio shall be 0.50:1.0.

2. For all two (2) story buildings, the maximum allowable Floor Area Ratio shall be 0.80:1.0.

G. Building Height Requirements: No main building erected shall have a height greater than two (2) stories or twenty-five feet (25), whichever is less. No accessory building erected in a C-1 Zone shall have a height greater than one story or fifteen feet (15′), whichever is less. Permitted projections above this height include: penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating tanks or similar equipment required to operate and maintain the buildings, and fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys, water tanks or wireless masts or similar structures, when approved by the Planning Commission, provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. However, no roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space. Any area of a C-1 Zone that falls within the area designated as an Airport Overlay Zone shall comply with the height limit alone prescribed by that Zone, if they are more restrictive.

H. Population Density: No requirements.

I. Site Plan Approval: Before any building is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of this Chapter.

J. Yards, Landscaping, Open Space Requirements:

1. Yards: The minimum yard requirements for all uses shall be the same as those listed in the setback requirements in subsection D, except for general hospitals.

a. For general hospitals, minimum individual yards shall comply with the following:

(1) Front yard: 50′ minimum.

(2) Side yard:

40′ interior minimum.
50′ exterior minimum.

(3) Rear yard: 40′ minimum.

2. Landscaping: All uses shall provide landscaping which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall contain a four-inch (4″) raised planter box along the line of abutment.

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges and Walls:

1. All uses that abut a residential zone, a six-foot (6′) high solid masonry wall or landscaped and maintained fence shall be required.

2. All general hospitals shall be required to have a six-foot (6′) high solid masonry wall or landscaped and maintained fence on all sides adjacent to another use.

L. Off-Street Parking Requirements:

1. For all A-P uses, see Section 18.22.120, subsection L.

2. For all other uses, the following off-street parking requirements shall apply:

a. Retail stores, food, drug, variety stores, and similar enterprises: One (1) space for every two hundred (200) square feet of net floor area except for floor used exclusively for administrative office, storage, or truck loading.

b. Repair shops, retail stores which handle only bulk merchandise, and similar enterprises: One (1) space for every three hundred (300) square feet of net floor area not including floor area used exclusively for truck loading.

c. Restaurants, bars, cafes, and other establishments for the sale and on-premise consumption of food and beverages: One (1) space for every three (3) seats.

d. Automobile service stations and service garages: One (1) space for every three hundred (300) square feet of floor area.

e. Self-service car washes: One (1) space for each wash bay plus reservoir of spaces equal to three (3) times the capacity of the car wash facility.

f. General hospitals: One and one-half (1. ½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Director of Community Development.

g. Public buildings and grounds other than schools and administrative offices: One (1) space for every two (2) employees, plus the number of additional spaces prescribed by the Director of Community Development.

h. Public utility structures and installations: One (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

i. Places of public assembly: One (1) space for every five (5) seats or one (1) space for every fifty (50) square feet of floor area usable for seating if seats are not fixed in all facilities in which simultaneous use is probable as determined by the Director of Community Development.

j. All Off-street parking shall comply with the standards established by Chapter 18.25.

M. Off-Street Loading Requirements: All uses that require the receipt, delivery or distribution of goods by truck with the potential frequency of once a day or greater; one loading berth, plus such additional berths as may be prescribed by the Director of Community Development.

N. Access:

1. All main vehicular access to and from the C-1 Zone shall be through streets with a classification of collector thoroughfares or greater as designated by the General Plan.

2. All general hospitals and churches shall be located on streets with a classification of major thoroughfare or greater as designated by the General Plan.

3. Each property requiring off-street parking shall provide vehicular access from a dedicated street or alley to off-street parking facilities.

4. All ingress to and egress from public property shall be in a forward motion.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, Clothes Drying Areas, Facilities: No provisions.

Q. Solid Waste Storage, Disposal Facilities:

1. For all uses, no open storage shall be allowed.

2. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each use or development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse, and recyclable materials generated by the use, uses or development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

R. Recreational Facilities: No requirements.

S. Park-In-Lieu Fees: No requirements.

# Chapter 16

# C-2, COMMUNITY COMMERCIAL ZONE

**Sections:**

**18.16.010 Purpose and Intent.**
**18.16.020 Principal Uses.**
**18.16.030 Accessory Uses.**
**18.16.040 Conditional Uses.**
**18.16.050 Prohibited Uses.**
**18.16.060 Property Development Standards.**

## 18.16.010 Purpose and Intent.

The C-2, Community Commercial Zone is intended to provide for and promote concentrations of community-oriented commercial uses as well as appropriate public, quasi-public, and administrative professional uses within the City.

## 18.16.020 Principal Uses.

Buildings, structures, and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged in the C-2 Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and are not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.16.060 of this Chapter. All uses and storage shall be conducted within a totally enclosed building with the exception of public utility substations, nursery stock, and incidental goods or outdoor displays of goods typically used outdoors, such as lawnmowers, children's play structures, and vehicles, specifically permitted by the Director of Community Development. In no event shall an outdoor display be placed within the public right of way, block pedestrian or vehicular access, or occupy required parking spaces:

A. General:

1. All principal uses of the A-P Zone.

2. Those uses allowed in the C-1 Zone.

3. Public buildings.

B. Retail Stores:

1. Automobile parts sales.

2. Auto rental offices, but no storage or servicing of rental cars on the premises shall be permitted.

3. Bakeries for on-premises retail sale only.

4. Clothing and wearing apparel stores.

5. Department stores.

6. Electrical fixture supply stores.

7. New furniture stores.

8. Household appliance stores.

9. Leather goods and luggage stores.

10. Liquor stores.

11. Retail floor covering facilities.

12. Furriers.

13. Pawnshops.

14. Plumbing fixture supply stores.

15. Printing and office supply stores.

16. Restaurants, cocktail lounges, nightclubs where liquor, beer or other alcoholic beverages may be sold for consumption on the premises.

17. Saddle sales and repair.

18. Shoe stores.

19. Sporting goods stores.

20. Toy stores.

C. Services:

1. Automatic car washes.

2. Blueprinting and photocopy services.

3. Locksmiths.

4. Mail order offices.

D. Others:

1. Shopping centers.

2. Other uses which the Director of Community Development of the Planning Commission may deem to be similar in character and purpose to those enumerated above.

**18.16.030 Accessory Uses.**

The following uses may be permitted as accessory to the principal uses in the C-2 Zone:

A. Residential uses clearly secondary and incidental to the principal use.

B. Minor storage structures for goods sold at retail.

C. Public and private off-street parking facilities as specified in Section 18.26.120, subsection L, of this Chapter.

D. Off-street loading facilities as specified in Section 18.26.120, subsection M, of this Chapter.

E. The operation of six (6) or less coin-operated amusement devices.

F. Recycling center consisting of an area less than five hundred (500) square feet, subject to site plan approval.

**18.16.040 Conditional Uses.**

The following uses may be permitted in the C-2 Zone subject to a conditional use permit as provided for in Chapter 18.50 of this Title.

A. Automobile service stations, subject to the provisions of Section 18.28.090of this Title.

B. Dry cleaning and laundry plants.

C. Churches on a lot size of less than one acre.

D. Printing shops, (not including photocopying).

E. Commercial recreation facilities.

F. General hospitals, (excluding sanitariums, residential care facilities, and maternity homes).

G. Auto repair garages.

H. Marquee signs.

I. Auto sales facilities; provided that such facilities shall be permitted only on major thoroughfares as designated by the General Plan.

J. Fortunetelling and related activities as defined in Chapter 5.12 of this Code; provided that no fortunetelling establishment shall be located closer than one thousand feet (1,000′) to any other licensed fortunetelling establishment.

K. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular telephone antennas.

L. Methadone clinics or similar.

**18.16.050 Prohibited Uses.**

The following uses are expressly prohibited in the C-2 Zone:

A. Residential uses, unless clearly secondary and incidental to the principal use.

B. Trailers, mobile homes for residential uses.

C. Industrial uses.

D. Wholesaling and warehousing.

E. Off-site advertising.

F. Recycling center consisting of an area greater than five hundred (500) square feet.

G. Adult businesses as defined in Chapter 5.15 of this Code.

H. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular equipment.

**18.16.060 Property Development Standards.**

The following property development standards shall apply to all land and buildings in the C-2 Zone:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:

1. For all shopping centers, the minimum lot area shall be two (2) acres.

2. For all other uses, no requirements.

B. Lot Coverage: No requirements.

C. Lot Dimensions: No requirements.

D. Setback Requirements: For all uses in the C-2 Zone, the following setback provisions shall apply:

1. Front yard five feet (5′) minimum.

2. Side yard—no minimum.

3. Rear yard—ten feet (10′) minimum.

4. When property in a C-2 Zone is contiguous with any yard in a Residential "R" Zone on the same block frontage, the property in the C-2 Zone shall be required to have the same size yard as the Residential "R" Zone property or greater.

E. Distance Between Buildings: No requirements.

F. Floor Area Ratio Requirements: 0.50:1.0.

G. Building Height Requirements: The height of all main and accessory buildings erected in the C-2 Zone shall be as approved by the Planning Commission upon site plan approval, except those areas of a C-2 Zone that fall within the area designated as an Airport Overlay Zone, which shall comply with the Airport Overlay Zone height requirements.

H. Population Density: No requirements.

I. Site Plan Approval: Before any building is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of the Community Commercial Zone in this Chapter.

J. Yards, Landscaping, Open Space Requirements:

1. Yards: The minimum individual yard requirements for all uses shall be the same as the setback requirements in subsection D of this Section except for general hospitals.

a. For general hospitals, minimum individual yards shall comply with the following:

(1) Front Yard: Fifty feet (50′) minimum.

(2) Side Yard:
Forty feet (40′) interior minimum.
Fifty feet (50′) exterior minimum.

(3) Rear Yard: Forty feet (40′) minimum.

2. Landscaping: All uses shall provide landscaping which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall include a four-inch (4″) raised planter box along the line of abutment.

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges and Walls:

1. All general hospitals shall be surrounded by a six-foot (6′) high solid masonry wall or landscaped and maintained fence.

2. For all uses that abut a residential zone, a six-foot (6′) high solid masonry wall or landscaped and maintained fence shall be required.

L. Off-Street Parking Requirements:

1. For A-P uses, see Section 18.22.120, subsection L, of this Title.

2. For all other uses, the following off-street parking requirements shall apply:

a. Retail stores, food, drug, variety stores, and similar enterprises: One (1) space for every two hundred (200) square feet of net floor area except for floor used exclusively for administrative office, storage, or truck loading.

b. Repair shops, retail stores which handle only bulk merchandise, and similar enterprises: One (1) space for every three hundred (300) square feet of net floor area not including floor area used exclusively for truck loading.

c. Restaurants, bars, cafes, and other establishments for the sale and on premise consumption of food and beverages: One (1) space for every three (3) seats.

d. Automobile service stations and service garages: One (1) space for every three hundred (300) square feet of floor area.

e. Self-service car washes: One (1) space for each wash bay plus reservoir of spaces equal to three (3) times the capacity of the car wash facility.

f. General hospitals: One and one-half (1½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Community Development Director.

g. Public buildings and grounds other than schools and administrative offices:

One (1) space for every two (2) employees, plus the number of additional spaces prescribed by the Community Development Director.

h. Public utility structures and installations: One (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Community Development Director.

i. Places of public assembly: One (1) space for every five (5) seats or one (1) space for every fifty (50) square feet of floor area usable for seating if seats are not fixed in all facilities in which simultaneous use is probable as determined by the Community Development Director.

j. All Off-street parking shall comply with the standards established by Chapter 18.25.

k. Automatic car washes: spaces equal to six (6) times the capacity of the facility.

l. For all mixed uses, the parking requirements of the most intense use shall apply.

M. Off-Street Loading Requirements: All uses that require the receipt, delivery, or distribution of goods by truck with the potential frequency of once a day or greater, one loading berth, plus any additional berths as may be prescribed by the Director of Community Development.

N. Access:

1. All main vehicular access to and from the C-2 Zone shall be through streets with a classification of major thoroughfare or greater, as designated by the General Plan.

2. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.

3. All ingress and egress to and from public property shall be in a forward motion.

O. Signing. Signing shall comply with Chapter 18.26 of this Title.

P. Laundry, Clothes Drying Areas Facilities: No requirements.

Q. Solid Waste Storage, Disposal Facilities:

1. No open storage allowed shall be permitted.

2. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable

materials shall be provided for each use or development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the use, uses or development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

R. Recreational Facilities: No requirements.

S. Park-In-Lieu Fees: No requirements.

# Chapter 17

# C-3, WHOLESALE COMMERCIAL ZONE

**Sections:**

**18.17.010 Purpose and Intent.**
**18.17.020 Principal Uses.**
**18.17.030 Accessory Uses.**
**18.17.040 Conditional Uses.**
**18.17.050 Prohibited Uses.**
**18.17.060 Property Development Standards.**

## 18.17.010 Purpose and Intent.

The C-3, Wholesale Commercial Zone is intended to provide for and promote concentrations of wholesale and heavy commercial uses in those areas where such uses are desirable.

## 18.17.020 Principal Uses.

Buildings, structures, and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged in the C-3 Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.17.060 of this Chapter. All uses shall be of a non-nuisance type as regulated by the performance standards in Chapter 18.23. All uses and storage shall be conducted within a totally enclosed building with the exception of public utility substations, nursery stock, and incidental goods or outdoor displays of goods typically used outdoors (i.e., lawnmowers, children's play structures, and vehicles, etc.) specifically permitted by the Director of Community Development, as long as the outdoor display is not within the public right of way, does not block pedestrian (including handicapped) or vehicular access, or occupy required parking spaces:

A. General:

1. Auto sales and services.

2. Boat, trailer, motorcycle sales.

3. Building materials sales yards.

4. Furniture and appliances, used.

5. Plumbing supplies.

6. Tire sales.

7. Trailer sales and rentals.
8. Playground equipment sales and services.

B. Services:

1. Animal hospitals, veterinary clinics, and kennels.

2. Auto body and paint shops.

3. Auto rental services including offices, storage, and service areas.

4. Auto repair garages.

5. Bakeries for retail and wholesale trade.

6. Boat assembly and repair shops.

7. Dry cleaning and laundry plants.

8. Equipment rental.

9. Fix-it shops.

10. Ice and cold storage facilities.

11. Public storage facilities.

12. Soft drink bottling establishments.

13. Stove fixture sales.

14. Swimming pool sales offices including contractor storage facilities.

15. Upholstery shops.

16. Machinery sales and service.

17. Automobile service stations, subject to the provisions of Section 18.28.090 of this Title.

18. Moving and storage services.

19. Pest control services.

20. Taxidermists.

C. Others: Any other uses which the Director of Community Development or the Planning

Commission may deem to be similar in character and purpose to those enumerated above.

**18.17.030 Accessory Uses.**

The following uses may be permitted as accessory to the principal uses in the C-3 Zone:

A. Public and private off-street parking facilities as specified in Section 18.17.060, subsection L, of this Chapter.

B. Off-street loading facilities as specified in Section 18.17.060, subsection M, of this Chapter.

C. Recycling center consisting of an area less than five hundred (500) square feet, subject to site plan approval.

**18.17.040 Conditional Uses.**

The following uses may be permitted in the C-3 Zone subject to a conditional use permit as provided for in Chapter 18.30 of this Title.

A. State licensed general hospitals.

B. Machine shops.

C. Sheet metal shops.

D. Ceramic products processing, using only previously pulverized clay and fired in kilns using only electricity or natural gas.

E. Open-air sales for other than new and used cars, garden supplies.

F. Marquee signs.

G. Sale of used furniture and appliances, subject to the following specific conditions:

1. All operations shall be carried on within an enclosed building;

2. No stacking or piling of furniture shall be permitted. The methods of display shall be substantially equivalent to normal practices in establishments selling new furniture and appliances;

3. Aisles shall be provided which are adequate for direct access to all furniture and equipment on display;

4. All appliances and furniture on display shall be complete and whole, and shall display no structural damage or broken parts visible to the naked eye;

5. All used furniture shall meet the sanitary requirements of the County Health

Department.

H. Fortunetelling and related activities as defined in Chapter 5.12 of this Code; provided, that no fortunetelling establishment shall be located closer than one thousand feet (1,000′) to any other licensed fortunetelling establishment.

I. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular telephone antennas.

J. Adult businesses as allowed by Chapter 5.15 of this Code.

K. Methadone clinics or similar.

**18.17.050 Prohibited Uses.**
The following uses are expressly prohibited in the C-3 Zone:

A. Residential uses.

B. Any combination of residential and nonresidential uses in any building or structure on any lot.

C. Trailers, mobile homes for residential uses.

D. Off-site advertising.

E. Recreational vehicle (RV) parks.

F. Recycling center consisting of an area greater than five hundred (500) square feet.

**18.17.060 Property Development Standards.**
The following property development standards shall apply to all land and buildings in the C-3 Zone:

A. Lot Area: For all uses, no requirements.

B. Lot Coverage: For all uses, no requirements.

C. Lot Dimensions: For all uses, no requirements.

D. Setback Requirements:

1. Front yard—five feet (5′) minimum.

2. Side yard—no requirements.

3. Rear yard—no requirements.

4. When property in a C-3 Zone is contiguous with any yard in an R Zone on the same block frontage, the property in the C-3 Zone shall be required to have the same size yard as the R Zone property or greater.

5. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular equipment, shall not be located within a distance equal to twice the height of the tower from a residentially zoned parcel.

6. No front or exterior side-yard setback is required for fences in the C-3 zoned area located east of El Camino Avenue between Don Pedro Road and Roeding Road subject to the following:

a. A minimum ten-foot (10′) wide landscaped area shall be provided on the street side of the fence along all street frontages. The minimum ten-foot (10′) wide landscaped area may include area in the street right of way. The landscaping shall comply with the Water Efficient Landscape Guidelines and Standards and shall be used to screen any outdoor storage areas if the fence is not solid (a chainlink fence with slats is considered solid for screening purposes). The landscape area may be reduced to not less than five feet (5′) in width when installed in conjunction with masonry, wrought iron, or other decorative fence material.

b. The maximum fence height in the front and exterior side-yard setback area is eight feet (8′), including any security attachments such as barbed wire.

c. The type and location of the fence and the required landscaping shall receive approval by the Planning Department.

E. Distance Between Buildings: No requirements.

F. Floor Area Ratio Requirements: 0.50:1.0.

G. Building Height Requirements: For all uses, no main building erected shall have a height greater than three (3) stories or thirty-five feet (35′), whichever is less. No accessory building erected shall have a height greater than two (2) stories or twenty-five feet (25′), whichever is less. Permitted projections above this height include: penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the buildings, and fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys, water tanks or wireless masts or similar structures, when approved by the Planning Commission, provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. No penthouse, roof structures, or any space above the height limit shall be allowed for the purpose of providing additional floor space.

H. Population Density: No requirements.

I. Site Plan Approval: Before any building is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of this Chapter.

J. Yards, Landscaping, Open Space Requirements:

1. Yards: The minimum yard requirements for all uses shall be the same as those listed in the setback requirements in subsection D of this Section, with the exception of general hospitals.

a. For general hospitals, minimum individual yards shall comply with the following:

(1) Front yard: Fifty feet (50′) minimum.

(2) Side yard:
Forty feet (40′) interior minimum.
Fifty feet (50′) exterior minimum.

(3) Rear yard: Forty feet (40′) minimum.

2. Landscaping: All uses shall provide landscaping which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall include a four-inch (4″) raised planter box along the line of abutment.

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges and Walls:

1. All general hospitals shall be surrounded by a six-foot (6′) high solid masonry wall or landscaped and maintained fence.

2. For all uses that abut a residential zone, a six-foot (6′) high solid masonry wall or landscaped and maintained fence shall be required.

L. Off-Street Parking Requirements: For all uses, the following off-street parking requirements shall apply:

1. Retail stores, food, drug, variety stores, and similar enterprises: one (1) space for every two hundred (200) square feet of net floor area except for floor area used exclusively for administrative office, storage or truck loading.

2. Repair shops, wholesale establishments, retail stores which handle only bulk merchandise and similar enterprises: one (1) space for every three hundred (300) square feet of net floor area except for floor area used exclusively for truck loading.

3. Open uses and commercial uses conducted primarily outside of buildings: one (1) space for each employee on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

4. Restaurants, bars, cafes, and other establishments for sale and consumption on the premises of food and beverages: one (1) space for every three (3) seats plus any additional spaces as prescribed by the Director of Community Development.

5. Warehouses and storage facilities: one (1) space for every one thousand (1,000) square feet of building area or one (1) space for each employee during a maximum shift, whichever is greater.

6. Automobile service stations: one (1) space for every three hundred (300) square feet of floor area.

7. Automatic car washes: Spaces equal to six (6) times the capacity of the facility.

8. Public buildings and grounds other than schools and administrative offices: one (1) space for every two (2) employees, plus the number of additional spaces prescribed by the Director of Planning.

9. Public utility structures and installations: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

10. Places of public assembly: one (1) space for every five (5) seats or one (1) space for every fifty (50) square feet of floor area usable for seating if seats are not fixed in all facilities in which simultaneous use is probable as determined by the Director of Community Development.

11. General hospitals: one and one-half (1½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Director of Community Development.

12. For all mixed uses in the C-3 Zone, the parking requirements of the most intense use shall apply.

M. Off-Street Loading Requirements: All uses shall provide loading spaces unless plans are submitted showing that the receipt, delivery or distribution of goods will not disrupt the circulation and off-street parking spaces on the site. All off-street loading shall comply with the standards

established by Chapter 18.25 of this Title.

N. Access:

1. All main vehicular access to and from the C-3 Zone shall be through streets with a classification of major thoroughfare or greater, as designated by the General Plan.

2. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.

3. All ingress and egress to and from public property shall be in a forward motion.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, Clothes Drying Areas, Facilities: No provisions.

Q. Solid Waste Storage, Disposal Facilities:

1. No open storage shall be allowed.

2. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each use or development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the use, uses or development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

R. Recreational Facilities: No requirements.

S. Park-In-Lieu Fees: No requirements.

T. Additional Provisions: All metal buildings shall be treated with some rust or corrosion-inhibiting substance. All main metal buildings shall have an architectural facade on the front side and any public-facing side.

# Chapter 18

# H-1, HIGHWAY COMMERCIAL ZONE

**Sections:**

**18.18.010 Purpose and Intent.**
**18.18.020 Principal Uses.**
**18.18.030 Accessory Uses.**
**18.18.040 Conditional Uses.**
**18.18.050 Prohibited Uses.**
**18.18.060 Property Development Standards.**

## 18.18.010 Purpose and Intent.

The H-1, Highway Commercial Zone is intended to provide for and promote concentrations of those administrative professional, retail commercial, and service commercial uses which serve the needs of the traveling public.

## 18.18.020 Principal Uses.

Buildings, structures, and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged in the H-1 Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.18.060 of this Chapter. All uses and storage shall be conducted within a totally enclosed building with the exception of public utility substations, or other outdoor displays of goods typically used outdoors specifically permitted by the Director of Community Development, as long as the outdoor display is not within the public right of way, does not block pedestrian (including handicapped) or vehicular access, or occupy required parking spaces:

A. Those principal uses listed in the Administrative Professional zone which clearly follow the intent and purpose of this Zone; including, but not limited to:

1. Automobile club offices.

2. Automobile rental offices.

3. Ambulance services, etc.

B. Those retail commercial uses listed at principal uses in the Neighborhood and Community Commercial zones which clearly follow the intent and purpose of this Zone; including, but not limited to:

1. New and used automobile, motorcycle, boat, trailer, and recreational vehicle sales.

2. Retail stores and shops for sales of automobile parts and accessories, souvenirs, curios, film, books, and magazines, etc.

C. Those service commercial uses listed as principal uses in the Wholesale Commercial zone which clearly follow the intent and purpose of this Zone; including, but not limited to:

1. Automobile, motorcycle, boat, trailer and recreational vehicle repair garage.

2. Restaurants, coffee shops, refreshment stands.

3. Hotels, motor hotels, inns.

4. Automobile service stations, subject to the provisions of Section 18.28.090 of this Title.

D. Public buildings.

E. General hospitals.

F. Other uses which the Director of Community Development may deem to be similar in character and purpose to those enumerated above.

**18.18.030 Accessory Uses.**

The following uses may be permitted as accessory to the principal uses in the H-1 Zone:

A. Minor enclosed storage structures for goods sold at retail.

B. Public and private off-street parking facilities as specified in Section 18.18.060, subsection L, of this Chapter.

C. Off-street loading facilities as specified in Section 18.18.060, subsection M, of this Chapter.

D. The operation of six (6) or less coin-operated amusement devices.

**18.18.040 Conditional Uses.**

The following uses may be permitted in the H-1 Zone subject to a conditional use permit as provided for in Chapter 18.30 of this Title.

A. Automobile, trailer and motor home parks for transient occupancy.

B. Marquee signs.

C. Adult businesses as allowed by Chapter 5.15 of this Code.

D. Methadone clinics or similar.

**18.18.050 Prohibited Uses.**

The following uses are expressly prohibited in the H-1 Zone:

A. Residential uses.

B. Any combination of residential uses in any building or structure on any lot.

C. Trailer, mobile homes for residential uses.

D. Industrial uses.

E. Wholesaling and warehousing.

F. Metal buildings, except for accessory buildings used exclusively for storage. All such accessory metal buildings shall be treated with some rust or corrosion-inhibiting substance.

G. Off-site advertising.

H. Fortunetelling and related activities as defined in Chapter 5.12 of this Code.

I. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular equipment.

**18.18.060 Property Development Standards.**

The following property development standards shall apply to all land and buildings in the H-1 Zone:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:

1. For all principal uses, the minimum lot area shall be ten thousand (10,000) square feet.

2. For uses requiring a use permit, as specified by the use permit. Planning Commission.

B. Lot Coverage: The maximum allowable lot coverage by structures shall be sixty percent (60%).

C. Lot Dimensions: For all new lots and proposed rezoning, the following provisions shall apply; unless otherwise approved by the Planning Commission:

1. Width:

a. All lots except cul-de-sac lots, one hundred feet (100′) minimum.

b. All cul-de-sac or curvilinear lots, seventy feet (70′) minimum.

2. Depth: All lots shall have a minimum depth of one hundred feet (100′).

D. Setback Requirements:

1. Front yard—ten feet (10′) minimum.

2. Side yard—ten feet (10′) interior minimum. Ten feet (10′) exterior minimum.

3. Rear yard—ten feet (10′) minimum.

4. When property in an H-1 Zone is contiguous with any yard in an R-Zone on the same block frontage, the property in the H-1 Zone shall be required to have the same size yard as the R-Zone property or greater.

E. Distance Between Buildings: No requirements.

F. Floor Area Ratio Requirements:

1. For all buildings and the first story of all multiple story buildings, the maximum allowable Floor Area Ratio shall be 0.50:1.0.

2. For all two (2) story buildings, the maximum allowable Floor Area Ratio shall be 0.80:1.0.

3. For all three (3) story buildings, the maximum allowable Floor Area Ratio shall be 1.54:1.0.

G. Building Height Requirements: No main buildings erected shall have a height greater than three (3) stories or thirty-five feet (35′), whichever is less. No accessory building erected shall have a height greater than one story or fifteen feet (15′), whichever is less. Permitted projections above the height include: penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys, approved by the commission, provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. No penthouse, roof structures, or any space above the height limit shall be allowed for the purpose of providing additional floor space.

H. Population Density: No requirements.

I. Site Plan Approval: Before any building is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of the Highway Commercial Zone in this Chapter.

J. Yards, Landscaping, Open Space Requirements:

1. Yards: The minimum yard requirements for all uses shall be the same as those listed in the setback requirements in Section 18.18.060, subsection D.

a. For general hospitals, minimum individual yards shall comply with the following:

(1) Front yard: 50′ minimum.

(2) Side yard:
40′ interior minimum.
50′ exterior minimum.

(3) Rear yard: 40′ minimum.

2. Landscaping: All uses shall provide landscaping which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall contain a four-inch (4″) raised planter box along the line of abutment.

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges and Walls:

1. All uses that abut a residential zone, a six-foot (6′) high solid masonry wall or landscaped and maintained fence shall be required.

2. All general hospitals shall be required to have a six-foot (6′) high solid masonry wall or landscaped and maintained fence on all sides adjacent to other uses.

L. Off-Street Parking Requirements: For all uses, the following off-street parking requirements shall apply:

1. Ambulance service: One (1) space for each employee on the maximum shift, plus any additional spaces as prescribed by the Community Development Director.

2. Retail stores, food, drug, variety stores, and similar enterprises: One (1) space for every two hundred (200) square feet of net floor area except for floor area used exclusively for administrative offices, storage or truck loading.

3. Public business and professional offices except medical and dental offices: one (1) space for every two hundred seventy-five (275) square feet of net floor area except areas

used exclusively for storage.

4. Restaurants, bars, cafes and other establishments for sale and consumption on the premises of food and beverages: one (1) space for every three (3) seats, plus any additional spaces as prescribed by the Director of Community Development.

5. Open uses and commercial and industrial uses conducted primarily outside of buildings: one (1) space for each employee on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

6. Hospitals, sanitariums, and charitable and religious institutions providing sleeping accommodations: one and one-half (1½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Director of Community Development.

7. Public buildings and grounds other than schools and administrative offices: one (1) space for every two (2) employees, plus the number of additional spaces prescribed by the Director of Community Development.

8. Automobile service stations: one (1) space for every three hundred (300) square feet of floor area.

9. Public utility structures and installations: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

10. Bus depots, railroad stations and yards, and airports and heliports and other transportation and terminal facilities: one (1) space for every two (2) employees plus the number of additional spaces prescribed by the Director of Community Development.

11. Trailer parks: one (1) space for each unit plus one additional space for every three (3) units, none of which shall occupy area designated for access drives.
Off-street parking standards are explained in Chapter 18.25.

M. Off-Street Loading Requirements: All uses shall provide loading spaces unless plans are submitted showing that the receipt, delivery or distribution of goods will not disrupt the circulation and off-street parking spaces on the site. Off-street loading shall comply with the standards established by Chapter 18.25 of this Title.

N. Access:

1. All main vehicular access to and from an H-1 Zone shall be through streets, with a classification of major thoroughfare or greater, as designated by the General Plan.

2. There shall be vehicular access from a dedicated street or alley to off-street parking

facilities on the property requiring off-street parking.

3. All ingress to and egress from public property shall be in a forward motion.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, Clothes Drying Areas, Facilities: For all automobile trailer and motor home parks, hotels, and motor inns, there shall be provided on the subject lot adequate laundry facilities and clothes drying areas, either mechanical or solar which shall be sufficiently hidden from public view.

Q. Solid Waste Storage, Disposal Facilities:

1. No open storage shall be permitted.

2. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each use or development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste refuse and recyclable materials generated by the use, uses or development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

R. Recreation Facilities: For all automobile trailer and motor home parks, hotels and motor inns, as approved by the Planning Commission upon site plan approval.

S. Park-In-Lieu Fees: No provisions.

# Chapter 19

# M-1, LIGHT INDUSTRIAL ZONE

**Sections:**

**18.19.010 Purpose and Intent.**
**18.19.020 Principal Uses.**
**18.19.030 Accessory Uses.**
**18.19.040 Conditional Uses.**
**18.19.050 Prohibited Uses.**
**18.19.060 Property Development Standards.**

## 18.19.010 Purpose and Intent.

The M-1, Light Industrial Zone is intended to provide for and promote concentrations of light and specialized industrial uses and administrative and research establishments.

## 18.19.020 Principal Uses.

Buildings, structures, and land shall be used, and buildings and structures shall hereafter be erected, structurally altered or enlarged in the M-1 Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.19.060. All uses shall be of a non-nuisance type as required by the performance standards in Chapter 18.38.

A. Those C-3 uses that are of such a nature as to be appropriate in the M-1 Zone, including but not limited to:

1. Upholstery shops.

2. Boat building repairs.

3. Bottling plants.

4. Machine shops.

5. Sheet metal shops.

6. Ceramic product processing, using only previously pulverized clay and fired in kilns using only electricity or natural gas, or other approved fuels as approved by Air Pollution Control District.

B. Manufacturing, assembly, or packaging of products from the following previously prepared materials:

1. Bone.

2. Canvas.

3. Cellophane.

4. Cloth.

5. Feathers.

6. Felt.

7. Fibre.

8. Fur.

9. Glass.

10. Hair.

11. Horns.

12. Leather.

13. Metals.

14. Paints not employing a boiling process.

15. Paper.

16. Plaster.

17. Plastics or synthetics.

18. Precious or semi-precious stones or metals.

19. Shells.

20. Textiles.

21. Tobacco.

22. Wood.

23. Yarns.

24. Petroleum and petroleum products.

25. Rubber and metal stamps.

26. Shoes.
27. Stone monument works.

C. Manufacture of electric and electronic instruments and devices, such as:

1. Televisions.

2. Computers.

3. Cell phones.

4. Radios.

D. Laboratories.

1. Research.

2. Experimental.

3. Film.

4. Testing.

E. Other:

1. Storage, repair, and corporation yards.

2. Warehousing.

F. Other uses which the Director of Community Development and/or Planning Commission may deem to be similar in character and purpose to those enumerated above.

