

# **Proposed text amendments to the Ferndale Zoning Ordinance**

**May 7, 2025 Public Hearing of the  
Ferndale Planning Commission**

**Project location of proposed text amendments: Citywide in the  
City of Ferndale.**

**Notes:**

1. Proposed amendment to the subject Section 6.05 are shown in underlined text for additions and ~~strikethrough~~ text for deletions.

2. All sub-sections not included in the below Sections shall continue in full force, unamended by this Ordinance.

**ARTICLE 3:     DEFINITIONS**

Unless the context otherwise requires, the definitions set forth in this Article shall be used in the interpretation and construction of this Ordinance. Words used in the present tense shall include the future, and in the future tense shall include the present tense; the singular number shall include the plural, and the plural the singular. The word “building” shall include the word “structure,” the word “used” shall include “arranged, designed, constructed, altered, converted, rented, leased, or intended to be used” and the word “shall” is mandatory.

“City” shall mean the City of Ferndale, “City Council” shall mean the City Council of Ferndale and “Planning Commission” shall mean the Planning Commission of the City of Ferndale or the City Council in the absence of a legally constituted Planning Commission.

§3.01     Abutting: Land having a common property line or separated only by an alley, easement or private road.

§3.02     Access Drive: A private drive connecting a street or alley with a parking or loading area or space and of sufficient width to safely permit the passage of all vehicles, equipment, machinery, trailers, mobile homes, and pedestrians which may normally or reasonably be expected to seek access to the parking or loading area or space. Whenever the size, location or use of the parking or loading area is such as to reasonably necessitate the use of such drive by emergency vehicles, the drive shall be of adequate width and design to permit the passage of such emergency vehicles in order to be considered as an access drive within the meaning of these regulations.

§3.03     Acreage: Land that is customarily measured in terms of acres rather than front feet or square feet.

§3.04     Administrative Officials: The Planning Commission of the City of Ferndale and/or such other Planning Commission employee as may be designated by the Planning Commission.

§3.05     Agriculture, General: Farming, dairying, pasturage, timber production, tree farming, horticulture, floriculture, viniculture, apiaries and animal and poultry husbandry, but not including stock yards, slaughter houses, hog farms, pig farms, turkey farms, frog farms, fertilizer works or plants for the reduction of animal matter.

~~§3.06     Agricultural or Farm Labor Camp: Any living quarters, dwelling, boarding house, tent, bunk house, mobile home or other housing accommodation maintained in connection with any work being performed, and the premises upon which they are situated, or the areas set aside and provided for camping of five (5) or more employees by a labor contractor. Labor camps shall also mean a labor supply camp, which is any place, area or piece of land where a person engages in the business of providing sleeping places or camping grounds for five (5) or more employees or prospective employees to another.~~

**NOTE:** The following Sections shall be renumbered sequentially.

- §3.07 Agricultural Service-Related Business: A business whose principal activity includes the service and selling of goods directly related to farming, dairying, pasturage, horticulture and animal and poultry husbandry. Such uses include “feed and farm supply stores,” “hay, feed, seed, tools and hardware stores” or “farm and ranch supplies,” but does not include a stock yard, slaughter house, meat market, animal and poultry husbandry, animal-keeping or veterinary service, fertilizer works or a plant for the reduction of animal matter. Furthermore, the selling or repairing of vehicles, farm implements like tractors or accessories, or the dispensing of fuels for such is not allowed as a principle activity.
- §3.08 Alley or Lane: A public or private way not more than thirty (30) feet wide affording only secondary means of access to abutting property and not intended for general traffic circulation, except when such terms are modified by the word “bowling.”
- §3.09 Animal hospital: A building where animals are given medical or surgical treatment for compensation and where the boarding of animals is incidental to such treatment. The designation “small animal hospital” shall indicate that such treatment shall be limited to dogs, cats, rabbits, birds and similar small animals.
- §3.10 Animal Products Processing Plants: Buildings and premises for the preparation for wholesale distribution of animals or animal products, including, but not limited to, slaughter houses, fat rendering, tallow works, fertilizer plants, tanneries, seafood packing and canning and distillation of bones.
- §3.11 Automobile Repair:
- 3.11.1 Automobile Repair, Major: General repair, rebuilding or reconditioning of engines, including removal of same; motor vehicle, truck or trailer collision service, including body, frame or fender straightening or repair and over-all painting or paint shop.
- 3.11.2 Automobile Repair, Minor: Upholstering, replacement of parts and motor service, not including removal of the motor, to passenger cars and trucks not exceeding one and one-half (1 ½) tons capacity, but not including any operation under “Automobile Repair, Major” Section 3.11.1
- §3.12 Automobile Service, Gas or Filling Station: A place which provides for the servicing, washing and fueling or operating motor vehicles, including minor repairs, and the sales of merchandise and supplies incidental thereto.
- §3.13 Bed and Breakfast: A home occupation for a residential dwelling occupied by a resident person or family, containing one bedroom with separate bathroom occupied on a transient basis for compensation, and in which a breakfast may be provided to guests. The breakfast provided shall not constitute a restaurant operation and may not be provided to persons other than guests of the bed and breakfast. See also §7.06 for Bed and Breakfast Inns.
- §3.14 Board of Supervisors: Humboldt County Board of Supervisors.
- §3.15 Board of Zoning Adjustment: The Planning Commission.
- §3.16 Boarding House: A dwelling or part thereof where meals or meals and lodging are provided for compensation for three (3) or more persons, not transient, but does not include employee housing.
- §3.17 Building: Any structure having a roof used or intended to be used for the shelter or enclosure of persons, animals or property. When such a structure is divided into separate parts by one or more unpierced walls extending from the ground or foundation up, each part is deemed a separate building, except as regards minimum side yard requirements.

- 3.17.1 Building, Accessory: A detached subordinate building located on the same building site as the main building and designated and intended for a use that is subordinate to the use of the main building.
- 3.17.2 Building, Main: A building in which is conducted the principal use of the building site on which it is situated.
- 3.17.3 Building Site: See Lot.
- §3.18 (These sections amended by Ord. 07-01 on 2/12/07) Building Inspector – shall be appointed by the City Manager.
- §3.19 Building Official shall be appointed by the City Manager. (End of sections amended by Ordinance 07-01 on 2/12/07)
- §3.20 Camp, Public: Any area or tract of land used or designated to accommodate temporarily two (2) or more camping parties, traveling by automobile or otherwise.
- §3.21 Cemetery: Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes and including, but not limited to, columbarium, crematories, mausoleums, mortuaries and chapels, when operated in conjunction with and within the boundary of such cemetery.
- §3.22 City: The City of Ferndale.
- §3.23 City Council: The City Council of Ferndale.
- §3.24 Court: An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, which is bounded on two or more sides by such building or buildings.
- §3.25 Commission, Planning Commission: The Planning Commission of the City of Ferndale, State of California.
- §3.26 Communication Equipment Building: A building which houses electrical and mechanical equipment necessary for the conduct of a public utility communications business with or without personnel.
- §3.27 Distance Between Structures: The shortest horizontal distance measured between the vertical walls of two structures.
- §3.28 Dwelling: Any building or portion thereof containing one or more dwelling units designed or used exclusively as a residence or sleeping place for one or more families, but not including a tent, cabin, boat, trailer, mobile home, ~~labor camp~~, hotel or motel.
- 3.28.1 Dwelling, Single Family: A building containing exclusively one dwelling unit.
- 3.28.2 Dwelling, Two-Family or Duplex: A detached building under one roof, designed for or occupied exclusively by two families living independently of each other.
- 3.28.3 Dwelling, Multiple: A building or portion thereof containing three (3) or more dwelling units located on a single lot. Includes apartments and flats, units side-by-side, units stacked, dwelling groups, and one or more units occupying the same site as a non-residential uses (mixed use development); including apartments and flats but excluding ~~Excludes~~ boarding houses, motels, mobile home parks, hotels, fraternity or sorority houses, ~~and~~ private residence clubs, vacation rentals, and detached single family homes with accessory dwelling units in compliance with Sections 66310-66342 of the California Government Code.
- 3.28.4 Dwelling Unit: One room, or a suite of two (2) or more rooms, designed for, intended for, or used by one family, where the family lives, sleeps and cooks and which unit has one kitchen or kitchenette.
- 3.28.5 Dwelling Group: Three or more detached single-family dwellings occupying a parcel of land, in one (1) ownership and having a yard court in common, but not including manufactured home parks, hotels, motels, vacation rentals, and transient occupancy uses.

§3.29 Emergency Repairs: Repairs made to any structure, whether used for residential, commercial or other uses, in the immediate period following damage by earthquake, fire, wind, hail, or collision, provided that such repairs will bring the structure to its original design. Such repairs include: re-roofing, repairing fire damage, painting, re-painting, paint scraping, and replacing windows, drainpipes, railings, and small structural ornamentation.

§3.30 Emergency Vehicle: Self-propelled vehicle or trailer used in the discharge of the duties of public districts, agencies, or departments or privately owned public utilities responsible for fire prevention and control, police enforcement, sanitation, sewage, drainage, flood control and public utility maintenance and service.

§3.31 Employee Housing:

3.31.1 Small Employee Housing: Means housing for employees, including farmworkers, providing accommodations for six or fewer persons in a single family dwelling and consistent with California Health and Safety Code Section 17021.5. Small employee housing shall be deemed a single-family dwelling and is allowed in residential zones. Employee housing for six or fewer employees is subject to all municipal codes, regulations, and other standards generally applicable to other residential dwellings of the same type in the same zone.