G. Emergency shelters, subject to Section 18.28.100 of this Code.

**18.19.030 Accessory Uses.**
The following uses shall be permitted as accessory to all the principal uses in the M-1 Zone:

A. Cafeterias, canteens when operated within a totally enclosed building used for one or more of the principal uses.

B. Residential uses required for plant security personnel only.

C. Public and private off-street parking facilities as specified in Section 18.32.120, subsection L.

D. Off-street loading facilities as specified in Section 18.32.120, subsection M.

E. Retail sales where such activity is secondary to the main activity.

F. Recycling center consisting of an area less than five hundred (500) square feet, subject to site plan approval.

**18.19.040 Conditional Uses.**

The following uses may be permitted in the M-1 Zone subject to a conditional use permit as provided for in Chapter 18.30 of this Title:

A. Automobile service stations, subject to the provisions set forth in Section 18.28.090 of this Title.

B. Convenience-oriented retail and service commercial uses to primarily serve the principal use, including, but not limited to:

1. Restaurants, coffee shops.

2. Food stores.

3. Confectionery stores.

4. Barber and beauty shops.

C. Public buildings.

D. General hospitals.

E. Off-site advertising.

F. Those uses permitted in the M-2 General Industrial Zone, where such activity is compatible with existing uses and future uses which may be permitted in the M-1 Zone District.

G. Recycling center and auxiliary facilities consisting of an area greater than five hundred (500) square feet.

H. Self-supporting, monopole or guyed towers constructed for the purpose or supporting cellular telephone antennas.

I. Adult businesses as allowed by Chapter 5.15 of this Code.

J. Industrial recreational facility, as defined under Section 18.02.010 of this Title.

K. Methadone clinics or similar.

**18.19.050 Prohibited Uses.**

The following uses are expressly prohibited in the M-1 Zone:

A. Residential uses, unless otherwise permitted as an accessory use.

B. Retail commercial and service commercial uses, unless otherwise permitted as an accessory use.

C. Those uses permitted in the M-2 Zone, unless otherwise permitted in this Section.

D. Fortunetelling and related activities as defined in Chapter 5.12 of this Code.

E. Pallet Storage/Pallet Fabrication related uses.

**18.19.060 Property Development Standards.**

The following property development standards shall apply to all land and buildings in the M-1 Zone:

A. Lot Area: For all new lots and proposed rezoning, the following provisions shall apply:

1. For all principal uses, the minimum lot area shall be ten thousand (10,000) square feet.

2. For uses requiring a use permit, the minimum lot area shall be as specified by the Planning Commission.

B. Lot Coverage: The maximum allowable lot coverage by structures shall be sixty percent (60%).

C. Lot Dimensions: For all new lots and proposed rezoning, the following provisions shall apply, unless otherwise approved by the Planning Commission:

1. Width: One hundred feet (100′) minimum.

2. Depth: One hundred feet (100′) minimum.

D. Setback Requirements: For all principal uses, the following provisions shall apply:

1. Front Yard: Fifteen feet (15′) minimum.

2. Side Yard:

a. Interior—no requirements.

b. Exterior—fifteen feet (15′) minimum.

3. Rear Yard: No requirements.

4. Cellular Equipment Supports: Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular equipment shall not be located within a distance equal to twice the height of the tower from a residentially zoned parcel.

5. The setback for all conditional uses shall be as required by the Planning Commission.

6. Fences: No front or exterior side-yard setback is required for fences in the industrial-zoned area located west of Railroad Avenue between Whitmore Avenue and Industrial Way subject to the following:

a. A minimum ten-foot (10′) wide landscaped area shall be provided on the street side of the fence along all street frontages. The minimum ten-foot (10′) wide landscaped area may include area in the street right of way. The landscaping shall comply with the Water Efficient Landscape Guidelines and Standards and shall be used to screen any outdoor storage areas if the fence is not solid (a chainlink fence with slats is considered solid for screening purposes). The landscape area may be reduced to not less than five feet (5′) width when installed in conjunction with masonry, wrought iron, or other decorative fence material.

b. The maximum fence height in the front and exterior side-yard setback area is eight feet (8′) including any security attachments such as barbed wire.

c. The type and location of the fence and the required landscaping shall receive approval by the Director of Community Development.

d. Fences along Whitmore Avenue shall meet the full setback requirements.

e. Existing residential and commercial uses shall meet full setback requirements unless all directly adjacent properties have fences in the front setback area.

E. Distance Between Buildings: No requirements.

F. Floor Area Ratio Requirements:

1. For all buildings and the first story of all multiple-story buildings, the maximum

allowable FAR shall be 0.50:1.0.

2. For all multiple-story buildings, the maximum allowable FAR shall be as approved by the Planning Commission.

G. Building Height Requirements: The height of all main and accessory buildings erected in the M-1 Zone shall be as approved by the Planning Commission except those areas of an M-1 Zone that fall within the area designated as an Airport Overlay Zone, which shall comply to the height limitations prescribed by that Zone.

H. Population Density: No requirements.

I. Site Plan Approval: Before any building is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of the Light Industrial Zone in this chapter.

J. Yards, Landscaping, Open Space Requirements:

1. Yards: The minimum yard requirements for all uses shall be the same as those listed in the setback requirements in subsection D of this Section, except for general hospitals.

a. For general hospitals, minimum individual yards shall comply with the following:

(1) Front yard: Fifty feet (50′) minimum.

(2) Side yard:
Forty feet (40′) interior minimum.
Fifty feet (50′) exterior minimum.

(3) Rear yard: Forty feet (40′) minimum.

2. Landscaping: All uses shall provide landscaping which shall be maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall include a four-inch (4″) raised planter box along the line of abutment.

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges and Walls:

1. All general hospitals shall be surrounded by an eight-foot (8′) high solid masonry wall or landscaped and maintained fence.

2. Convenience-oriented commercial uses and public buildings, not including storage, corporation, repair yards shall be required to have a six-foot (6′) high solid masonry wall on all sides abutting an M-1 use.

3. The fences, hedges and wall requirements for all other uses in the M-1 Zone shall be as approved by the Planning Commission upon site plan approval.

L. Off-Street Parking Requirements:

1. For all C-3 uses, see Section 18.17.060, subsection L, of this Title.

2. For all other uses, the following off-street parking requirements shall apply:

a. Warehouses and storage facilities: one (1) space for every one thousand (1,000) square feet of building area or one (1) space for each employee during a maximum shift, whichever is greater.

b. Manufacturing and industrial uses: uses involving any type of manufacturing shall provide one (1) space for every eight hundred (800) square feet of building floor area or one (1) space for each employee during a maximum shift, whichever is greater.

c. Office uses within a warehouse or manufacturing use shall provide one (1) space for every 275 square feet of building floor area dedicated to office or one (1) space for each employee during a maximum shift, whichever is greater.

d. Open uses and commercial and industrial uses conducted primarily outside of buildings: one (1) space for each employee on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

e. Public utility structures and installations: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

f. Retail stores, food, drug, variety stores, and similar enterprises: one (1) space for every two hundred (200) square feet of net floor area except for floor area used exclusively for administrative office, storage or truck loading.

g. Restaurants, bars, cafes and other establishments for sale and consumption on the premises of food and beverages: one (1) space for every three (3) seats, plus any additional spaces as prescribed by the Director of Community Development.

M. Off-Street Loading Requirements: All uses shall provide loading spaces unless plans are

submitted showing that the receipt, delivery, or distribution of goods will not disrupt the circulation and off-street parking spaces on the site. Off-street loading shall comply with the standards established by Chapter 18.25 of this Title.

N. Access:

1. All main vehicular access to and from an M-1 Zone shall be through streets with a classification of major thoroughfare or greater, as designated by the General Plan.

2. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.

3. All ingress to and egress from public property shall be in a forward motion.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, Clothes Drying Areas, Facilities: No provisions.

Q. Solid Waste Storage, Disposal Facilities:

1. No open storage shall be permitted.

2. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each use or development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the use, uses or development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

R. Recreational Facilities: No requirements.

S. Park-In-Lieu Fees: No provisions.

T. Additional Provisions: All metal buildings in the M-1 Zone shall be covered with some rust or corrosion-inhibiting substance. Such substance shall be a color other than clear or silver.

# Chapter 20

# M-2, GENERAL INDUSTRIAL ZONE

**Sections:**

**18.20.010 Purpose and Intent.**
**18.20.020 Principal Uses.**
**18.20.030 Accessory Uses.**
**18.20.040 Conditional Uses.**
**18.20.050 Prohibited Uses.**
**18.20.060 Property Development Standards.**

## 18.20.010 Purpose and Intent.

The M-2, General Industrial Zone is intended to provide for and encourage sound industrial development, providing large and exclusive areas for such development; sufficiently regulated to protect nearby residential, commercial and industrial uses from hazards, noises, and other disturbances and nuisances.

## 18.20.020 Principal Uses.

Buildings, structures, and land shall be used, and buildings and structures shall hereafter be erected, structurally altered or enlarged in the M-2 Zone only for the following uses, plus such other uses as the Planning Commission may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 18.20.060. All uses shall be of a non- nuisance type as regulated by the performance standards in Chapter 18.38.

A. Those uses permitted in the M-1 Zone.

B. Manufacturing, processing, packaging, and assembly uses, however, the uses listed in Section 18.34.080 shall require a conditional use permit.

C. Railroad yards and repair shops, freight stations, and repair shops.

D. Trucking and motor terminals and repair shops.

E. Public and quasi-public storage and corporation yards.

F. Other uses which the Director of Community Development and/or Planning Commission may deem to be similar in character and purpose to those enumerated above.

## 18.20.030 Accessory Uses.

The following uses shall be permitted as accessory to all the principal uses in the M-2 Zone:

A. Cafeterias, canteens, and other incidental services when operated within a totally enclosed

building used for one or more of the principal uses.

B. Residential uses required for plant security personnel only.

C. Public and private off-street parking facilities as specified in Section 18.34.120, subsection L.

D. Off-street facilities as specified in Section 18.34.120, subsection M.

E. Recycling center consisting of an area less than five hundred (500) square feet, subject to site plan approval.

**18.20.040 Conditional Uses.**

The following uses may be permitted in the M-2 Zone subject to a conditional use permit as provided for in Chapter 18.30:

A. Automobile service stations.

B. Convenience oriented retail and service commercial uses to primarily serve the principal uses, including but not limited to:

1. Restaurants, coffee shops.

2. Food stores.

3. Confectionery stores.

4. Gift shops.

5. Barber and beauty shops.

C. Public buildings.

D. General hospitals.

E. The manufacturing, compounding, processing, packaging or treatment of products such as:

1. Food products.

2. Fruit and vegetable packing.

3. Perfumes.

4. Toiletries.

5. Alcoholic beverages.

F. Automobile manufacturing.

G. Structural steel fabricating shops, forges, and foundries.

H. Any manufacturing use, involving primary production of the following products from raw materials, provided that such uses are located not less than five hundred feet (500′) from the nearest residential or commercial zone:

1. Aniline dyes.

2. Ammonia.

3. Ammunition.

4. Asphalt.

5. Carbide.

6. Charcoal.

7. Caustic soda.

8. Cellulose.

9. Chlorine.

10. Carbon black and bone black.

11. Creosote.

12. Hydrogen and oxygen.

13. Industrial alcohol.

14. Nitrates of an explosive nature.

15. Potash.

16. Plastic materials and synthetic resins.

17. Pyroxylin.

18. Rayon yarn.

19. Hydrochloric, nitric, phosphoric, picric, sulfuric acids.

20. Rubber.

21. Soaps.

22. Turpentine.

23. Coal, coke, tar products.

24. Fertilizers.

25. Gelatin.

26. Animal glue and size.

I. The following industrial processes:

1. Nitrating of cotton or other materials.

2. Magnesium foundry.

3. Reduction, refining, smelting and alloying of metal or metal ores. Refining of petroleum products, such as gasoline, kerosene, naphtha, lubricating oil, distillation of wood or bones.

4. Storage, curing or tanning of raw, green, or salted hides or skins.

J. Stockyards, slaughter houses, slag piles.

K. Storage of fireworks or explosives.

L. Automobile salvage and wrecking operations.

M. Industrial metal, waste rags, glass, paper salvage operations.

N. Off-site advertising, subject to the provisions of Chapter 18.26 of this Title.

O. Recycling center and auxiliary facilities consisting of an area greater than five hundred (500) square feet of floor area.

P. Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular telephone antennas.

Q. Adult businesses as allowed by Chapter 5.15 of this Code.

R. Industrial recreational facility, as defined under Section 18.02.010 of this Title.

S. Pallet Storage/Pallet Fabrication related uses.

**18.20.050 Prohibited Uses.**
The following uses are expressly prohibited in the M-2 Zone:

A. Residential uses unless otherwise authorized as an accessory use in this Chapter.

B. Retail commercial and service commercial uses unless otherwise authorized as a conditional use in this Chapter.

C. Administrative and office uses unless otherwise authorized as a conditional use in this Chapter.

D. Fortunetelling and related activities as defined in Chapter 5.12 of this Code.

**18.20.060 Property Development Standards.**
The following property development standards shall apply to all land and buildings in the M-2 Zone:

A. Lot Area: For all new lots and proposed rezoning:

1. The minimum lot area in the M-2 Zone shall be twenty thousand (20,000) square feet with the exception of the following conditional uses:

a. Automobile service stations.

b. Convenience-oriented commercial uses.

c. Public buildings (other than storage, corporation, repair yards).

2. The minimum lot size for the above conditional uses shall be as approved by the Planning Commission.

B. Lot Coverage: The maximum allowable lot coverage for all uses shall be sixty percent (65%).

C. Lot Dimensions:

1. The following minimum lot dimensions shall apply, unless otherwise approved by the Planning Commission:

a. Width: One hundred feet (100′) minimum.

b. Depth: One hundred feet (100′) minimum.

D. Setback Requirements:

1. Front Yard: Twenty-five feet (25′) minimum.

2. Side Yard:

a. Interior—no requirements.

b. Exterior—twenty-five feet (25′) minimum.

3. Rear Yard: No requirements.

4. The setback requirements for automobile service stations, convenience-oriented commercial uses, and public buildings (other than storage and corporation yards) shall be subject to the setback requirements approved by the Planning Commission.

5. Cellular Equipment Supports: Self-supporting, monopole or guyed towers constructed for the purpose of supporting cellular equipment, shall not be located within a distance equal to twice the height of the tower from a residentially-zoned parcel.

6. Fences: No front and exterior side-yard setback is required for fences in the industrial-zoned area located west of Railroad Avenue between Whitmore Avenue and Industrial Way subject to the following:

a. A minimum ten foot (10′) wide landscaped area shall be provided on the street side of the fence along all street frontages. The minimum ten foot (10′) wide landscaped area may include area in the street right of way. The landscaping shall comply with the Water Efficient Landscape Guidelines and Standards and shall be used to screen any outdoor storage areas if the fence is not solid (a chain-link fence with slats is considered solid for screening purposes). The landscape area may be reduced to not less than five feet (5′) in width when installed in conjunction with masonry, wrought iron, or other decorative fence material.

b. The maximum fence height in the front and exterior side-yard setback area is eight feet (8′) including any security attachments such as barbed wire.

c. The type and location of the fence and the required landscaping shall receive approval by the Planning and Community Development Department.

d. Fences along Whitmore Avenue shall meet the full setback requirements.

E. Distance Between Buildings: For all uses, no requirements.

F. Floor Area Requirements:

1. For all buildings and the first story of all multiple-story buildings, the maximum allowable FAR shall be 0.65:1.0.

2. For all multiple-story buildings, the maximum allowable FAR shall be as approved by the Planning Commission.

G. Building Height Requirements: The height of all main and accessory buildings erected in the M-2 Zone shall be as approved by the Planning Commission upon site plan approval, except those areas of an M-2 Zone that fall within the area designated as an Airport Overlay Zone, which shall comply with the height limitations prescribed by the zone, if they are more restrictive.

H. Population Density: No requirements.

I. Site Plan Approval: Before any building is erected on any lot, a site plan, floor plans of all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission.

J. Yards, Landscaping, Open Space Requirements:

1. Yards: The minimum yard requirements for all uses shall be the same as those listed in the setback requirements in subsection D of this Section.

2. Landscaping: All uses shall provide landscaping which shall be maintained, all new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall include a four-inch (4″) raised planter box along the line of abutment.

3. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission upon site plan approval.

K. Fences, Hedges And Walls:

1. All general hospitals shall be surrounded by a ten-foot (10′) high solid masonry wall or landscaped and maintained fence.

2. The following conditional uses shall be required to have an eight-foot (8′) high solid masonry wall on all sides abutting an M-2 use:

a. Convenience-oriented commercial uses.

b. Public buildings (except storage, corporation, repair yards).

3. The fences, hedges and wall requirements for all other uses in the M-2 Zone shall be as approved by the Planning Commission upon site plan approval.

L. Off-Street Parking Requirements: For all uses, the following off-street parking requirements shall apply:

1. Manufacturing and industrial uses: Uses involving any type of manufacturing shall provide one (1) space for every eight hundred (800) square feet of building floor area or one (1) space for each employee during a maximum shift, whichever is greater.

2. Warehouses and storage facilities: one (1) space for every one thousand (1,000) square feet of building area or one (1) space for each employee during a maximum shift, whichever is greater.

3. Office uses within a warehouse or manufacturing use shall provide one (1) space for every 275 square feet of building floor area dedicated to office or one (1) space for each employee during a maximum shift, whichever is greater.

4. Open uses and commercial and industrial uses conducted primarily outside of buildings: one (1) space for each employee on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

5. Automobile service stations: one (1) space for every three hundred (300) square feet of floor area.

6. Public buildings and grounds other than schools and administrative offices: one (1) space for every two (2) employees, plus the number of additional spaces prescribed by the Director of Community Development.

7. Public utility structures and installations: one (1) space for every two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Director of Community Development.

8. Retail stores, food, drug, variety stores, and similar enterprises: one (1) space for every two hundred (200) square feet of net floor area except for floor area used exclusively for administrative office, storage or truck loading.

9. Restaurants, bars, cafes and other establishments for sale and consumption on the premises of food and beverages: one (1) space for every three (3) seats, plus any additional spaces as prescribed by the Director of Community Development.

10. General hospitals: one and one-half (1½) spaces for each licensed bed. Facilities of one hundred (100) beds and larger shall provide off-street parking as prescribed by the Director of Community Development.

11. All off-street parking shall comply with the standards listed in Chapter 18.25 of this Title.

M. Off-Street Loading Requirements: All uses shall provide loading spaces unless plans are submitted showing that the receipt, delivery or distribution of goods will not disrupt the circulation and off-street parking spaces on the site. Off-street loading shall comply with the standards established by Chapter 18.25 of this Title.

N. Access:

1. All main vehicular access to and from M-2 Zone shall be through streets with a classification of major thoroughfare or greater, as designated by the General Plan.

2. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.

3. All ingress and egress to and from public property shall be in a forward motion.

O. Signing: All signage shall comply with Chapter 18.26 of this Title.

P. Laundry, Clothes Drying Areas, Facilities: No provisions.

Q. Solid Waste Storage, Disposal Facilities:

1. No open storage shall be allowed.

2. Unless specifically waived by the Director of Community Development, an area for the storage, collection, and loading of garbage, solid waste, refuse and recyclable materials shall be provided for each use or development where common trash collection facilities are provided. Such areas shall be conveniently located for users and collectors and of sufficient size to accommodate the volume of garbage, solid waste, refuse and recyclable materials generated by the use, uses or development. Such areas shall be protected from the weather and screened from public view in accordance with the Ceres Water Efficient Landscaping Guidelines and Standards.

R. Recreational Facilities: No requirements.

S. Park-In-Lieu Fees: No provisions.

T. Additional Provisions: All metal buildings in the M-2 Zone shall be covered with some rust or corrosion-inhibiting substance. Such substance shall be a color other than clear or silver.

# Chapter 21

# A-O AIRPORT OVERLAY ZONE

**Sections:**

**18.21.010 Purpose and Intent.**
**18.21.020 Property Development Standards.**

## 18.21.010 Purpose and Intent.

The A-O, Airport Overlay Zone is intended to be an overlay zone to other zones within the City to provide for additional property development standards for those areas of the City located within the approach zones, transitional zones, horizontal zones, and conical zones as they apply to the Modesto City-County Airport. These zones are shown on the Modesto City-County Airport Approach and Clear Zone Plan, consisting of one sheet, prepared by the City of Modesto Planning and Community Development Department and may also be included in the Stanislaus County Airport Land Use Compatibility Plan.

The purpose of this Zone is to prevent hazards that may endanger the lives and property of the users of the airport, the residents and property in the vicinity of the airport, and in effect reduce the size of the area available for landing, takeoff, and maneuver of aircraft, thus tending to destroy or impair the utility of the airport.

## 18.21.020 Property Development Standards.

The following property development standards shall apply to all land, buildings, and structures within the A-O Zone.

A. Airport Zone Height Limitations: Except as otherwise provided in this Chapter, no structure or tree shall be erected, altered, allowed to grow or be maintained in any overlay zone created by this Chapter to a height in excess of the applicable height limit established for such zone. Such applicable height limitations are hereby established for each of the overlay zones in question as follows:

1. Utility Runway Visual Approach Zone: The height limit for the Utility Runway Visual Approach Zone slopes upward twenty feet (20′) horizontally for each foot vertically, beginning at the end of and at the same elevation as the primary surface.

2. Non-Precision Instrument Approach Zone: The height limit for the Non-Precision Instrument Approach Zone slopes upward thirty-four feet (34′) horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface.

3. Precision Instrument Runway Approach Zone: The height limit for the Precision Instrument Runway Approach Zone slopes upward fifty feet (50′) horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of ten thousand feet (10,000′) along the extended runway centerline; thence slopes upward forty feet (40′) horizontally for each foot vertically to an

additional horizontal distance of forty thousand feet (40,000′) along the extended runway centerline.

4. Transitional Zones: The height limit for the Transitional Zone slopes upward and outward seven feet (7′) horizontally for each foot vertically beginning at the sides of and at the same elevation as the primary surface and the approach zones, and extends to a height of one hundred fifty feet (150′) above the airport elevation which is two hundred forty-seven feet (247′) above mean sea level. The height limit of the Transitional Zone also slopes upward and outward seven feet (7′) horizontally for each foot vertically beginning at the sides of and at the same elevation as the approach zones, and extending to where they intersect the horizontal surface. Where the Precision Instrument Runway Approach Zone projects beyond the Conical Zone, height limits sloping upward and outward seven feet (7′) horizontally for each foot vertically shall be maintained beginning at the sides of and at the same elevation as precision instrument runway approach surface, and extending to a horizontal distance of five thousand feet (5,000′) measured at ninety degree (90°) angles to the extended runway centerline.

5. Horizontal Zone: The height limit for the Horizontal Zone is one hundred fifty feet (150′) above the airport elevation or a height of two hundred forty-seven feet (247′) above the mean sea level.

6. Conical Zone: The height limit for the Conical Zone slopes upward and outward twenty feet (20′) horizontally for each foot vertically beginning at the outer periphery of the Horizontal Zone and beginning at one hundred fifty feet (150′) above the airport elevation and extending to a height of three hundred fifty feet (350′) above the airport elevation or a height of four hundred forty-seven feet (447′) above the mean sea level.

7. Excepted Height Limitation: Nothing in this Chapter shall be construed as prohibiting the growth, construction, or maintenance of any building, structure or tree to a height up to thirty-five feet (35′) above the surface of the land in any zone. This exception does not apply to any navigation easement owned by the City.

B. Lighting and Electrical Interference:

1. Notwithstanding any other provisions of this chapter, no use within the A-O Zone may be made of land or water within any zone established by this chapter in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare to the eyes of pilots using the airport, impair visibility in the vicinity of the airport or otherwise in any way create a hazard or endanger the landing, takeoff, or maneuvering of aircraft intending to use the airport.

2. The owner of any existing nonconforming building, structure or tree shall be required to permit the installation, operation, end maintenance thereon of such markers and lights as shall be deemed necessary by the airport manager to indicate to the operators of

aircraft in the vicinity of the airport, the presence of airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the City.

# Chapter 22

# H-P, HISTORIC PRESERVATION ZONE

**Sections:**

**18.22.010 Purpose and Intent.**
**18.22.020 Property Development Standards.**

## 18.22.010 Purpose and Intent.

The H-P, Historic Preservation Zone is intended to be an overlay zone to the other zones within the City to provide for additional review and property development standards for those areas or structures which reflect the City's historic, architectural, aesthetic, or other heritage as may be defined under Chapter 18.35 Historic Preservation.

The purpose of the H-P, Historic Preservation Zone is to identify and promote the City's heritage through identification and specific building permit review as established under Chapter 18.35 Historic Preservation.

## 18.22.020 Property Development Standards.

The following property development standards shall apply to all land, buildings, and structures within the H-P Zone.

A. The property development standards of the base zone district shall apply if such standards do not conflict with the purpose and intent of Chapter 18.35.

B. No building permit shall be issued and no building, alteration, demolition, or removal of any improvements shall occur until such permits are approved in accordance with Chapter 18.35 Historic Preservation.

# Chapter 23

# MATERIAL EFFECTS PERFORMANCE STANDARDS

**Sections:**

**18.23.010 General Provisions.**
**18.23.020 Locations Where Determinations Are To Be Made.**
**18.23.030 Dangerous and Objectional Elements.**

## 18.23.010 General Provisions.

No building, structure or land shall be used, hereafter erected, structurally altered, or enlarged to be used or occupied in such a manner as to create any dangerous, injurious, noxious, annoying, or otherwise objectionable fire, explosive, or other hazard, noise or vibration, smoke, dust, odor, gas, or other form of air pollution; heat, cold, electrical or other disturbance; glare; liquid or solid refuse or wastes; or any other substances, conditions, or elements which would adversely affect the surrounding area or adjoining premises.

## 18.23.020 Locations Where Determinations Are To Be Made.

Measurements necessary for the enforcement of performance standards shall be taken at the following points:

A. At the lot line of the establishment or use in any zone except C-3, M-1, M-2 Zones.

B. In the C-3, M-1, and M-2 Zones, three hundred feet (300′) from the establishment or use, or at the boundary of the zone if closer to the establishment or use, or at any point within an adjacent Non-Industrial Zone.

## 18.23.030 Dangerous and Objectional Elements.

A. Noise: No noise shall be radiated from any use or facility that either;

1. Fails to comply with the noise standards established in Chapter 9.04 of this Code; or

2. In any other way constitutes a nuisance to adjacent or adjoining properties.

| Land Use Categories | Community Noise Exposure DNL or CNEL, dB | | | | | |
|---|---|---|---|---|---|---|
| | 55 | 60 | 65 | 70 | 75 | 80 |
| Residential – Low Density Single-Family, Duplex, Mobile Homes | | | | | | |
| Residential – Multi-family and Mixed Use | | | | | | |
| Transient Lodging – Hotels, Motels | | | | | | |
| Schools, Libraries, Churches, Hospitals, Nursing Homes | | | | | | |
| Office Buildings, Business Commercial and Professional | | | | | | |
| Playgrounds, Neighborhood Parks | | | | | | |
| Golf courses, Riding Stables, Cemeteries | | | | | | |
| Industrial, Manufacturing, Utilities, Agriculture | | | | | | |
| Auditoriums, Concert Halls, Amphitheaters | | | | | | |
| Sports Arena, Outdoor Spectator Sports | | | | | | |

Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.

Normally Unacceptable: New construction or development should generally be discouraged. If new construction does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Clearly Unacceptable: New construction or development should generally not be undertaken.

Notes:

DNL = Day-Night Average Level; CNEL = Community Noise Equivalent Level; dB = Decibel

Noise levels refer to external ambient noise from permanent land uses.

For mixed uses other than residential mixed use, refer to the most noise-sensitive use.

B. Vibration: No use shall produce any vibration that is transmitted through the ground and is discernable without the aid of instruments.

C. Odors: All uses shall be so operated that they do not emit any odors in such quantity or degree as to constitute a nuisance to adjacent or adjoining properties.

D. Glare: Every use shall be so operated that it does not emit direct or indirect glare in such quantities or degree as to constitute a nuisance to adjacent or adjoining properties.

E. Fire and Explosion Hazards: All activities involving the use and storage of flammable or explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire suppression equipment and devices standard in the industry.

F. Heat: No heat emission shall be permitted by any use or facility which at any time either:

1. Increases the temperature on any adjacent property in excess of ten degrees (10°) Fahrenheit, whether such an increase be in the air or on the ground, or in a natural stream or lake, or in any structure; or

2. In any other way constitutes a nuisance to adjacent or adjoining properties.

G. Radioactivity or Electric Disturbance: No use or activity shall be permitted which emits dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment located on adjacent properties.

H. Smoke, Fumes, Gases, Dust, and Particulate Matter: No emission shall be permitted at any point which would violate the current regulation for such emission as established by the San Joaquin Valley Air Pollution Control District.

I. Liquid or Solid Waste: No discharge shall be permitted at any point into any public sewer, private sewage system, or stream or into the ground, except in accord with standards approved by the State and County Departments of Health and local ordinances, of any materials of such nature or temperature as can contaminate any water supply, interfere with material processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements. There shall be no accumulation outdoors of solid wastes conducive to the breeding of rodents or insects, unless stored in closed containers.

# Chapter 24

# PARKING AND STORAGE OF RECREATIONAL VEHICLES IN RESIDENTIAL ZONES

**Sections:**

**18.24.010 Purpose.**
**18.24.020 Scope and Application.**
**18.24.030 Recreational Vehicles Defined.**
**18.24.040 Rules and Regulations Applicable to Developed Residential Properties.**
**18.24.050 Use of Recreational Vehicle as Temporary Guest.**
**18.24.060 Violation/Penalty.**

## 18.24.010 Purpose.

The purpose of this Chapter is to establish reasonable rules and regulations regarding the parking and storage of recreational vehicles on residential properties in order to promote to general health, safety and welfare of the citizens of this community.

## 18.24.020 Scope and Application.

The provisions of this Chapter shall not affect, nor have any application to the following:

A. The parking and storage of recreational vehicles on residential properties developed and constructed pursuant to the provisions of the PC, Planned Community Zone, contained in Chapter 18.13 of this Code, whether such residential properties were developed and constructed prior to, or subsequent to, the effective date of the ordinance codified in this Chapter.

B. The validity or enforcement of the provisions contained in Chapter 10.14 of this Code relating to abandoned, wrecked, dismantled, or inoperative vehicles on private property.

C. Any residential subdivision or other residential development which is subject to any specific plans, master plans, private covenants, conditions and restrictions which impose rules, regulations or standards relating to recreational vehicle parking or storage which are more restrictive than those imposed by the provisions of this Chapter.

## 18.24.030 Recreational Vehicles Defined.

For the purpose of this Chapter, recreational vehicles are defined to include but not be limited to motor homes, pull behind trailers and campers, fifth wheel, pickup truck campers (whether on or off the pickup truck), motorboats and sailboats with trailers, converted vans, jet skis, snowmobiles, on and off-road motorcycles, all-terrain vehicles (ATV's), utility trailers, and any other similar type of vehicle possessed and used for recreational purposes.

## 18.24.040 Rules and Regulations Applicable to Developed Residential Properties.

The following rules and regulations shall apply to all developed residential properties.

A. Permitted Parking and Storage. Residents may park and store upon their developed

property such recreational vehicles they may own or possess, which are lawfully registered to any occupant of the premises, in such number and type as they may possess. The manner in which such vehicles are to be parked or stored on developed residential properties shall be regulated by this Chapter. Such vehicles are not permitted to be parked or stored on undeveloped properties.

1. Recreational vehicles may be parked or stored within the side yard or rear yard setback area of a property, and said vehicles may also be permitted within the front yard setback area of a property provided they are parked or stored in a direction that is perpendicular to the street or right of way. A recreational vehicle may be parked or stored on property non-perpendicular to the street or right of way if on a curvilinear driveway leading to the home's primary garage. On corner lots, a recreational vehicle may be parked on property parallel to the secondary street or right of way if perpendicular to the primary street or right of way. Recreational Vehicles shall not be parked or stored within any landscape areas of properties. There shall not be more than two recreational vehicles parked or stored within the front or exterior side-yard of a property. There is not a limit for recreational vehicles that are parked and stored in a fenced side or rear yard.

B. Recreational Vehicle Maintenance, Property Maintenance, and Safety Standards.

1. All recreational vehicles shall be kept reasonably clean and free of accumulated dirt, trash, flat tires, and broken windows.

2. Recreational vehicles shall be maintained in such a manner as will not present a fire hazard. In this regard, the area surrounding the recreational vehicle shall be kept free of trash, rubbish, or flammable materials.

3. Recreational vehicles shall not be permitted to leak any fluids, gasoline, diesel, propane, anti-freeze, or sewage. Any leakages or any hazard to the public shall be the sole liability of the recreational vehicle owner or the person who is in control of the property, either as tenant, licensee, or owner.

4. Recreational vehicles shall be parked or stored in a manner which does not block any ingress or egress to the residence, including ingress or egress through windows.

5. Recreational vehicles shall be parked or stored in a manner which does not allow such vehicle to obscure the view of any traffic sign or extend into any public right-of-way, such as a sidewalk, public alley or curb; nor shall such vehicle extend over or onto other private property without the permission of the property owner.

6. Recreational vehicles shall be parked or stored so that they remain a safe distance from energized utilities. The safe distance shall be determined by the Fire Department.

7. Recreational vehicles shall not be used as kennels or other animal storage, nor shall recreational vehicles be allowed to become infested with rodents, stray animals, insects, or other creatures which pose a health and safety hazard.

8. Recreational vehicles stored on property pursuant to this Section and within public view, and if covered, shall have a properly fitted cover designed for the vehicle that they are covering. Use of tarps, plastic or other similar materials is expressly prohibited for use as a cover.

**18.24.050 Use of Recreational Vehicle as Temporary Guest.**

Recreational vehicles which are lawfully parked or stored upon residential property may be used for guest quarters for a period not to exceed thirty (30) days within a calendar year. An emergency extension of the thirty (30) day period within a calendar year may be granted in the discretion of the Director of Community Development.

No recreational vehicle lawfully parked or stored upon residential property may be rented, leased, used or occupied as a permanent residence.

**18.24.060 Violation/Penalty.**

Violation of any provision of this Chapter shall be an infraction and shall be punishable as provided in Title 19 of this Code.

# Chapter 25

# OFF-STREET PARKING AND LOADING STANDARDS

**Sections:**

**18.25.010 Off Street Parking Facilities.**
**18.25.020 Off Street Loading Facilities.**

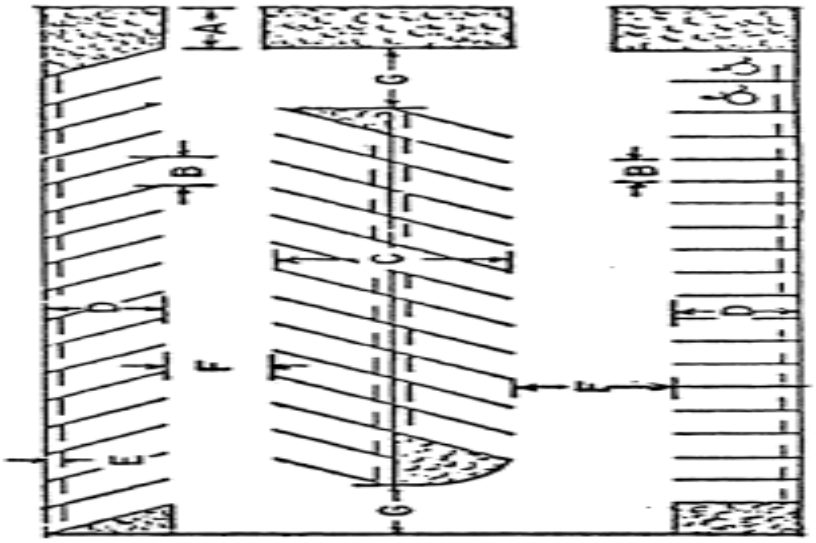
## 18.25.010 Off Street Parking Facilities.

All off-street parking facilities shall conform to the following minimum standards:

A. Dimensions:

1. Table:

| STALL WIDTH ANGLE | STALL DEPTH (B) | STALL DEPTH (D) | STALL DEPTH (C) | DRIVE-WAY WIDTH (F) |
|---|---|---|---|---|
| 45° | 12.7′ | 19.8′ | 33.2′ | 8.8′ |
| 50° | 11.8′ | 20.3′ | 34.8′ | 9.4′ |
| 55° | 11.0′ | 20.7′ | 36.3′ | 11.6′ |
| 60° | 10.4′ | 21.0′ | 37.5′ | 15.0′ |
| 70° | 9.6′ | 20.9′ | 38.7′ | 18.2′ |
| 80° | 9.1′ | 20.3′ | 39.0′ | 22.4′ |
| 90° | 9.0′ | 19.0′ | 38.0′ | 24.0′ |



2. For any given parking between forty-five degrees (45°) and ninety degrees (90°) not specifically listed in the above table, use a table angle nearest the given angle.

3. The minimum driveway width (F) at any parking stall angle less than forty-five degrees (45°), including parallel stalls, is eight point eight feet (8.8′).

4. The turnaround or end driveway width (G) shall be a minimum of eighteen feet (18′).

5. The wheelstop setback dimension (E) shall be a minimum of two feet (2′) for any parking plan.

6. The required front setback dimension (A) shall be as specified for the zone in which the parking lot is to be located.

B. Access:

1. All ingress to and egress from off-street parking facilities with the exception of the R-1 and R-2 Zones and used properties shall be in a forward motion. However, alleyways may be used for ingress and egress to and from parking stalls provided that the stalls are set back the proper distance from the property line so that the aisle width is sufficient, as required in the Parking Stall and Aisle Dimension Table.

2. Any driveway used for both ingress to and egress from a parking facility shall have a minimum width of twenty feet (20′). Any driveway used for either ingress or egress to or from a parking facility and not directly serving parking stalls shall have a minimum width of ten feet (10′).

C. Small Car “Compact” Stalls: If desired, thirty percent (30%) of the required parking stalls may be designated for parking small cars. Small car stalls shall be seven and one-half feet (7½′) in width and fifteen feet (15′) in length for ninety-degree (90°) angle. Each small car space shall be identified with the word “compact” painted on the pavement. Small car spaces shall be distributed within a parking lot and not all grouped/bunched in one location.

D. Handicap Spaces: Every parking facility serving commercial, industrial and public uses shall include parking stalls for the physically handicapped Parking spaces for physically handicapped persons shall be provided per the latest adopted version of the California Building Code.

E. Location: Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking area to the nearest point of the building that such parking area is required to serve.

1. For one, two (2), or multiple-family dwellings, parking areas shall be located on

the same lot or building site as the buildings they are required to serve.

2. For hospitals, sanitariums, residential care facilities, asylums, orphanages, rooming houses, lodging houses, fraternity, and sorority houses, parking areas shall not be located more than one hundred fifty feet (150′) from the buildings they are required to serve.

3. For uses other than those specified above, parking areas shall not be located over four hundred feet (400′) from the building they are required to serve.

F. Landscaping: Not less than five percent (5%) of the interior of all off-street parking facilities with five (5) or more spaces shall be landscaped and maintained. All such landscaping and maintenance shall be subject to approval by the Director of Community Development or his or her designee.

G. Lighting: All off-street parking facilities shall be illuminated. Illumination shall be so arranged as to reflect the light away from adjacent properties, streets or highways. All off-street parking illumination facilities shall be as approved by the Community Development Director.

H. Screening:

1. General: All off-street parking facilities with five (5) or more spaces abutting a dedicated street shall be separated from such street by a decorative wall, view-obscuring fence, permanently maintained evergreen hedge, earth berm or combination thereof, not less than thirty inches (30″) and not more than thirty-six inches (36″) in height.

2. Abutting Residential Zones: All off-street parking facilities with five (5) or more spaces abutting a residential use shall be separated from such property by a six-foot (6′) high solid masonry wall or landscaped and maintained fence.

I. Vehicle Repair Work: No major repair work or servicing of vehicles shall be conducted in any off-street parking facilities.

J. Site Plan Approval: Before any off-street parking facility containing ten (10) or more spaces may be erected on any lot in any zone, a site plan and a landscape plan shall be submitted to and approved by the Planning Commission upon site plan approval. Any off-street parking facility containing nine (9) or fewer spaces may be approved administratively by the Director of Community Development or his or her designee, if all standards of this Section are met.

K. Paving: All off-street parking facilities, parking spaces, aisles, and access drives shall be paved so as to provide a durable, dustless surface and shall be so graded and drained so as to dispose of surface water without damage to adjacent properties, streets or alleys.

**18.25.020 Off Street Loading Facilities.**

All off-street loading facilities shall conform to the following standards:

A. Dimensions: Each loading space shall be at least forty feet (40′) in length, twelve feet (12′) in width exclusive of aisle or maneuvering space, and shall have an overhead clearance or at least fourteen feet (14′).

B. Access: All loading space shall be accessible from a street or alley or from an aisle or drive connecting with a street or alley. From major streets, all ingress and egress to or from a loading space shall be in a forward motion.

C. Paving: All loading spaces, aisles, and access drives shall be paved so as to provide a durable, dustless surface and shall be so graded and drained so as to dispose of surface water without damage to adjacent properties, streets or alleys.

D. Lighting: If the loading area is illuminated, lighting shall be deflected away from adjacent uses so as to cause no annoying glare.

E. Vehicle Repair Work: No repair work or servicing of vehicles shall be conducted on off-street loading facilities.

# Chapter 26

# SIGNING STANDARDS*

**Sections:**

**18.26.010 Purpose and Intent.**
**18.26.020 Applicability.**
**18.26.030 Approvals.**
**18.26.040 Fees.**
**18.26.050 Definitions.**
**18.26.060 Exempt Signs.**
**18.26.070 Prohibited Signs.**
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**18.26.100 Tenant Identification Signs.**
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## 18.26.010 Purpose and Intent

The purpose of this Chapter is to establish sign regulations that are intended to:

A. Protect the general public health, safety, welfare and aesthetics of the community.

B. Promote the City's standards for appearance by regulating the design, character, location, type, quantity, quality of materials, scale, color, illumination, and maintenance of signs.

C. Improve pedestrian and traffic safety.

D. Maintain and enhance the City's ability to attract and retain businesses which are sources of economic development, employment, and revenue for the City and its residents.

E. Minimize the possible adverse effect of signs on nearby public and private property.

F. Enable the fair and consistent enforcement of these sign regulations.

## 18.26.020 Applicability.

No sign may be erected, placed, established, painted, created or maintained in the City except in

conformance with the standards, procedures, exemptions, and other requirements of this Chapter. Any applicable master or specific plan guidelines may be more restrictive. The effect of these regulations is to:

A. Establish an approval system to allow a variety of types of signs, subject to the standards and procedures of this Chapter.

B. Allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this Chapter, but without a requirement for formal approvals.

C. Provide for temporary signs in limited numbers and circumstances.

D. Provide for the repair or removal of abandoned, dilapidated or unsafe signs, which may be causing a hazard for pedestrians or vehicles.

E. Provide for the enforcement of the provisions of this Chapter.

**18.26.030 Approvals.**

A sign approval shall be obtained from the Planning Division before erection or display of any signs, except as provided by Section 18.26.060. A building permit is generally required for most types of new signs made of permanent materials and shall be obtained concurrent with or immediately following any sign approval required.

A. A sign approval shall expire eighteen (18) months after its effective date, unless the sign has been erected or a different expiration date is stipulated at the time of approval. A sign approval shall remain valid for the duration of any building permit issued for the proposed sign.

B. A sign approval shall become void if the sign is not constructed, installed, or maintained in accordance with the approved application. The sign will then be considered illegal and shall be required to be corrected to conform to the terms of this Chapter or be abated according to the provisions of Section 18.26.140. Any sign not legally erected or erected without a sign approval after the effective date of this Chapter shall be considered illegal.

**18.26.040 Fees.**

Each application for a sign for which an approval is required by this Chapter shall be accompanied by a sign approval fee as established by City Council resolution from time to time.

**18.26.050 Definitions.**

The following words and phrases utilized in this Chapter not defined elsewhere are defined below:

“A-Frame Sign”: A freestanding sign usually hinged at the top, or attached in a similar manner, and widening at the bottom to form a shape similar to the letter "A." Such signs are usually designed to be portable, hence they are not considered permanent signs.

“Abandoned Sign”: Any display remaining in place or not maintained for a period of one hundred eighty (180) days or more which no longer advertises or identifies an ongoing business, product or service available on the business premises where the display is located.

“Animated or Moving Sign”: Any sign which uses movement lighting or special materials to depict action or create a special effect.

“Architectural Feature”: An element that appears to be part of the designated sign area, but is actually physically integrated into a building's design (stone, stucco, wood or other building material) and is not utilized as part of calculating sign area (i.e., illuminated sign letters vs. non-illuminated background area for signage).

“Attached Sign”: Any sign which is affixed to and made an integral part of a building or structure. Attached signs include, but are not limited to wall signs, roof signs and projecting signs, to distinguish them from freestanding and ground signs.

“Awning”: A temporary or permanent structure attached to, or supported by a building, designed for aesthetics, or shelter over a pedestrian or vehicular way and which may or may not project over public property.

“Balloon”: Any cloth, plastic, paper, or similar material used for advertising purposes, typically hot or cold air captive balloons, inflatable animals, or similar signs, which may be attached to any structure, staff, pole, line, framing or vehicle, and may or may not be designed to move with the wind.

“Banner”: Any cloth, plastic, paper, or similar material used for advertising purposes attached to any structure, staff, pole, line, framing or vehicle, anchored or secured to attract attention by windblown movement.

“Business Center”: Shopping centers, major single-tenant and multi-tenant commercial and industrial buildings located on sites greater than five acres.

“Business Frontage”: The primary business frontage is that portion of the building elevation facing a street, parking lot or walkway in which the primary entrance to the building is located. All other business frontage is secondary business frontage. If more than one business is located in a single building, then such length shall be limited to that portion which is occupied by each individual business.

“Canopy”: Any fixed overhead shelter used as a roof, which may or may not be attached to a building and which does not project over public property.

“Construction Sign”: Sign located on a site during construction, which informs of new buildings, opening dates, leasing opportunities and/or identifies the architects, engineers, contractors, and financiers.

“Dilapidated Sign”: Any sign or element of a sign which is excessively weathered or structurally unsound, or where the copy can no longer be seen or understood by a person with normal eyesight under normal viewing conditions.

“Directional Sign: The primary intent of the directional sign is to direct both pedestrian and vehicular traffic to parking or buildings on the premises that are not readily identifiable from the adjacent sidewalk or street. The advertisement of the business or use is not the main function of this type of sign.

“Electronic Changeable Copy Sign”: A sign utilizing grouped lighting elements under electronic control to permit the regular and frequent change of copy.

“Feather Banner”: Any cloth, plastic, paper or similar material used for advertising purposes attached to any pole or similar device, anchored or secured to attract attention by windblown movement.

“Flag”: Any cloth, plastic, paper or similar material used for advertising purposes, most typically flown from a pole, but may be attached to any structure, staff, pole, line, framing or vehicle, whose windblown movement is designed to attract attention, but not including official flags of the United States, the State of California and other states of the Nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations.

“Free Standing Sign”: Any sign which is supported by structures or supports that are not attached to a building or buildings.

“Ground Sign”: A freestanding sign six feet (6′) or less in height with a base or method of support which is an integral part of the sign.

“Highway Oriented Use” E: Any professional, retail or commercial, or industrial use located on property within two hundred feet (200′) of the State Highway 99 right of way.

“Marquee”: A permanent roofed structure attached to and supported by a building and projecting over public property.

“Neon Signs”: Any type of advertising with tubes internally illuminated with neon or similar type of gas. A single neon tube, used around a building as a trim or accent, is not considered a sign.

“Nonconforming Sign”: Any legally established sign which fails to conform to the regulations of this Chapter.

“Off-Site Advertising or Billboard”: Any sign advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or offered at the property on which the sign is located.

“Pennant”: Any cloth, plastic, paper or similar material used for advertising purposes, most

typically hung along a string, but may be attached to any structure, staff, pole, line, framing or vehicle, whose windblown movement is designed to attract attention.

"Portable Sign": Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported.

"Project Identification Monument Sign": A specific type of ground sign supported from grade to the bottom of the sign with the appearance of having a solid base. These signs are generally located at the primary entry points to a project, and identify the name of a center or group of buildings rather than that of an individual tenant.

"Reader Board": A sign constructed so that individual letters or other advertising material can easily be changed, used only by businesses, activities or uses that depend on frequently changing events.

"Sign": Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of a person or entity, or communicate information of any kind to the public.

"Sign Approval": An approval issued by the Planning Division to any person or entity authorized by this Chapter to erect a sign, except as exempted. A building permit issued by the Building Department may also be required prior to a sign being lawfully erected.

"Sign Area": The entire face of a sign, including the surface and any framing projections or molding, but not including the support structure. Where a sign consists of individual letters or an individual logo/symbol that is attached to or painted on the wall of a building or structure where there is no distinguishable frame or border, the combined square footage of each individual letter or individual logo/symbol will be considered as the sign area. If the calculations of individual letters or logos/symbols cannot be determined, then dimensions around each letter or logo/symbol may be used to determine the sign area. For ground signs, Figure 1 illustrates measurements of sign area and height. Ground sign area is the area of the sign and structure beginning at a point above the base or pedestal upon which the sign is mounted.

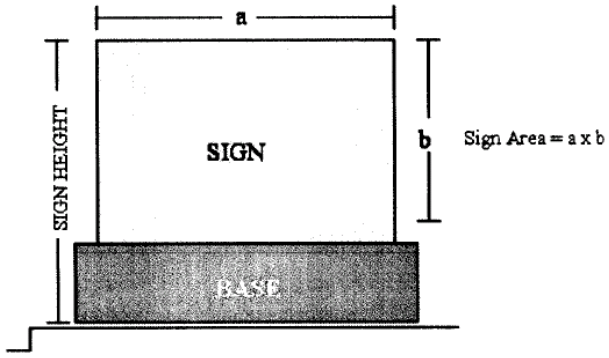



*Figure 1*

"Sign Height": Sign height shall be measured as the vertical distance from the top of the street curb nearest the sign, to the top of the sign, including the support structure and any design elements.

See Figure 1.

“Temporary Sign”: Nonilluminated signs on private property either designed to be displayed for a short period of time, not permanently affixed to a building or property or constructed of lightweight materials such as paper, cloth, cardboard, wallboard, etc.

“Window Sign”: Any sign that is painted, applied or attached to a window or located in such a manner that it can be seen from the exterior of the structure.

“Yard Sign”: A sign placed in the front or side yard of any property that does not exceed more than six square feet and is not more than three feet in height.

**18.26.060 Exempt Signs.**

A sign approval is not required for the signs contained in this Section. The location, number, and area of these signs are regulated only by this Section and are allowed in addition to signs regulated by other sections of this Chapter.

A. Official Signs: Official signs posted pursuant to and in the discharge of any governmental function by public officials in the performance of their duties (including traffic and street name signs, as well as notices, emblems or other forms of identification and signs required by law). Sign groupings for the purpose of display of logos of nonprofit service organizations where such grouping is provided for and approved by the City Council shall be considered official signs.

B. Interior Signs: Signs located in the enclosed lobby or court of any building or group of buildings, which are not visible from any public right of way.

C. Window Signs: Signs in windows not exceeding twenty-five percent (25%) of the window area. Painted windows signs that celebrate the recognized holidays, and not commercial advertisements or sales, shall not exceed 50% of the window area.

D. Informational Signs: Signs for the safety and convenience of the public such as "restrooms," "danger," "impaired clearance," "no smoking," and other signs of a similar nature, up to two (2) square feet per sign, unless a larger sign is otherwise required by State or Federal law.

E. Yard Signs: Nonilluminated and noncommercial yard signs are permitted in any number either freestanding or attached, limited to a total sign area of six (6) square feet per sign in residential zones and thirty-two (32) square feet per sign in other zones. No single yard sign shall be erected for more than one hundred thirty (130) days. No sign shall be erected on private property without the property owner's consent. Ground-mounted yard signs may be placed within City right of way or within a public utility easement (excluding canal easements/ownership) provided that such signs: (1) shall not be placed any closer than ten (10) feet from the edge of the paved portion of a roadway where no sidewalk is present or five (5) feet back from the edge of sidewalk; (2) shall comply with Code Section 18.27.020 (Clear Vision Triangle); and (3) shall not create a safety hazard for vehicles exiting existing commercial and residential driveways. Yard signs are not

permitted at any time within canal easements or /ownership or on utility poles located in a utility easement. Yard signs that are installed within City right of way or within a public utility easement may be removed by the City/utility authority as necessary to accommodate work within said right of way or utility easement. In such an event, neither the City nor the utility removing the sign shall not have any liability to the owner(s) of such yard signs.

F. Nameplates, Street Addresses And Building Directories: Street addresses and nameplates not exceeding two (2) square feet in area for single-family or two-family dwelling structures and four (4) square feet per sign for all other uses, and displaying only the name of the premises upon which it is displayed; the name of the owner or lessee of such premises; and the address of such premises. Buildings with more than five (5) tenants may have building directories not to exceed nine (9) square feet, affixed flat against the wall of a building, or as a ground sign, which only show the name and/or address of the persons or entity occupying the building.

G. Seasonal Decorations: Holiday greetings, decorations, and displays, excluding advertising signs disguised as seasonal decorations.

H. Plaques: Solid metal plaques or cut inscriptions, either erected by recognized historical agencies, or which show names of buildings and dates of construction, provided the sign does not exceed four (4) square feet in area.

I. Replacement of Sign Copy: The removal and replacement of sign copy without increasing or decreasing the area of the sign. The sign container, including the structural and electrical connections, with the exception of necessary maintenance or repairs, shall remain unchanged. Any increase or decrease to the area of the sign shall require a sign approval.

I. Flags: The flag of any country, state, school or duly constituted governmental body, or charitable, civic or nonprofit organization, when not intended to be displayed for advertising purposes.

K. Artwork: Any sculpture, display, or decoration clearly intended to be a work of art rather than related to the use of the property, as determined by the Director of Community Development. Any decision of the Director may be appealed to the Planning Commission.

L. Bulletin Boards: Bulletin boards not over twenty-four (24) square feet in area for public, charitable or religious institutions when the same are located on the premises of such institutions.

M. Real Estate Signs:

1. One nonilluminated sign on each street frontage for any lot or building which serves solely to advertise the sale, lease or rental of or an offer to build to suit on the premises where the sign is located, provided the sign does not exceed twenty-four (24) square feet in area and ten feet (10′) in height if the sign is in a commercial, professional or industrial zone, or six (6) square feet in area and four feet (4′) in height if the sign is in a residential zone.

2. Three (3) nonilluminated open house directional signs, each not exceeding three (3) square feet in area and forty-two inches (42″) in height, which shall be permitted during daylight hours only in the general vicinity of the open house, provided they do not contain any advertising message other than the real estate office name and contact information, and that such signs are located on private property with permission of the property owner.

N. Garage Sale Signs: One sign may be permitted to advertise said sale, which sign shall be displayed only at the sale, only during the date or dates and hours of said sale, not to exceed six (6) square feet in area nor six feet (6′) in height, provided the resident has obtained a garage sale permit pursuant to Chapter 5.18 of this Code.

**18.26.070 Prohibited Signs.**

Except as otherwise provided, the signs described in this Section are prohibited.

A. Signs constituting a potential traffic hazard by being placed in such a manner as to obstruct free and clear vision of pedestrian traffic, or which simulate in size, color, lettering or design any traffic sign or signal.

B. Signs within the public right of way, including those on street trees, utility poles, street signals, streetlights, street name signs, traffic warning signs or sidewalks, fences/walls, except official signs or other signs specifically permitted by Section 18.26.060 of this Chapter. This prohibition includes “sign twirlers”, “sign spinners”, “sign clowns”, “sign walkers”, “human directional”, and human “sandwich board” signs. Signs located within the public right of way may be removed by and discarded without any notice to the potential owner of said sign.

C. Signs consisting of any moving, swinging, rotating, flashing, blinking or otherwise animated components, except barber poles, clocks, thermometers, or electronic changeable copy signs unless otherwise approved pursuant to Section 18.26.110.

D. Windblown devices and signs whose movement is designed to attract attention, such as feather flags/feather banners, pennants, flags, inflatable signs or balloons, inflatable animals (other than those inflatables permitted by a Temporary Use Permit) or similar signs, or reflective attachments to sign faces, unless otherwise specifically permitted or exempted by Section 18.26.060 or 18.26.080 of this Chapter or any design guidelines of an adopted specific plan.

E. Vehicle signs or signs on or affixed to trucks, vans, automobiles, trailers or other vehicles which advertise, or provide direction to, a use or activity not related to the lawful making of deliveries or sales of merchandise or rendering of service from such vehicle. Vehicles used for the lawful activities described shall be parked in reasonable proximity to the business they advertise when not in use, as determined by the Director of Community Development.

F. Portable signs or freestanding signs not permanently affixed, anchored or secured to the ground or structure on the lot they occupy, including A-frame signs, unless specifically allowed by Section 18.26.080 of this Chapter.

G. Obstructing signs or signs erected in such a manner that any portion of their surface or supports will interfere in any way with the free use of any fire escape, exit or standpipe or obstruct any required stairway, door ventilator or window.

H. Roof signs or any signs erected, constructed and maintained upon or over the roofline of any building.

I. Any sign located on vacant or unoccupied property that was erected for a business which has since vacated.

K. Permanent signs containing fluorescent colors as all or part of their copy.

L. Off-Site Advertising or Billboards shall be prohibited in all zones.

**18.26.080 Temporary Signs.**

Temporary signs are those nonilluminated signs on private property either designed to be displayed for a short period of time, not permanently affixed to a building or property, or constructed of lightweight materials such as paper, cloth, cardboard, wallboard, etc. A sign approval is required for the following temporary signs:

A. Grand Opening and Going-Out-of-Business Signs: An unlimited number of on-site temporary signs may be displayed for a maximum of thirty (30) calendar days in conjunction with a grand opening, or a minimum of ninety (90) calendar days in conjunction with a going-out-of-business sale, with a temporary sign permit issued by the Planning Division. Only one ”Grand Opening” or “Going-Out-Of-Business” sale sign shall be permitted per business at any one location.

B. Special Events and Promotional Signs: One on-site temporary banner no more than seventy-two (72) square feet in area per banner per street frontage for outdoor sales, special events, special promotional sales, and temporary uses such as Christmas tree sales and Halloween pumpkin sales are permitted to be displayed up to a maximum of ninety (90) days per calendar year, with a temporary sign permit issued by the Planning Division. A banner is permitted to be attached at the front end of the building where said promotional sales/event is being held, but said banner may not be displayed above the roofline of any building, nor attached to trees or related landscaping, and a banner shall not be attached above the top of any light standard, pole, ground sign, pole sign, or utility/transformer structure but may otherwise be located anywhere on the property that a permanent sign is allowed. There shall be no maximum length of time between the display of banners, as long as the cumulative total does not exceed ninety (90) days. The ninety (90) day time period shall include the display of temporary signs for grand openings (up to thirty (30) days) as described in subsection A. of this Section. In addition, inflatable balloons, animals, or similar signs shall be permitted to be displayed up to fifteen (15) days per calendar year, with a sign permit issued by the Planning Division. Certain types of hot air inflatable balloons, animals, or similar signs may be prohibited by Federal Aviation Administration regulations.

C. Fireworks Stands: Temporary signs may be displayed in conjunction with fireworks stands for the duration of the sales as specified in the permit issued for the use, which shall be subject to review and approval by the Fire Department.

D. Construction Signs: One such sign not to exceed forty (40) square feet in area and eight feet (8′) in height is permitted per building site, located a minimum of ten feet (10′) from the street right of way line. No construction sign shall be erected prior to the issuance of a building permit, and the sign must be removed upon expiration of the building permit. In addition to information on the new buildings, or identification of architects, engineers, contractors, and financiers, the sign may include any sketch or architectural rendering of the proposed use.

E. Subdivision Signs:

1. A maximum of two (2) on-site, nonilluminated double-faced signs advertising a residential subdivision are permitted, limited to thirty-two (32) square feet per side, two (2) side maximum, and eight feet (8′) in height, located a minimum of ten feet (10′) from the street right of way. These signs shall be removed not later than three (3) years from the recording date of the subdivision, except that the Planning Director may grant one-year time extensions until ninety percent (90%) occupancy is reached.

2. One nonilluminated off-site subdivision sales sign identifying the location of the subdivision shall be permitted per development, limited to thirty-two (32) square feet per side, two (2) side maximum, and eight feet (8′) in height. The sign shall be located on private property, a minimum of ten feet (10′) from the street right of way, where it shall not constitute a traffic hazard. These signs shall be removed not later than three (3) years from the recording date of the subdivision, except that the Planning Director may grant one-year extensions until ninety percent (90%) occupancy is reached.

3. Additional on-site signs containing information about the model name or number, floor plan, area, or price are permitted in residential subdivisions provided there is not more than one such sign for each model. Signs concerning models shall not have an area exceeding three (3) square feet nor a height of more than three feet (3′), and shall be located immediately adjacent to the model to which they refer. Signs authorized under this Section shall not be erected until the subdivision map is recorded and building permits are issued for the construction of the project.

4. One subdivision banner for grand openings not to exceed seventy-two (72) square feet in area or twenty feet (20′) in height may be permitted within the boundaries of the recorded subdivision. In addition, a maximum of four (4) flags not to exceed twenty feet (20′) in height and eight (8) square feet in area may be permitted within the subdivision. The banner and flags shall be permitted for no more than one hundred eighty (180) days from the date specified on the sign approval.

5. One nonilluminated sales office sign which shall not exceed twelve (12) square feet in area, may be permitted to be attached to the model home or temporary trailer, and shall

not be higher than the plane surface to which it is attached.

**18.26.090 Free Standing Directional Signs.**

A. Freestanding directional signs may be allowed in any multiple-family, professional, commercial or industrial zone as deemed appropriate in size, number, and location by the Director of Community Development.

B. Directional signs are not permitted to obstruct traffic visibility.

C. The maximum height of this type of sign shall not exceed six feet (6′).

D. The maximum allowable sign area permitted per side or face is twelve (12) square feet, provided the business identification does not exceed half of the area on a given sign face.

**18.26.100 Tenant Identification Signs.**

The following regulations apply to the primary source of on-site advertising for legally maintained uses:

A. Single-Family Residential (Single- And Two-Family Uses):

1. For street addresses, nameplates, etc., see Section 18.26.060, subsection F, of this Chapter.

2. For single-family residential subdivisions, one nonilluminated project identification monument sign identifying the name of the development may be permitted adjacent to the main entrance. The sign, or lettering on a wall or fence, may not exceed thirty (30) square feet in area and six feet (6′) in height. The sign shall be located in a landscaped portion of the right of way or some other area that is authorized for this purpose and shall not be permitted to obstruct traffic visibility. Property owners shall make provisions for the ongoing maintenance of the sign and landscaping. More than one monument sign, a larger monument sign (area and height), or an illuminated monument sign may be permitted by the Planning Commission in conjunction with a discretionary permit or approval, or with the approval of a conditional use permit.

B. Multiple-Family Residential:

1. For projects with five (5) to twenty-nine (29) units, one parallel attached, ground or project identification monument sign per street frontage is permitted, not to exceed twenty (20) square feet per face and six (6) feet in height. Projects with thirty (30) units or more may have one parallel attached, ground or project identification monument sign per street frontage, not to exceed thirty (30) square feet per face and six (6) feet in height. Additional project identification monument signs for larger projects may be permitted if warranted at the discretion of the Director of Community Development.

C. Retail/Commercial: The following regulations apply to single-tenant buildings or multiple-tenant buildings located on sites less than one acre in size.

1. Any number of parallel attached signs is permitted, as long as the total area does not exceed one square foot of sign area per lineal foot of primary business frontage, and one-half (½) square foot of sign area per lineal foot of secondary business frontage.

2. Awning, canopy and marquee signs are allowed and considered as attached signs, as long as the sign copy is placed on the vertical portion or fringe. These signs may project over the public right of way, to be maintained a minimum of eight feet (8′) above the sidewalk and two feet (2′) from the face of the curb.

3. One ground sign is permitted, not to exceed thirty-two (32) square feet in area and six feet (6′) in height, except when located on sites with a freestanding center identification sign (not including uses located on a pad or property which is separate from the main building or buildings, but part of a business center) or where a conditional use permit is approved pursuant to subsection (a) below. Ground signs must be located in a landscaped portion of the front setback. Ground signs may incorporate a street address up to four (4) square feet in area into the base of the sign in addition to the otherwise permitted area. Allowable ground signs may be replaced with a twenty-foot (20′) high freestanding sign of equal area if the use is highway oriented, located within two hundred feet (200′) of the State Highway 99 right of way, as described in subsection H of this Section.

a. Where an existing developed site with frontage on an arterial street or expressway, as defined by the circulation element of the General Plan, has been developed with less than a ten (10) foot landscaped setback and has a legally nonconforming sign, as established with a valid building permit, greater than six feet (6′) in height, a conditional use permit may be granted to replace said sign with a sign up to the lesser of twelve feet (12′) or the existing sign height. In granting such a conditional use permit, the Planning Commission shall consider the minimum height required to provide for unobstructed visibility of the sign for oncoming traffic, and the proposed design of the sign. Sign design shall incorporate the architecture of the site and not be unnecessarily massive. A single pole design will not be permitted.

4. Reader boards can be permitted as part of the overall allowed sign area and may be allowed only as approved by the Director of Community Development. No more than one reader board is permitted per lot or business center. The area and height of a ground or freestanding type of reader board, when permitted, are subject to the standards applicable to those types of signs and are not in addition to any other ground or freestanding sign.

5. In addition to the allowable signs noted above, for uses proposed with a drive-thru window operation: up to two (2) freestanding ~~or attached~~ menu boards for a combined area of thirty (30) square feet in area and no more than six feet ( 6’) in height may be permitted per drive-thru lane subject to the approval of the Director of Community

Development. Additionally, a separate order screen/order canopy may also be permitted in conjunction with the menu boards at the discretion of the Director of Community Development. These signs may not be located in any required setback, are not desirable within the front setback, and shall not be permitted to obstruct traffic visibility. Menu boards may not be oriented so as to be readable from the primary street frontage. The main function of this type of sign is for customer convenience rather than business advertisement and permitted menu boards may be electronic.

6. A sign program approved by the Planning Commission in conjunction with any discretionary permit or approval shall be required for all new commercial and industrial centers consisting of four (4) or more tenant spaces. The purpose of the program shall be to integrate signs with building and landscaping design to form a unified architectural statement. This shall be achieved by:

a. Using the same background color, and generally allowing signs to be of up to three (3) different colors and up to two (2) type styles per multi-tenant center.

b. Using the same type of cabinet supports, or method of mounting for signs of the same type, or by using the same type of construction material for components, such as sign copy, cabinets, and supports.

c. Using the same form of illumination for all signs.

d. Using the same lettering height for all signs.

e. Major tenants will be permitted to deviate from the sign program to accommodate national trademarks or logos.

E. Industrial: The following regulations apply to industrial uses on sites less than one acre in size:

1. Any number of parallel attached signs is permitted, as long as the total area does not exceed one square foot of sign area per lineal foot of primary business frontage, and one-half (½) square foot of sign area per lineal foot of secondary business frontage; provided, that the maximum area per sign does not exceed one hundred (100) square feet.