3.31.2 Large Employee Housing: Means housing for employees, including farmworkers, consisting of no more than thirty-six (36) beds in group quarters or twelve (12) units or spaces designed for use by a single family or household and consistent with the California Health and Safety Code Section 17021.6. Moreover, large employee housing is an agricultural land use, and shall not be deemed a use that implies that employee housing is an activity that differs in any other way from an agricultural use pursuant to Section 17021.6 of the California Health and Safety Code.

**NOTE:** The following Sections shall be renumbered sequentially.

§3.31 Family: ~~A person living alone, or two (2) or more persons related by blood, marriage or adoption, or a group of not more than five (5) unrelated persons living together as a single non-profit housekeeping unit in a dwelling unit, as distinguished from a group occupying a boarding house, motel, hotel or fraternity or sorority house. A family shall be deemed to include necessary servants. One or more persons sharing a dwelling unit whether or not related by blood, marriage, or adoption.~~

§3.32 Farm Dwelling: A dwelling on farm premises for permanent residents of the farm, such as the owner, lessee, foreman, or others whose principal employment is the operation of the farm, ~~as distinguished from quarters for seasonal labor.~~

§3.33 Frontage: All the property on one (1) side of a street between intersecting or intercepting streets or between a street and right-of-way, waterway, end of a dead-end street or city boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street that it intercepts.

§3.34 Fur Farm: A place at which fur-bearing animals are bred and raised for commercial purposes, such as breeding stock or for the reclamation of pelts.

§3.35 Garage:

3.35.1 Garage, Private: An accessory building or a portion of a building designed for the storage of self-propelled passenger vehicles, camping trailers or boats belonging to the owners or occupants of the site and their guests, including covered parking space or carport.

- 3.35.2 Garage, Public: Any building or portion thereof or premises, except those herein defined as a private garage, used for the storage or care of self-propelled vehicles, trailers and boats or where any such are equipped for operation or repair or kept for remuneration and hire.
- 3.35.3 Garage, Storage: Any structure or portion thereof or premises, except those herein defined as private garages, used exclusively for the storage for remuneration or hire of self-propelled vehicles, trailers and boats.

§3.36 Ground Coverage: The percentage of the total area that is covered by structures as herein defined.

~~§3.36~~§3.37 Guest Houses: Guest houses are herein defined as a detached living quarter of permanent construction, without a kitchen, which is clearly subordinate and incidental to the use of the main building, on the same lot. Guest houses shall not be let, leased or rented, in whole or in part, independently of the main building.

~~§3.37~~§3.38 Hog Farm: Any premises used for the raising or keeping of three (3) or more hogs when raised, fed or fattened for purposes of sale and consumption by other than the owner of the site. In an agricultural zone, the term "hog farm" is not intended to otherwise preclude the raising of hogs as part of a general farming operation.

~~§3.38~~§3.39 (This section amended by Ordinance 08-03) Home Occupation: Any use which, as determined by this ordinance, is customarily carried on within a dwelling or unattached structure by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling. (End of section amended by Ordinance 08-03)

~~§3.39~~§3.40 Hotel: Any building or portion thereof containing living quarters or dwelling units and designed for or intended to be used by six (6) or more transient guests, whether the compensation or hire be paid directly or indirectly, and shall include resort hotel, lodging house, rooming house, dormitory, residence club, fraternity, sorority and other similar uses. Excludes employee housing.

~~§3.40~~§3.41 Incidental and/or Appurtenant Uses: Small and/or related activities other than the uses specified under "Agricultural Service-Related Business," which are available or are conducted on the site during the same hours of the principal activity and all of which occupy less than 25 percent of the total retail floor area. Such activities shall be related to or not conflict with the principle activity. Such activities can include: home supplies, small-scale plant nurseries and landscape supplies, home improvement supplies and books, canning and kitchen supplies, work clothes, pruning or composting workshops, deli (not exceeding 200 ~~square-~~ feet-), gift items or handcrafted items.

~~§3.41~~§3.42 Instruction, Commercial: Schools or classes operated within a building to give instruction in any art, profession, trade or business, for compensation, and including, but not limited to instruction in cosmetology, hairdressing, barbering, bartending, music, dancing, typing, shorthand or other business skills, electronics or engineering.

~~§3.42~~§3.43 Junk Yard: Any aggregate area of more than two hundred (200) square feet within any parcel, lot or contiguous lots which is used as a place where imported waste, inoperable household appliances, inoperable machinery, inoperable motor vehicles, portions of inoperable motor vehicles or discarded or salvaged materials are disassembled, handled, placed, processed, baled, packaged or stored. This includes but is not limited to auto and trailer wrecking yards, scrap metal yards, wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel material and equipment. This does not include the above activities when conducted entirely within completely enclosed buildings nor the sale or storage of used cars, farm machinery, trailers or boats in

operable condition, nor the salvage of materials incidental to manufacturing or farm operations, provided such salvage takes place where the manufacturing or farming is done.

~~§3.43~~§3.44 Kennel: Any premises, except those accessory to an agricultural use, where five (5) or more small domestic animals, not sick or injured, are boarded, cared for or trained for compensation, or are kept for sale or breeding purposes.

~~§3.44~~§3.45 Kitchen or Kitchenette: Any space used or designated to be used for cooking and preparing food, whether the cooking unit be permanent or temporary and portable.

~~§3.45~~§3.46 Licensed Premises: Premises licensed by the Alcoholic Beverage Control Board of the State of California for the sale and consumption of alcoholic beverages on the premises.

~~§3.46~~§3.47 Living:

3.46.1 Living Area: The interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

3.46.2 Living Quarters: One or more rooms in a building designed, intended for or used by one or more individuals for living or sleeping purposes, but which does not have cooking facilities.

~~§3.47~~§3.48 Lot:

~~3.47.1~~3.48.1 Lot, Building Site: A parcel of land, exclusive of public streets or alleys, occupied or intended to be occupied by a building or group of buildings, together with such open space, yards, minimum width and area as are required by these regulations, and having full frontage on an improved and accepted public street which meets the standard of widths and improvements specified by the *City of Ferndale* for the street in question, or having either partial frontage on such street or access thereto by record right-of-way or record easement, which partial frontage right-of-way or easement is determined by the Commission to be adequate. In subdivided areas, a building site is any portion of a filed and recorded lot or any combination of contiguous lands, including more than a lot which meets the minimum area and width requirements of the zone in which it is located and which is so shaped that a building having the minimum area as set forth in the building code for the purpose intended for said building could be constructed in compliance of all yard requirements of that zone. As used herein, "lot" is not restricted to a parcel of land identified and filed and recorded as a subdivision by lot number.

~~3.47.2~~3.48.2 Lot, Corner: A lot abutting upon two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

a. The front yard of a corner lot is the yard adjacent to the shortest street frontage.

b. The rear yard of a corner lot extends to the side yard adjacent to the street

c. A side yard on the street side of a corner lot shall extend from the front yard to the rear lot line.

3.47.3 Lot, Flag: A lot with access to a public street by a corridor of land of considerable length and not less than 20 feet in width. The front lot line of a flag lot shall be defined as that interior lot line which is more parallel and closest to the public street, except where due to the irregularity of the shape of the lot the Planning Department may determine otherwise. In computing the area of the flag lot, the area of the corridor shall be excluded.

3.47.4 Lot, Interior: A lot other than a corner or key lot.

- 3.47.5 Lot, Key: The first lot to the rear of a corner lot, the front line of which is a continuation of the side line of the corner lot (exclusive of any alley) and fronting on the street which intersects or intercepts the street upon which the corner lot fronts.
- 3.47.6 Lot Area: The total horizontal area included within lot lines, but excluding any portion of such area that has been dedicated for public right-of-way purposes.
- 3.47.7 Lot Depth: The average horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines
- 3.47.8 Lot Lines. The property lines bounding the lot. The definitions herein are applicable to lots that are basically square or rectangular in shape. When these definitions are not applicable due to irregularity in the shape of the lot, lot lines shall be determined by the Administrative Official, subject to review by the Planning Commission.
- a. Lot Line, Front: The line separating the lot from the street right-of-way. In the case of a corner lot, the shorter street frontage shall be the front lot line.
  - b. Lot Line, Rear: In the case of an interior Lot, the line opposite and most distant from the front lot line. In the case of a triangular or wedge-shape lot, for measurement purposes, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.
  - c. Lot Line, Side: Any lot lines not a front or rear lot line.
- 3.47.9 Lot Width: The horizontal distance between the side lot lines measured at right angles to the depth of the lot at the front yard set back line. Whenever this definition cannot be applied due to irregularity in the shape of the lots, the lot width shall be as determined by the Administrative Official subject to review by the Planning Commission.
- §3.48 Minor Repair & Routine Maintenance: Such repair and maintenance which may include re-roofing; painting; re-painting, re-surfacing; paint scraping; replacement of windows; drainpipes, railings, and small structural ornamentation; and replacement of individual boards in a wooden porch with fresh identical lumber, if the status quo or original design is maintained.
- §3.49 Mobile homes:
- 3.49.4 Use exemptions: A mobile home shall be occupied or used for living or sleeping purposes on an individual lot only if it is in accordance with 7.14.2 of this ordinance, with the following exceptions:
- a. In conjunction with a trailer sales area: One mobile home may be used as an office appurtenant and accessory to, and in conjunction with the operation of a mobile home sales area.
  - b. Temporary office or residence: One mobile home may be permitted, with a special permit issued by the Building Department, as a temporary office or residence, after obtaining a building permit of the same use on the same lot. Such use of the mobile home shall be limited to six (6) months from the date of issuance of the building permit and shall automatically terminate upon the expiration or voidance of the building permit. The Building Department may renew such special permit for one additional period of six (6) months, if substantial progress has been made in the construction of the permanent building and it is reasonable and probable that the permanent building will be completed within such additional period.