2. Awning, canopy and marquee signs are allowed and considered as attached signs, as long as the copy is placed on the vertical portion or fringe. These signs may project over the public right of way, to be maintained a minimum of eight feet (8′) above the sidewalk and two feet (2′) from the face of the curb.

3. One ground sign is permitted, not to exceed thirty (30) square feet in area and six feet (6′) in height.

4. Signs more than six feet (6′) in height may be allowed for certain uses listed later

in this Section.

F. Business Centers:

1. Freestanding Center Identification Signs:

a. In addition to the tenant identification signs permitted in this Section business centers located on sites greater than one acre may have a maximum of one freestanding center identification sign not exceeding one hundred fifty (150) square feet per side, or one-half (½) square foot of sign area per lineal foot of street frontage, whichever is less. On business centers over five (5) acres in size that have frontage on more than one street, two (2) such signs, one for each frontage, is permitted. These signs may not exceed a maximum height of twenty-five feet (25′), except when located within seven hundred fifty feet (750′) from the right of way of State Highway 99, where a maximum height of thirty-five feet (35′) is permitted. Freestanding center identification signs shall be located in a landscaped portion of the front setback. Freestanding signs over six feet (6′) in height are not permitted for uses located on a pad or property of any size which is separate from the main building or buildings, but part of a business center, except when the use is highway oriented, located within two hundred feet (200′) of the State Highway 99 right of way, as permitted by subsection H of this Section.

b. Freestanding center identification signs located within seven hundred fifty feet (750′) from the right of way of State Highway 99 on sites greater than five acres in size may not exceed a maximum of five hundred (500) square feet per side, or one-half (½) square foot of sign area per lineal foot of street frontage, whichever is less, for retail/commercial uses, and eighty-five feet (85′) in height. For industrial uses, sign area may not exceed a maximum of one hundred fifty (150) square feet per side, or one-half (½) square foot of sign area per lineal foot of street frontage, whichever is less, and thirty-five feet (35′) in height.

2. Sign Program: A sign program approved by the Planning Commission in conjunction with any discretionary permit or approval shall be required for all new commercial and industrial centers consisting of four (4) or more tenant spaces. The purpose of the program shall be to integrate signs with building and landscaping design to form a unified architectural statement. This shall be achieved by:

a. Using the same background color, and generally allowing signs to be of up to three (3) different colors and up to two (2) type styles per multi-tenant center.

b. Using the same type of cabinet supports, or method of mounting for signs of the same type, or by using the same type of construction material for components, such as sign copy, cabinets, and supports.

c. Using the same form of illumination for all signs.

d. Using the same lettering height for all signs.

e. Major tenants will be permitted to deviate from the sign program to accommodate national trademarks or logos.

f. Shopping centers located on sites more than five (5) acres in size with a sign program meeting the above criteria are allowed any number of parallel attached signs, as long as the total area does not exceed one and one-half (1½) square foot of sign area per lineal foot of primary business frontage, and one-half (½) square foot of sign area per lineal foot of secondary business frontage. Signs for individual businesses may not exceed a maximum of eighty percent (80%) of the business frontage for that business.

3. Project Identification Monument Sign: In addition to other signs allowed by this Section, one nonilluminated project identification monument sign identifying the name of the business center may be permitted adjacent to the main entrance. The sign, or lettering on a wall, may not exceed thirty (30) square feet in area and six feet (6′) in height. The sign shall be located in a landscaped portion of the front setback, and shall not be permitted to obstruct traffic visibility. More than one monument sign, a larger monument sign (area and height), or an illuminated monument sign may be permitted by the Planning Commission in conjunction with a discretionary permit or approval.

4. Reader Boards: Reader boards can be permitted as part of the overall allowed sign area. Reader boards may be allowed only as approved by the Director of Community Development. No more than one reader board is permitted per lot or business center. The area and height of a ground or freestanding type of reader board are subject to the standards applicable to those types of signs and are not in addition to any other ground or freestanding sign.

G. Hospitals: In addition to the tenant identification signs permitted above for retail commercial uses, hospitals may have one freestanding identification sign per street frontage not to exceed twenty feet (20′) in height and fifty (50) square feet in area. Directional signs locating emergency entries and exits may be permitted in addition to those discussed elsewhere in this Chapter upon approval by the Director.

H. Highway Oriented Uses:

1. For highway oriented retail, commercial and industrial uses located on property within two hundred feet (200′) of the State Highway 99 right of way, any ground sign allowed by this Chapter may be replaced by one freestanding identification sign not to exceed a maximum area of fifty (50) square feet per side, or one-half (½) square foot of sign area per lineal foot of street frontage, whichever is less, and twenty feet (20′) in height.

2. In addition to other signs permitted by this Chapter, except for freestanding

identification signs allowed under subsection H1 of this Section, tourist-oriented hotel, motel, restaurant or service station uses located within two hundred feet (200′) of the State Highway 99 right of way may have one freestanding sign not to exceed thirty-five feet (35′) in height, and one hundred fifty (150) square feet in area. Adjacent parcels will be required to provide joint access whenever feasible.

3. Freestanding signs for highway-oriented uses may be higher than allowed by this subsection, subject to the approval of a conditional use permit by the Planning Commission. The Planning Commission will take into consideration evidence presented by the applicant illustrating whether an overcrossing or ramp of State Highway 99, sound wall, structure or existing vegetation will obstruct the visibility of said sign from the northbound or southbound lanes of the highway. In no case shall the Planning Commission approve a request for any Freestanding Center Identification sign above eighty-five (85') feet in height.

I. Theaters: Traditional methods of theater advertising require a unique type of sign program. The size, location, type, and number of signs for theaters shall be subject to conditional use permit approval at the time the use is established.

J. Gas Stations:

1. One freestanding motor fuel price sign not more than thirty (30) square feet in area and not more than six feet (6′) in height is permitted for a gas station, unless a larger or taller sign is mandated by the California Business and Professions Code. The content of the motor fuel price sign shall be limited to grades and prices of motor fuels under full- and self-service and cash versus credit conditions as required by the California Business and Professions Code. The location of said signs shall be subject to approval by the Director of Community Development. Motor fuel price signs may incorporate an electronically changeable display for the price only.

2. Signs on service station pump island canopies are permitted as long as the total area does not exceed one-half (½) square foot of sign area per lineal foot of canopy sides that face a public street. Canopy signs are not permitted to project beyond or above the canopy roof.

3. Review/Approval Process: Planning Division review and approval is required for display racks, tent/awning signs, and any other sign which requires a building permit. All other additional signs/advertising devices do not require formal approval, as long as they adhere in type, size, number, and location to the standards noted above.

K. Auto/Motor Vehicle Sales.

1. Permitted Signs/Advertising Devices. The following additional types of signs/advertising devices are permitted for auto/motor vehicle sales:

a. Pole banners, consisting of vertical fixed panels mounted at the top and bottom with brackets on light standards or poles, according to the following criteria:

(1) No more than one per permanent light standard or pole, or two (2) if directly opposite each other.

(2) May not exceed sixty (60) square feet in total area.

(3) Must have a minimum vertical clearance of eight feet (8').

(4) May not extend above the top of the light standard or pole it is attached to.

(5) Non-permitted off-site or on public utility poles.

b. Sno-cones/fan display pole banners, according to the following criteria:

(1) No more than one per permanent light standard or pole.

(2) May not exceed twelve feet (12') in height and eight feet (8') in width.

(3) May not extend above the top of the light standard or pole it is attached to.

(4) Must have a minimum vertical clearance of eight feet (8').

(5) Not permitted off site or on public utility poles.

c. Car toppers (signs magnetically attached to the top or hood of a vehicle), according to the following criteria:

(1) One sign/device per vehicle.

(2) May not extend more than eighteen inches (18") above the roof of the vehicle.

d. Under the hood signs (signs designed to fit under an open hood), according to the following criteria:

(1) No more than one sign under the hood of each vehicle.

(2) May not extend beyond the body of the vehicle.

e. Window stickers, according to the following criteria:

(1) Unlimited in size and number, as long as stickers are confined to vehicle windows only.

f. Display racks/ramps, according to the following criteria:

(1) No more than one rack/ramp per one hundred feet (100') of frontage.

(2) No portion of rack/ramp may be more than six feet (6') above grade.

(3) Not permitted in any setback.

g. Flags (governmental and/or non-governmental), according to the following criteria:

(1) No more than twenty-four (24) square feet in area per flag.

(2) No more than one flag per permanent light standard or pole.

h. Antenna (slip-on) pennants, according to the following criteria:

(1) No more than one per vehicle.

(2) May not project above the height of the antenna when fully extended.

i. Balloons, except such devices regulated under Section 18.42.160, subsections A. and B., temporary signs for the purposes of display time allowances for inflatable balloons
or similar signs.

j. Pennants/metallic-plastic vinyl streamers, according to the following criteria:

(1) Pennants or streamers permitted between poles and/or buildings.

k. Banners, except such devices shall be regulated under Section 18.42.160, subsections A. and B, temporary signs for the purposes of display time allowances and shall comply with the following criteria:

(1) No more than one banner per street frontage.

(2) Each banner shall not exceed a maximum area of seventy-two (72) square feet.

(3) Banners may not be displayed above the roof line of any building,

or above the top of any light standard, pole ground sign, or pole sign.

(4) Banners may be located anywhere on the property that a permanent sign is allowed.

l. Temporary or permanent tent/awning signs, according to the following criteria:

(1) No more than one tent/awning sign per site.

(2) May not exceed a maximum height of fifteen feet (15').

(3) May not exceed a maximum area of twenty feet by forty feet (20' × 40').

2. Maintenance. All signs/advertising devices permitted by this Section shall be maintained in good condition at all times.

3. Review/Approval Process. Planning and Community Development Department

**18.26.110 Electronic Changeable Copy Signs.**

A. Conditional Use Permit Required: Electronic changeable copy signs may be utilized only pursuant to a Conditional Use Permit.

B. Retail and Commercial, Including Business Centers: Electronic changeable copy signs may be utilized as up to thirty-two (32) square feet of the allowable copy area of a permitted ground sign in the C-2, CC, HC, and RC zones for parcels with frontage on arterial streets or expressways as defined by the circulation element of the General Plan. The electronic changeable copy portion of such sign may not exceed the lesser of the maximum allowed sign height or sixteen feet (16′) in height. Only one electronic changeable copy sign is permitted per site or business center.

C. Standards.

1. Illumination: An automatic dimming circuit to reduce the level of illumination glare between dusk and dawn shall be incorporated into all electronic changeable copy signs. The sign's brightness shall not exceed 0.3 footcandles (over ambient levels) as measured using a footcandle meter at a distance on one hundred (100) feet from the sign face.

2. Hours of operation: Electronic changeable copy signs may operate as changeable signs between the hours of 6:00 A.M. and 10:00 P.M., but must be programmed to remain static between the hours of 10:00 P.M. and 6:00 A.M.

3. Frequency of change: Copy may be changed a maximum of once every twenty (20) seconds. In no case may an electronic changeable copy sign be operated in a fashion which

creates the illusion of flashing, blinking, movement, or animation.

4. Message displayed shall only direct attention to businesses located on the site or business center. No off-site advertising shall be permitted. Community emergency messages authorized by the City are also permitted with approval of the property or sign owner.

5. Audio: Use of any audio or sound-producing device in conjunction with electronic changeable copy signs is prohibited.

D. Conditional Use Permit Findings: In granting any conditional use permit for electronic changeable copy signs, the Planning Commission shall make the following findings:

1. The sign is designed and located in such a manner that it does not obstruct visibility of pedestrians or vehicular traffic.

2. The sign as designed and located conforms to all provisions of the Zoning Code and to the goals and policies of the General Plan.

3. Granting of the sign request will not be detrimental to the public health, safety, convenience, or welfare, or injurious to other property or improvements in the vicinity.

4. Sign design provides for integration with architecture and landscaping of the site to provide a unified architectural statement through use of means such as consistency of colors, materials, and architectural form.

5. Any nonconforming or illegal signs located on the site or business center shall be removed in conjunction with installation of the electronic changeable copy sign.

**18.26.120 Illumination.**

Direct or indirect lighting methods shall be allowed; provided, that they are not harsh, unnecessarily bright and shall be so located or shielded to prevent glare to surrounding properties or streets, at the discretion of the Director of Community Development.

**18.26.130 Maintenance and Use of Nonconforming Signs; Removal Without Compensation.**

A. Any sign legally established pursuant to any prior ordinances or regulations of the City which fails to conform to the requirements of this Chapter shall be allowed continued use, except that any such sign shall not be:

1. Expanded, moved, or relocated.

2. Used, if its use has ceased, or the structure upon which the sign is located has been abandoned by its owner for a period of one hundred eighty (180) days or more.

B. Any legally nonconforming sign which fails to conform to the provisions of this Chapter shall be either abated or removed, or alternatively, brought into compliance with the provisions of this Chapter, without the payment of any compensation to the owner, if any of the criteria set forth in California Business and Professions Code section 5497, as it presently exists or as it may be amended, are found to exist.

**18.26.140 Removal of Illegal Signs; Procedure.**

A. Illegal Signs: Any sign which was prohibited or illegal at the time of installation, and which does not conform to the provisions of this Chapter, and any legally nonconforming sign which meets the criteria set forth in California Business and Professions Code section 5497, shall be either abated and removed, or in the alternative, brought into compliance with the provisions of this Chapter, without payment of any compensation to the owner.

B. Notice of Violation: The Director of Community Development, or his or her designee after conducting an investigation, shall order the abatement and removal of any such sign, or in the alternative direct that such sign shall comply with the provisions of this Chapter, by giving notice of violation to the business owner using said sign and to the owner of the real property upon which the sign is located. The notice of violation shall contain the following information:

1. It shall describe or otherwise identify the sign and specify the violation requiring its removal or correction.

2. It shall order that the sign be either removed or that it be brought into compliance with the provisions of this Chapter within thirty (30) days from the date that the notice of violation is mailed.

3. It shall contain a notice of the right to appeal.

C. Mailing Of Notice: The notice of violation shall be sufficient if it is mailed via first-class U.S. mail to the business owner at the business address upon which the sign is located, and to the property owner at the address shown on the last equalized assessment roll of the County. If there is no known business owner conducting business upon the property, then notice pursuant to this Section to the owner of the real property shall be sufficient.

D. Appeal: If the business owner or the real property owner do not agree with the determination of the Director of Community Development or his or her designee, either or both such parties may appeal the determination by filing with the office of the Director a notice of appeal, which notice shall be served and received by the Director of Community Development not later than thirty (30) days from the date that the notice of violation was mailed.

E. Extension Of Time: The Director of Community Development shall have the authority to extend the thirty (30) day time period for the removal or correction of a sign, if he or she determines that the affected party is acting in good faith. Such extensions of time shall not exceed a total of one hundred twenty (120) days without the prior approval of the Planning Commission. Extensions granted pursuant to this subsection shall not extend the time to appeal a determination of the

Director of Community Development.

F. Hearing: Upon the timely receipt by the Director of Community Development of a notice of appeal, an administrative hearing shall be set before the Planning Commission within thirty (30) days of receipt of the said notice of appeal. Written notice of the date of the hearing on the appeal shall be given to the appellant via first-class U.S. mail at least ten (10) days prior to the hearing date.

G. Final Decision: The Planning Commission shall hear and determine the appeal, and its decision shall be final, subject to the appeal provision in Title 1.

H. Removal Of Sign: Upon a determination by the Planning Commission that the offending sign must be removed, or in the absence of an appeal and upon the expiration of the thirty (30) day compliance period, the City may cause the removal of the sign, either by use of its own personnel or by contracting for its removal with appropriate and qualified contractors. The owner of the real property and the owner of the business upon which the sign is located shall be jointly and severally responsible for all cost and expense incurred by the City for the removal of the sign, and the City may cause a lien to be placed against said real property for such costs and expense. Nothing in this Chapter shall otherwise limit the City from enforcing such other legal remedies it may have to collect the cost and expenses incurred regarding the removal of said sign from the owner of the real property or the owner of the business located upon said property.

I. Storage:

1. Signs removed by the City pursuant to this Chapter shall be stored for a period of thirty (30) days, during which time they may be recovered by the owner upon payment to the City of all costs of removal and storage. The City shall give written notice to the business owner and the owner of the real property of their right to reclaim the stored property within thirty (30) days upon the payment to the City of all costs of removal and storage. The written notice so given shall contain a statement of the amount required to redeem said property. Said notice shall be served as provided in subsection C of this Section.

2. If said property is not recovered prior to the expiration of the thirty (30) day period, the sign and supporting structures shall be deemed abandoned, title shall vest in the City, and the City may sell or otherwise dispose of the property as it may determine and apply any proceeds received therefrom to the satisfaction of its cost and expenses.

**18.26.150 Inventory and Abatement.**

Within six (6) months from the date of adoption of this Chapter, the City shall commence a program to inventory and identify illegal or abandoned signs within its jurisdiction. Within sixty (60) days after this six (6) month period, the City shall commence abatement of illegal or abandoned signs, pursuant to the same procedural rules set forth in Section 18.26.140 of this Chapter.

The Director of Community Development, or designee, shall maintain a program that inventories and identifies illegal and abandoned signs within the City. The City shall commence abatement proceedings for illegal or abandoned signs, pursuant to the same procedural rules set forth in Section 18.26.140 of this Chapter.

### 18.26.160 Abandoned, Dilapidated or Unsafe Signs, Frances, Structural Members and Supporting Poles.

A. Dilapidated Signs. Signs considered dilapidated, or signs determined to be unsafe and dangerous or hazardous to the public safety or welfare shall either be repaired or removed from the site by the owner, agent, or person having the beneficial use of the building, structure, or premises upon which such sign may be found within ten (10) days after written notification from the Planning Division.

B. Graffiti. Graffiti on a sign shall be removed by the owner, agent or person having the beneficial use of the building, structure or premises upon which the sign may be found. A sign with graffiti constitutes a dilapidated sign under subsection A of Section 18.26.160 and a public nuisance under Title 19.

C. Maintenance Standards. All parts, portions, units, and materials composing a sign, together with the frame, background, surface, support, or enclosure shall be maintained in a like-new, safe condition, painted, and adequately protected from weathering with all braces, bolts, and structural parts and supporting frames and fastenings reasonably free from deterioration, rot, rust, and loosening so that they do not create a hazard to persons or property or constitute a nuisance. Signs not meeting these maintenance standards will be considered dilapidated under Section 18.26.160, and public nuisances under Title 19.

D. The owner of an abandoned sign shall remove said sign within thirty (30) days after receipt of written notification, if there is no further intended use of the sign and its structural portions. However, the owner of a sign, the purpose of which has been abandoned, who desires to make subsequent use of the structural portions of such sign in its present location, may, within thirty (30) days after receipt of written notification, make an application to the Director of Community Development for an extension of time. Where the owner submits reasonable evidence that he or she is endeavoring to secure a use for the sign such as a new tenant, arrival of a new product line, or similar circumstances, the Director of Community Development may grant extensions of time. The Director of Community Development may require, as a condition of granting such extension, to paint out, obscure, or remove some or all elements of the message or face portion, or structural members of the sign in such a manner as to leave the remaining structure neat and unobtrusive in appearance and in harmony with the structure to which it is attached. The Director of Community Development may also require that such work be done within a specified time period after the granting of such extension, or that the extension shall be invalidated by such failure.

# Chapter 27

# FENCES, HEDGES, WALLS STANDARDS

**Sections:**

**18.27.010 Purpose and Intent.**
**18.27.020 Corner Cutback; Clear Vision Triangle.**
**18.27.030 Maximum Height.**
**18.27.040 Doors and Gates.**

## 18.27.010 Purpose and Intent.

The intent of this Chapter is to regulate fences, hedges, and walls to protect the users of the streets and highways, and to avoid adverse effects on adjacent property values and living conditions.

## 18.27.020 Corner Cutback; Clear Vision Triangle.

Fences, hedges, and walls and other ornamental landscaping located within the clear vision triangle in any zone shall not exceed three feet (3′) in height above the top of curb or top of the nearest pavement surface where there is no curb within the triangle formed by a line drawn between points twenty-five feet (25′) from the intersecting street lines. Fences, hedges and walls and other ornamental landscaping shall not violate chapter 18.27 of this Code, relating to visibility at public intersections.

## 18.27.030 Maximum Height.

A. Within Front And Exterior Side-Yard Setbacks: No fence shall exceed three feet (3′) in height for solid fencing, or four (4’) feet in height for wrought iron, chain-link or picket fencing that is see-through, except as specified in the provisions set forth in the C-3, M-1, and M-2 Zoning Districts.

B. Remaining Yard Area: No fence shall exceed seven feet (7’) in height from the highest elevation from the ground as long as the overall height of the fence does not exceed eight feet (8′) measured from the lowest elevation on the neighboring property immediately adjacent to the fence, unless notification is given to the adjacent property owners and approval is granted by the Planning Commission.

C. Fences (Other): Fences may exceed the height limits as listed above where approved by the Planning Commission, and as required mitigation to address environmental issues or specifically permitted by ordinance.

D. Setbacks: All fence placement shall be measured from the property line.

E. Public Rights of Way – fences may be permitted within public rights way, in residential zones but prior to placement, an owner shall obtain the necessary Encroachment Permit from the City.

**18.27.040 Doors and Gates.**

A. All doors and gates in any fence, hedge or wall shall open inwardly if located within two feet (2′) of a street or public walk.

B. All fences, hedges, and walls surrounding property on which a swimming pool is located shall be equipped with self-closing and self-latching gates or doors so as to prevent uncontrolled access by children from the street or adjacent properties.

# Chapter 28

## Special Provisions

**Sections**

**18.28.010 Home Occupations.**
**18.28.020 Cottage Food Operations.**
**18.28.030 Automobile Service Station.**
**18.28.040 Antennas and Cellular Structures.**
**18.28.050 Aviaries.**
**18.28.060 Accessory Dwelling and Junior Accessory Dwelling Units.**
**18.28.070 Property Development Standards for Mobile Home Parks.**
**18.28.080 Kennels.**
**18.28.090 Automobile Service Stations.**
**18.28.100 Emergency Shelters.**
**18.28.110 Portable Outdoor Storage Units and Shipping Containers.**

### 18.28.010 Home Occupations.

Home occupations permitted by this Title shall be subject to the following restrictions:

A. A home occupation permit shall only be issued to the one property owner/tenant (conducting the business) at the single-family residence where such home occupation has been approved. Any other employees associated with the home occupation business shall not report to the residence.

B. The home occupation shall not alter the residential character of the dwelling or neighborhood and shall be clearly incidental and secondary to the dwelling purposes of the residence.

C. A home occupation shall not utilize more than one room in the dwelling or the equivalent of twenty percent (20%) of the floor space of the main floor, whichever is greater. If applicable, a home occupation shall not utilize the attached or detached garage of the dwelling.

D. Home occupations shall not use any accessory building or yard space or activity outside of the main building not normally associated with residential use.

E. Home occupations shall not display or stock in trade or commodities sold except those which are produced on the premises.

F. Any advertising shall not identify the location of the home occupation. Signs shall be limited to a single unlighted nameplate of not more than two (2) square feet in area announcing the name and home occupation. The nameplate may be located in the front window of the dwelling.

G. Home occupations shall not generate any vehicular or pedestrian traffic not normally

associated with a residential use.

H. Power-driven equipment using motors of more than two (2) horsepower capacity shall be prohibited.

I. A home occupation shall not generate noise, odor, dust, vibration, fumes, smoke, electrical interference, and/or other nuisances.

J. A home occupation permit request shall require the written consent of the property owner, if different than the applicant.

**18.28.020 Cottage Food Operations**

Cottage food operations permitted by this Title shall comply with the following regulations:

A. A cottage food operation shall not alter the residential character of the dwelling or neighborhood and must be clearly incidental and secondary to the dwelling purposes of the residence.

B. A cottage food operation shall be limited to the private home's kitchen facility used for the preparation, packaging, storage, or handling of cottage food products and related ingredients or equipment, or both, and attached rooms within the home that are used exclusively for storage, and no more than one employee (not including a family member) shall be permitted for approved cottage food operations.

C. Outdoor displays or activity outside the dwelling not normally associated with a residential use shall not be permitted at the location of a cottage food operator’s residence. The location of the cottage food operation shall not be included in advertisements. Any advertisement sign shall be limited to one unlighted nameplate not more than two (2) square feet in area announcing the name and occupation that is located in the front window of the home. Signs shall be subject to review and approval by the Director of Community Development.

D. Sales shall be limited to those food products produced in connection with the cottage food operation.

E. On-site consumption of cottage food products is prohibited.

F. The operation shall not generate any vehicular or pedestrian traffic not normally associated with a residential use.

G. Power-driven equipment using motors of more than two (2) horsepower capacity shall be prohibited.

H. No more than one (1) employee (not including a family member) shall be permitted for approved cottage food operations.

I. A cottage food operations permit shall require the written consent of the property owner, if different than the applicant.

J. Cottage food operations shall not generate noise, odor, dust, vibration, fumes, smoke, electrical interference, and/or other nuisances.

K. All cottage food operations shall be subject to approval of the applicable "Class A" or "Class B" permit from the Stanislaus County Department of Environmental Resources (DER), a city business license, and a cottage food operations permit issued by the Director of Community Development, if he or she finds that the proposed cottage food operation meets the requirements of this Section.

L. Cottage food operations must comply with the requirements of State of California Assembly Bill No. 1616-Chapter 415, related to the State of California Health and Safety Code.

**18.28.030 Automobile Service Station.**

All outside operations occurring at an automobile service station shall be limited to the dispensing of gasoline, oil, or water; changing tires; replacement and adjustment of automotive accessories such as windshield wipers, lights, and batteries; and similar minor customer needs.

**18.28.040 Antennas and Cellular Structures.**

Antennas and cellular structures may be placed in the City's commercial and industrial zone districts subject to first obtaining approval of a Conditional Use Permit (CUP). Antennas may be attached to existing facilities and structures where the development standards of that zone district are otherwise met. Such locations must be approved by the Community Development Division prior to installation and must be screened from public view.

**18.28.050 Aviaries.**

A. Aviaries are authorized with the approval of a Conditional Use Permit (CUP) as described in this Code, shall comply with this Section.

B. Hookbill Birds: It is unlawful for a person having the right to possession of real property within a zoning district to own, possess, maintain, or allow others to own, possess or maintain upon said property hookbill birds as defined in subsection (b)(ii) of this Section, without first obtaining a conditional use permit (CUP) from the Planning Commission. It is further unlawful for any person who has been issued a conditional use permit (CUP) to violate any of the terms and conditions applicable to such use permits, either as defined in this Chapter or imposed by the Planning Commission. In addition to any other conditions that may be imposed by the Planning Commission, the following conditions shall apply to any conditional use permit issued:

1. Consent. The applicant shall obtain written consent of his or her immediate neighbors and not less than seventy-five percent (75%) approval of property owners and/or tenants within a radius of three hundred feet (300′) from the proposed aviary. For the purposes of this Section, the phrase "immediate neighbors" shall be defined as any property sharing a common property line at any point with the subject property.

2. Small Hookbill. Aviaries shall be limited to those birds of the small hookbill category, which includes budgerigars, finches, and canaries.

3. Maximum Number of Birds. The number of birds within each aviary shall be as approved by the Planning Commission depending on the type of bird involved, but in no event shall an aviary contain more than seventy-five (75) birds.

4. Stanislaus County Health Department. Aviaries shall be inspected by the Stanislaus County Health Department (aka: Stanislaus County Department of Environmental Resources) for recommendation concerning aviary location, size, orientation, and cleanliness.

C. Fancy, Racing, and Sporting Pigeons (Non-hookbill Birds). It shall be unlawful for a person having the right to possession of real property within the zoning district to own, possess, or maintain, or allow others to own, possess or maintain, upon said property "racing pigeons," "fancy pigeons," or "sporting pigeons," as defined in this Title without first obtaining a conditional use permit (CUP) from the Planning Commission. In addition to any other conditions that may be imposed by the Planning Commission, the following conditions shall apply to any conditional use permit (CUP) issued:

1. Consent. The applicant shall obtain written consent of his or her immediate neighbors of not less than seventy-five percent (75%) of property owners and/or tenants within a radius of three hundred feet (300′) from the proposed loft. For the purposes of this Section, the phrase "immediate neighbors" shall be defined as any property sharing a common property line at any point with the subject property.

2. Maximum Number of Birds. The number of birds that may be kept or maintained on any single lot shall be only as approved by the Planning Commission. In no case shall a person keep or maintain more than fifty (50) birds on such lot.

3. Loft Design. The loft shall be of sufficient size and design, and constructed of such material, that it can be maintained in a clean and sanitary condition. The construction and location of the loft shall not constitute a nuisance or be detrimental to the public safety, health, and welfare of the neighborhood and the community.

4. Loft Compatibility. The loft shall be compatible in scale and design with adjacent structures, including those on adjoining properties. The size requirement for a loft shall be a minimum of one square foot of floor area per mature pigeon held in the loft. The loft shall comply with the provisions regulating accessory structures as set forth in Title 18 of the Ceres Municipal Code, provided that no loft shall be located closer than fifteen feet (15') from any building (on-site or adjoining properties) used for human habitation.

5. Loft Maintenance. The loft shall be maintained in a sanitary condition and in compliance with all applicable health regulations. The owner shall take any and all steps necessary to prevent fly breeding, fleas and rodents.

6. Stanislaus County Health Department. Aviaries shall be inspected by the Stanislaus County Health Department (aka: Stanislaus County Department of Environmental Resources) for recommendation concerning aviary location, size, orientation, and cleanliness.

7. Waste. Waste material shall not be a source of odor and shall be disposed of in a secure bag and placed in a waste tote for disposal, per the County of Stanislaus regulations.

8. Dead Birds. Dead birds shall not be buried on the premises, and shall be bagged and placed in a waste tote for disposal, per County regulations.

9. Feed. All feed for the pigeons shall be stored in such containers as to protect against intrusion by rodents and other vermin. All pigeons shall be fed within the confines of the loft.

10. Confinement. All pigeons shall be confined to the loft, except for limited periods necessary for exercise, training, and competition; and at no time shall pigeons be allowed to perch or linger on buildings or fences, or other common or private property, including that of others.

11. Release. No one shall release pigeons to fly for exercise, training or competition except in compliance with the following provisions:

    a. The owner of the pigeons must be a member in good standing of an organized pigeon club, such as the American Racing Pigeon Union, Inc., the International Federation of Racing Pigeon Fanciers, the National Pigeon Association, the American Tippler Society, the International Roller Association, the Rare Breeds Pigeon Club, California State Racing Pigeon Organization, or a local club which has rules that will help preserve the peace and tranquility of the neighborhood.

    b. All pigeons shall be registered with one of the national pigeon associations or registries. Pigeons shall also be fitted with a leg band approved by the National Pigeon Association, the American Pigeon Club, the Rare Breeds Pigeon Club, or similar nationally recognized pigeon organization.

    c. Pigeons shall not be released for flying which have been fed within the previous four (4) hours. The permit holder shall maintain a log of the feeding and release times on the premises for the life of the use on a form approved by the Community Development Division Department, Planning Division.

D. Permits. Aviary permits shall be issued and administered in compliance with this Section

1. Permit Required. The keeping of hookbill and non-hookbill birds may be authorized at the discretion of the Planning Commission with the approval of a conditional use permit. Any such permit shall be issued to the owner and shall remain in full force and effect unless suspended or revoked, or unless the use of the aviary/loft is discontinued for a period of

six (6) months.

2. Application. Application for a permit to keep pigeons shall be made by submitting a complete application form to the Planning Division for processing. A fee shall be paid by the applicant to cover the costs of processing and administering the permit application by the City. Such fee shall be set by City Council Resolution, and may be amended from time to time.

3. Modifications. An approved conditional use permit may be modified upon approval by the Director of Community Development. Only those modifications deemed minor in nature shall be granted.

4. Inspection. All aviaries/lofts shall be inspected by the Community Development Department, Planning Division for compliance with the provisions of this Section and for compliance with the terms of the permit prior to issuance of the permit.

5. Right of Entry. The City shall have the authority, as permitted by State and Federal Law, to conduct an inspection of the premises at any reasonable time between the hours of seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M. upon at least twenty-four (24) hours written notice to the property occupant. Refusal to grant the City right of entry to the premises may be cause for revocation proceedings of the conditional use permit.

6. Permit Revocation. The City of Ceres Planning Commission shall have the authority, at its discretion, to review and revoke the conditional use permit for a property that was approved for the keeping of pigeons, if it determines that such use is not being conducted in accordance with the conditions of the conditional use permit, or the use otherwise has become a public nuisance. The Community Development Director may initiate revocation proceedings to the Planning Commission. Revocation proceedings shall be conducted at a public hearing noticed as required by Section 18.32.160 of this Code.

## 18.28.060 Accessory Dwelling and Junior Accessory Dwelling Units.

A. Purpose. The City finds that special regulations relating to the establishment and operation of accessory dwelling units are necessary to implement California Government Code 65852.2 and for consistency with the City's Housing Element to improve affordable housing opportunities in the city and to protect the health, safety, and general welfare of the residents of Ceres.

B. Applicability. An accessory dwelling unit may be permitted in the following zones subject to compliance with the provisions of this subsection and approval by the Director of Community Development or his or her designee.

1. Single-Family Residential (R-1).

2. Residential Agriculture (R-A).

3. Two-Family Residential (R-2).

4. Medium Density Multiple-Family Residential (R-3).

5. Medium-High Density Multiple-Family Residential (R-4).

6. Applicable residential "PC, Planned Community" zoning designations.

C. Review Process.

1. Requests for an accessory dwelling unit shall be reviewed by the City in conjunction with a building permit.

2. The applicant shall submit a site plan map, building elevations, and other information as may be necessary to determine compliance with the standards listed in subsection (4) of this Section.