- c. By building contractors: Mobile homes may be used, with a use permit, as temporary offices by construction contractors, or as temporary living quarters for their employees in all zones.
- 3.49.5 Mobile homes on individual lots: A mobile home shall be permitted on an individual lot as a single-family dwelling unit, only if it meets the following requirements:
  - a. Eligibility:
    - i. The mobile home must be certified under the National Mobile Home Construction and Safety Standards Act of 1974.
    - ii. The mobile home must be installed on a permanent foundation system designed in accordance with the provisions of Chapter 29 of the Uniform Building Code, 1979 Edition, or applicable provisions of subsequent editions adopted for use by the City.
    - iii. The mobile home must comply with all development standards specified in the zone in which the mobile home is to be placed.
    - iv. The mobile home must be located within an area of the City determined to be compatible with mobile home use, as defined in the Compatibility Section, below.
  - d. Compatibility: Mobile homes shall be considered compatible in those areas outside of the Design Control Combining or -D Zones, as particularly described on the Zoning Map of the City of Ferndale. The Design Control districts designated on said map have been found to be both of significant historical value and of overall unique architectural character, warranting protection of preservation efforts and infill development of comparable nature. Therefore, mobile homes, as defined herein, are not found to be compatible with these areas, but shall be permitted in all other areas of the City wherein single-family dwellings are a principal permitted use of land.
- §3.50 Mobile Home Park Standards: All mobile home parks shall be subject to the following requirements:
  - 3.50.4 Minimum lot area: one (1) acre.
  - 3.50.5 Minimum recreation space: 10% of site
  - 3.50.6 Minimum yards around parks: front, 20 feet; side and rear, 10 feet; suitably landscaped to provide effective screening.
  - 3.50.7 All areas not used for access, parking, circulation, recreation or services shall be completely and permanently landscaped, and the entire site shall be maintained in a neat, clean and orderly and sanitary condition.
  - 3.50.8 All circulation roads shall be at least 25 feet from curb to curb and shall be increased in width by 10 feet for curb parking space on each side of the street on which such curb parking is permitted. All roads and parking spaces shall be permanently paved. Two (2) parking spaces or the equivalent thereof shall be provided for each mobile home site.
  - 3.50.9 The Planning Commission may modify the above requirements for an existing substandard park proposed to be enlarged or extended, provided that the modifications are limited to the overall improvement in the design or standards of such existing park.
- §3.51 Motel: A building or group of buildings comprising individual living quarters or dwelling units for the accommodation of transient guests which is so designed that parking is on the same building site and is conveniently accessible from the living units without having to pass through any lobby or interior court. This definition includes auto court, tourist court, motor

- hotel, but does not include accommodation for mobile homes or trailers. Excludes employee housing.
- §3.52 Non-Conforming Buildings: A building, structure or portion thereof which lawfully existed at the time of the adoption of these regulations but which does not conform to all the heights and area regulations of the zone in which it is located, or which is so designed, erected or altered that it could not reasonably be occupied by a use permitted in the zone in which it is located.
- §3.53 Nurseries and Greenhouses: Buildings and premises for the propagation, display, and retail sale of plants, vines, shrubs and trees, and the sale of horticultural materials when incidental thereto.
- §3.54 Office:
- 3.54.4 Office, Business: An office which has as its main function the arrangement of business transactions, the holding of sales meetings and administrative conferences, the receiving of clients or payments or the keeping of records and accounts pertaining to the particular business.
- 3.54.5 Office, Professional: An office from which and at which a doctor or other practitioner of healing arts, a dentist, lawyer, engineer, architect, accountant or similar professional person may offer services, and which includes medical or dental laboratories.
- §3.55 Owner: The person or persons, firm, corporation, or partnership holding legal or equitable title or recorded contract of purchase of property, or any person authorized by written instrument to act for the owner.
- §3.56 Person: Any individual, public or private corporation, political subdivision, partnership, firm, trust or estate or any other legal entity whatsoever which is recognized in law as the subject of rights or duties.
- §3.57 Planning Commission: The Planning Commission of the City of Ferndale, as created by City Ordinance, hereafter referred to as the Commission.
- §3.58 Public Use: A use operated exclusively by a governmental agency or public agency, which has the purpose of serving the public health, safety, convenience or general welfare, and which includes but is not limited to such uses as schools, parks, playgrounds, educational, recreational and social facilities, libraries, museums, firehouses, courthouses, hospitals and administrative service facilities.
- §3.59 Quasi-Public Use: A use operated by a private nonprofit educational, religious, recreational, charitable, fraternal, or medical institution, association, or organization, and including, but not limited to, such uses as churches, private schools, universities, community recreational, educational and social facilities, meeting halls or private hospitals.
- §3.60 Recreational:
- 3.60.4 Recreational, Commercial: Recreation facilities open to the general public for a fee, or restricted to members when operated for profit as a business.
- 3.60.5 Recreational, Private, Noncommercial: Clubs or recreation facilities operated by a nonprofit organization and open only to bona fide members of such nonprofit organization and their guests.
- §3.61 Residential Care Institution: The rooming or boarding of any aged or convalescent person whether ambulatory or non-ambulatory, for which a license is required by a county, state or federal agency. Residential Care Institution shall include: sanitarium, rest home and convalescent home.
- §3.62 Roadside Stand: A temporary structure designed or used for the display or sale of agricultural products primarily produced on the premises upon which such a stand is located or produced

upon other sites under the same ownership as that of such nonprofit organization and their guests.

§3.63 Routine Maintenance: See Section 3.48 Minor Repair.

§3.64 Secondary Dwelling Unit: A separate residential unit constructed prior to January 1, 2017, containing sleeping, kitchen and bathroom facilities, created on a lot zoned R-1 or R-S that already contains one legally created residential unit. ~~A secondary dwelling unit may be created by: (The entire section 3.64 was amended by Ordinance 03-03 on July 14, 2003)~~

3.64.4 ~~Alteration of an existing residential structure whereby kitchen and bathroom facilities are not shared in common; or~~

3.64.5 ~~Conversion of an attic, basement, attached garage, or other previously uninhabited portion of a residential structure; or~~

3.64.6 ~~Addition of a separate unit onto an existing residential structure or~~

3.64.7 ~~Construction of a separate structure on a lot in addition to an existing residential structure.~~

§3.65 Setback Line: A line established by these regulations or by other ordinance or regulation to govern the placement of buildings or structures with respect to lot lines, streets or alleys.

§3.66 Sign: (This entire section was repealed by Ordinance 2013-02 on December 7, 2013).

§3.67 Stable:

3.67.4 Stable Private: A detached accessory building for the shelter of horses or similar hooved animals for the use of the residents and their guests.

3.67.5 Stable Public: A stable other than a private stable; generally, where horses are available for hire, or are sheltered and fed for compensation.

§3.68 Street: A public or private right-of-way that provides a primary means of access to abutting property.

§3.69 Street Line: The boundary between a street right-of-way and abutting property.

§3.70 Structure: Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground, including, but not limited to: signs, fences, walls used as a fence, mailboxes, flag poles, solar panels, ham radio antenna, telecommunications facilities, wind turbine towers, and swimming pools, but excluding driveways, patios, or parking spaces where the area is unobstructed from the ground up. (This section amended by Ordinance 05-02 on 5/7/05.)

§3.71 Structural Alteration: Any change in the structural members of a building, such as bearing walls, columns, beams or girders.

§3.72 Timber Production: The systematic harvesting and reseedling of timber stands in accordance with practices designed to maintain the productive capacity of the land, preserve the watershed and conserve the soil.

§3.73 Timber Products Processing Plants: Buildings and premises for the commercial processing of wood and wood products, including but not limited to, sawmills, lumber mills and plywood mills, but not including pulp mills. Pulp mills shall be classified as heavy industrial use and shall be permitted in the zones designed to accommodate such uses.