3. Approval shall be a ministerial act if the request complies with the standards listed in subsection (4) of this Section.

D. Standards. An accessory dwelling unit on a single or multi-family residential zoned lot may be permitted subject to first securing a ministerial approval from the Director of Community Development or his or her designee in each case and when the following conditions are met:

1. The lot must contain an existing primary dwelling unit.

2. The accessory dwelling unit may either be attached to the existing main dwelling unit and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.

3. The increased floor area of an attached accessory dwelling unit shall not exceed fifty percent (50%) of the existing living area.

4. The total area of floor space for a detached second dwelling unit shall not exceed one thousand two hundred (1,200) square feet in size.

5. The accessory dwelling unit shall conform to all height, setbacks (for an accessory structure), lot coverage, allowable density, architectural and site plan review, fees and charges, and other requirements as applicable to the zone district where it is located.

6. A detached second dwelling unit shall be limited to one-story and shall not exceed fifteen feet (15') in overall height.

7. The second dwelling unit/accessory dwelling unit shall comply with all applicable building, fire and other applicable health and safety code requirements.

8. The second dwelling unit/accessory dwelling unit shall be subject to architectural review to ensure compatibility with the main living unit and surrounding dwelling units in terms of scale, height, and exterior design. The second living unit shall incorporate compatible architectural characteristics including roof pitch and style, window and door detailing, exterior materials, textures, colors, and finishes.

9. The second dwelling unit/accessory dwelling unit may be occupied by a renter, but the unit shall not be independently sold.

**18.28.070 Property Development Standards for Mobile Home Parks.**

The following property development standards shall apply to all mobile home parks authorized by this Title:

A. Lot Area:

1. For interior lots, the minimum lot area shall be three thousand two hundred (3,200) square feet.

2. For corner lots, the minimum lot area shall be three thousand six hundred (3,600) square feet.

B. Lot Coverage: The maximum allowable lot coverage for all structures and mobile homes within mobile home parks shall be fifty percent (50%).

C. Lot Dimensions: The following minimum lot dimensions shall apply to all mobile home parks:

1. Width:

a. All interior lots shall have a minimum width of thirty-five feet (35′).

b. All corner lots shall have a minimum width of forty feet (40′).

2. Depth: All lots shall have a minimum depth of ninety feet (90′).

D. Setback Requirements: The following minimum setback requirements shall apply to all mobile home parks:

1. Front Yard: Ten feet (10′), minimum, except detached accessory structures shall have a twenty-five foot (25′) front yard.

2. Side Yard:

a. Interior lot line—three feet (3′) minimum.

b. Exterior lot line—ten feet (10′) minimum.

3. Rear Yard: Minimum ten percent (10%) of lot depth, but in no event shall the rear yard be required to exceed fifteen feet (15′). The minimum rear yard requirements for mobile homes may be reduced by up to fifty percent (50%) if the total minimum overall yard area requirement is maintained.

E. Distance Between Residential Mobile Homes, Buildings:

1. Distance Between Residential Mobile Homes:

a. There shall be a space not less than ten feet (10′) between a mobile home and any cabana or other similar permanent accessory structure related to another mobile home.

b. There shall be a structure not less than twenty feet (20′) between a mobile home and any permitted building, except transformer or meter structures.

2. Distance Between Buildings: The following provisions shall apply for distance between main buildings and accessory buildings on the same lot. Whenever two (2) or more buildings of mixed heights are adjacent to one another, the distance provisions pertaining to the highest of the buildings shall apply. Nonresidential mobile homes shall be considered accessory structures.

a. For buildings end to end, the minimum distance shall be ten feet (10′).

b. For buildings rear to end or front to end with space for exit or entry purposes, the minimum distance shall be fifteen feet (15′).

c. For buildings front to rear with space for entry or exit purposes, the minimum distance shall be twenty feet (20′).

d. For buildings front to front arranged about an interior court, the driveway being access to parking area or buildings, the minimum distance shall be thirty feet (30′). If there is no driveway, the minimum distance shall be twenty-five feet (25′).

e. Distance between main buildings and accessory buildings shall be as required by the Uniform Building Code adopted and incorporated into this Code.

F. Floor Area Requirements:

1. For all single-story buildings and mobile homes and the first story of all multiple story buildings and mobile homes, the maximum FAR shall be 0.50:1.0

2. For all multiple story buildings and mobile homes, the maximum FAR shall be 0.80:1.0.

G. Building, Mobile Home Height Requirements: No building or mobile home shall have a height greater than two (2) stories or thirty-five feet (35′), whichever is less. Permitted projections above the height include: ventilating fans or similar equipment required to operate and maintain the building, skylights, flagpoles, chimneys, television antennas, wireless masts or similar structures, when approved by the Planning Commission, provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. Any area or zone that falls within the area designated as an Airport Overlay Zone shall comply with the height limitations prescribed by that Zone, if they are more restrictive.

H. Density: There shall be a minimum of three thousand two hundred (3,200) square feet of lot area for each dwelling unit; provided, however, that there shall be no more than one dwelling unit on any one lot.

I. Site Plan Approval:

1. For all mobile home parks in R-4 Zones: a site plan, floor plan for all buildings, elevations of all buildings, and a landscape plan shall be submitted to and approved by the Planning Commission pursuant to the provisions of this Section.

2. For all mobile home parks in P-C Zones: no application shall be required; however, approval shall be accomplished through approval of the master plan and development plan.

J. Landscaping and Open Space Requirements:

1. Landscaping: All mobile home parks within the P-C Zone shall be landscaped and maintained. All new development shall be consistent with the Ceres Water Efficient Landscape Guidelines and Standards and the State of California Model Water Efficiency Landscape Ordinance (MWELO) requirements. All landscaped areas that abut public property shall contain a four-inch (4″) raised planter box along the line of abutment.

2. Open Space Requirements: Additional open space requirements shall be specified by the Planning Commission or City Council; or as established by the General Plan.

K. Fences, Hedges and Walls:

1. All public utility substations allowed shall be concealed by a six-foot (6′) high solid masonry wall, or landscaped and maintained fence.

2. Where a mobile home park abuts any residential zone, a six-foot (6′) high solid masonry wall or landscaped and maintained fence shall be erected on the zone boundary.

3. Where a mobile home park abuts a dedicated street or alley, a six-foot (6′) high solid masonry wall or landscaped and maintained fence shall be required.

L. Off-Street Parking Requirements: For all residential mobile homes, one space per dwelling unit. Where public utility substations, mobile home park offices, and recreational buildings are allowed, the following off-street parking requirements shall apply:

1. Public utility structures and installations: one space for each two (2) employees on the maximum shift plus the number of additional spaces prescribed by the Community Development Director.

2. Mobile home park office, recreational building: one space per each five (5) seats or one space per each fifty (50) square feet of usable floor area for seating if seats are not fixed in all facilities in which simultaneous use is probable as determined by the Community Development Director.

3. Off-street parking shall comply with the standards established by Chapter 18.25 of this Code.

M. Off-Street Loading Requirements:

1. No provisions for all residential uses.

2. When any mobile home park office, recreational buildings or other permitted use requires the receipt, delivery or distribution of goods by truck with the potential frequency of once a day or greater; one berth, plus any additional berths as may be required by the Director of Community Development. Off-street loading shall comply with the standards established by Chapter 18.25 of this Code.

N. Access:

1. Vehicular Access:

a. All mobile home parks shall be located on collector or major thoroughfares as designated by the General Plan.

b. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.

c. All ingress to and egress from collector or major thoroughfares as designated by the General Plan shall be in a forward motion.

d. There shall be an accessway not less than twenty-five feet (25′) in width from a street or alley to each mobile home space, said way to be for both pedestrian and vehicular access. No parking shall be permitted in the required access way.

e. All major accessways within mobile home parks shall not be less than thirty-one feet (31′) in width.

f. There shall be a paved turning area in the mobile home park to permit motor

vehicles to head into a dedicated street or alley.

g. All mobile home parks shall be required to have a map of the park at all park entrances for directional purposes.

h. All internal vehicular access ways shall be properly signed.

2. Pedestrian Access: There shall be pedestrian access from a dedicated street to property used for residential purposes. A driveway shall be considered pedestrian access.

O. Signing: Signing standards shall be those as stated in Chapter 18.26.

P. Laundry, Clothes Drying Area, Facility: All residential mobile home parks within the P-C Zone shall contain adequate (as determined by the City Council and/or Planning Commission), laundry and clothes drying facilities, which shall not be visible from adjacent, adjoining, or public property.

Q. Solid Waste Storage, Disposal Facilities: For all uses, no open storage of solid waste allowed. All uses determined by the City Council and/or Planning Commission to need solid waste storage and/or disposal facilities shall provide such facilities, sufficiently hidden from public view by a six-foot (6′) high solid masonry wall or landscaped and maintained fence.

R. Recreational Facilities: Recreational facilities shall be installed as required by the City Council and/or Planning Commission.

S. Park-In-Lieu Fees: Park land dedication or in-lieu fees shall be required of all mobile home parks, subject to credit for open space provided.

**18.28.080 Kennels.**

A. Permit Application. Each application for a kennel permit or other animal establishment license shall be upon a form furnished by the Community Development Department. The application form submitted to the Community Development Department will require the applicant for a kennel permit to receive approval of all the property owners from the immediate adjoining properties of the subject site, and seventy-five percent (75%) approval of all property owners and tenants of property that are located within a three hundred foot (300′) radius of the subject site. Failure to receive approval of the property owners from the immediate adjoining properties and at least a seventy-five percent (75%) approval from property owners within a three hundred foot (300′) radius shall serve as grounds to deny issuance of the kennel permit. If the application for a kennel permit is approved, the Planning Division shall notify the licensing authority of said approval. The licensing authority may issue a kennel license subject to all rules and regulations which may be established by the Stanislaus Animal Service Agency, and/or Stanislaus County.

B. Permit Term. A kennel permit authorized by the Community Development Department is valid for a period of one year and is automatically renewed annually for a one year period provided all conditions are met, all circumstances remain as identified on the original application, and complies with all rules and regulations which may be established by the Stanislaus Animal

Services Agency (SASA).

C. Permit Revocation. Expansion of the activity not previously listed in the original application, failure to comply with City or County conditions, creation of a nuisance to the adjoining residents, or other noncompliance shall be grounds for the City to revoke said kennel permit. The Director of Community Development is directed and authorized to perform this duty.

D. License. Upon notification by the Community Development Department of its action on the kennel permit, SASA shall be authorized to issue and monitor a kennel license subject to any conditions as may be established by the City and subject to all rules and regulations which may be established by the County.

E. Fees. The City may adopt fees for processing and reviewing public applications for kennel requests, renewals, and investigation of any associated complaints or revocation of said kennel permits.

**18.28.090 Automobile Service Stations.**

A. When considering a conditional use permit (CUP) application under this title to permit an automobile service station, the following criteria may be taken into consideration but shall not be mandatory:

1. A maximum of two (2) automobile service stations shall be allowed at a cross intersection; one at a "T" intersection.

2. All automobile service stations shall be limited to intersections of major thoroughfare or greater as designated by the General Plan.

3. Where practicable, automobile service stations should be part of a larger commercial or service department.

B. Each conditional use permit for an automobile service station may include one or more of the following conditions when deemed appropriate by the Director of Community Development:

1. The minimum building setback from street property lines shall be forty feet (40′).

2. The minimum building setback from other property lines shall be ten feet (10′).

3. The maximum standard width of driveways shall be thirty feet (30′).

4. The center line of driveways shall be perpendicular to the curb line.

5. The minimum distance from any driveway to any interior lot line shall be five feet (5′). The minimum distance from any driveway to any exterior lot line shall be twenty feet (20′).

6. The minimum distance between curb cuts shall be thirty feet (30′).

7. Five percent (5%) of the open area shall be landscaped. The remaining open area shall be paved. Landscaped areas shall be surrounded by concrete curb six inches (6″) in height. A landscaping strip five feet (5′) wide shall be provided along the full width of internal property lines separating the site from any lot or parcel zoned for residential purposes, and along all alley property lines if the property opposite it is zoned for residential purposes. A landscaping strip three feet (3′) wide shall be provided in front of pump islands at the property line. Landscaping shall be provided at street intersections between driveways. The maximum height of landscaping of the intersection shall be thirty-six inches (36″).

8. All hydraulic hoists and pits and all lubrication, greasing and repair equipment shall be enclosed entirely within buildings.

9. All pump islands shall be set back a minimum of twenty-five feet (25′) from any property line.

10. A site size of twelve thousand (12,000) square feet or less shall be limited to two (2) service bays and six (6) pumps. Two (2) pumps and one service bay may be added for every additional two thousand (2,000) square feet of site area.

11. Exterior lighting must be erected and maintained so as to not glare upon any adjacent property or public right of way.

12. No vehicles shall be parked on the premises other than those of persons attending to business on the site, vehicles being serviced for customers, vehicles of employees and two (2) trucks and other service vehicles used in the operation of the station.

13. In the event that any of the provisions of this Section conflict with the property development standards applicable to the relevant zoning Chapter, the property development standards established for the applicable zone shall apply.

**18.28.100 Emergency Shelters**

A. Purpose and Authority.

1. The purpose of this Section is to establish standards to ensure that the development of emergency shelters does not adversely impact adjacent parcels or the surrounding neighborhood and that they are developed in a manner which protects the health, safety, and general welfare of the nearby residents and businesses and the character of the City.

2. Emergency shelters shall be operated under the authority of a governing agency or private, non-profit organization that provides, or that contracts with recognized community organizations to provide emergency shelters and which, when required by law, are properly registered and licensed.

3. Emergency shelters shall comply with the California Health and Safety Code.

B. Standards. Emergency shelters shall comply with all property development standards of the industrial zone in which they are located in addition to the following development standards:

1. A single emergency shelter for up to thirty (30) occupants on a property, or a combination of multiple shelters with a combined capacity not to exceed thirty (30) occupants on a property, shall be allowed as a permitted use, consistent with Section 65583(4)(A) of the Government Code. All emergency shelters, regardless of the number of occupants, shall meet all applicable development standards to the zoning districts in which they are permitted by right and the minimum standards provided by this Chapter. Any emergency shelter with a capacity greater than thirty (30) occupants shall be subject to the approval of a conditional use permit.

2. The facility shall operate on a first-come, first-serve basis with clients only permitted on site and admitted to the facility between five o'clock (5:00) p.m. and seven o'clock (7:00) a.m. during Pacific Standard Time. Clients must vacate the facility by eight o'clock (8:00) a.m. and the facility shall not guarantee a bed for the next night. A curfew of ten o'clock (10:00) p.m. (or earlier) shall be established and strictly enforced and clients shall not be admitted after the curfew.

3. A minimum distance of three hundred feet (300') shall be maintained from any other emergency shelter, as measured from the property line.

4. Any outdoor storage, including, but not limited to, items brought on site by clients for overnight stays, shall be screened from public view by a minimum seven foot (7’) tall decorative wall or fence. Service animals may accompany a disabled person, and pets may be permitted if contained within an adequately sized and sturdy pet carrier. Shopping carts shall not be permitted on site. Individual lockers shall be provided to allow shelter clients to temporarily store their private belongings while using the shelter.

5. No person shall be allowed to camp on the premises or sleep on the premises outside of the shelter building.

6. Facility improvements shall comply with this Code and the most current adopted California Building and Safety Codes, specific to the establishment of dormitories and shall additionally provide:

    a. Clean sanitary beds and sanitation facilities.

    b. A minimum of one toilet for every eight (8) beds per gender.

    c. A minimum of one shower for every eight (8) beds per gender.

    d. Private shower and toilet facility for each area designated for use by individual families.

e. If the shelter accommodates both men and women in the same building, segregated sleeping, lavatory and bathing areas shall be provided. Reasonable accommodation shall be made to provide segregated sleeping, lavatory and bathing areas for families.

f. Adequate indoor client intake areas (one hundred (100) square feet minimum) must be provided within the premises for clients and prospective clients to prevent queuing into private sidewalks, parking and access areas, or public right-of-way areas.

g. Parking for emergency shelters shall be provided at a rate of one (1) space per staff member plus one (1) space per six (6) occupants allowed at the maximum capacity.

h. Bicycle rack parking shall be provided at a minimum of ten (10) bicycles per facility.

i. Adequate exterior lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood.

j. The facility may provide the following services in a designated area separate from sleeping areas:

(1) A counseling center for job placement, educational, health care, legal services, or mental health services.

(2) Laundry facilities to serve the number of clients at the shelter.

(3) Central cooking, kitchen facilities, and dining areas.

(4) Recreation areas. If outdoors, such area shall be visually separated from public view by a minimum six-foot (6’) tall decorative screen wall or fence.

C. An emergency shelter management plan shall be submitted to the City that addresses all of the following:

1. A recreation area inside the shelter or in an outdoor area visually separated from public view by a minimum six-foot (6’) tall decorative screen wall or fence.

2. At least one facility manager shall be on site at all hours the facility is open and a minimum of one additional staff member per fifteen (15) beds shall be awake and on duty when the facility is open. Facility staff shall be trained in operating procedures, safety plans, and assisting clients.

3. Service providers shall provide criteria to screen clients for admittance eligibility, with the objective to provide first service to individuals with connections to the City.

4. Service providers shall ensure that clients do not exceed the maximum stay at the facility of six (6) months in a twelve-month period.

5. Service providers shall continuously monitor waiting areas to inform prospective clients whether they can be served within a reasonable time. If they cannot be served by the provider because of time or resource constraints, the monitor shall inform the client of alternative programs and locations where he or she may seek similar service.

6. Service providers shall educate on-site staff so that they possess adequate knowledge and skills to assist clients in obtaining permanent shelter and jobs, including referrals to outside assistance agencies.

7. Service providers shall maintain good communication and have procedures in place to respond to inquiries regarding the facility and operations from the neighborhood, City staff, or the general public.

8. Service providers shall establish standards for responding to emergencies and incidents resulting from the expulsion of clients from the facility. Re-admittance policies for clients who have previously been expelled from the facility shall also be established.

9. At least one (1) security guard shall be present during hours of operation.

10. Alcohol and illegal drug use are prohibited on site. Service providers shall expel clients from the facility if said clients are found to be using alcohol or illegal drugs.

11. The establishment shall implement other requirements as deemed necessary by the City to ensure that the facility does not create an adverse impact to surrounding properties.

12. The business operator of the shelter shall be required to remove any graffiti on the premises. The graffiti shall be removed within a time frame as deemed appropriate by the City if such incident occurs.

13. Anti-loitering signs shall be installed on the property to the satisfaction of the Community Development Director.

D. If there is a conflict between code requirements, the most restrictive one shall apply.

E. The facility shall comply with the emergency shelter management plan submitted to the City and all other laws, rules, and regulations that apply including, but not limited to, building and fire codes. The facility shall be subject to City inspections prior to the commencement of operation. In addition, the City may inspect the facility at any time for compliance with the facility's management plan and other applicable laws and standards.

F. The emergency shelter operator shall maintain a valid City business license.

**18.28.110 Portable Outdoor Storage Units and Shipping Containers.**

Portable outdoor storage units and shipping containers shall comply with the following requirements:

A. Number, Size, Duration and Location.

1. A portable outdoor storage unit or shipping container shall be only placed, kept or stored on a residential property, as an accessory structure.

2. No more than one (1) portable outdoor storage unit or shipping container shall be placed, kept or stored on a residential property.

3. A portable outdoor storage unit shall not exceed eight (8) feet in width, sixteen (16) feet in length or (8) feet in height. A shipping container shall not exceed eight (8) feet in width, twenty (20) feet in length or eight (8) in height.

4. No portable storage unit shall remain at a residential property in excess of thirty (30) days, whether consecutive or non-consecutive, within a twelve (12) month period, unless authorized by the Director. In the Director's discretion, the Director may authorize a portable outdoor storage unit to remain on residential property for up to ninety (90) days, whether consecutive or non-consecutive, within a twelve (12) month period. When a building permit has been issued for a restoration of a residential property as a result of fire, flood, or other natural disaster, the Director may authorize a portable outdoor storage unit to remain on a residential property for any period of time in the Director's discretion, including a period longer than (90) days. A residential property owner may request that the Director authorize a portable storage unit remaining on residential property in excess of the (30) day period by submitting an application to the Director. A shipping container may be placed on a residential property for any period of time.

5. A portable outdoor storage unit shall be placed in a driveway, on a paved surface, or in a rear yard if alley access exists at the rear of the site. A shipping container may only be placed in a rear yard.

6. A portable outdoor storage unit or shipping container larger than (120) square feet shall comply with applicable zoning regulations for a detached accessory building.

7. A portable outdoor storage unit or shipping container shall not be placed, kept or stored in a public right of way.

B. Signage. A portable outdoor storage unit or shipping container shall have no signage other than the name, address and telephone number of the person or firm engaged in the business of

renting or otherwise placing the portable outdoor storage unit.

C. Maintenance and Prohibition of Hazardous Materials.

1. A portable outdoor storage unit or shipping container shall be in a good condition, free from evidence of deterioration, weathering, discoloration, rust, peeling paint, ripping, tearing, other holes or breaks or graffiti.

2. When not in use, a portable outdoor storage unit or shipping container shall be kept locked.

3. No hazardous materials shall be stored or kept in a portable outdoor storage unit or shipping container.

4. The owner of a residential property on which a portable outdoor storage unit or shipping container is placed, shall ensure that the portable outdoor storage unit complies with this Section.

D. Exception for Prior Existing Shipping Containers in Rear Yards of Residential Property. This Section shall not apply to any shipping container lawfully placed, kept or stored in the rear yard of a residential property prior to the adoption of this Section.

# Chapter 29

# NONCONFORMING LOTS, BUILDINGS AND USES

**Sections:**

**18.29.010 Purpose and Intent.**
**18.29.020 Group A Nonconforming Lots Defined.**
**18.29.030 Group A Nonconforming Buildings Defined.**
**18.29.040 Group A Nonconforming Uses Defined.**
**18.29.050 Group B Nonconforming Buildings Defined.**
**18.29.060 Determination of Group B Nonconforming Building Time Limits.**
**18.29.070 Group B Nonconforming Uses Defined.**
**18.29.080 Group B Nonconforming Uses Time Limit.**
**18.29.090 Group B Nonconforming Uses in Group B Nonconforming Buildings.**
**18.29.100 Nonconforming Uses of Land.**
**18.29.110 Nonconforming Off-Street Parking and Loading Facilities.**
**18.29.120 Reconstruction of Nonconforming Building.**
**18.29.130 Nonconformance by Variance or Conditional Use Permit.**

## 18.29.010 Purpose and Intent.

Where lots, buildings, or uses legally existing on or before the effective date of this Title are not in conformance with the provisions of this Title, it is the purpose and intent of this Chapter to declare such lots, buildings, and uses nonconforming. Maintenance shall be required for all nonconforming lots, buildings and uses.

## 18.29.020 Group A Nonconforming Lots Defined.

Group A nonconforming lots are those lots which do not conform to the lot area and lot dimension standards established for the zone in which they are located. The uses permitted in the zone shall be permitted on such lots, subject to all other property development standards of the zone. These provisions shall also apply to unimproved lots. Lots with structures are subject to the provisions of Section 18.29.030. Lots whose uses involve no buildings are subject to the provisions of Section 18.29.100.

## 18.29.030 Group A Nonconforming Buildings Defined.

Group A Nonconforming Buildings are those buildings which do not conform to the building height, yards, and distance between building standards for the lone in which they are located. Such buildings shall be permitted to continue; provided that any addition, alteration or enlargements shall comply with all the property development standards of the zone as they apply to the buildings. When any Group A Nonconforming Building is, for any reason, removed from the land, all future buildings or structures erected on such land shall conform to all property development standards of the zone.

## 18.29.040 Group A Nonconforming Uses Defined.

Group A Nonconforming Uses are defined as follows:

A. Residential Zones: In Residential Zones, Group A Nonconforming Uses are those residential uses which do not conform to the population density standards for the zone in which they are located. Buildings containing such uses may be altered, provided that the population density shall not be increased.

B. Professional Office, Community Facility Zones: In Professional Office and Community Facility Zones, residential uses that are determined by the Planning Commission not to be detrimental to the public health, safety, and general welfare shall be considered Group A Nonconforming.

C. Commercial Zones:

1. In C-1 Zones, those uses normally provided for in C-2, C-3 and H-1 Zones and are determined by the Planning Commission not be detrimental to the public health, safety, and general welfare shall be considered Group A Nonconforming Uses.

2. In H-1 Zones, other commercial uses not intended to serve the traveling public and determined by the Planning Commission not to be detrimental to the public health, safety, and general welfare shall be considered Group A Nonconforming Uses.

3. In C-2 Zones, those uses normally provided for in C-3, M-1 or M-2 Zones, or other zones, and are determined by the Planning Commission not to be detrimental to the public health, safety and general welfare shall be considered Group A Nonconforming Uses.

4. In C-3 Zones, those light industrial uses normally provided for in the M-1 Zone and are determined by the Planning Commission not to be detrimental to the public health, safety, and general welfare shall be considered Group A Nonconforming Uses.

D. Industrial Zones. In the M-1 Zone, those industrial uses normally provided for in the M-2 Zone and are determined by the Planning Commission not to be detrimental to the public health, safety and general welfare shall be considered Group A Nonconforming Uses.

**18.29.050 Group B Nonconforming Buildings Defined.**

Group B nonconforming buildings are those buildings:

A. In residential zones, commercial, and industrial buildings shall be considered as Group B nonconforming.

B. In commercial and industrial zones, residential buildings not specifically permitted in the zone shall be considered as Group B nonconforming.

**18.29.060 Determination of Group B Nonconforming Building Time Limits.**

The Planning Commission shall determine the time limits to be applied to all Group B nonconforming buildings, the period to begin on the date that the building is declared Group B nonconforming. The following timetable is established to provide guidelines to assist the Planning Commission in determining time limits for affected buildings. This timetable is deemed to provide

for the amortization of the affected buildings. On or before the termination of the period, such buildings shall be removed from the land unless the date of removal shall be prolonged by the Planning Commission pursuant to the issuance of a conditional use permit. In no case shall a prolongation be granted for a period of more than five (5) years on any one application.

A. "Type one and two construction" as such types are defined by the adopted edition of the California Building Code—thirty (30) years.

B. "Type three and four construction" as such types are defined by the adopted edition of the California Building Code—twenty-five (25) years.

C. "Type five construction" as such type is defined by the adopted edition of the California Building Code—twenty (20) years.

**18.29.070 Group B Nonconforming Uses Defined.**

"Group B nonconforming uses" shall be those uses in any zone which are expressly prohibited in that zone and are found by the Planning Commission to be detrimental to the public health, safety, and general welfare.

**18.29.080 Group B Nonconforming Uses Time Limit.**

A. Group B nonconforming use within a conforming or Group A nonconforming building shall, within ten (10) years from the effective date of the Planning Commission's declaration of such use to be Group B nonconforming, be completely terminated or shall be so altered that it will be in conformance with the uses allowed in the zone. The termination of such use may be prolonged by the Planning Commission pursuant to the provisions in Chapter 18.30. Such a prolongation may be approved for any period designated by the Planning Commission not exceeding two (2) years on any one application. Nonconforming uses shall not be expanded or extended into any other portion of the building, and if such use is discontinued for a period of one hundred eighty (180) days, any future use of the building shall be in conformance with the uses allowed in the zone.

**18.29.090 Group B Nonconforming Uses in Group B Nonconforming Buildings.**

Group B nonconforming uses in a Group B nonconforming building may continue for the duration of the building subject to the adopted time period and may be expanded or extended throughout the building; provided, that no structural alterations except those required by law or ordinance shall be permitted; further, if no structural alterations are made, a nonconforming use in such a building may be changed to permit a similar or more restricted type of nonconforming use; provided, that the new use be approved by the Planning Commission by conditional use permit subject to Chapter 18.30 of this Title.

**18.29.100 Nonconforming Uses of Land.**

A nonconforming use of land, where no buildings or structures are involved, shall, when deemed by the Planning Commission to be detrimental to the public health, safety, and welfare, within ten (10) years after the effective date of the Planning Commission's finding, be completely terminated or so altered that it will be in conformance with the uses allowed in the zone. The termination of such use may be prolonged by the Planning Commission by conditional use permit subject to

Chapter 18.30 of this Title. In no case shall such a prolongation be granted for a period of more than two (2) years on any one application. Such nonconforming use of land shall not be expanded in any way, and if such nonconforming use of land is discontinued for a period of one hundred eighty (180) days, any further use of land shall be in conformance with this Title.

**18.29.110 Nonconforming Off-Street Parking and Loading Facilities.**

Where off-street parking or loading facilities do not conform to the provisions of this Title, or where no such facilities have been provided for buildings constructed prior to the effective date of this Title, such building shall not be expanded nor may additional floor space be provided within the building until requirements for off-street parking and loading space have been provided for the entire facility.

**18.29.120 Reconstruction of Nonconforming Building.**

The provisions of this Chapter shall not prevent the reconstruction or repair, with the issuance of an administrative permit by the Community Development Department, of any nonconforming building damaged by fire, explosion or any other act, subsequent to the effective date of this Title; provided, that the reconstructed or repaired building will have no greater impact on surrounding properties and is compatible with the neighborhood. In such reconstruction, the nonconforming building should conform to the development standards whenever possible and shall not be enlarged or expanded in any way, unless it will be made to conform to the property development standards of the zone in which it is located.

**18.29.130 Nonconformance by Variance or Conditional Use Permit.**

Those nonconforming lots, uses, and buildings which are existing under a variance or a conditional use permit granted under this Title shall be permitted to continue under the conditions and regulations imposed in the permit or variance, unless otherwise provided by this Chapter.

# Chapter 30

# CONDITIONAL USE PERMITS

**Sections:**

**18.30.010 Conditional Use Permit; Existing Uses.**
**18.30.020 Use Subject to Conditional Use Permit.**
**18.30.030 Temporary Use.**
**18.30.040 Conditional Use Permit Procedure.**
**18.30.050 Filing Fee.**
**18.30.060 Investigation by the Planning Division.**
**18.30.070 Public Hearings.**
**18.30.080 Hearing Procedure.**
**18.30.090 Commission Findings and Conditions.**
**18.30.100 Time Limits for Developments.**
**18.30.110 Right to Appeal.**
**18.30.120 Appeal Fees.**
**18.30.130 Public Hearing Required for Appeals.**
**18.30.140 Appeal Hearing Procedure.**
**18.30.150 Voiding of Conditional Use Permit.**
**18.30.160 Revocation of Conditional Use Permits; Procedure**

## 18.30.010 Conditional Use Permit; Existing Uses.

Uses listed in the zones or sections of this Title as permitted subject to conditional use permit may be so permitted when such uses are necessary to the development of the City and are in no way detrimental to surrounding properties or uses permitted in the zone. In granting the permit, the Planning Commission may require certain safeguards and establish certain conditions deemed necessary to protect the health, safety and general welfare. Uses existing on the effective date of this Title, which are listed as permitted in this Title subject to a conditional use permit in the zone in which they are located, may continue without securing such a permit; however, any extension or expansion or such use shall require a conditional use permit.

## 18.30.020 Use Subject to Conditional Use Permit.

The following uses shall be subject to conditional use permit:

A. Listed: Uses listed in zones as "conditional uses" may be permitted subject to the provisions of this Section.

B. Uses Not Listed: The following uses may be permitted pursuant to this Section in any zone except where expressly prohibited, when such uses are deemed by the Planning Commission to be essential or desirable for the public welfare and convenience and in conformity with the General Plan and its goals and objectives. In no case shall a conditional use permit be granted for a use specifically prohibited.

1. Development of natural resources, with necessary building, apparatus, or

appurtenances; except extraction or production of rock or gravel.

2. Radio or television antenna or transmitters for commercial purposes.

3. Regional uses which serve persons in a regional area as well as in the City, including but not limited regional recreation centers.

4. Stadiums.

5. Golf courses and related driving ranges.

6. Riding stable or academy.

7. Governmental facilities.

8. Public utility structures.

9. Planned, integrated housing developments on sites not less than five (5) acres in area or in a block entirely surrounded by streets.

10. Methadone clinics or similar.

11. Unattended collection or donation boxes, bins or other structures upon commercial or industrial properties.

**18.30.030 Temporary Use.**

The following provisions shall apply to temporary uses as defined in Section 18.02.010:

A. Seasonal, Theme-Oriented Temporary Use: Location permitted subject to the issuance of a temporary use permit issued by the Director of Community Development. In no case shall such a temporary use be operated in excess of thirty (30) days during any twelve (12) month period.

B. Special Use Event: Permitted in conjunction with any permanent retail commercial use subject to the issuance of a temporary use permit issued by the Director of Community Development. Such event shall not be operated in excess of five (5) days for any single event nor shall they be permitted to occur more than fifteen (15) days per use during any twelve-month period.

C. Temporary use permits shall be on a form as provided by the Director of Community Development. Prior to issuance of a temporary use permit, all affected City departments shall be given an opportunity to comment.

D. Photography or Filming Permit: The Director of Community Development shall be authorized and directed to be the primary contact for the receipt and processing of filming permits. The permit shall be processed on the forms prepared by the Director of Community Development.

E. Administrative Permit—Uses of Land, Buildings, and/or Temporary Buildings on a Site for a Definite Period of Time: This Section shall apply to all buildings of one hundred twenty (120) square feet and less and subdivision tract sales offices. The administrative conditional use permit shall not be available for any building of greater than one hundred twenty (120) square feet except as provided for in Chapter 18.38 of the Ceres Municipal Code.

1. Buildings of fewer than one hundred twenty (120) square feet may be moved onto an existing commercially- or industrial-zoned property. Such buildings may be temporarily affixed to the site and may receive only temporary electrical service from an approved source in accordance with the approval of the Planning Manager and subject to obtaining the appropriate building permit.

2. Conditions: Administrative permits and permit renewals shall be subject to conditions applied by City departments which shall be attached to the permit and signed by the applicant. All property development standards must be observed. None of the provisions of this Section shall be construed to supersede the provisions of other sections of the Ceres Municipal Code. Appeals shall be conducted pursuant to the provisions of Chapter 18.34 of the Ceres Municipal Code.

3. Time Limits: Each administrative permit for uses other than subdivision tract sales offices shall allow the use to operate one hundred eighty (180) consecutive days in any calendar year. Each administrative permit shall be effective for no more than one time per calendar year or to the time frame specified in the permit which, at the discretion of the Director of Community Development, may be less than one year.

**18.30.040 Conditional Use Permit Procedure.**

A. Filing: Application for a conditional use permit shall be filed by the owner of the property for which the permit is sought, or by the authorized representative of the owner.

B. Form and Contents: Application shall be made to the Planning Commission on forms furnished by the Planning Division, and shall be full and complete, including such data as may be prescribed by the Planning Commission to assist in determining the validity of the request. The applicant shall verify the petition and the date of verification shall be noted on the petition.

C. Application for an administrative conditional use permit shall be filed by the business owner and shall require written approval of the property owner. Application shall be made to the Director of Community Development on forms furnished by the Planning Division and shall be full and complete, and include information including operating hours, business description, products offered for sale, a diagram of the site and building. The original application and annual renewals shall be circulated to all City departments for comment prior to permit issuance. Changes in the business or its operation must be approved by the Director of Community Development. Failure to comply with the conditions applied to the administrative conditional use permit may result in revocation of the permit or denial of a new administrative permit.

**18.30.050 Filing Fee.**
When an application for a conditional use permit, temporary use permit, or administrative conditional use permit is filed, a fee shall be paid in such amount as determined by the City Council by resolution.

**18.30.060 Investigation by the Planning Division.**
The Planning Division shall investigate the facts bearing on any case involving a conditional use permit to provide the Planning Commission with data essential for action consistent with the intent of this Title and the General Plan.

**18.30.060 Public Hearings.**
Public hearings shall be noticed and heard on applications for conditional use permits or applications for modification of conditional use permits in the manual required by law, and in accordance with the provisions of Section 18.32.160 of this Code.

**18.30.060 Hearing Procedure.**
A. Time Limit: The Planning Commission shall, not less than ten (10) days nor more than thirty (30) days after the publication of the legal notice, hold a public hearing.

B. Announcement of Decision: The Planning Commission shall announce its decision within thirty (30) days after the conclusion of the public hearing. The decision shall set forth in the findings of the Planning Commission and any recommended conditions deemed necessary to protect the health, safety, and welfare of persons in the neighborhood and in the City as a whole.

C. Applicant's Copy: A copy of the decision shall be mailed to the applicant at the address shown on the application.

**18.30.090 Commission Findings and Conditions.**
The Planning Commission, in recommending approval of a conditional use permit, shall by affirmative vote of not less than a majority of its members, find as follows:

A. That the site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Title to adjust the use with land and uses in the neighborhood;

B. That the site for the proposed use related to streets and highways is adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

C. That the proposed use will have no adverse effect on abutting property or the permitted use thereof;

D. That the conditions stated in the decision are deemed necessary to protect the public health, safety, and general welfare. Such conditions may include:

1. Regulation of use.

2. Special yards, spaces, and buffers.

3. Fences and walls.

4. Surfacing of parking areas subject to City specifications.

5. Requiring street, service road or alley dedications and improvements or appropriate bonds.

6. Regulation of points of vehicular ingress and egress.

7. Regulation of signs.

8. Requiring landscaping and maintenance.

9. Requiring maintenance of the grounds.

10. Regulation of noise, vibration, odors, etc.

11. Regulation of time for certain activities.

12. Time period within which the proposed use shall be developed.

13. Duration of use.

14. And such other conditions as will make possible the development of the City in an orderly and efficient manner and in conformity with the intent and purposes set forth in this Title.

**18.30.100 Time Limits for Developments.**

A. Time Limit: An approved use permit shall be valid for a period of twenty-four (24) months from the effective date of approval or for the same period of time as any tentative map or parcel map approved in conjunction with the use permit unless a different time period is specified by the Planning Commission in its action approving the use permit. During this period an applicant must exercise the use permit by taking those actions needed to develop the property and obtain a building permit, or use the property by occupying the property as authorized by and in accordance with the approved use permit or apply for a time extension. The approved use permit shall be deemed expired and rendered null and void if no action is taken to exercise the use permit by the applicant at the end of the prescribed period. Once exercised by completing those actions needed to develop or use the property in accordance with the approved use permit, the development, use or activity authorized by the approved use permit shall be considered to be established and shall be permitted to continue for an indefinite period of time or for that period of time specified in the Planning

Commission's approval; provided, that the development, use or activity is consistent with the conditions of approval and all other applicable regulations. A determination regarding whether an approved use permit has been fully exercised and is considered to be established shall be determined on a case by case basis where an approved use permit authorizes more than one development, use or activity on a property, or where an approved use permit authorizes a phased development project and the actions taken by the applicant to exercise the permit are limited in scope to only a portion of the property.

B. Extension of Time Limit: Provided that an application is made prior to the expiration of the approved use permit, an approved use permit may be extended by 1) the Director Community Development for a period not to exceed ninety (90) days, or 2) the Planning Commission for a period not to exceed twelve (12) months without further hearing upon showing of good cause. The Director of Community Development shall report any such time extensions to the Planning Commission at its next regularly scheduled meeting. The Planning Commission may at its discretion, add or revise the original conditions of approval when approving a time extension of a previously approved use permit. The filing of an application to extend the time period of an approved use permit shall automatically extend the life of the approved use permit for a period of sixty (60) days or until a decision is reached by either the Director Community Development or Planning Commission to authorize an extension of time, whichever comes first. The term of the approved use permit shall automatically be extended for that period of time during which a development moratorium, defined in Government Code section 66452.6, prevents the approved use permit from being exercised.

**18.30.110 Right to Appeal.**

Any person aggrieved by the actions of the Director of Community Development or Planning Commission regarding a conditional use permit application, may appeal therefrom by filing a written notice of appeal within ten (10) days of the final determination of the Director of Community Development or Planning Commission on a form prescribed by the City which shall be filed with the City Clerk.

**18.30.120 Appeal Fees.**

All written notices of appeal shall be accompanied by a filing fee in an amount as determined by the City Council by resolution.

**18.30.130 Public Hearing Required for Appeals.**

A public hearing shall be required for all appeals brought before the City Council regarding conditional use permits.

**18.30.140 Appeal Hearing Procedure.**

A. Time Limit: The Council shall, not less than ten (10) nor more than thirty (30) days after the publication of legal notice of a public hearing on an appeal, hold a public hearing.

B. Decision: The City Council shall hear and decide on the subject of the appeal, giving full consideration to the specific findings of the officer or commission appealed from, and may affirm, reverse, or modify the action appealed as it deems just and equitable. The City Council shall

announce its decision within thirty (30) days after the conclusion of the public hearing. The action of the City Council on appeals shall be final, except that all aggrieved parties shall have the right to appeal further in a court of competent jurisdiction. Notification of the City Council action shall be mailed to the appellant on the address shown on the appeal.

**18.30.150 Voiding of Conditional Use Permit.**

Any conditional use permit hereafter approved by the Planning Commission may be revoked by the Planning Commission on any of the following grounds:

A. That the approval was obtained by fraud or through the intentional submission of incomplete or inaccurate information.

B. That the permit has been or is being exercised contrary to the terms or conditions of approval, or is in violation of any statute, ordinance, law or regulation.

C. That the use is being exercised in such a way as to be detrimental to the public health or safety or in such a manner as to constitute a nuisance.

D. That the use for which approval was granted has ceased to exist or has been suspended for a period in excess of six (6) months.

**18.30.160 Revocation of Conditional Use Permits; Procedure**

The Planning Commission shall hold a hearing prior to revoking any conditional use permit. If considered desirable and in the public interest by the Planning Commission, notice of the hearing shall be given in the same manner as notice of hearing on an application for a conditional use permit. In any event, written notice of the time and place of the hearing shall be given to the permittee, by certified mail with return receipt requested, at least ten (10) days prior to the hearing, and the permittee shall be given a reasonable opportunity to be heard and to present evidence on his behalf at such hearing.

# Chapter 31

# VARIANCES

**Sections:**

**18.31.010 Purpose and Intent.**
**18.31.020 Finding Necessary for Variance.**
**18.31.030 Filing for Application.**
**18.31.040 Form and Contents of Application.**
**18.31.050 Filing Fee.**
**18.31.060 Planning Division Investigation.**
**18.31.070 Public Hearings.**
**18.31.080 Hearing Procedure.**
**18.31.090 Additional Conditions.**
**18.31.100 New Application.**
**18.31.110 Right to Appeal**
**18.31.120 Appeal Fees.**
**18.31.130 Public Hearings Required for Appeals.**
**18.31.140 Appeal Hearing Procedure.**
**18.31.150 Revocation or Modification of Variances.**
**18.31.160 Variance Use Time Limit.**
**18.31.170 Prior Variance Zoning Grant.**

## 18.31.010 Purpose and Intent.

When practical difficulties, unnecessary hardships, or results inconsistent with the general purpose and intent of this Title occur by reason of the strict interpretation of any of its provisions, any property owner may initiate proceedings for consideration of a variance from the provisions of this Title. A variance shall not be granted for a land use specifically prohibited in the zone by this Title.

## 18.31.020 Finding Necessary for Variance.

The Planning Commission, before it may grant a variance, shall make a finding that in the evidence presented, all of the following findings exist in reference to the property being considered:

A. There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other property in the same vicinity and zone;

B. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;

C. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the same vicinity and zone, and the adjustment thereby authorized shall not constitute a granting of special privilege inconsistent with the limitations upon other properties in the same vicinity and zone;

D. The granting of the variance will not be materially detrimental to the public health, safety, convenience, and welfare or injurious to property and improvement in the same vicinity and zone in which the property is located;

E. The granting of such a variance will not be contrary to the objectives of the General Plan.

**18.31.030 Filing for Application.**
Application for a variance shall be filed by the owner of the property for which the variance is sought, or by the authorized representative of the owner.

**18.31.040 Form and Contents of Application.**
Application for a variance shall be made to the Planning Commission on forms furnished by the Planning Division and shall set forth in detail the reasons for the requested variance, indicating how the findings set forth in Section 18.31.020 are satisfied, and provide other information as may be prescribed by the Planning Commission to assist in determining the validity of the request. The applicant shall verify the petition and the date of verification shall be noted on the petition.

**18.31.050 Filing Fee.**
When an application for a variance is filed, a filing fee shall be paid in an amount as determined by the City Council by resolution.

**18.31.060 Planning Division Investigation.**
The Planning Division shall investigate the facts bearing on each case to provide information necessary to assure action consistent with the purpose and intent of this Title.

**18.31.070 Public Hearings.**
Public hearings shall be noticed and held on applications for variances in the manner required by law and in accordance with the provisions of Section 18.32.160 of this Code.

**18.31.080 Hearing Procedure.**
A. Time Limit: The Planning Commission shall, not less than ten (10) or more than thirty (30) days after the publications of legal notice of a public hearing, hold a public hearing on the variance application.

B. Decision: The Planning Commission shall announce its decision within thirty (30) days after the conclusion or the public hearing. The decision shall approve, approve with stated conditions, or disapprove the application, and shall set forth findings in support of the decision. No decision shall become final, however, until the ten (10) day appeal period has lapsed without an appeal having been filed.

**18.31.090 Additional Conditions.**
The Planning Commission, in approving a variance, may set forth in its decision reasonable conditions which shall assure the purpose and intent of this Title. A variance granted subject to a condition or conditions shall be revoked by the city planning commission if the condition or conditions are not complied with.

**18.31.100 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 site shall be filed within one year of the date of denial of the variance application or revocation of the variance.

**18.31.110 Right to Appeal.**
Any person aggrieved by the actions of the Director of Community Development or Planning Commission regarding a variance application, may appeal therefrom by filing a written notice of appeal, within ten (10) days of the final determination of the Director of Community Development or Planning Commission, on a form prescribed by the City which shall be filed with the City Clerk.

**18.31.120 Appeal Fees.**
All written notices of appeal shall be accompanied by a filing fee in the amount as determined by the City Council by resolution.

**18.31.130 Public Hearings Required for Appeals.**
A public hearing shall be required for all appeals brought before the City Council regarding variances.

**18.31.140 Appeal Hearing Procedure.**
A. Time Limit: The Council shall, not less than ten (10) nor more than thirty (30) days after the publication of legal notice of a public hearing on an appeal, hold a public hearing.

B. Decision: The City Council shall hear and decide on the subject of the appeal, giving full consideration to the specific findings of the officer or commission appealed from, and may affirm, reverse or modify the action appealed as it deems just and equitable. The Council shall announce its decision within thirty (30) days after the conclusion of the public hearing. The action of the City Council appeals shall be final, except that all aggrieved parties shall have the right to appeal further in a court of competent jurisdiction. Notification of the City Council action shall be mailed to the appellant at the address shown on the appeal.

**18.31.150 Revocation or Modification of Variances.**
Variances once granted may be modified or revoked as approved by to Planning Commission upon the application of any affected property owner or upon the application of the Director of Community Development. A public hearing shall be noticed and held as required by law, and in accordance with the provisions of Section 18.32.160 of this Code, prior to any modification or revocation of a variance.

**18.31.160 Variance Use Time Limit.**

Each variance granted under the provisions of this Chapter shall become null and void unless:

A. The construction authorized by the variance has been commenced within one hundred eighty (180) days, or such other period as may be established, after the granting of the variance and continued diligently to completion.

B. The occupancy of land or buildings authorized by such variance has taken place within one hundred (180) days, or such other period as may be established, after the granting of such variance.

**18.31.170 Prior Variance Zoning Grant.**

Any variance granted pursuant to any zoning ordinance enacted prior to the effective date of this Title, shall be construed to be a variance under this Title, subject to all conditions imposed in such variance. Such variance may be voided provided in Section 18.31.150.

# Chapter 32

# AMENDMENTS

**Sections:**

**18.32.010 Purpose and Intent.**
**18.32.020 Procedural Policy.**
**18.32.030 Initiation of Text Amendment Proceedings.**
**18.32.040 Filing Fee.**
**18.32.050 Planning Division Investigation.**
**18.32.060 Applications Presence Required- Text Amendment.**
**18.32.070 Planning Commission Hearing Date, Notice—Text Amendment.**
**18.32.080 Planning Commission Public Hearing—Text Amendment.**
**18.32.090 City Council Hearing Date, Notice –Text Amendment.**
**18.32.100 City Council Public Hearing –Text Amendment.**
**18.32.110 Initiation of Zone Change Proceedings.**
**18.32.120 Conformance to Adopted General Plan.**
**18.32.130 Filing Fee.**
**18.32.140 Planning Division Investigation.**
**18.32.150 Applications Presence Required –Zone Change.**
**18.32.160 Planning Commission Hearing Date, Notice –Zone Change.**
**18.32.170 Planning Commission Public Hearing –Zone Change.**
**18.32.180 City Council Hearing Date, Notice –Zone Change.**
**18.32.190 City Council Public Hearing –Zone Change.**

## 18.32.010 Purpose and Intent.

As a General Plan for the City is put into effect, there will be a need for changes in zoning boundaries and other regulations of this title. As the General Plan is reviewed and revised periodically, other changes in the regulations of this title may be warranted. This Title may be amended whenever the City Council deems that such amendment is required for the general health, safety, and welfare of the City of Ceres. Any amendment shall be enacted pursuant to the provisions in this Chapter, and for the purposes of this Chapter, the term "amendment" includes any measure to change zone boundaries, establish or disestablish zones, to change zone regulations, and to add, repeal or amend any other provisions of this Title.

## 18.32.020 Procedural Policy.

A. Any amendment to the text of this Title which imposes any regulation not imposed or removed or modifies any such regulation imposed shall be made according to the procedure outlined in Sections 18.32.020 through 18.32.100.

B. For any changes in the Zoning Map, the procedure outlined in Sections 18.32.110 through 18.32.190 shall apply.

## 18.32.030 Initiation of Text Amendment Proceedings.

A. Application: Any person may initiate proceedings by filing an application with the

Planning Division on forms provided by the City. The application shall be full and complete and shall include such data and information as may be prescribed by the Planning Commission to assist in determining the validity of the request. The applicant shall verify the application and the date of verification shall be noted on the application. Once an application has been filed, and all fees paid, the Planning Commission must fully consider and hold a public hearing on such application.

B. City Council Motion: The City Council may initiate proceedings by motion and then submit the matter to the Planning Commission for public hearings.

C. Planning Commission Motion: The Planning Commission may initiate proceedings by motion and then hold public hearings as provided in Section 18.32.070, and make a recommendation.

**18.32.040 Filing Fee.**

When an application for a text amendment is filed, a filing fee shall be paid in an amount as determined by the City Council by resolution.

**18.32.050 Planning Division Investigation.**

The Planning Division shall study the proposed text amendment and shall provide information necessary to assure action consistent with the purpose and intent of this Title and the adopted General Plan.

**18.32.060 Applications Presence Required- Text Amendment**

If the application for text amendment is initiated by anyone other than the Planning Commission or City Council, the Planning Commission and City Council shall not act on the application unless the applicant or his authorized agent is present at the meeting scheduled for consideration of the application.

**18.32.070 Planning Commission Hearing Date, Notice—Text Amendment.**

A. Date: The hearing date shall be set by the Director of Community Development for not less than ten (10) nor more than thirty (30) days after the initiating motion.

B. Notice: Notice of the public hearing shall be published in a newspaper of general circulation in the City not less than ten (10) days before the date set for hearing. Such notice shall contain the date, time and place of the hearing, and a general description of the text amendment proposed.

**18.32.080 Planning Commission Public Hearing—Text Amendment.**

A. Time limit: The Commission shall, not less than ten (10) nor more than thirty (30) days after the publication or the legal notice of a public hearing on an amendment, hold such public hearing.

B. Action by Commission: At the conclusion of its review of the proposed text amendment following a public hearing, the Planning Commission shall either:

1. Abandon further proceedings with the consent of the applicant(s) and refund one-half (½) of the fees paid.

2. Recommend amendment of this Title by resolution of the Planning Commission endorsed by a simple majority of its total voting members.

3. Recommend denial of the application for text amendment of this Title by a simple majority of the total voting members.

C. Filings and Report: Within thirty (30) days after the conclusion of the public hearing, the Planning Commission shall file its recommendation with the City Council, together with a report of findings, hearing and supporting data. A copy of the Planning Commission's recommendation shall be mailed to the applicant at the address shown on the application.

**18.32.090 City Council Hearing Date, Notice –Text Amendment.**

A. Date: The hearing date shall be set by the City Council for such date as they, in the exercise of sound discretion, may deem to be proper for such hearing, provided that the hearing occurs not less than ten (10), and not more than thirty (30) days after the publication of the legal notice of a public hearing on a text amendment.

B. Notice: Notice of the public hearing shall be published in a newspaper of general circulation in the City not less than ten (10) days before the date set for the hearing. Such notice shall contain the date, time and place of the hearing, and a general description of the text amendment proposed.

**18.32.100 City Council Public Hearing –Text Amendment.**

A. Time Limit: The City Council shall, not less than ten (10) nor more than thirty (30) days after the publication of the legal notice of a public hearing on a text amendment, hold such a public hearing.

B. Adoption or Modification: The City Council may adopt the text amendment recommended by the Planning Commission by ordinance after holding at least one (1) public hearing thereon.

C. Review by Planning Commission: The Planning Commission shall review the changes proposed and referred to it by the City Council and shall report its recommendations back to the City Council. The report is to be filed with the City Council not more than thirty (30) days after the referral by the City Council.

D. Adverse Report, City Council Enactment: In the event the report back from the Planning Commission is in opposition to the proposed change, or in the event the City Council desires to enact any text change or amendment contrary to the recommendations of the Planning Commission, then any ordinance affecting such change or amendment shall be adopted by an affirmative vote of not less than a simple majority of the City Council.

E. Notification: Notification of the City Council action shall be mailed to the applicant(s) at

the address shown on the application.

**18.32.110 Initiation of Zone Change Proceedings.**
An initiation of zone change proceedings may be done by one or more of the following means:

A. Application by one or more property owners of a specific property for which an amendment is proposed.

B. Application of a simple majority of the property owners of an area within which an amendment is proposed.

C. Commission Motion: The Planning Commission may initiate proceedings by motion, and then hold public hearings.

D. Council Motion: The City Council may initiate proceedings by motion and then submit the matter to the Planning Commission for public hearings.

E. All applications for zone change shall be made by filing an application with the Planning Division on forms provided by the City. The application shall be full and complete and shall include such data and information as may be prescribed by the Planning Commission to assist in determining the validity of the request. The applicant shall verify the petition and the date of verification shall be noted on the petition. Once an application has been filed, and all fees paid, the Planning Commission shall be obligated to fully consider and hold a public hearing on such application.

**18.32.120 Conformance to Adopted General Plan.**
Zone change amendments to this Title shall conform to the adopted General Plan, pursuant to Government Code section 65860.

**18.32.130 Filing Fee.**
When an application for a zone change is filed, a filing fee shall be paid in an amount as determined by the City Council by resolution.

**18.32.140 Planning Division Investigation.**
The Planning Division shall investigate the facts bearing on the proposed zone change to provide information necessary to assure action consistent with the intent of this Title and the adopted General Plan.

**18.32.150 Applications Presence Required – Zone Change.**
It the application for zone change is initiated by the means described in Section 18.32.110, subsection A, or Section 18.32.110, subsection B, the Planning Commission and City Council shall not act on the application unless the applicant or his authorized agent is present at the meeting(s) scheduled for consideration of the application.

**18.32.160 Planning Commission Hearing Date, Notice – Zone Change.**

A. The hearing date shall be set by the Director of Community Development for not less than ten (10) nor more than thirty (30) days after the initiation of zone change proceedings.

B. Notice of public hearing shall be given in the following ways and shall contain the time and place of the hearing and a general description of the area proposed for zone change:

1. Notice shall be published in a newspaper of general circulation in the City not less than ten (10) days before the date set for the hearing.

2. The notice shall be mailed or delivered at least ten (10) days prior to the hearing to the owner of property involved in the application.

3. The notice shall be mailed or delivered at least ten (10) days prior to the hearing to each local agency expected to provide services to the project.

4. The notice shall be mailed or delivered at least ten (10) days prior to the hearing to property owners within a three hundred foot (300′) radius; or expand the radius from the project site if the three hundred foot (300′) radius is less than three (30) parcels. The radius should be expanded until 30 parcels are included but in no case shall the radius be expanded beyond 1,000’ front the project site.

5. The notice shall be posted on the project site at least ten (10) days prior to the hearing.

**18.32.170 Planning Commission Public Hearing –Zone Change.**

A. Time Limit: The Planning Commission shall, not less than ten (10) nor more than thirty (30) days after the publication of the legal notice of a public hearing on a zone change, hold such hearing.

B. Action by Planning Commission: At the conclusion of its review of the proposed zone change following a public hearing, the Planning Commission shall either:

1. Abandon further proceedings with the consent of the applicant(s) and refund one-half (½) of the fees paid.

2. Recommend the zone change by resolution of the Planning Commission endorsed by at least a simple majority of the total voting members.

3. Recommend denial of the application for zone change by a simple majority of the total voting members.

C. Filing and Report: Within thirty (30) days after the conclusion of the public hearing, the Planning Commission shall file its recommendation with the City Council, together with a report of findings, hearings and supporting data. A copy of the Planning Commission's recommendation

shall be mailed to the applicant at the address shown on the application.

**18.32.180 City Council Hearing Date, Notice –Zone Change.**

A. Date: The hearing date shall be set by the City Council for such date as they, in the exercise of sound discretion, may deem to be proper for such hearing, provided that the hearing occurs not less than ten (10), and not more than thirty (30) days after the publication of the legal notice of a public hearing on a text amendment.

B. Notice: Notice of public hearing shall be given in the following ways and shall contain the time and place of the hearing and other pertinent data presented in the application, and shall include a map showing the location of the property:

1. Notice shall be published in a newspaper of general circulation in the City not less than ten (10) days before the date set for the hearing.

2. The notice shall be mailed or delivered at least ten (10) days prior to the hearing to the owner of property involved in the application.

3. The notice shall be mailed or delivered at least ten (10) days prior to the hearing to each local agency expected to provide services to the project.

4. The notice shall be mailed or delivered at least ten (10) days prior to the hearing to property owners within a three hundred foot (300′) radius; or expand the radius from the project site if the three hundred foot (300′) radius is less than three (30) parcels. The radius should be expanded until 30 parcels are included but in no case shall the radius be expanded beyond 1,000’ front the project site.

5. The notice shall be posted on the project site at least ten (10) days prior to the hearing.

**18.32.190 City Council Public Hearing –Zone Change.**

A. Time Limit: The City Council shall, not less than ten (10) nor more than thirty (30) days after the publication of the legal notice of a public hearing, hold such a hearing.

B. Adoption or Modification: The City Council may adopt by ordinance the zone change recommended by the Planning Commission after holding at least one public hearing thereon. Government Code section 65354.5.

C. Review by Planning Commission: The Planning Commission shall review the changes proposed and referred to it by the City Council and shall report its recommendations back to the City Council. The report is to be filed with the City Council not more than forty (40) days after the referral by the City Council.

D. Adverse Report, City Council Enactment: In the event that the report back from the Planning Commission is adverse or opposed to the proposed change, or in the event that the City

Council desires to enact any zone change or amendment contrary to this recommendation of the Planning Commission, then a resolution affecting such change or amendment shall be adopted by an affirmative vote of not less than a simple majority of the total voting members of the City Council.

E. Notification: Notification of the City Council action shall be mailed to the applicant(s) at the address shown on the application.

# Chapter 33

# RELOCATION OF BUILDINGS

**Sections:**

**18.33.010 Permit Application Required.**
**18.33.020 Application Form.**
**18.33.030 Determination of Effect.**
**18.33.040 Basis for Planning Commission Determination.**
**18.33.050 Improvement Standards.**
**18.33.060 Approval by Development Director Required.**

## 18.33.010 Permit Application Required.

No permit shall be issued for the relocation of any residential, commercial, or industrial building from one site to another site within the City, or from a site outside the City to one within the City without the filing of a conditional use permit application with the Planning Commission for review and approval subject to the provisions of this Chapter

## 18.33.020 Application Form.

The following information shall be filed with the Planning Commission at the time the application is made:

A. Location and address of the old and new site;

B. Plot plan of the new location, also showing adjacent lots on all sides of the property and indicating all structures and improvements on the lots;

C. Plans and specifications for the proposed improvements at the new location, including plans for landscape treatment when required by this Title;

D. Definition of the route of travel for the house to be moved;

E. Photographs to be furnished by the applicant showing:

1. All elevations of the structure proposed to be moved;

2. The site onto which the building is proposed to be moved;

3. The buildings adjacent to the proposed site.

## 18.33.030 Determination of Effect.

Before the Planning Commission may approve the conditional use permit application for the relocation of a building, there shall be a finding that the relocation shall have no appreciable detrimental effect on the living environment and property values in the area into which the

structure is to be moved.

**18.33.040 Basis for Planning Commission Determination.**

In approving an application for a permit to relocate a building into an area, the Planning Commission shall find:

A. That the building is in conformity with the type and quality of buildings existing in the area into which it is proposed to be moved.

B. That its location on the lot does not in any substantial way adversely affect buildings or uses on abutting properties.

C. That the percentage of lot coverage by all buildings and structures be not greater than that permitted by the district into which the structure is proposed to be moved.

D. That all yard and setback provisions are observed and that improvements required for streets and alleys necessary for access to the property upon which the house is to be located shall be provided in conformity with the standards of the City.

**18.33.050 Improvement Standards.**

Prior to occupancy, the relocated building shall not become or continue to be a substandard building as defined in section 17920.3 of the California Health and Safety Code.

**18.33.060 Approval by Development Director Required.**

The approval of the Director of Community Development shall be obtained prior to the issuance of a relocation permit.

# Chapter 34

# APPEALS

**Sections:**

**18.34.010 Right to Appeal.**
**18.34.020 Appeal Fees.**
**18.34.030 Public Hearing Required for Appeals.**
**18.34.040 Appeal Hearing Procedure.**
**18.34.050 Penalties and Procedures.**
**18.34.060 Each Day a Separate Offense.**
**18.34.070 Fees.**

## 18.34.010 Right to Appeal.

Any person aggrieved by the action of the Director of Community Development or Planning Commission, where an appeal is provided by any provision of this Title, may appeal therefrom by filing a written notice of appeal, within ten (10) days of the final determination of the Director of Community Development or Planning Commission, on a form prescribed by the City which shall be filed with the City Clerk. However, appeals of decisions regarding the City's General Plan must be received within five (5) days of the decision, pursuant to Government Code section 65354.5.

## 18.34.020 Appeal Fees.

All written notices of appeal shall be accompanied by a filing fee in an amount as determined by the City Council by resolution.

## 18.34.030 Public Hearing Required for Appeals.

A public hearing shall be required for all appeals brought before the City Council. A notice of public hearing shall be given in the following ways and shall contain the time and place of the hearing and other pertinent data:

A. Newspaper: Notice shall be published in a newspaper of general circulation in the City not less than ten (10) days before the date set for the hearing.

B. Letters: If applicable, letter notices shall be mailed not less than ten (10) days before the date set for the hearing to owners of property within a radius of three hundred feet (300′) from the external boundaries of the property described on the original application, using for this purpose the last known name and address of such owners as shown on the latest adopted tax roll of the County. The notice shall be mailed or delivered at least ten (10) days prior to the hearing to property owners within a three hundred foot (300′) radius; or expand the radius from the project site if the three hundred foot (300′) radius is less than three (30) parcels. The radius should be expanded until 30 parcels are included but in no case shall the radius be expanded beyond 1,000' front the project site.

**18.34.040 Appeal Hearing Procedure.**

A. Time Limit: The City Council shall, not less than ten (10) nor more than thirty (30) days after the publication of legal notice of a public hearing on an appeal, hold a public hearing.

B. Decision: The City Council shall hear and decide on the subject of the appeal, giving full consideration to the specific findings of the officer or Planning Commission appealed from, and may affirm, reverse, or modify the action appealed as it deems just and equitable. The City Council shall announce its decision within thirty (30) days after the conclusion of the public hearing. The action of the City Council on appeals shall be final, except that all aggrieved parties shall have the right to appeal further in a court of competent jurisdiction.

**18.34.050 Penalties and Procedures.**

Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating any provisions of this Title shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars ($500.00) or by imprisonment in the County jail for a term of not exceeding six (6) months, or both. Such person, firm or corporation shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this ordinance is committed, continued or permitted by such person, firm or corporation, and shall be punishable as provided by this Section. Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this Title or any use of any land, or contrary to a use permit or variance, or the terms and conditions imposed therewith, shall be and the same is hereby declared to be an unlawful and a public nuisance. Remedies shall be cumulative and not exclusive.

**18.34.060 Each Day a Separate Offense.**

Each day during any portion of which any violation of this Title is committed or continued by such person, firm, or corporation, shall constitute a separate offense and shall be punishable as provided by Section 18.34.050.

**18.34.070 Fees.**

The City Council shall annually, by resolution, establish the amounts of filing fees for applications and permits required or authorized by this Title. Before accepting any application, the Director of Community Development or other designated officers shall collect the appropriate filing fees so established. Any fees required under this Title may be waived for any public body, district or agency or Federal, State, County or municipal governments.

# Chapter 35

# HISTORIC PRESERVATION

**Sections:**

**18.35.010 Title.**
**18.35.020 Purpose.**
**18.35.030 Definitions.**
**18.35.040 Planning Commission and Historic Preservation Subcommittee.**
**18.35.050 Powers and Duties.**
**18.35.060 Historic Designation Criteria.**
**18.35.070 Historic Designation Procedures.**
**18.35.080 Permits.**
**18.35.090 Permit Approval Procedure.**
**18.35.100 Permit Approval Criteria.**
**18.35.110 Appeals.**
**18.35.120 Exceptions.**
**18.35.130 Unsafe or Dangerous Conditions.**
**18.35.140 Duty to Keep in Good Repair.**
**18.35.150 Showing of Hardship.**
**18.35.160 Retroactive Application.**

## 18.35.010 Title.

This Chapter shall be known as the HISTORIC PRESERVATION ORDINANCE OF THE CITY OF CERES.

## 18.35.020 Purpose.

The purpose of this Chapter is to promote the public health, safety, and general welfare by providing for the identification, protection, enhancement, perpetuation, and use of improvements, buildings, structures, signs, objects, features, sites, and places within the City that reflect special elements of the City's historic, architectural, aesthetic, and other heritage for the following reasons:

A. To safeguard the City's heritage by providing for the protection of landmarks representing significant elements of its history;

B. To encourage public knowledge, understanding, and appreciation of the City's history;

C. To foster civic and neighborhood pride and a sense of identity based on the recognition and use of historic and cultural resources;

D. To promote the enjoyment and use of historic and cultural resources appropriate for the education and recreation of the people of the City;

E. To preserve diverse and harmonious architectural styles and design preferences reflecting

phases of the City's history and to encourage complimentary contemporary design and construction;

F. To enhance property values and to increase economic and financial benefits to the City and its inhabitants;

G. To strengthen the economy of the City by protecting and enhancing the City's attractions to residents, visitors, and tourists;

H. To identify, as early as possible, and resolve conflicts between the preservation of historic and cultural resources and alternative land uses;

I. To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.

**18.35.030 Definitions.**

For the purposes of this Chapter any exterior change or modification of any historic or cultural resource including, but not limited to, exterior changes to or modifications of architectural details, visual characteristics, grading, surface paving, erection of new structures, removal of trees or other natural features, disturbance of archaeological sites or areas, and the placement or removal of any exterior objects such as signs, plaques, light fixtures, walls, fences, steps, paintings, and landscape accessories affecting the exterior visual qualities of the property shall be deemed an alteration.