§3.74 Trailer: Any vehicle without motive power or designed to be drawn by a motor vehicle and to be used in such a manner as to permit temporary occupancy thereof as sleeping quarters or occupation or use as a selling or advertising device, or use for storage or conveyance of tools, equipment, or machinery, and so designed that it is mounted on wheels and may be used as a conveyance on highways and streets. The term "trailer" includes the term "camp trailer," "trailer coach," "automobile trailer" and "house trailer," except when the latter falls within the definition of "mobile home." Trailers are considered structures for the purpose of these regulations when they are parked in mobile home parks or trailer camps and are used on such

- sites for human habitation, offices, wash houses, storage or similar auxiliary services necessary for the human habitation of the court or camps.
- §3.75 Trailer Camp: Any lot or parcel thereof or parcel of land which is used or offered as a location for one or more trailers of camping, weekend or temporary occupancy. As distinguished from a Mobile Home Park, a trailer camp is usually located in or adjacent to a recreation or resort facility and is primarily designed to serve as a seasonal facility or as a place of temporary residence for persons who have a permanent residence established elsewhere.
- §3.76 Trailer Court or Trailer Park: See Mobile Home.
- §3.77 Transient: When used in conjunction with boarding or lodging, services that are charged for in units of less than one (1) month and where the majority of people utilizing such services remain for periods of less than three (3) months, except for bed and breakfast inns. This period shall be limited to a maximum of fourteen (14) consecutive days.
- §3.78 Use: The purpose for which either land or a structure thereon is designed, arranged, or intended, or for which it is or may be occupied or maintained.
- 3.78.4 Use, Accessory: A use legally permitted in the zone which is incidental to and subordinate to the principal use of the site or a main building on the site, and serves a purpose which does not change the character of the principal use.
- 3.78.5 (This section amended by Ord. 07-01 on 2/12/07) Use, Conditional: A principal or accessory use of land or of structures thereon which may be essential or desirable to the public convenience or welfare in one or more zones, but which may also impair the integrity and character of the zone or adjoining zone, or be detrimental to the public health, morals or welfare unless additional restrictions on the location and extent of use are imposed and enforced. Such use shall become a “principal permitted use” or “accessory permitted use” when all specific additional restrictions are completed and permanently satisfied in conformance with an approved use permit. Should such restrictions be of a continuing nature, the use will remain “conditional” so long as the restrictions are complied with, but shall become an “illegal use” whenever and so long as the restrictions are not complied with. Conditional Use Permits run with the land. (End of section amended by Ordinance 07-01 on 2/12/07)
- 3.78.6 Use, Nonconforming: A use which lawfully occupied a building or land at the time of the adoption of these regulations and which does not conform to the use regulations of the zone in which it is located.
- 3.78.7 Use, Principal Permitted: The primary use of land or of a main building which is compatible with the purpose of the zone and which is permitted in the zone. If a use is listed in a specific zone as a principal permitted use, it means that the owner, lessee or other person who has legal right to use the land has a vested right to conduct such principal permitted use without securing special permission, subject only to such general limitations as off-street parking and site plan approval which are generally applied to all uses in that zone.
- §3.79 Wrecking Yard: See Junk Yard, Section 3.42.
- §3.80 Yard: An open space other than a court on the same site with a building, which open space is unoccupied and unobstructed from the ground upward, except for landscaping or as specified elsewhere in this ordinance, but not including any portion of any street, alley or road right-of-way, except as specified elsewhere in these regulations.
- 3.80.4 Yard, Front: A yard of uniform depth extending across the full width of the lot between the front lot line and the nearest vertical support or wall of the main

building or enclosed or covered porch attached thereto. The front yard of a corner lot is the yard adjacent to the shortest street frontage.

3.80.5 Yard, Rear: A yard of uniform depth extending across the full width of the lot between the rear lot line and the nearest vertical support or wall of the main building or enclosed or covered porch attached thereto, except that the rear yard of a corner lot extends to the side yard adjacent to the street.

3.80.6 Yard, Side: A yard on each side of the main building extending from the front yard to the rear yard, the width of each yard being measured between the side line on the lot and the nearest vertical support or main wall of each building or enclosed or covered porch attached thereto. A side yard on the street side of a corner lot shall extend from the front yard to the rear lot line.

§3.81 Yard Sale: An activity involving the sale of used and second-hand goods which are the personal property of the owner or resident of the parcel on which the sale is being conducted, or for a joint yard sale carried out by two or more households, where at least one participant is the owner or resident of the parcel on which the yard sale is being conducted, but which activity is not part of a commercial operation subject to regulation by the State Board of Equalization or the business license ordinance of the City, the use remaining clearly incidental and subordinate to the residential use of the parcel.

§3.82 Zone: A portion of the territory of the City of Ferndale within which certain uniform regulations and requirements or combinations thereof apply under the provisions of these regulations. The word "zone" shall include the word "district."

**ARTICLE 4: ESTABLISHMENT AND DESIGNATION OF ZONES**

§4.01 Principal Zones: The several zones, hereby established, and into which the City may be divided, are as follows:

ZONE	DESIGNATION
<del>Residential Suburban</del>	<del>RS</del>
Residential One Family	R1
Residential Two Family	R2
Residential Multiple Family	R3
<del>Apartment Professional</del>	<del>R4</del>
Neighborhood Commercial	C1
Community Commercial	C2
<del>Agricultural Services Commercial</del>	<del>CAG</del>
Highway Service Commercial	CH
Limited Industrial	ML
Heavy Industrial	MH
Floodway	FW
Flood Plain	FP
Planned Development	PD
Agriculture-Exclusive	AE
Public Facility	PF

...

§4.05 Zoning Map: This section consists of the zoning map of the City, which may be amended in whole or in part in accordance with the amendment procedure set forth in Article ~~VIII~~8. All incorporated territory of the City shall be classified as specified by the zoning map adopted as a part of these regulations.

§4.06 Limitations on Land Use and Structures, except as otherwise provided in Article ~~IX~~4:

4.06.1 Use requirements: No building or part thereof or other structure shall be erected, altered, added to or enlarged, nor shall any land, building, structure or premises be used, designated or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the zone in which such buildings, land, or premises is located.

4.06.2 Height requirements: No building or part thereof or structure shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the zone in which such building is located except as provided in Article ~~VII~~7.

...

**ARTICLE 5:      REGULATIONS FOR THE PRINCIPAL ZONE:**

§5.01      In addition to the regulations specified in this Article for each of the principal zones, the general regulations set forth in Article ~~VII~~7 shall be applicable to each and every such zone. In the event of conflict between the particular regulations for each zone set forth in this Article and the general regulations set forth in Article ~~VII~~7, the Planning Commission shall determine which of the conflicting regulations shall be applicable.

~~§5.02      **Residential Suburban or R-S Zone.** The Residential Suburban or R-S Zone is intended to be applied in areas of the City which are particularly suited to large lot development of single-family homes. The following regulations shall apply in all Residential Suburban or R-S Zones:~~

~~5.02.1      Principal permitted uses:~~

- ~~a.      Single family dwellings.~~
- ~~b.      Servants' quarters, vacation rentals, and guesthouses.~~
- ~~c.      Keeping no more than eight (8) household pets on each lot.~~

~~5.02.2      Uses Permitted with a Use Permit:~~

- ~~a.      Private institutions.~~
- ~~b.      Private recreation facilities, including golf courses.~~
- ~~c.      Bed and breakfast inns.~~
- ~~d.      Secondary dwelling units.~~

~~5.02.3      Other Regulations:~~

- ~~a.      Minimum lot area: one (1) acre.~~
- ~~b.      Minimum lot width: 125 feet.~~
- ~~c.      Minimum lot depth: 110 feet.~~
- ~~d.      Minimum yards: front, 20 feet; rear, 15 feet; side, 10% of lot width on each side except that no side yard may be less than 5 feet, or need be more than 12 feet.~~
- ~~e.      Maximum building height: 35 feet.~~

~~5.02.4      Development Criteria: Any single-family home constructed or placed within the City of Ferndale in accordance with these provisions shall~~

- ~~a.      Have a minimum width of 20 feet, and~~
- ~~b.      Have a minimum twelve (12) inch roof overhang on all sides, and~~
- ~~c.      Have an exterior siding composed of one or more of the following materials:~~
  - ~~i.      Plywood exterior paneling.~~
  - ~~ii.      Masonry or concrete.~~
  - ~~iii.      Stucco.~~
  - ~~iv.      Any wood product including shingles, shakes, horizontal overlapping board or pressboard siding or any material of wood-like appearance in widths of twelve (12) inches or less, and~~
- ~~d.      Have exterior siding that shall extend to the ground, except that when a solid concrete masonry foundation is used, the exterior covering material need not extend below the top of the foundation, and~~
- ~~e.      Have a roof composed of one or more of the following materials:~~
  - ~~i.      Interlocking roof tiles.~~
  - ~~ii.      Composition shingles.~~
  - ~~iii.      Wood.~~
  - ~~iv.      Wood asbestos cement or slate shingles.~~

f. ~~The Planning Commission may allow a single family dwelling to be constructed or placed within the City of Ferndale with alternative development standards substituted for those herein above set forth, or to exempt such a dwelling from the strict application of such development standards, upon showing of good cause. Application for such substitution of, or exemption from, development standards shall be made to the Planning Commission and any appeal of the decision of the Planning Commission may be taken in accordance with the revisions of Article XI.~~

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~~§5.03~~§5.02 **Residential One-Family or R1 Zone** is intended to be applied in areas of the City where topography, access, utilities, public services and general conditions make the area suitable and desirable for single-family home development. The following regulations shall apply in all Residential One-Family or R1 Zones:

~~5.03.15~~5.02.1 Principal permitted uses:

- a. Single-family dwellings.
- b. Boarding of not more than two (2) persons not employed on the premises.
- c. Keeping no more than four (4) household pets for each dwelling unit.
- d. Vacation rentals.
- e. Small employee housing.

~~5.03.25~~5.02.2 Uses permitted with a Use Permit:

- a. Guest houses ~~and servants' quarters.~~
- b. Public and private non-commercial recreation facilities, including golf courses.
- c. Bed and breakfast inns.
- d. ~~Secondary dwelling units.~~

~~5.03.35~~5.02.3 Other regulations:

- a. Minimum lot area: ~~6,000~~5,000 square feet.
- b. Minimum lot width: ~~60~~50 feet.
- c. Maximum lot depth: 3 times lot width.
- d. Minimum yards: front, 20 feet; rear, 15 ft; side, 10% of lot width on each side except that no side yard may be less than 5 ft, or need be more than 12 ft.
- e. Maximum ground coverage: ~~35~~40%.
- f. Maximum building height: 35 feet.

~~5.03.45~~5.02.4 Development Criteria: Any single-family home constructed or placed within the City of Ferndale in accordance with these provisions shall

- a. Have a minimum width of 20 feet, and
- b. Have a minimum twelve (12) inch roof overhang on all sides, and
- c. Have an exterior siding composed of one or more of the following materials:
  - i. Plywood exterior paneling.
  - ii. Masonry or concrete.
  - iii. Stucco.
  - iv. Any wood product including shingles, shakes, horizontal overlapping board or pressboard siding or any material of wood-like appearance in widths of twelve (12) inches or less, and
- d. Have exterior siding that shall extend to the ground, except that when a solid concrete masonry foundation is used, the exterior covering material need not extend below the top of the foundation, and
- e. Have a roof composed of one or more of the following materials:
  - i. Interlocking roof tiles.
  - ii. Composition shingles.
  - iii. Wood.
  - iv. Wood asbestos cement or slate shingles.
  - v. The Planning Commission may allow a single-family dwelling to be constructed or placed within the City of Ferndale with alternative development standards substituted for those herein above set forth, or to exempt such a dwelling from the strict application of such development standards, upon showing of good cause. Application for such substitution of, or exemption from, development standards shall

be made to the Planning Commission and any appeal of the decision of the Planning Commission may be taken in accordance with the provisions of ~~Section XI~~Article 11, Appeals.

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~~§5.04~~§5.03 **Residential Two-Family or R2 Zone.** The Residential Two-Family or R2 Zone is intended to be applied in areas of the City suitable for a variety of low, medium, and high density residential development consistent with the Residential Medium Density (R2) land use designation of the Ferndale General Plan. ~~close to urban centers where all utilities and services are available and where housing demand justifies a density of two families on each building site.~~ The following regulations shall apply in all Residential Two-Family or R2 Zones:

5.04.15.03.1 Principal permitted uses:

- a. Single family dwellings.
- b. Two-family dwellings.
- c. Vacation rentals.
- d. Boarding of not more than two (2) persons not employed on the premises.
- e. Keeping no more than four (4) household pets for each dwelling unit.
- f. Multiple Dwellings and Dwelling Groups.
- g. Small employee housing.

5.04.25.03.2 Uses permitted with a Use Permit:

- a. Guest houses ~~and servants' quarters.~~
- b. Private institutions.
- c. Bed and breakfast inns.

5.04.35.03.3 Other Regulations:

- a. Minimum lot area: ~~6,000~~5,000 square feet.
- b. Minimum lot width: ~~60~~50 feet.
- c. Maximum lot depth: 3 times lot width.
- d. Maximum ground coverage: ~~40%~~45%.
- e. Minimum yards: front, 20 ft; rear, 15 feet; side, 10% of lot width on each side except that no side yard may be less than 5 ft, or need be more than 12 ft.
- f. Maximum building height: 35 feet.
- g. Dwelling units per acre: One (1) to eighteen (18) units. All density calculations resulting in fractional units shall be rounded up to the next whole number.
- i. Accessory dwellings units and junior accessory dwelling units do not exceed the allowable density of the lot.

5.04.45.03.4 Development criteria: Any two-family home constructed or placed within the City of Ferndale in accordance with these provisions shall

- a. Have a minimum width of 20 feet, and
- b. Have a minimum twelve (12) inch roof overhang on all sides, and
- c. Have an exterior siding composed of one or more of the following materials:
  - i. Plywood exterior paneling.
  - ii. Masonry or concrete.
  - iii. Stucco.
  - iv. Any wood product including shingles, shakes, horizontal overlapping board or pressboard siding or any material of wood-like appearance in widths of twelve (12) inches or less, and
- d. Have exterior siding that shall extend to the ground, except that when a solid concrete masonry foundation is used, the exterior covering material need not extend below the top of the foundation, and
- e. Have a roof composed of one or more of the following materials:
  - i. Interlocking roof tiles.
  - ii. Composition shingles.
  - iii. Wood.

- iv. Wood asbestos cement or slate shingles.
- f. The Planning Commission may allow a single-family dwelling to be constructed or placed within the City of Ferndale with alternative development standards substituted for those herein above set forth, or to exempt such a dwelling from the strict application of such development standards, upon showing of good cause. Application for such substitution of, or exemption from, development standards shall be made to the Planning Commission and any appeal of the decision of the Planning Commission may be taken in accordance with the provisions of ~~Section XI~~Article 11, Appeals.

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~~§5.05~~§5.04 **Residential Multiple-Family or R3 Zone.** The Residential Multiple Family or R3 Zone is intended to be applied ~~in to~~ areas of the City suitable for a variety of low, medium, and high density residential development consistent with the Residential High Density (R3) land use designation of the Ferndale General Plan where it is reasonable to permit and protect low-density Apartment developments. The following regulations shall apply in all Residential Multiple Family or R3 Zones:

5.05.15.04.1 Principal permitted uses:

- a. Single family dwellings.
- b. Dwelling ~~g~~Groups and ~~m~~Multiple ~~d~~Dwellings ~~for not more than four (4) families.~~
- c. Keeping no more than two (2) household pets for each dwelling unit.
- d. Bed and breakfast inns.
- e. Small employee housing.

5.05.25.04.2 Uses permitted with a Use Permit:

- a. Hotels, motels, mobile home parks and boarding houses.
- b. Private institutions.
- c. Professional offices.

5.05.35.04.3 Other regulations:

- a. Minimum lot area: ~~6,000~~5,000 square feet, but not less than 600 square feet for each dwelling unit.
- b. Minimum lot width: ~~60~~50 feet.
- c. Maximum lot depth: 3 times lot width.
- d. Maximum ground coverage: 60%.
- e. Minimum yards: front, 20 feet; rear, 10 feet; side, 5 feet.
- f. Special yards for dwelling groups: The distance between separate buildings of a dwelling group shall not be less than 10 feet. The distance between the front of any dwelling unit in the group and any other building shall be not less than 20 feet.
- f.g. Residential transitions for dwelling groups: The distance between the front of any dwelling unit in the group ~~sharing a and any~~ side lot line with a single family home in a R1 zone shall be increased by 2 feet for each 2 feet that any building on the lot exceeds 2 stories.
- g.h. Maximum building height: 45 feet.
- i. Dwelling units per acre: One (1) to twenty-seven (27) units. All density calculations resulting in fractional units shall be rounded up to the next whole number.
- i. Accessory dwellings units and junior accessory dwelling units do not exceed the allowable density of the lot.

5.05.45.04.4 Development criteria: Any multiple-family home constructed or placed within the City of Ferndale in accordance with these provisions shall

- a. Have a minimum width of 20 feet, and
- b. Have a minimum twelve (12) inch roof overhang on all sides, and
- c. Have an exterior siding composed of one or more of the following materials:
  - i. Plywood exterior paneling.
  - ii. Masonry or concrete.
  - iii. Stucco.

- iv. Any wood product including shingles, shakes, horizontal overlapping board or pressboard siding or any material of wood-like appearance in widths of twelve (12) inches or less, and
- d. Have exterior siding that shall extend to the ground, except that when a solid concrete masonry foundation is used, the exterior covering material need not extend below the top of the foundation, and
- e. Have a roof composed of one or more of the following materials:
  - i. Interlocking roof tiles.
  - ii. Composition shingles.
  - iii. Wood.
  - iv. Wood asbestos cement or slate shingles.
- f. The Planning Commission may allow a multiple-family dwelling to be constructed or placed within the City of Ferndale with alternative development standards substituted for those herein above set forth, or to exempt such a dwelling from the strict application of such development standards, upon showing of good cause. Application for such substitution of, or exemption from, development standards shall be made to the Planning Commission and any appeal of the decision of the Planning Commission may be taken in accordance with the provisions of ~~Section XI~~Article 11, Appeals.