**18.35.040 Planning Commission and Historic Preservation Subcommittee.**

The Planning Commission is hereby designated to be the official authority for the administration of this Historic Preservation Ordinance, in accordance with the powers and duties, and subject to such exceptions as provided in this Chapter. The Planning Commission may appoint a subcommittee as may be expedient, composed of members of the community who have expressed an interest in historic preservation, for the purpose of identifying and inventorying potential historic sites or landmarks within the City. The Planning Commission shall obtain professional technical expertise in the area of historic preservation from established organizations, institutions, public agencies, or other commissions when deemed prudent.

**18.35.050 Powers and Duties.**

The Planning Commission shall have the following powers and duties:

A. Establish criteria for, conduct, and keep current a comprehensive survey and register of historic and cultural resources within the boundaries of the City.

B. Adopt specific guidelines for the designation of landmarks, and landmark sites, subject to the provisions of Section 18.35.060 of this Chapter.

C. Review and comment upon the conduct of land use, housing and redevelopment, improvements, and other types of planning and programs undertaken by any other agency of the City, the County, or State, as they relate to the historic and cultural resources of the community.

D. Adopt prescriptive standards which may be used by the Planning Commission in reviewing applications for permits to construct, change, alter, modify, remodel, remove, or significantly affect any historic or cultural resource.

E. Recommend to the City Council the purchase, with public-private funds as such may become available, of property interests for purposes of historic preservation.

F. Investigate and report to the City Council on the use of various Federal, State, local, or private funding sources and mechanisms available to promote historic preservation in the City.

G. Approve or disapprove, in whole or in part, applications for permits pursuant to this Chapter.

H. Cooperate with local, County, State, and Federal governments in the pursuit of the objectives of historic preservation.

I. Render advice and guidance, upon the request of the property owner or occupant, on the restoration, alteration, decoration, landscaping or maintenance of any historic or cultural resource including landmark, landmark site, historic district, or neighboring property within public view.

J. Participate in, promote, and conduct public information, education, and interpretive programs pertaining to historic and cultural resources.

**18.35.060 Historic Designation Criteria.**

For the purposes of this Chapter, an improvement may be designated a historic landmark or historic site by the City Council pursuant to Section 18.35.070 of this Chapter if it meets the following criteria and other criteria established by the Planning Commission pursuant to Section 18.35.050 of this Chapter:

A. It exemplifies or reflects special elements of the City's cultural, aesthetic, or architectural history; or

B. It is identified with persons or events significant in local, State, or National history; or

C. It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or

D. It is representative of the notable work of a builder, designer, or architect.

**18.35.070 Historic Designation Procedures.**

Historic landmarks and historic sites shall be established by the City Council in the following manner:

A. Application: Any person may request the designation of an improvement as a historic landmark or the designation of a historic site by submitting an application for such designation to the Planning Commission. The Commission or City Council may also initiate such proceedings

on their own motion.

B. Preliminary Determination: The Commission shall conduct a study of the proposed designation and make a preliminary determination based on such documentation as it may require, as to its appropriateness for consideration. If the Planning Commission determines that the application merits consideration, it shall schedule a public hearing.

C. Written Decision: The Commission shall file its decision in writing with the City Clerk and the Director of Community Development. If the Planning Commission decides not to hold a hearing, the City Clerk shall mail notice of such decision to the applicant.

D. Public Hearings: Public hearings shall be noticed and held on applications in the manner required by law and in accordance with provisions of Section 18.32.160 of this Title.

E. Notice Of Recommendation: The Planning Commission shall conduct a public hearing and shall provide a reasonable opportunity for all interested parties to provide input regarding each historic designation. At the conclusion of the public hearing, but in no event more than thirty (30) days from the date set for the initial public hearing or any continuance thereof for the designation of a proposed historic landmark or historic site, the Planning Commission shall recommend, in writing, approval in whole or in part, or disapproval in whole or in part of the application. Such written determination shall contain a description of the actual property or properties to be designated and shall be filed with the City Clerk and the Director of Community Development. Such decision shall be mailed to the applicants and the owners and occupants of the proposed designated historic site or historic landmark. Notice shall also be mailed to any other interested parties as may request a copy thereof.

F. Council Approval: The City Council, within thirty (30) days of receipt of the recommendations from the Planning Commission, shall by ordinance approve the application in whole or in part, or shall by motion disapprove it in its entirety. The City Council shall hold a public hearing on the proposed ordinance.

G. Notice Of Council Decision: The City Clerk shall notify the Director of Community Development of any official designation adopted by ordinance by the City Council. The Clerk may also file with the County Recorder of Stanislaus County a certified copy of the ordinance together with a notice briefly stating the fact of said designation and a summary of the effects said designation will have. The City Clerk shall mail a copy of the ordinance approving said designation or a copy of the minute order showing disapproval of said designation, to all applicants and the owners and occupants of the proposed designated historic site or historic landmark and to any other person who requests a copy.

H. Failure To Send Notice: Failure to send any notice by mail to any property owner where the address of such owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed designation. The Planning Commission and City Council may also give such other notice as they may deem desirable and practicable.

I. Work Permits: No building, alteration, demolition or removal permits for any improvement, building, or structure relative to a proposed historic site or historic landmark shall be issued while the application therefor is pending. Exceptions may be considered in case of hardship as provided by Section 18.35.150 of this Chapter.

**18.35.080 Permits.**

It shall be unlawful for any person to tear down, demolish, construct, alter, remove or relocate any improvement, or any portion thereof, which has been designated a historic landmark pursuant to the provisions of this Chapter, or to alter in any manner any exterior architectural feature of such a historic landmark or on a historic landmark or historic site, without first obtaining written approval to do so in the manner provided in this Chapter, nor shall the Director of Community Development, or any other office of the City grant any permit to carry out such work on a designated historic landmark or historic site without the prior written approval of the Planning Commission.

**18.35.090 Permit Approval Procedure.**

The following procedures shall be followed in processing applications for approval of work covered by this Chapter:

A. Applications for approval to pursue work on a designated historic site or historic landmark shall be made to the Director of Community Development who will then present such applications to the Planning Commission.

B. All such applications shall be accompanied by plans and specifications describing the proposed work as well as any other materials considered by the Planning Commission to be reasonably necessary for the proper review of the proposed project.

C. The Planning Commission shall complete its review and make a decision within fifty (50) days of the date of receipt of the application. Whenever the application is to tear down, demolish, construct, alter, remove, or relocate any improvement, or any portion thereof, which has been designated a historic landmark pursuant to the provisions of this Chapter, the Planning Commission shall hold a public hearing thereon. The Planning Commission may hold public hearings on other applications as it deems necessary. All decisions, interim and final, shall be made at regular meetings of the Planning Commission. The Planning Commission's decision shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision.

**18.35.100 Permit Approval Criteria.**

The Planning Commission, or the City Council upon appeal, shall issue an approval for any proposed work as described in Section 18.35.080 of this Chapter based upon the following criteria and any other criteria as determined by the Planning Commission pursuant to Section 18.35.050 of this Chapter:

A. In the case of any property located within a historic landmark, the proposed work would not detrimentally alter, destroy, or adversely affect any exterior architectural feature; or

B. In the case of construction of a new improvement, building, or structure upon a historic site, the exterior of such improvements will not adversely affect and will be compatible with the

external appearance of existing designated improvements, buildings, and structures on said site.

**18.35.110 Appeals.**

Any interested party may appeal any decision by the Planning Commission pursuant to Section 18.35.100 of this Chapter by filing a notice of appeal with the City Council not later than ten (10) days after the Planning Commission's decision. Such notice shall be accompanied by a fee as may be established by the City Council. The appeal shall be administered as set forth in Chapter 18.34 of this Title.

**18.35.120 Exceptions.**

A. Nothing in this Chapter shall be construed to prevent any and all reasonable uses of any property or properties covered by this Chapter as are not in conflict with the purposes of this Chapter, including the ordinary maintenance or repair of said property that does not involve a change in design, material or external appearance thereof.

B. Due to the peculiar conditions of design and construction in historic resources where structures were sometimes built close to lot lines, and where ownership patterns have changed over the years, it is sometimes in the public interest to retain the historic appearance of a neighborhood by making an exception to normal setback, parking, landscaping, fencing, and screening requirements of this title, where such an exception does not interfere with the public health or safety. Where it is deemed that such an exception is warranted and will not adversely affect neighboring properties, the Planning Commission may authorize such exception to this Title.

**18.35.130 Unsafe or Dangerous Conditions.**

Nothing in this Chapter shall be construed to prevent any measures of construction, alteration or demolition necessary to correct the unsafe or dangerous condition of any structure, or feature or part thereof, covered by this Chapter, where such condition has been declared unsafe or dangerous by the Director of Community Development or the Fire Chief, and where the proposed measures have been declared necessary by such officials to correct such condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed. In making a determination as to whether such work is reasonably necessary as aforesaid, the above-mentioned officials shall refer to the State Historical Building Code, Health and Safety Code section 18950 *et seq*.

**18.35.140 Duty to Keep in Good Repair.**

The owner, occupant, or other person in actual charge of a historic or cultural resource shall keep in good repair all of the exterior portions of such improvement, building, or structure, all of the interior portions thereof when subject to control as specified in the designating ordinance or permit, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature. It shall be the duty of the Director of Community Development to enforce this Section.

**18.35.150 Showing of Hardship.**

The Planning Commission need not disapprove an application for permit to carry out any proposed work on a historic landmark or a historic site, if the applicant presents clear and convincing

evidence of facts demonstrating to the satisfaction of the Planning Commission that such disapproval will cause immediate and substantial hardship on the applicant because of conditions peculiar to the person seeking to carry out the proposed work, whether this be property owner, tenant, or resident, or because of conditions peculiar to the particular improvement, building, or structure or other feature involved, and that failure to disapprove the application will be consistent with the purposes of this Chapter. In determining whether extreme hardship exists, the Planning Commission shall consider, among others, the following criteria:

A. Whether denial of the application will diminish value of the subject property so as to leave substantially no value.

B. Whether reasonable utilization of the property is prohibited or impractical.

If a hardship is found to exist under this Section, the Planning Commission shall make a written finding to that effect, and shall specify the facts and reasons relied upon in making such finding. Such finding may be appealed to the City Council pursuant to the provisions of Section 18.35.150 of this Chapter.

**18.35.160 Retroactive Application.**

The provisions of this Chapter shall be inapplicable to the construction, alteration, demolition or removal of any structure or other feature on a designated historic landmark or historic site where a permit for the performance of such work was issued prior to initiation of proceedings for such designation, and where such permit has not expired or been canceled or revoked, provided that construction is started and diligently pursued to completion in accordance with the City's Building Code.

# Chapter 36

# DOWNTOWN SPECIFIC PLAN OVERLAY ZONE

**Sections:**

**18.36.010 Adoption by Reference.**

## 18.36.010 Adoption by Reference.

That certain document dated January 10, 2010, entitled "Downtown Specific Plan for the City of Ceres", including Appendix A, is adopted by this reference as the land use and zoning policies, regulations, and guidelines applicable to all parties located within the boundaries of the Downtown Specific Plan area. A copy of the Downtown Specific Plan document shall be maintained in the Office of the City Clerk of the City of Ceres. The Downtown Specific Plan is adopted as an overlay zone applicable to all properties within the Downtown Specific Plan boundaries. Provisions of the City's zoning ordinances remain applicable to the properties within the area affected by the Specific Plan, except to the extent they are in conflict with the provisions of the Specific Plan, in which case the provisions of the Specific Plan shall control and be applied.

# Chapter 37

# DEVELOPMENT AGREEMENTS

**Sections:**

**18.37.010 Authority and Purpose.**
**18.37.020 Limitation.**
**18.37.030 Initiation.**
**18.37.040 Application.**
**18.37.050 Qualification of Applicant.**
**18.37.060 Fees.**
**18.37.070 Withdrawal of Application.**
**18.37.080 Form of Agreement.**
**18.37.090 Review of Application.**
**18.37.100 Environmental Review.**
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**18.37.170 Recordation.**
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**18.37.190 Rules, Regulations and Official Policies**

## 18.37.010 Authority and Purpose.

This Chapter is adopted pursuant to the authority of Government Code section 65864 through 65869.5.

The purpose of this Chapter is to provide assurance to an applicant for a development project that upon approval of the project, the applicant may proceed in accordance with existing policies, rules and regulations; and subject to conditions of approval, to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic costs of development.

## 18.37.020 Limitation.

Unless otherwise expressed in this Code, the provisions in this Chapter are the exclusive procedures and rules relating to development agreements and, in the event of conflict, these provisions shall prevail over any other provisions throughout this Code.

## 18.37.030 Initiation.

A development agreement may be initiated by an application of one or more qualified applicants

as that term is defined by Section 18.37.050.

**18.37.040 Application.**

A. Application for a development agreement shall be made in writing to the Planning Division on a form prescribed by the Director of Community Development. The application shall include the following data:

1. A map drawn to scale showing the property for which the development agreement is requested and the property lines for the properties within three hundred feet (300′) of the exterior boundary lines of the subject property;

2. A clear indication of the names of all the streets and of the Assessor's parcel numbers of each parcel shown on the map that is the subject of the agreement;

3. The names and mailing addresses as listed on the latest assessment roll of the owners of the property shown on the map;

4. The legal description or other description acceptable to the Director of Community Development of the subject property which must be provided prior to approval from the City Council.

5. The proposed use or uses, density or intensity of use of the property, the maximum height and size of any proposed buildings, the proposed duration of the agreement, and any proposed reservations or dedications of land for public purposes;

6. The proposed term of the development agreement.

7. The developer shall provide a statement justifying the five (5) findings to be made by the City Council as specified in Section 18.37.130

B. In addition to the above information, the Director may require a qualified applicant to submit any additional information and supporting data considered necessary to process the application.

**18.37.050 Qualification of Applicant.**

Only a qualified applicant may file an application pursuant to this Chapter. A qualified applicant is a person or entity who (which) has legal or equitable interest in the real property which is the subject of the development agreement. The Director of Community Development may require an applicant to submit proof of the applicant’s interest in the real property and of the authority of the agent to act on behalf of the applicant.

**18.37.060 Fees.**

For the purpose of defraying the expense involved in connection with an application, the City Council may establish by resolution a schedule of fees. The schedule of fees shall be available at the Planning Division and any fee imposed shall be paid by the applicant at the time of filing the

application.

**18.37.070 Withdrawal of Application.**

An applicant may withdraw an application filed pursuant to this Chapter. Any fee required for processing the application shall not be returnable to the applicant.

**18.37.080 Form of Agreement.**

The development agreement shall be in a form approved by the City Attorney; it shall specify the duration of the agreement; the permitted uses of the property; the density or intensity of use; the maximum height and size of proposed buildings; and provisions for reservation or dedication of land for public purposes. The development agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions; provided, that such conditions, terms, restrictions and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that construction shall be commenced within a specified time and that the project or any phase thereof be completed within a specified time.

**18.37.090 Review of Application.**

A. The Director of Community Development shall review the application and shall accept it for filing if it is complete and accurate.

B. The Director of Community Development shall prepare a staff report and recommendation for the Planning Commission with regard to the proposed agreement.

**18.37.100 Environmental Review.**

A development agreement shall be subject to environmental review as required by the California Environmental Quality Act and its implementing regulations.

**18.37.110 Transmittal to the Planning Commission.**

The Director of Community Development shall transmit the application to the Planning Commission for a public hearing when all of the necessary reports and recommendations are complete. Notice of the public hearing shall be given as provided in this Chapter at Section 18.37.150. The application for a development agreement may be considered concurrently with other discretionary permits or approvals for the project.

**18.37.120 Planning Commission Action.**

After one or more public hearings have been held by the Planning Commission, it shall render its decision in the form of a written recommendation and report. Such recommendation and report shall be forwarded to the City Council.

**18.37.130 Action by the City Council.**

A. Upon receipt of the Planning Commission's recommendation and report, the City Council shall promptly set the matter for public hearing. Notice of the public hearing shall be given as

provided in this Chapter.

B. After the City Council completes the public hearing, it may approve, modify or disapprove the development agreement. Matters not previously considered by the Planning Commission during its hearing may, at the discretion of the City Council, be referred back to the Planning Commission for report and recommendation. The Planning Commission may, but need not, hold a public hearing on such referrals.

C. The City Council may approve the development agreement only if it finds in writing that the agreement:

1. That the proposed development agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan, any applicable specific plan, and any proposed amendment to the General Plan or applicable specific plan submitted simultaneously and in conjunction with the proposed development agreement;

2. That the proposed development agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located;

3. That the proposed development agreement is in conformity with public convenience, general welfare, and good land use practice;

4. That the proposed development agreement will not be detrimental to the public health, safety, and general welfare;

5. That the proposed development agreement will not adversely affect the orderly development of property or the preservation of property values.

6. Is consistent with the provisions of Government Code section 65864 through 65869.5.

D. Unless the development agreement provides otherwise, the rules, regulations and official policies governing the permitted uses of land, density, design, improvement, construction standards, or any one of these shall be those rules, regulations and official policies in force at the date of the agreement as adopted by the City Council.

**18.37.140 Approval of Development Agreement.**

Any approval of the development agreement shall be by ordinance.

**18.37.150 Notice Required for Public Hearings.**

A. Notice of public hearings required by this Chapter shall be given as provided in section 65854 and 65856 of the Government Code, in addition to such other notice as may be required for other actions to be considered concurrently with the development agreement.

B. The failure of any person to receive notice required by law of any hearing as required by this Chapter shall not affect the authority of the City to enter into a development agreement.

**18.37.160 Amendment, Cancellation or Assignment.**

A. A development agreement may be amended or canceled, in whole or in part, by the mutual consent of the parties to the agreement, but only after a notice of intention to amend or cancel has been given and public hearings have been held pursuant to this Chapter for the approval of the original development agreement.

B. The procedures for assignment of a development agreement, in whole or in part, shall be set forth in the development agreement.

**18.37.170 Recordation.**

Within ten (10) days after the effective date of a development agreement or any modification or the cancellation thereof, the City Clerk shall have the agreement, the modification or cancellation recorded with the County Recorder.

**18.37.180 Periodic Review.**

A. The Planning Commission shall, not less than once every twelve (12) months from the effective date of the development agreement, review the same for compliance with its terms and conditions.

B. The Planning Commission shall begin the review proceedings by causing notice of the periodic review of the development agreement to be given to each party to the agreement other than the City and to each party entitled to notice under Section 18.37.150. Such mailed notice shall be given at least ten (10) days in advance of the time at which the matter will be considered by the Planning Commission. Said notice shall likewise be given at least ten (10) days prior to any hearing by the City Council.

C. The Planning Commission shall conduct an investigation as to whether or not there has been good faith compliance, and if it is found that there has not been such compliance. The Planning Commission shall conduct a public hearing at which the property owner must demonstrate good faith compliance with the terms of the agreement. The burden of proof on this issue shall be on the property owner. The Planning Commission shall determine upon the basis of substantial evidence whether or not the property owner has, for the period under review, complied in good faith with the terms and conditions of the agreement. If the Planning Commission finds and determines on the basis of substantial evidence that the property owner has complied in good faith with the terms and conditions of the agreement during the period under review, the review for that period is concluded. If the Planning Commission finds and determines on the basis of substantial evidence that the property owner has not complied in good faith with the terms and conditions of the agreement during the period under review, the Planning Commission may recommend to the City Council that the agreement be modified or terminated.

D. Upon receipt of a recommendation from the Planning Commission, the City Council shall

schedule the matter for public hearing.

E. If the City Council finds and determines at a public hearing, and on the basis of substantial evidence, that the applicant has complied in good faith with the terms and conditions of the agreement during the period under review, no further action is required. The burden of proof on this issue shall be on the applicant.

F. If the City Council determines at a public hearing and on the basis of substantial evidence that the property owner has not complied in good faith with the terms and conditions of the agreement during the period under review, the City Council may modify or terminate the agreement.

**18.37.190 Rules, Regulations and Official Policies.**

Unless otherwise provided by the development agreement, the rules, regulations and official policies of the City which govern permitted uses of land, density, design, improvement and construction standards and specifications, applicable to the development of the property subject to the development agreement, shall be those rules, regulations and official policies in force at the time of the execution of the agreement. A development agreement shall not prevent the City, in subsequent actions applicable to the property which is the subject of the development agreement, from applying new rules, regulations, and policies which do not conflict with those rules, regulations, and policies applicable to the subject property at the time the agreement was executed; nor shall a development agreement prevent the City from denying or conditionally approving any subsequent development project application on the basis of such existing or new rules, regulations and policies.

# Chapter 38

# SUBDIVISION TRACT SALES OFFICES, SIGNS, FLAGS AND TEMPORARY CONSTRUCTION/JOB SITE TRAILERS

**Sections:**

**18.38.010 Purpose and Intent.**
**18.38.020 Filing Fee.**
**18.38.030 Establishment of Subdivision Tract Sales Office.**
**18.38.040 General Provisions.**

## 18.38.010 Purpose and Intent.

The intent of this Chapter is to regulate the establishment and operation of subdivision tract sales offices, signs, flags and temporary construction site trailers to assure the compatibility with residential uses, and to avoid adverse effects or adjacent properties.

## 18.38.020 Filing Fee.

A. Sales Office; Administrative Permit: When an application for a subdivision tract sales office, signs and flags is filed, a fee shall be paid in such amount as determined by resolution of the City Council.

B. Temporary Construction Site Trailers: A commercial trailer may be utilized in accordance with this Title upon payment of the required building permit and inspection fees to the Building Division.

## 18.38.030 Establishment of Subdivision Tract Sales Office.

A. Subdivision tract sales offices may be established temporarily in conjunction with the construction of new subdivisions for the purpose of sale to and for the attraction of potential customers.

B. Such activities shall be limited to new subdivisions containing twenty (20) or more parcels as approved by the City and shall be limited to the sale and promotion of those units within the subdivision.

## 18.38.040 General Provisions.

The following general provisions shall apply to all subdivision tract sales offices:

A. The following offices may be permitted:

1. A sales office shall be located within the garage of the model home or other portions of the model home and may be permitted for a period of two (2) years; or,

2. One temporary office trailer with a minimum of twelve feet by forty feet (12′ × 40′); provided, that this structure shall be used only during the construction phase of the model home. Upon completion of the model home, the use of the temporary office trailer shall be discontinued and removed or used as a temporary construction job site trailer as provided in subsection F of this Section.

3. Garage conversion shall be required from sales office to garage prior to the close of escrow of the model home.

B. Signs: The following signs may be permitted for a subdivision tract sales office on a temporary basis

1. A maximum of two (2) on-site, nonilluminated double-faced signs advertising a residential subdivision are permitted, limited to thirty-two (32) square feet per side, two (2) side maximum, and eight feet (8′) in height, located a minimum of ten feet (10′) from the street right of way. These signs shall be removed not later than three (3) years from the recording date of the subdivision, except that the Director of Community Development may grant one-year time extensions until ninety percent (90%) occupancy is reached.

2. One nonilluminated off-site subdivision sales sign identifying the location of the subdivision shall be permitted per development, limited to thirty-two (32) square feet per side, two (2) side maximum, and eight feet (8′) in height. The sign shall be located on private property, a minimum of ten feet (10′) from the street right of way, where it shall not constitute a traffic hazard. These signs shall be removed not later than three (3) years from the recording date of the subdivision, except that the Director of Community Development may grant one-year extensions until ninety percent (90%) occupancy is reached.

3. Additional on-site signs containing information about the model name or number, floor plan, area or price are permitted in residential subdivisions provided there is not more than one such sign for each model. Signs concerning models shall not have an area exceeding three (3) square feet nor a height of more than three feet (3′), and shall be located immediately adjacent to the model to which they refer. Signs authorized under this Section shall not be erected until the subdivision map is recorded and building permits are issued for the construction of the project.

4. One subdivision banner for grand openings not to exceed seventy-two (72) square feet in area or twenty feet (20′) in height may be permitted within the boundaries of the recorded subdivision. In addition, a maximum of four (4) flags not to exceed twenty feet (20′) in height and eight (8) square feet in area may be permitted within the subdivision. The banner and flags shall be permitted for no more than ninety (90) days from the date specified on the sign approval.

5. One nonilluminated sales office sign which shall not exceed twelve (12) square feet in area, may be permitted to be attached to the model home or temporary trailer, and shall not be higher than the plane surface to which it is attached.

C. Minimum area of landscaping shall be as follows:

1. Sales Office with Model Home: Front yards shall be fully landscaped and irrigation system installed as soon as improvements and streets are completed.

2. Temporary Office Trailer: No landscape requirements during the construction phase.

D. Off-Street Parking: No requirements.

E. Extension or Sales Offices: Extensions and sales offices for less than twenty (20) lots shall be considered by the City under the conditional use permit process.

F. Temporary Construction Site Trailer:

1. When Permitted: Construction site trailers may be permitted in a subdivision tract of five (5) or more parcels for the purpose of overseeing and coordinating construction activity. Construction Trailers are also permitted on large commercial and industrial development projects subject to the requirements of this chapter.

2. Location: Location of said trailer is as approved by the Director of Community Development.

3. Fees: Fees shall be paid as required by the Building Division.

4. Type of Trailer: Trailer shall be a type approved by the Building Division.

5. Time Limit for Use: The trailer may be used for a time period as specified by the Director of Community Development.

# Chapter 39

# DENSITY BONUS PROGRAM

**Sections:**

**18.39.010 Purpose and Intent.**
**18.39.020 Applicability.**
**18.39.030 Concessions and Incentives.**
**18.39.040 General Requirements.**
**18.39.050 Requirements for Rental Housing Projects.**
**18.39.060 Requirements for Owner-Occupied Housing.**
**18.39.070 Conflict of Interest.**
**18.39.80 Requirements for Housing Projects that Include Child Care Facilities**

## 18.39.010 Purpose and Intent.

The intent of the density bonus program is to contribute significantly to the economic feasibility of affordable housing in proposed developments by offering incentives to developers consisting of density bonuses or other concessions of equal financial value, in compliance with Government Code sections 65915 and 65917.

## 18.39.020 Applicability.

Density bonuses may be granted and agreements entered into between the City and developer in conjunction with a zone change, planned community development, architectural site plan application approval, subdivisions or other permit approvals granted by the City. The following provisions shall apply to density bonuses:

A. Housing developments must have a minimum of five (5) units, excluding any bonus units, to qualify for the density bonus program provided by this Chapter, and meet one or more of the following criteria:

1. Ten percent (10%) of the total units are designated for lower-income households, as defined in Section 50079.5 of the Health and Safety Code.

2. Five percent (5%) of the total units are designated for very low-income households, as defined in Section 50105 of the Health and Safety Code.

3. Ten percent (10%) of the total dwelling units in a common interest development, as defined in Section 4100 of the Civil Code, for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase.

3. Fifty percent (50%) of the total units are designated for senior citizens, as defined in Sections 51.3 and 51.12 of the Civil Code.

4. Ten percent (10%) of the total units of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.)

B. Projects which meet the requirements of this Chapter shall qualify for a density bonus of up to thirty-five percent (35%) increase in the number of dwelling units authorized for a particular parcel of land beyond the otherwise maximum allowable residential density under this Title or General Plan, whichever is greater, as of the date of application for a project. In addition, a developer shall be entitled to at least one other concession or incentive unless the City adopts a written finding that the additional concession or incentive is not required in order to provide affordable housing costs as defined in Section 50052.5 of the California Health and Safety Code, or the concession or incentive would have a specific adverse impact as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, or the concession or incentive would be contrary to State or Federal law, or the City shall provide other incentives of equivalent financial value based on the land cost per dwelling unit.

C. If the developer agrees to construct both ten percent (10%) of the total units for lower-income households and five percent (5%) of the total units for very low-income households, the developer is entitled to one additional incentive as identified in Section 18.39.030 of this Chapter, and may, at the discretion of the City, receive more than one density bonus.

D. The City shall, within ninety (90) days of receipt of a written proposal, notify the developer, in writing, of the procedures governing these provisions.

E. The City Council may approve the density bonus and regulatory concessions and/or incentives only if all of the following findings are made:

1. The developer has proven that the density bonus and adjustment of standards is necessary to make the project economically feasible.

2. Additional adjustment of standards is not required in order for rents for the targeted units to be set, pursuant to California Government Code Section 65915, subdivision (c).

3. The proposed project is compatible with the purpose and intent of the Ceres General Plan and applicable zoning and development policies.

4. The concession or incentive would not have a specific adverse impact on public health, public safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigated or avoid the specific adverse impact, or adverse impact, without rendering the development unaffordable to low- and moderate-income households. A specific adverse impact is a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or

safety standards, policies, or conditions as they existed on the date the application was deemed complete

**18.39.030 Concessions and Incentives.**

For the purposes of this Chapter, concession or incentive means any of the following:

A. A consideration of alternative site development standards or a modification of Zoning Code requirements or architectural design requirements that exceed minimum building standards approved by the State of California Building Standards Commission as provided in part 2.5 (commencing with Section 18901) of Division 13 of the California Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions.

B. One incentive or concession for projects that include at least ten percent (10%) of the total units for lower-income households, at least five percent (5%) for very low-income households, or at least ten percent (10%) for persons and families of moderate income in a common interest development.

C. Two incentives or concessions for projects that include at least twenty percent (20%) of the total units for lower-income households, at least ten percent (10%) for very low-income households, or at least twenty percent (20%) for persons and families of moderate income in a common interest development.

D. Three incentives or concessions for projects that include at least thirty percent (30%) of the total units for lower-income households, at least fifteen percent (15%) for very low-income households, or at least thirty percent (30%) for persons and families of moderate income in a common interest development.

E. Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

F. Other regulatory incentives or concessions proposed by the developer or the City which result in identifiable actual cost reductions may include, but are not limited to:

1. Certain applicable City fees in a project may be waived, reduced or deferred.

2. A project which provides affordable housing under the terms of this Chapter may be entitled to priority processing.

3. Contributions of redevelopment tax increment housing set-aside funds.

4. Technical assistance with the preparation of an application for State or Federal funds.

5. Financing with tax-exempt bonds or mortgage credit certificates, if they are issued by the City.

**18.39.040 General Requirements.**

A. The developer shall enter into a written agreement with the City to guarantee the continued use and availability of the affordable units to very low- and low-income households for a period as determined by the City. If financing or subsidy programs for the project designate a preservation period, the affordability of restricted units shall be maintained for at least the designated preservation period.

B. Requirements for the affordable units shall be established in conjunction with project approval. Evidence of compliance with the provisions of this Chapter shall be in the form of an agreement between the applicant, City, and monitoring agency completed prior to issuance of any project building permits. The terms and conditions of the agreement shall run with the land which is to be developed, shall be binding upon the successor in interest of the developer, and shall be recorded in the office of the Stanislaus County Recorder. The agreement shall include the following provisions:

1. The developer shall give the City the continuing right-of-first-refusal to purchase or lease any or all of the designated units at the fair market value.

2. The deeds to the designated units shall contain a covenant stating that the developer or his or her successor in interest shall not sell, rent, lease, sublet, assign or otherwise transfer any interest for same without the written approval of the City confirming that the sales price of the unit is consistent with the limits established for eligible households.

3. The City shall have the authority to enter into other agreements with the developer or purchasers of the dwelling units, as may be necessary to assure that the required dwelling units are continuously occupied by eligible households.

4. Nondiscrimination language shall be incorporated into each agreement to assure that equal housing opportunities are made available to all without regard to race, color, religion, sex, national origin, ancestry, marital status or physical handicap in accordance with State or Federal Law.

5. The agreement shall be recorded as a deed restriction prior to issuance of any project building permits and shall run with the land encompassed by the project as provided in subsection A of this Section.

C. Affordable units in a project and phases of a project shall be constructed concurrently with or prior to the construction of nonrestricted units.

D. Affordable units shall have an external appearance, bedroom mix and amenities

representative of the entire housing development, and such units shall be dispersed throughout the project.

E. The City may contract with the Stanislaus County Housing Authority or other similar entity to administer and monitor the rental and sales provisions of this Chapter. The monitoring costs shall be paid by the project owner(s) in one lump sum for the term of the agreement. Said fee shall be paid prior to issuance of the final occupancy clearance. It will be the owner's responsibility to contact the monitoring agency regarding subsequent vacancies once a unit is available for rent or sale.

F. The City Council, by resolution, may establish the amount of fees to be charged to applicants and/or project owners for administration of this Chapter.

**18.39.050 Requirements for Rental Housing Projects.**

A. Those units targeted for very low-income households shall be affordable at a rent that does not exceed thirty percent (30%) of fifty percent (50%) of the Stanislaus County area median income, as published annually by the California Department of Housing and Community Development, and adjusted for household size. If the units are rented to section 8 certificate holders, then the maximum rents for those units shall be as determined by the Stanislaus County Housing Authority.

B. Those units targeted for lower-income households shall be affordable at a rent that does not exceed thirty percent (30%) of sixty percent (60%) of the Stanislaus County area median income, as published annually by the California Department of Housing and Community Development, and adjusted for household size. If the units are rented to section 8 certificate holders, then the maximum rents for those units shall be as determined by the Stanislaus County Housing Authority.