~~§5.06 — **Apartment Professional or R4 Zone.** The Apartment Professional or R4 Zone is intended to apply in areas suitable for higher density residential uses and for professional and business offices and institutional uses. The following regulations shall apply in all Apartment Professional or R4 Zones:~~

~~5.05.5 — Principal permitted uses:~~

- ~~a. — Single family dwellings.~~
- ~~b. — Professional and business offices.~~
- ~~c. — Commercial instruction.~~
- ~~d. — Boarding houses.~~
- ~~e. — Keeping no more than two (2) household pets for each dwelling unit.~~
- ~~f. — Hotels and motels, bed and breakfast inns.~~
- ~~g. — Vacation rentals.~~
- ~~h. — Art galleries.~~

~~5.05.6 — Uses permitted with a Use Permit:~~

- ~~a. — Mobile home parks.~~
- ~~b. — Private institutions.~~
- ~~c. — Social halls, fraternal and social organizations.~~
- ~~d. — Noncommercial recreation facilities.~~
- ~~e. — Mortuaries.~~
- ~~f. — Small animal hospitals completely enclosed within a building.~~

~~5.05.7 — Other Regulations~~

- ~~a. — Minimum lot area: 6,000 square feet, but not less than 600 square feet for each dwelling unit.~~
- ~~b. — Minimum lot width: 60 feet.~~
- ~~c. — Maximum lot depth: 3 times lot width.~~
- ~~d. — Maximum ground coverage: 60%.~~
- ~~e. — Minimum yards: front, 20 feet; rear, 10 feet; side, 5 feet.~~
- ~~f. — Special yards for dwelling groups: The distance between separate buildings of a dwelling group shall not be less than 10 feet. The distance between the front of any dwelling unit in the group and any other building shall be not less than 20 feet. The distance between the front of any dwelling unit in the group and any side lot line shall be increased by 2 feet for each 2 feet that any building on the lot exceeds 2 stories.~~
- ~~g. — Maximum building height: 45 feet.~~

~~5.05.8 — Development criteria: Any R-4 Zone building constructed or placed within the City of Ferndale in accordance with these provisions shall~~

- ~~a. — Have a minimum width of 20 feet, and~~
- ~~b. — Have a minimum twelve (12) inch roof overhang on all sides, and~~
- ~~c. — Have an exterior siding composed of one or more of the following materials:~~
  - ~~i. — Plywood exterior paneling.~~
  - ~~ii. — Masonry or concrete.~~
  - ~~iii. — Stucco.~~
  - ~~iv. — Any wood product including shingles, shakes, horizontal overlapping board or pressboard siding or any material of wood like appearance in widths of twelve (12) inches or less, and~~
- ~~d. — Have exterior siding that shall extend to the ground, except that when a solid concrete masonry foundation is used, the exterior covering material need not extend below the top of the foundation, and~~

- e. Have a roof composed of one or more of the following materials:
  - i. Interlocking roof tiles.
  - ii. Composition shingles.
  - iii. Wood.
  - iv. Wood asbestos cement or slate shingles.
- f. The Planning Commission may allow an R-4 Zone building to be constructed or placed within the City of Ferndale with alternative development standards substituted for those herein above set forth, or to exempt such a dwelling from the strict application of such development standards, upon showing of good cause. Application for such substitution of, or exemption from, development standards shall be made to the Planning Commission may be taken in accordance with the provisions of Section XI, Appeals.

~~§5.06~~§5.05 **Neighborhood Commercial or C1 Zone.** The Neighborhood Commercial or C1 Zone is intended to provide for neighborhood shopping centers which provide convenient sales and service facilities to residential areas, detracting from the residential desirability of such areas. The following regulations apply in all Neighborhood Commercial or C1 Zones.

~~5.06.15~~5.05.1 Principal permitted uses:

- a. Social halls, fraternal and social organizations and clubs, plant nurseries and greenhouses.
- b. Professional and business offices and commercial instruction.
- c. Stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as: antique shops, art galleries, retail bakeries, banks, barber shops, beauty salons, book stores, clothing and apparel stores, coin-operated dry cleaning and laundries, dry cleaning laundry agencies, drug stores, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, restaurants and licensed premises appurtenant thereto, automobile service stations, studios, tailor shops, enclosed theaters, variety stores and mortuaries, nurseries and greenhouses.
- d. Sales of used and secondhand goods when appurtenant to any of the foregoing.
- e. Vacation Rentals in conjunction with a dwelling use permit.
- f. Dwellings, small employee housing, and Multiple Dwellings and Dwelling Groups above the first floor.

~~5.06.25~~5.05.2 Uses permitted with a Use Permit

- a. Dwellings, small employee housing, Multiple Dwellings and Dwelling Groups on the first floor.
- ~~a-b.~~ HHotels, motels, boarding houses and mobile home parks.
- ~~b-c.~~ SSmall animal hospitals, completely enclosed within a building.
- ~~c-d.~~ SStores, agencies and services such as: minor automobile repair, new automobile, trailer and boat sales, and used automobile, trailer and boat sales when appurtenant thereto, bowling alleys, licensed premises not appurtenant to any restaurant, pet shops, public garages, sales of used or secondhand goods, storage warehouses.

~~5.06.35~~5.05.3 Other Regulations:

- a. Minimum lot area: 2,000 square feet.
- b. Minimum lot width: 25 feet.
- c. Minimum yards: front, none, except where frontage is in a block which is partially in an "R" Zone, the front yard shall be the same as that required in such "R" Zone; rear, 15 feet, except where a rear yard abuts on an alley, such rear yard may be not less than 5 feet; side, none, except that a side yard of an interior lot abutting on an "R" Zone shall be not less than the front yard required in such "R" Zone.
- d. Maximum building height: 35 feet.

~~§5.07~~§5.06 **Community Commercial or C2 Zone.** The Community Commercial or C2 Zone is intended to apply to areas where more complete commercial facilities are necessary for community convenience. The following regulations shall apply in all Community Commercial or C2 Zones:

~~5.07.15~~5.06.1 Principal permitted uses:

- a. Social halls, fraternal and social organizations and clubs, plant nurseries and greenhouses.
- b. Professional and business offices and commercial instruction.
- c. Stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as: antique shops, art galleries, retail bakeries, banks, barber shops, beauty salons, book stores, clothing and apparel stores, coin-operated dry cleaning and laundries, dry cleaning laundry agencies, drug stores, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, restaurants and licensed premises appurtenant thereto, automobile service stations, studios, tailor shops, enclosed theaters, variety stores and mortuaries, nurseries and greenhouses.
- d. Sales of used and secondhand goods when appurtenant to any of the foregoing.
- e. Dwellings, small employee housing, Multiple Dwellings and Dwelling Groups, hotels, motels, vacation rentals, boarding houses and mobile home parks.
- f. Small animal hospitals, completely enclosed within a building.
- g. Stores, agencies and services such as: minor automobile repair, new automobile, trailer and boat sales, and used automobile, trailer and boat sales when appurtenant thereto, bowling alleys, licensed premises not appurtenant to any restaurant, pet shops, public garages, sales of used or secondhand goods, storage warehouses.

~~5.07.25~~5.06.2 Uses permitted with a Use Permit:

- a. Stores, agencies & services such as: carpentry and cabinetry & cabinet-making shops, clothing manufacturers, contractors' yards, dry cleaning & laundry plants, handicraft manufacture, lumber yards, metal-working shops, wholesale outlet stores, painters' & decorators' yards, plumbing shops, printing & lithographing.

~~5.07.35~~5.06.3 Other regulations:

- a. Minimum lot area: 2,000 square feet.
- b. Minimum lot width: 25 feet.
- c. Minimum yards: front, none, except where frontage is in a block which is partially in an "R" Zone, the front yard shall be the same as that required in such "R" Zone; rear, 15 feet, except where a rear yard abuts on an alley, such rear yard may be not less than 5 feet; side, none, except that a side yard of an interior lot abutting on an "R" Zone shall be not less than the front yard required in such "R" Zone.
- d. Maximum building height: 45 feet.

~~§5.09 — Agriculture Services Commercial or CAG Zone is intended to serve the agricultural community by providing an opportunity for a business whose principal activity includes the service and selling of goods directly related to farming, dairying, pasturage, horticulture and animal and poultry husbandry in a manner consistent with the City's General Plan Goals and Policies.~~

~~5.07.4 — Principal permitted uses:~~

- ~~a. — General Agricultural uses, such as grazing and pasturage, in keeping with Zoning Ordinance Section 7.04 while no conditional permitted use occurs on the property.~~

~~5.07.5 — Uses permitted with a Use Permit:~~

- ~~a. — Agricultural service-related business as defined in Section 3.07.~~
- ~~b. — Other incidental and/or appurtenant uses as described herein and found by the Planning Commission to be consistent and not conflicting with the primary use of the property. Small and/or related activities other than the uses specified under "Agricultural Service Related Business," which are available or are conducted on the site during the same hours of the principle activity and all of which occupy less than 25 percent of the total retail floor area. Such activities shall be related to or not conflict with the principle activity. Such activities can include: home supplies; small-scale plant nurseries and landscape supplies; home improvement supplies and books; canning and kitchen supplies; work clothes; pruning or composting workshops; deli (not exceeding 200 s.f.); gift items and handcrafted items.~~

~~5.07.6 — Other regulations~~

- ~~a. — Minimum lot area: four (4) acres.~~
- ~~b. — Minimum lot width: 100 feet.~~
- ~~c. — Minimum yards: front, none, except that where frontage is in a block which is partially in an R zone, the front yard shall be the same as required in such R Zone; rear, same as the rear setback requirement of the zone on either side of the property; side, 25 feet. Structures shall not be less than 25 feet from any dwelling on adjacent property.~~
- ~~d. — Maximum building height: 35 feet.~~
- ~~e. — Outdoor storage is allowed when related to a primary use. Outdoor storage areas (including area designated for trash containers) adjacent to R zones or adjacent residences shall be screened by walls, fences or adequate plantings to a height of not less than 6'.~~
- ~~f. — Grain and animal food is to be kept in rodent-proof containers.~~
- ~~g. — No unattended animals are to be left outside the buildings after business hours.~~
- ~~h. — Outdoor lighting, except for security purposes, shall not occur before 7:30 a.m. nor after business hours. Security lighting shall be directed downward and shielded so as not to illuminate adjacent residences.~~
- ~~i.e. — No outdoor loudspeakers or radios are allowed when property is located adjacent to residences and any "R" Zone.~~

~~§5.08~~§5.07 **Highway Service Commercial or CH Zone.** The Highway Service Commercial or CH Zone is intended to provide necessary services and conveniences for the traveling public along main roads and highway frontages at proper intervals and locations in developments designed for safety, convenience and suitable appearance. The following regulations shall apply in all Highway Service Commercial or CH Zones:

~~5.08.15~~5.07.1 Principal permitted uses (This section was amended by Ordinance 2013-02 on December 7, 2013):

- a. Restaurants and appurtenant services.
- b. Hotels, motels and mobile home parts.
- c. Automobile service stations.
- d. Nurseries and greenhouses, retail fruit and vegetable stands.
- e. Amusement parks and commercial recreational facilities.
- f. Outdoor advertising signs and structures which identify the use or pertain directly to the service or product offered on the site.