C. Those units targeted for moderate-income households shall be affordable at a rent that does not exceed thirty percent (30%) of one hundred percent (100%) of the Stanislaus County area median income, as published annually by the California Department of Housing and Community Development, and adjusted for household size. If the units are rented to section 8 certificate holders, then the maximum rents for those units shall be as determined by the Stanislaus County Housing Authority.

D. Total move-in costs for affordable units shall be limited to the last month's rent plus a cleaning deposit not to exceed one month's rent.

E. In calculating rents for senior citizen housing units, any services, such as meals or individual medical care, offered above those normally provided for independent living units, shall not be included in calculating maximum rents.

F. If the affordable unit is rented at any time to persons not in the income category originally agreed upon, the property owner or applicant shall pay to the City the difference between the maximum rental fee allowed and that collected for each unit, for the term of noncompliance. Any

forfeited monies shall be used for targeted-income housing programs within the City.

**18.39.060 Requirements for Owner-Occupied Housing.**

A. All purchasers of affordable units shall be first time homebuyers or senior citizens.

B. The total mortgage payments of those units designated for very low- and low-income households shall not exceed the criteria specified for maximum rents in Section 18.39.050 of this Chapter. Total mortgage payments include principal, interest, taxes, and insurance.

C. The total down payment, excluding closing costs, for the affordable units, shall not exceed ten percent (10%) of the purchase price.

D. Purchasers shall be required to occupy the unit unless evidence is presented to the City that the owner is unable to continuously occupy the unit due to illness or incapacity. In such cases, the City may approve rental of the unit to the same household type as the owner.

E. The owner of an affordable unit, on its sale or resale, shall sell the unit to a household in the same category (very low, low, or senior citizen).

F. The sale and selling price of the affordable unit shall be controlled by the monitoring agency.

**18.39.070 Conflict of Interest.**

Following are those persons who, by virtue of their position or relationship, are found to be ineligible to purchase or rent an affordable unit as their residence:

A. All employees and officials of the City who have, by the authority of their position, policymaking authority or influence affecting City housing programs.

B. The developer or project owner, or the relatives or employees of the developer, project owner or of any subcontractor or business associated with the developer's or project owner's operations.

**18.39.080 Requirements for Housing Projects that Include Child Care Facilities.**

When an applicant proposes to construct a housing development that conforms to the requirements of California Government Code section 65915, subdivision (b), and includes a child care facility that will be located on the premises of, as part of, or adjacent to, the project, the City shall grant either of the following:

A. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility.

B. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

C. The City shall require, as a condition of approving the housing development that the following occur:

1. The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable pursuant to California Government Code section 65915, subdivision (c).

2. Of the children who attend the child care facility, the children of very low-income households, lower-income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low-income households, lower-income households, or families of moderate income pursuant to California Government Code section 65915, subdivision (b).

3. Notwithstanding any requirement of California Government Code section 65915, the City shall not be required to provide a density bonus or concession for a child care facility if it finds, based upon substantial evidence, that the community has adequate child care facilities.

4. "Child care facility," as used in this Section, means a child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school-age child care centers.

# Chapter 40

# FLOODPLAIN MANAGEMENT AND FLOOD HAZARD IDENTIFICATION REGULATIONS

**Sections:**

**18.40.010 Statutory Authorizing and Purpose.**
**18.40.020 General Provisions.**
**18.40.030 Administration.**
**18.40.040 Provisions for Flood Hazard Reduction.**
**18.40.050 Variance Procedure.**

## 18.40.010 Statutory Authorizing and Purpose.

A. Statutory Authorization: The legislature of the State has in Government Code sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare. Therefore, the City Council adopts the following floodplain management regulations.

B. Findings Of Fact:

1. The flood hazard areas of Ceres are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

2. These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities also contribute to the flood loss.

C. Statement Of Purpose: It is the purpose of this Chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;

2. Minimize expenditure of public money for costly flood control projects;

3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

4. Minimize prolonged business interruptions;

5. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;

6. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;

7. Ensure that potential buyers are notified that property is in a special flood hazard area; and

8. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

D. Methods Of Reducing Flood Losses: In order to accomplish its purposes, this Chapter includes methods and provisions to:

1. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;

2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

3. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

4. Control filling, grading, dredging, and other development which may increase flood damage; and

5. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

6. This Chapter shall take precedence over any less restrictive conflicting local laws and ordinances.

**18.40.020 General Provisions.**

A. Lands To Which This Chapter Applies: This Chapter shall apply to all areas identified as flood-prone within the jurisdiction of Ceres.

B. Basis for Establishing the Areas of Special Flood Hazard: The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the current "Flood Insurance Study (FIS) for Stanislaus County, California and Incorporated Areas", with accompanying flood insurance rate maps (FIRMs) and flood boundary and floodway maps (FBFMs), and all subsequent amendments and revisions, are hereby adopted by reference and

declared to be a part of this Chapter. This FIS and attendant mapping is the minimum area of applicability of this Chapter and may be supplemented by studies for other areas which allow implementation of this Chapter and which are recommended to the City Council by the Floodplain Administrator. The study, FIRMs, and FBFMs are on file at Engineering Services Department located at 2220 Magnolia Street, Ceres, CA 93507.

C. Compliance: No structure or land shall be constructed, located, extended, converted, or altered without full compliance with the term of this Chapter and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Nothing in this Section shall prevent the City Council from taking such lawful action as is necessary to prevent or remedy any violation.

D. Abrogation And Greater Restrictions: This Chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

E. Interpretation: In the interpretation and application of this Chapter, all provisions shall be:

1. Considered as minimum requirements;

2. Liberally construed in favor of the governing body; and

3. Deemed neither to limit nor repeal any other powers granted under California statutes.

F. Warning And Disclaimer Of Liability: The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This Chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Chapter shall not create liability on the part of the City Council, any officer or employee thereof, the State, or the Federal Insurance Administration, Federal Emergency Management Agency, for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made hereunder.

G. Severability: This Chapter and the various parts thereof are hereby declared to be severable. Should any section of this Chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Chapter as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

**18.40.030 Administration.**

A. Establishment Of Development Permit: A development permit shall be obtained before any construction or other development begins within any special flood hazard area established in Section 18.40.020, subsection B, of this Chapter. The term development shall include any

manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. Application for a development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevation of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

1. Site plan, including but not limited to:

    a. For all proposed structures, spot ground elevations at building corners and twenty-foot (20′) or smaller intervals along the foundation footprint, or one-foot contour elevations throughout the building site; and

    b. Proposed locations of water supply, sanitary sewer, and utilities; and

    c. If available, the base flood elevation from the Flood Insurance Study and/or Flood Insurance Rate Map; and

    d. If applicable, the location of the regulator floodway; and

2. Foundation design detail, including but not limited to:

    a. Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; and

    b. For a crawl-space foundation, location and total net area of foundation openings as required in Section 18.40.040, subsection A(3)(c), and FEMA Technical Bulletins 1-93 and 7-93; and

    c. For foundations placed on fill, the location and height of fill, and compaction requirements (compacted to ninety-five (95%) percent using the Standard Proctor Test method); and

3. Proposed elevation in relation to mean sea level to which any structure will be floodproofed, as required in Section 18.40.040, subsection A(3), of this Chapter and FEMA Technical Bulletin TB 3-93; and

4. All appropriate certifications listed in Section 18.04.030, subsection C(4); and

5. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

B. Designation of the Floodplain Administrator: The City Engineer, or his or her designee, is hereby appointed to administer, implement, and enforce this Chapter by granting or denying

development permits in accord with its provisions.

C. Duties And Responsibilities Of The Floodplain Administrator: The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

1. Permit Review: Review all development permit applications to determine that:

a. Permit requirements of this Chapter have been satisfied;

b. All other required State and Federal permits have been obtained;

c. The site is reasonably safe from flooding; and

d. The proposed development does not adversely affect the carrying capacity of areas where base flood elevations have been determined but a floodway has not been designated.

e. For purposes of this Chapter, "adversely affects" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will increase the water surface elevation of the base flood more than one foot (1′) at any point.

2. Review And Use Of Any Other Base Flood Data: When base flood elevation data has not been provided in accordance with Section 18.40.020, subsection B of this Chapter, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal or State agency, or other source, in order to administer Section 18.40.040 of this Chapter. Any such information shall be submitted to the City Council for adoption.
If no base flood elevation data is available from a federal or state agency or other source, then a base flood elevation shall be obtained using one of two methods from the FEMA publication "Managing Floodplain Development in Approximate Zone A Areas—A Guide for Obtaining and Developing Base (100 year) Flood Elevations" dated July 1995 in order to administer Section 5:

a. Simplified method 100-year or base flood discharge shall be obtained using the appropriate regression equation found in a U.S. Geological Survey publication, or the discharge-drainage area method; and base flood elevation shall be obtained using the Quick-2 computer program developed by FEMA; or

b. Detailed method. The 100-year or base flood discharge and the base discharge and the base flood elevation shall be obtained using detailed methods identified in FEMA Publication 265, published in July 1995 and titled: "Managing Floodplain Development in Approximate Zone A Areas—A Guide for Obtaining and Developing Base (100 year) Flood Elevations."

3. Notification of Other Agencies:

   a. In alteration or relocation of a watercourse:

      (1) Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;

      (2) Submit evidence of such notification to the Federal Insurance Administration, Federal Emergency Management Agency; and

      (3) Assure that the flood-carrying capacity within the altered or relocated portion of said watercourse is maintained.

   b. Base flood elevation changes due to physical alterations:

      (1) Within six (6) months of information becoming available or project completion, whichever comes first, the Floodplain Administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a letter of map revision (LOMR).

      (2) All LOMRs for flood control projects are approved prior to the issuance of building permits. Building permits must not be issued based on conditional letters of map revision (CLOMRs). Approved CLOMRs allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

   Such submissions are necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements are based on current data.

4. Documentation of Floodplain Development: Obtain and maintain for public inspection and make available as needed the following:

   a. Certification required by Section 18.40.040, subsection A(3)(a), of this Chapter (floor elevations);

   b. Certification required by Section 18.40.040, subsection A(3)(b), of this Chapter (elevation of floodproofing of nonresidential structures);

   c. Certification required by Section 18.40.040, subsection A(3)(c), of this Chapter (wet floodproofing standard);

   d. Certification of elevation required by Section 18.40.040, subsection C, of this Chapter (subdivision standards); and/or

e. Certification required by Section 18.40.040, subsection F, of this Chapter (floodway encroachments).

5. Map Determinations: Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazard, for example, where there appears to be a conflict between a mapped boundary and actual conditions, grade and base flood elevations shall be used to determine the boundaries of the special flood hazard area. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 18.040.030, subsection D.

6. Remedial Action: Take action to remedy violations of this Chapter as specified in Section 18.40.020, subsection C.

D. Appeals: The Planning Commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this Chapter. Decisions of the Planning Commission may be appealed to the City Council.

**18.40.040 Provisions for Flood Hazard Reduction.**

A. Standards Of Construction: In all areas of special flood hazards, the following standards are required:

1. Anchoring:

a. All new construction and substantial improvements shall be adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

b. All manufactured homes shall meet the anchoring standards of subsection D of this Section.

2. Construction Materials And Methods: All new construction and substantial improvement shall be constructed:

a. With flood-resistant materials, and utility equipment resistant to flood damage for areas below the base flood elevation.

b. Using methods and practices that minimize flood damage;

c. With electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components

during conditions of flooding; and if

d. Within Zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.

3. Elevation And Floodproofing:

a. Residential construction, new or substantial improvement, shall have the lowest floor, including basement:

(1) In an AO zone elevated above the highest adjacent grade to a height exceeding the depth number specified in feet on the FIRM by at least two feet (2′), or elevated at least four feet (4′) above the highest adjacent grade if no depth number is specified.

(2) In an A Zone, elevated to or above the base flood elevation; said base flood elevation shall be determined by one of the methods in Section 18.040.030, subsection C(2). The state of California recommends the lowest floor be elevated at least two feet (2′) above the base flood elevation, as determined by the community.

(3) In all other zones, elevated at least one foot (1′) above the base flood elevation.

Upon completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor, or verified by the community building inspector to be properly elevated. Such certification or verification shall be provided to the Floodplain Administrator.

b. Nonresidential construction shall either be elevated to conform with Section 18.40.040, subsection A(3)(a), or together with attendant utility and sanitary facilities:

(1) Be floodproofed below the elevation recommended under Section 18.40.040, subsection A(3)(a), of this Chapter so that the structure is watertight with walls substantially impermeable to the passage of water;

(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

(3) Be certified by a registered professional engineer or architect that the standards of this Section 18.40.040, subsection A(3)(b), of this Chapter are satisfied. Such certification shall be provided to the Floodplain Administrator.

c. Flood openings. All new construction and substantial improvements of structures with fully-enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must meet the following minimum criteria:

For non-engineered openings:

(1) Have a minimum of two (2) openings on different sides having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

(2) The bottom of all openings shall be no higher than one foot above grade;

(3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwater; and

(4) Buildings with more than one enclosed area must have openings on exterior walls for each area to allow floodwater to directly enter; or Be certified by a registered civil engineer or architect.

d. Manufactured homes shall also meet the standards in subsection D of this Section.

B. Standards For Utilities:

1. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:

a. Infiltration of flood waters into the systems; and

b. Discharge from the systems into flood waters.

2. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

C. Standards For Subdivisions:

1. All new subdivisions proposals and other proposed development, including proposals for manufactured home parks and subdivisions, greater than fifty (50)

lots or five (5) acres, whichever is the lesser, shall:

a. Identify the special flood hazard areas (SFHA) and base flood elevations (BFE).

b. Identify the elevations of lowest floors of all proposed structures and pads on the final plans.

c. If the site is filled above the base flood elevation, the following as-built information for each structure shall be certified by a registered civil engineer or licensed land surveyor and provided as part of an application for a letter of map revision based on fill (LOMR-F) to the Floodplain Administrator:

(1) Lowest floor elevation.

(2) Pad elevation.

(3) Lowest adjacent grade.

2. All subdivision proposals and other proposed development shall be consistent with the need to minimize flood damage.

3. All subdivision proposals and other proposed development shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

4. All subdivisions and other proposed development shall provide adequate drainage to reduce exposure to flood hazards.

D. Standards for Manufactured Homes:

1. All manufactured homes that are placed or substantially improved on sites located: (1) outside of a manufactured home park or subdivision; (2) in a new manufactured home park or subdivision; (3) in an expansion to an existing manufactured home park or subdivision; or (4) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood shall:

a. Within Zones Al 30, AH, and AE on the community's flood insurance rate map, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

2. All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1 30, AH, and AE on the community's flood insurance rate map that are not subject to the provisions of subsection D1 of this Section will be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement, and be elevated so that either the:

   a. Lowest floor of the manufactured home is at or above the base flood elevation; or

   b. Manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six inches (36") in height above grade.

   Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered civil engineer or licensed land surveyor and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.

E. Standards For Recreational Vehicles:

1. All recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map will either:

   a. Be on the site for fewer than one hundred eighty (180) consecutive days;

   b. Be fully licensed and ready for highway use—a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

   c. Meet the permit requirements of Section 18.100.030 of this Chapter and the elevation and anchoring requirements for manufactured homes in subsection D1 of this Section.

F. Floodways: Located within areas of special flood hazard established in Section 18.04.020, subsection B of this Chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvement, and other new development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in the base flood elevation during the occurrence of the base flood discharge.

2. If subsection F1 of this Section is satisfied, all new construction, substantial improvement, and other proposed new development shall comply with all other applicable flood hazard reduction provisions of this Section.

**18.40.050 Variance Procedure.**

A. Nature Of Variances: The variance criteria set forth in this Section are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this Chapter would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, nor the property owners.

Hardship for purposes of this Section means, the exceptional hardship that would result from a failure to grant the requested variance. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.
It is the duty of the City Council to help protect its citizens from flooding. This need is so compelling and the implications of the cost of ensuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this Chapter are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

B. Appeal Board:

1. In passing upon requests for variances, the City Council serves as the appeal board and shall consider all technical evaluations, all relevant factors, standards specified in other sections of this Chapter, and the following:

   a. Danger that materials may be swept onto other lands to the injury of others;

   b. Danger of life and property due to flooding or erosion damage;

   c. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;

   d. Importance of the services provided by the proposed facility to the

community;

e. Necessity to the facility of a waterfront location, where applicable;

f. Availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

g. Compatibility of the proposed use with existing and anticipated development;

h. Relationship of the proposed use to the Comprehensive Plan and a floodplain management program for that area;

i. Safety of access to the property in time of flood for ordinary and emergency vehicles;

j. Expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and

k. Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.

2. Any applicant to whom a variance is granted shall be given written notice by the City Manager that:

a. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars ($25.00) for one hundred dollars ($100.00) of insurance coverage; and

b. Such construction below the base flood level increases risks to life and property. It is recommended a copy of the notice shall be recorded by the Floodplain Administrator in the office of the Stanislaus County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

3. The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Insurance Administration, Federal Emergency Management Agency.

C. Conditions For Variances:

1. Generally, variances may be issued for new construction, substantial improvement,

and other proposed new development to be erected on a lot of one-half (½) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of Sections 18.40.020 and 18.40.030 of this Chapter have been fully considered. As the lot size increases beyond one-half (½) acre, the technical justification required for issuing the variance increases.

2. Variances may be issued for the repair or rehabilitation of historic structures (as defined in Section 18.02.010) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

3. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.

4. Variances shall only be issued upon a determination that the variance is the "minimum necessary," considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this Chapter. For example, in the case of variances to an elevation requirement, this means the City Council need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the City Council believes will both provide relief and preserve the integrity of this Chapter.

5. Variances shall only be issued upon:

   a. Showing of good and sufficient cause; and

   b. Determination that failure to grant the variance would result in exceptional "hardship" (as defined in Section 18.40.050 of this Chapter) to the applicant; and

   c. Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create a nuisance, defraud the public, or conflict with existing local laws or ordinances.

6. Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of subsection C1 through 5 of this Section are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.

7. Upon consideration of the factors of subsection B of this Section and the purposes of this Chapter, the City Council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Chapter.

# Chapter 41

# REASONABLE ACCOMMODATIONS POLICY AND PROCEDURES

**Sections:**

**18.41.010 Title, Purpose and Applicability.**
**18.41.020 Review and Authority.**
**18.41.030 Application for a Reasonable Accommodation.**
**18.41.040 Finding Necessary for a Reasonable Accommodation.**
**18.41.050 Amendments, Expiration, Violation and Discontinuance.**

## 18.41.010 Title, Purpose and Applicability.

A. Title and Intent. The provisions of this Chapter shall be known as the Reasonable Accommodations Policy and Procedure Regulations. The intent of the Reasonable Accommodations Policy and Procedure Regulations is to provide flexibility in the application of the Zoning Ordinance for individuals with a disability, when flexibility is necessary to eliminate barriers to housing opportunities. This Chapter will facilitate compliance with Federal and State fair housing laws, and promote housing opportunities for residents of Ceres.

B. Purpose. The purpose of this Chapter is to establish a procedure for persons with disabilities seeking fair access to housing to make requests for reasonable accommodations in the application of Ceres' zoning laws, rules, policies, practices and procedures pursuant to Section 3604(f)(3)(b) of Title 42 of the United States Code ("the Fair Housing Act") and Section 12955 *et seq*. of the California Government Code (the "California Fair Employment and Housing Act"), which prohibit local governments from refusing to make reasonable accommodations in policies and practices when these accommodations are necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling.

C. Applicability. A request for a reasonable accommodation may include modification or exception to the rules, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

D. For purposes of this Chapter, a “person with a disability” shall include any person 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 who has a record of such impairment. Federal and State fair housing laws do not protect an individual's current unlawful use of controlled substances or other drugs, unless that individual has a separate disability.

E, For purposes of this Chapter, a “reasonable request for accommodation” shall mean a request to modify land use, zoning or building regulations, policies, practices, or procedures in order to give people with disabilities an equal opportunity to use and enjoy a dwelling.

## 18.41.020 Review and Authority.

A. The Director of Community Development or his or her designee is designated to approve, conditionally approve, or deny all applications for reasonable accommodations.

B. If the project for which the request for a reasonable accommodation is made requires another discretionary permit or approval that is subject to Planning Commission action (as per Section 18.03.040, subsection B.), then the Planning Commission shall act as the decision maker for both the request for reasonable accommodation and the discretionary permit or approval at the same time.

C. If an applicant making a request for a reasonable accommodation does not agree with the decision rendered by the Director of Community Development and/or Planning Commission, the applicant may appeal the decision per the applicable requirements listed under Chapter 18.34.

**18.41.030 Application for a Reasonable Accommodation.**

A. Applicant. A request for a reasonable accommodation may be submitted to the Director of Community Development by any person with a disability, their representative, or a developer or provider of housing for individuals with a disability. A reasonable accommodation may be approved only for the benefit of one or more individuals with a disability.

B. Application. An application for a reasonable accommodation from a zoning regulation, policy, or practice shall be made on a form provided by the Community Development Division. No fee shall be required for a request for a reasonable accommodation, unless the project requires approval of another discretionary permit, then the prescribed fee shall be paid for all other discretionary permits.

C. Other Discretionary Permits. If the project for which the request for a reasonable accommodation is made requires another discretionary permit or approval (i.e., conditional use permit, subdivision, variance, or planned development plan review, etc.), then the applicant shall file the request for a reasonable accommodation together with the application for the other discretionary permit or approval. The processing procedures of the discretionary permit shall govern the joint processing of both the reasonable accommodation and the discretionary permit.

D. Required Information. In addition to materials required under applicable provisions of this Code, an application for a reasonable accommodation shall include the following:

1. Documentation that the applicant is:

    a. An individual with a disability;

    b. Applying on behalf of one or more individuals with a disability; or

    c. A developer or provider of housing for one or more individuals with a disability.

2. The specific exception or modification to the zoning ordinance provision, policy,

or practices requested by the applicant;

3. Documentation that the specific exception or modification requested by the applicant is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy the dwelling; and

4. Any other information that the Director of Community Development reasonably concludes is necessary to determine whether the findings required by Section 18.41.040, hereof, can be made, so long as any request for information regarding the disability of the individuals benefited complies with fair housing law protections and the privacy rights of the individuals affected.

5. Any information submitted as part of a reasonable accommodations request shall be kept confidential and shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

**18.41.040 Finding Necessary for a Reasonable Accommodation.**

A. The written decision to approve, conditionally approve, or deny a request for a reasonable accommodation shall be based on the following findings, all of which are required for approval:

1. That the housing, which is the subject of the request for reasonable accommodation, will be used by one or more individuals with a disability protected under the fair housing laws;

2. The requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling;

3. The requested accommodation will not result in a fundamental alteration in the nature of the City's zoning laws, rules, policies, practices, and procedures;

4. The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

5. The requested accommodation will not impose an undue financial or administrative burden on the City as "undue financial or administrative burden" is defined in fair housing laws and interpretive case law.

6. In making these findings, the decision maker may approve alternative reasonable accommodations which provide an equivalent level of benefit to the applicant.

B. The City may consider, but is not limited to, the following factors in determining whether the requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling:

1. Whether the requested accommodation will affirmatively enhance the quality of life of one or more individuals with a disability;

2. Whether the individual or individuals with a disability will be denied an equal opportunity to enjoy the housing type of their choice absent the accommodation;

3. In the case of a residential care facility, whether the requested accommodation is necessary to make facilities of a similar nature or operation economically viable in light of the particularities of the relevant market and market participants; and/or

4. In the case of a residential care facility, whether the existing supply of facilities of a similar nature and operation in the community is sufficient to provide individuals with a disability an equal opportunity to live in a residential setting.

C. The City may consider, but is not limited to, the following factors in determining whether the requested accommodation would require a fundamental alteration in the nature of the City's zoning laws, rules, policies, practices, and procedures:

1. Whether the requested accommodation would fundamentally alter the character of the neighborhood;

2. Whether the accommodation would result in a substantial increase in traffic or insufficient parking;

3. Whether granting the requested accommodation would substantially undermine any purpose of either the City's General Plan or applicable specific plan; and/or

4. In the case of a residential care facility, whether the requested accommodation would create an institutionalized environment due to the number of and distance between facilities that are similar in nature or operation.

D. Rules while decision is pending. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

E. Effective Date. No reasonable accommodation shall become effective until the decision to grant such accommodation shall have become final by reason of the expiration of time to make an appeal. In the event an appeal is filed, the reasonable accommodation shall not become effective unless and until a decision is made by the Planning Commission or City Council, as applicable on such appeal.

**18.41.050 Amendments, Expiration, Violation and Discontinuance.**

A. Amendments. A request for changes in conditions of approval of a reasonable accommodation, or a change to plans that would affect a condition of approval shall be treated as a new application. The Director of Community Development may waive the requirement for a new

application if the changes are minor, do not involve substantial alterations or addition to the plan or the conditions of approval, and are consistent with the intent of the original approval.

B. Expiration of Approval. Any reasonable accommodation approved in accordance with the terms of this Chapter shall expire within twenty-four (24) months from the effective date of approval or at an alternative time specified as a condition of approval unless:

1. A building permit has been issued and construction has commenced;

2. A certificate of occupancy has been issued;

3. The use is established.

C. Violation of Terms. Any reasonable accommodation approved in accordance with the terms of this Code may be revoked if any of the conditions or terms of such reasonable accommodation are violated, or if any law or ordinance is violated in connection therewith.

D. Discontinuance. A reasonable accommodation shall lapse if the exercise of rights granted by it is discontinued for one hundred eighty (180) consecutive days. If the persons initially occupying a dwelling vacate, the reasonable accommodation shall remain in effect only if the Director of Community Development determines that:

1. The modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with the code; and

2. The accommodation is necessary to give another disabled individual an equal opportunity to enjoy the dwelling.

E. The Director of Community Development may request the applicant or his or her successor in interest to the property to provide documentation that subsequent occupants are persons with disabilities. Failure to provide such documentation within ten (10) days of the date of a request by the City shall constitute grounds for discontinuance by the City of a previously approved reasonable accommodation.

# Chapter 42

# DANCING

**Sections:**

**18.42.010 Definitions.**
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## 18.42.010 Definitions.

For the purpose of this Chapter, the following words and phrases shall have the meanings as set forth herein:

“Known”: When used in connection with the words "prostitute" or "male or female procurer" or "vagrant" means and includes known to the manager, owner, or lessee of the dance hall, or to the person conducting a dance, or to the police or other authorities having to do with the regulation or supervision of public dance halls, or public dances, to be one of the persons named, or who has such reputation or character, or one who has pleaded guilty to or has been convicted of being a prostitute, male or female procurer, or vagrant;

“Person”: Includes natural persons, copartnerships, corporations, and associations and shall include both sexes.

“Public Dance”: Includes any dance to which the general public may gain admission with or without the payment of a fee;

“Public Dance Hall”: Includes any room, place or space in which a public dance as defined under the definition of "public dance" herein is conducted.

## 18.42.020 Permit Required.

It is unlawful to maintain, operate or conduct a public dance hall as defined herein within the limits of the City until the person owning or conducting the dance hall, or other place in which it may be held, shall first have obtained a written permit therefor as hereinafter provided. It is further unlawful to hold or conduct a public dance in a place other than a public dance hall for which a permit has been obtained, unless the person holding or conducting such dance shall apply for a written permit as hereinafter provided.

**18.42.030 Application for Dance Hall Permit.**

Applications for a permit to keep and conduct a public dance hall shall be on forms supplied by the City Clerk and shall be substantially as follows:

APPLICATION FOR PERMIT TO CONDUCT A PUBLIC DANCE HALL

_____, 19___

"The undersigned hereby makes application for a permit to keep and conduct a public dance hall at _____ , in the City of Ceres, County of Stanislaus, State of California, from date of issuance of permit to and including _____, 19___.

"It is hereby expressly agreed that in the event that this permit shall be issued, that said dance hall shall be conducted in strict accord with the provisions of law regulating public dance halls, and the undersigned agrees that the permit is given and accepted subject to the provisions of this application, and that he or she shall be held responsible for violation of any provision of law or ordinance regulating public dance halls.

"There are _____ square feet of dancing space in said hall.

"The undersigned is the proprietor of the hall located at the above address in which hall an application for keeping and conducting a public dance hall is hereby made.

_____

Signature of Applicant

_____

Post Office Address of Applicant

"The foregoing application is approved and the number of attendants required to be present when said dance hall is open to the public is _____.

_____

Chief of Police of the City of Ceres

"The foregoing application is approved and permit issued this _____ day of _____, 19___.

_____

City Clerk of the City of Ceres"

**18.42.040 Application for Permit to Conduct Dance.**

Application for a permit to conduct a public dance as defined herein shall be upon forms supplied by the City Clerk and shall be substantially as follows:

APPLICATION FOR PERMIT TO CONDUCT A PUBLIC DANCE

_____, 19___.

"The undersigned hereby makes application for a permit to give a public dance at City of Ceres, in the County of Stanislaus, State of California, from date of issuance of this permit, to be held on the _____ day of _____, 19___. It is hereby expressly agreed that said dance shall be conducted in strict accord with the provisions of law regulating public dances and the undersigned agrees that the permit is given and accepted subject to the provisions of this application and that he shall be held responsible for any violation of any provisions of law or ordinance regulating any public dance.

"The owner or lessee of the premises in which such dances are to be held is

_____

(Name)

_____

(Occupation)

_____

Signature of the Applicant

_____

Post Office Address of Applicant

"The foregoing application is approved and the number of attendants required to be present when said dance hall is open to the public is _____.

_____

Chief of Police of the City of Ceres

"The foregoing application is approved and permit issued this _____ day of _____ 19___.

_____

City Clerk of the City of Ceres"

**18.42.050 Investigation; Permit Procedure.**

Upon receiving such application, the City Clerk shall refer the same to the Chief of Police for investigation, who may refer the application to the building official, fire marshal, or such other agents as may be appropriate, as to whether or not the place for which permit is asked complies

with and conforms to all laws, ordinances, health and fire regulations applicable thereto, and is properly ventilated and supplied with separate and sufficient toilet conveniences for each sex within the building in which the dance is to be conducted and is a safe and proper place for the purpose for which it shall be used, and as to the moral character of the applicant. The Chief of Police shall report thereon immediately to the City Clerk. The City Clerk shall thereupon grant or refuse the permit.

**18.42.060 Revocation of Permit.**
All permits provided for in this Chapter shall be granted and accepted with the express understanding and agreement that the City Council may revoke them at any time if any of their terms or conditions were obtained by fraudulent representations or it is shown to the satisfaction of the Council that the dance or place is conducted in an unlawful manner, or that it is detrimental to the social peace or public morale of the community; provided, however, that the holder of the permit may appear before the Council in his own behalf, but the Council shall be the judge of the sufficiency of the charges or of what is detrimental to the social peace and public morals, and the decision of the Council thereon shall be final and conclusive.

**18.42.070 Compliance with Chapter Required.**
All permits as provided herein shall be granted and accepted upon the further understanding and agreement that all the terms, provisions, and regulations contained in this Chapter, as it now is or may hereafter be amended, shall be fully complied with.

**18.42.080 Denial of Permit; Appeal Hearing.**
In the event that the City Clerk shall refuse to issue any such permit for a public dance hall or the holding of a public dance, the applicant may appeal to the City Council, who shall after hearing grant or deny the issuance of the permit applied for.

**18.42.090 Permit Time Limit; Renewal After Revocation.**
All permits granted hereunder shall be good for the date or until the time specified in the permit, not exceeding one year. It shall not be assignable. If the permits as provided for in this Chapter shall be revoked by the City Council, no new permit shall be granted to such person or to any person who was an agent or employee of such person at the time of any violation of this Chapter, or at the time of the application for a new permit.

It is unlawful for any person to whom a public dance hall permit is issued or for any person conducting a public dance hall under permit from the City Clerk or any person who is conducting any dance or dance hall within the City, to allow or permit in any dance hall any indecent act to be committed, or any vulgar dancing to be indulged in, or any disorder, or conduct of a gross, vulgar or violent character, or to permit in any such dance hall any known prostitute, pimp or procurer.

**18.42.100 Vulgar Conduct, Prostitute Prohibited; Police Authority.**
Any member of the Police Department, or other properly constituted authority, shall be admitted free of charge to any public dance hall in the City and they shall have the power and it shall be the duty of each of them, to cause any dance hall to be vacated whenever any provisions of this Chapter, or of any ordinance, regulation or law concerning dance halls has been or is being violated; or whenever any indecent act shall be committed, or any vulgar dance indulged in or

when any disorder or conduct of a gross, violent or vulgar character shall take place therein, or any known prostitute, pimp or procurer shall be found to be present in such place.

**18.42.110 Closing Time.**

All dances shall be stopped and discontinued and all public dance halls shall be closed at two o'clock (2:00) A.M.

**18.42.120 Attendant Requirements.**

Every person who conducts a public dance hall or place where dancing is permitted, shall at all times maintain and keep one or more attendants who shall be present at all times when the dance hall or place is opened to the public and when a public dance is being conducted therein. It shall be such attendant's duty to see that the provisions of this Chapter relating to the conduct of the persons attending the dance hall are enforced. The attendants shall be approved from time to time by the Chief of Police, and no public dance shall be conducted without the presence of the attendant. The compensation of the attendant shall be paid by the person conducting, owning or managing the dance hall.

**18.42.130 Permit Revocation; Limit Before Renewal.**

If at any time the permit for a public dance hall shall be revoked for a violation of the provisions of this Chapter, then in that event at least three (3) months shall elapse before another permit shall be granted to the manager, owner or lessee of such premises.