~~5.08.25~~5.07.2 Uses permitted with a Use Permit

- a. Small animal hospitals and kennels.
- b. Trailer camps.
- c. Dwellings ~~and~~, boarding houses, small employee housing, Multiple Dwellings and Dwelling Groups.

~~5.08.35~~5.07.3 Other uses which the Planning Commission finds are similar to the principal permitted uses.

~~5.08.45~~5.07.4 Other regulations

- a. Minimum lot area: 5,000 square feet.
- b. Minimum lot width: 50 feet.
- c. Minimum yards: front, 15 feet; rear, none, except where a rear yard abuts on an R Zone, such rear yard shall be not less than 20 feet; side, none, except where a side yard abuts on an R Zone, such side yard shall be not less than 15 feet, provided further, that such side yard of a motel shall be not less than 6 feet.
- ~~d.~~ Maximum building height: 45 feet.

~~§5.09~~§5.08 **Limited Industrial or ML Zone.** The Limited Industrial or ML Zone is intended to apply to areas in which light manufacturing and heavy commercial uses of the non-nuisance type and large administrative facilities are the desirable predominant uses. The following regulations shall apply in all Limited Industrial or ML Zones:

~~5.09.15~~5.08.1 Principal permitted uses:

- a. Stores, agencies and services such as: carpentry and cabinetry and cabinet-making shops, clothing manufacturers, contractors' yards, dry cleaning and laundry plants, handicraft manufacture, lumber yards, metal-working shops, wholesale outlet stores, painters' and decorators' yards, plumbing shops, printing and lithographing.
- b. Administrative, business and professional offices.
- c. Manufacturing of electrical and electronic equipment, of household effects such as lamps, rugs and fabrics, research and development laboratories.

~~5.09.25~~5.08.2 Uses permitted with a Use Permit

- a. Dwellings, small employee housing, Multiple Dwellings and Dwelling Groups, hotels, motels and mobile home parks.
- b. Animal hospitals and kennels.
- c. Animal feed and sales yards.
- d. Manufacture of furniture, finished paper and paper products.

~~5.09.35~~5.08.3 Other regulations:

- a. Minimum lot area: 5,000 square feet.
- b. Minimum lot width: 50 feet.
- c. Minimum yards: front, 15 feet; rear, none, except where a rear yard abuts on an R Zone, such rear yard shall be not less than 20 feet; side, none, except where a side yard abuts on an R Zone, such side yard shall be not less than 15 feet, provided further, that such side yard of a motel shall be not less than 6 feet.
- d. Maximum building height: 50 feet.
- e. Special regulations: All manufacturing and fabricating areas shall be enclosed in buildings. All equipment and materials storage areas adjacent to R Zones shall be screened by walls, fences or adequate plantings to a height of not less than 6 feet.

~~§5.10~~§5.09 **Heavy Industrial or M-H Zone.** The Heavy Industrial or M-H Zone is intended to apply to areas devoted to normal operations of industries, subject only to such regulations as needed to control congestion and protect surrounding areas. The following regulations shall apply to all Heavy Industrial

~~5.10.15~~5.09.1 Principal permitted uses:

- a. Stores, agencies and services such as: carpentry and cabinetry and cabinet-making shops, clothing manufacturers, contractors' yards, dry cleaning and laundry plants, handicraft manufacture, lumber yards, metal-working shops, wholesale outlet stores, painters' and decorators' yards, plumbing shops, printing and lithographing.
- b. Administrative, business and professional offices.
- c. Manufacturing of electrical and electronic equipment, of household effects such as lamps, rugs and fabrics, research and development laboratories.
- d. Dwellings, hotels, motels and mobile home parks.
- e. Animal hospitals and kennels.
- f. Animal feed and sales yards.
- g. Manufacture of furniture, finished paper and paper products.
- h. Industrial manufacturing uses, except as provided in 5.12.2.

~~5.10.25~~5.09.2 Uses permitted with a Use Permit:

- a. Dwellings, small employee housing, Multiple Dwellings and Dwelling Groups, hotels, motels and mobile home parks.
- b. Hog farms, turkey farms, frog farms and fur farms.
- c. Animal products processing plants.
- d. Cemeteries.
- e. Amusement parks and commercial amusement enterprises.
- f. Junk yards and garbage dumps.
- g. Smelting or reduction of metallic ores.
- h. Trailer camps, labor camps and labor supply camps.
- i. Bag cleaning and rag works.
- j. Manufacturing, refining and storage by manufacturers or wholesalers of petroleum or petroleum products, acids, cement, explosives, fireworks, gas, glue, gypsum and inflammable fluids or gases.
- k. Drilling for oil or gas, or commercial excavation of sand, rock, gravel or other natural materials.
- l. Manufacture of concrete, pottery or asphalted paving products.

~~5.10.35~~5.09.3 Other regulations:

- a. Minimum lot area: 5,000 square feet.
- b. Minimum lot width: 50 feet.
- c. Minimum yards: front, 15 feet; rear, none, except where a rear yard abuts on an R Zone, such rear yard shall be not less than 20 feet; side, none, except where a side yard abuts on an R Zone, such side yard shall be not less than 15 feet, provided further, that such side yard of a motel shall be not less than 6 feet.
- d. Maximum building height: 50 feet.
- e. Special regulations: All manufacturing and fabricating areas shall be enclosed in buildings. All equipment and materials storage areas adjacent to R Zones shall be screened by walls, fences or adequate plantings to a height of not less than 6 feet.

~~§5.11~~§5.10 **Floodway or FW Zone.** The Floodway or FW Zone is intended to be applied to lands which lie within stream or tidal channels and to adjacent areas which are periodically inundated, or which will be inundated by a “Design Flood.” The “Design Flood” shall be specifically defined for each particular FW Zone upon the Zone Map. The regulations set forth in this section are intended to provide for the reasonably unrestricted passage of a “Design Flood” and to provide reasonable measures for the protection of life and property in floodway areas.

~~5.11.15~~5.10.1 Principal permitted uses:

- a. General agriculture, but not including building or structures
- b. Recreational uses on open land, including public or private parks and golf courses.

~~5.11.25~~5.10.2 Uses permitted with a Use Permit:

- a. Boat docks and launching facilities.
- b. Water, sewer, roadway, bridge and other such facilities necessary for public health and safety.
- c. Minor or temporary structures incidental to agricultural or recreational uses which will not impede flood flow and are of flood-proof design.
- d. Excavation of natural materials or construction of earthworks or water flow control devices.

~~5.11.35~~5.10.3 Other regulations:

- a. None, except conditions in use permits.

~~§5.12~~§5.11 **Flood Plain or FP Zone.** The Flood Plain or FP Zone is intended to be applied to areas other than floodway areas which have been inundated by overflow flood waters in the past and which may reasonably be expected to be inundated by such flood waters in the future. The Flood Plain Zone is intended to limit the use of areas subject to such inundation and flooding to protect lives and property from loss, destruction and damage due to flood waters and to the transportation by water of wreckage and debris. The following regulations shall apply in all Flood Plain or FP Zones:

~~5.12.15~~5.11.1 Principal permitted uses:

- a. General agriculture, nurseries and greenhouses, and animal sales and feed yards, except as provided in 5.14.2.
- b. Trailer camps and mobile home parks.
- c. Roadside stands.
- d. Recreational uses, including public stables, docks, boathouses, golf courses and shooting ranges.

~~5.12.25~~5.11.2 Uses permitted with a Use Permit:

- a. Residential uses, including farm dwellings, and small and large employee housing.
- b. Commercial and industrial uses which, in the opinion of the Planning Commission, are compatible with contiguous zones.
- c. Recreational uses requiring enclosed buildings.

~~5.12.35~~5.11.3 Other regulations:

- a. Minimum lot area: five (5) acres.
- b. Minimum lot width: 300 feet.
- c. Minimum yards: front and rear, 20 feet; side, 10 feet.

~~§5.13~~§5.12 **Planned Development or PD Zone.** The Planned Development or PD Zone is intended to apply to parcels of undeveloped land which are suitable for, and of sufficient size to contain, a completely planned development. The following regulations shall apply in all Planned Development or PD Zones:

~~5.13.15~~5.12.1 Principal permitted uses:

- a. Any use or combination of uses which are so arranged or designed as to result in an overall development in conformity with the standards, intents and purposes of the General Plan of the City may be permitted with a use permit.

~~5.13.25~~5.12.2 Uses permitted with a Use Permit: Applications for use permits for the development of land in Planned Development Zones shall be accompanied by a plan of the development. Such plan shall include a map or maps and such written material as may be required to show

- a. Topography of the land and contour intervals, and
- b. Proposed access, traffic and pedestrian ways, and
- c. Lot design and easements, and
- d. Areas proposed to be dedicated or reserved for parks, parkways, playgrounds, school sites, public or quasi-public buildings and other such uses, and
- e. Areas proposed for commercial uses, off-street parking, multiple and single-family dwellings, and all other uses proposed to be established within the zone, and
- f. Proposed location of buildings on the land, including all dimensions necessary to indicate size of structure, setback and yard areas, and
- g. Proposed landscaping, fencing and screening, and
- h. Such other detailed elevations, plans and other information as may be required by the Planning Commission to enable it to evaluate adequately the proposed development.

~~5.13.35~~5.12.3 Other Regulations:

- a. All uses shall conform to the height, area, width, depth, ground coverage and yard regulations normally required for such uses, except where the over-all development will be improved by a deviation from such regulations. In all cases each structure shall conform to the precise development plan, which shall be made a part of the approved use permit.
- b. Planned Development Zones shall be delineated on the Zoning Map by the PD designation followed by consecutive numbers to indicate the consecutive order to establishment of each such zone, and the approved plans and use permits shall constitute supplemental regulations for such zones.
- c. Use permits may specify development completion dates and provide for reversion to prior Zoning classification.

~~§5.14~~§5.13 **Agriculture-Exclusive or AE Zone.** The Agriculture Exclusive or AE Zone is intended to be applied in fertile areas in which agriculture is and should be the desirable predominant use and in which the protection of this use from encroachment from incompatible uses is essential to the general welfare. The following regulations shall apply in all Agriculture-Exclusive or AE Zones:

~~5.14.15.13.1~~ 5.14.15.13.1 Principal permitted uses:

- a. All general agricultural uses, except those specified in 5.16.2.
- b. Farm dwellings, nurseries, greenhouses and roadside stands.
- c. Vacation rentals.
- e. Small employee housing.
- f. Large employee housing, including employee housing meeting the requirements, as determined by the City Manager or their designee, set forth in California Health and Safety Code Section 17021.8, as may be amended. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the planning commission in accordance with Health and Safety Code Section 17021.8(c).

~~5.14.25.13.2~~ 5.14.25.13.2 Uses permitted with a Use Permit:

- a. Hog farms, turkey farms, frog farms and fur farms.
- b. Animal feed yards and sales yards.
- c. Agricultural and timber products processing plants.
- d. Rental and sales of irrigation equipment and storage incidental thereto.
- e. Animal hospitals.
- f. ~~Agricultural and farm labor camps.~~
- g.f. Bed and breakfast inns.

~~5.14.35.13.3~~ 5.14.35.13.3 Other regulations:

- a. No subdivisions or residential developments, whether by official map, record or survey or recorded subdivision, shall be permitted in Agriculture-Exclusive or AE Zones.
- b. Minimum lot area: 4 acres.
- c. Minimum lot widths: 100 feet.
- d. Maximum ground coverage: 35%.
- e. Minimum yards: front, 30 feet; rear, 20 feet; side, 10% of the lot width on each side, but not more than 20 feet shall be required.
- f. Farm outbuildings shall not be less than 20 feet from any dwelling unit on the premises.

~~§5.15~~§5.14 **Public Facility or PF Zone.** The Public Facility or PF Zone is intended to be applied to lands owned by public agencies or to lands upon which such agencies operate public facilities.

~~5.15.15~~5.14.1 Principal permitted uses:

- a. Public schools, parks, playgrounds and recreational facilities.
- b. Public fairgrounds and related uses.
  - i. Public buildings, including City Hall, fire stations, libraries, courts, museums, auditoriums, hospitals, and similar uses.

~~5.15.25~~5.14.2 Uses permitted with a Use Permit:

- a. Penal, correctional or detention institutions and facilities for the care of mental patients.
- b. Public corporation yards, shops, repair and storage yards and buildings.

~~5.15.35~~5.14.3 Other regulations:

- a. None, except as provided in use permit conditions.

## **ARTICLE 6: REGULATIONS FOR THE COMBINING ZONES**

§6.01 The regulations set forth in this chapter for each of the Combining Zones shall modify the regulations for the principal zones with which they are combined. All uses and regulations of the principal zone shall apply in the Combined Zone, except insofar as they are modified or augmented by the uses and regulations set forth in the Combining Zone regulations.

§6.02 **Agricultural Combining or -A Zone**

The Agricultural Combining or -A Zone is intended to be combined with principal R Zones in areas where average lot areas are sufficient to permit agricultural uses, including the keeping of livestock, in conformity with established usage and without creating nuisances or adverse health conditions. The following regulations shall apply in any zone which is combined with an Agricultural Combining or -A Zone:

6.02.1 Principal permitted uses:

- b. Crop and tree farming, truck gathering.
- c. Nurseries and greenhouses.
- d. Large livestock farming subject to the following limitations:
  - i. 1 horse, cow or similar large animal per ½ acre.
  - ii. 5 sheep, goats or similar size animal per ½ acre
- e. Small livestock ranching, including rabbits, chickens, and small commercial fur animals, subject to the following limitations:
  - i. 200 animals per ½ acre
- e. Small employee housing.
- f. Large employee housing, including employee housing meeting the requirements, as determined by the City Manager or their designee, set forth in California Health and Safety Code Section 17021.8, as may be amended. Review of determinations that employee housing meets the requirements set forth in Health and Safety Code section 17021.8 shall be processed and considered by the planning commission in accordance with Health and Safety Code Section 17021.8(c).

6.02.2 Uses permitted with a Use Permit:

- a. Animal hospitals and kennels.
- b. Retail sales of agricultural products on premises.
- c. Raising of animal's other than those listed above in this section.

6.02.3 Other regulations:

- a. Barns, corrals, pens and other structures for the keeping or housing of livestock shall be located not less than 50 feet from any residence and 20 feet from any lot line.
- b. No large livestock shall be butchered on the premises except for noncommercial use.

§6.03 **Special Building Site Combining or -B Zone**

The Special Building Site Combining or -B Zone and sub-zones there under are intended to be combined with any principal zone in which sound and orderly planning indicate that lot area and yard requirements should be modified. The following regulations shall apply in any zone which is combined with a Special Building Site Combining or -B Zone in lieu of the lot area and yard requirements normally applicable in such principal zone:

Combining Designation	Building Site Area	Front Yard	Side Yard	Rear Yard
B-1	8,000 sq. ft.	25 ft.	10% of lot width, minimum of 8 ft.	10 ft.
B-2	10,000 sq. ft.	25 ft.	10% of lot width, minimum of 10 ft.	10 ft.
B-3	20,000 sq. ft.	30 ft.	10% of lot width, minimum of 15 ft.	15 ft.
B-4	One (1) acre	30 ft.	10% of lot width, minimum of 20 ft.	20 ft.
B-5	As specified on the zoning map designating any such zone, except that in no case shall these requirements be less than those required under the B-4 requirements.			
B-6	Building site area as shown on a final subdivision map of record. Front, side and rear yards to be not less than B-4 requirements unless otherwise indicated on the said final map.			

§6.04 **Recreation Combining or –X Zone**

The Recreation Combining or –X Zone is intended to be combined with any principal zone in which the addition of recreational uses will not be detrimental to the uses of the principal zone or of contiguous zones. The following regulations shall apply in any zone which is combined with a Recreation Combining or –X Zone:

6.04.01 Principal permitted uses:

- a. Public and private noncommercial recreation facilities.
- b. General~~41~~ agriculture and roadside stands.
- c. Dwellings and offices incidental to any permitted use, small and large employee housing, but not including agricultural or farm labor camps.
- d. Trailer camps and mobile home parks.
- e. Public campgrounds.

6.04.02 Uses permitted with a Use Permit:

- a. Uses permitted with a use permit
- b. Commercial recreation facilities.
- c. Commercial uses compatible with recreational uses which, in the opinion of the Planning Commission, will not impair present and potential uses of the area.

6.04.3 Other regulations:

- a. Minimum lot area: five (5) acres.
- b. Minimum lot width: 300 feet.
- c. Minimum yards: front, rear and side: 50 feet.
- d. Maximum building height: 30 feet.

§6.05 Design Control Combining or -D Zone

The Design Control Combining or -D Zone is intended to be combined with any principal zone in which the appearance and design of buildings and structures form a substantial contribution to the desirability of the zone for the uses permitted therein, and in which it is desired to protect the over-all Historical appearance of the zone by regulating the design of proposed buildings and structures in the zone. The following regulations shall apply in any zone with which a Design Control Combining or -D Zone is combined, or as specified in Ordinance 2013-02 Sign Ordinance:

- 6.05.1 The procedures and authority for Design Review are established by this section to achieve the following purposes and objectives:
  - a. To ensure that new buildings and structures and/or the modification, alteration and/or enlargement of existing buildings or structures occurs in a manner which is consistent with the policies of the general plan;
  - b. To preserve the natural beauty of the town's site and setting;
  - c. To ensure that the architectural design of buildings and structures and their materials and colors are visually harmonious with and are conceptually consistent in character and scale with surrounding area; and
  - d. To ensure that the design and location of signs and their material and colors are consistent with the character and scale of the buildings to which they are attached or which are located on the same site, and to ensure that signs are visually harmonious with surrounding development.
- 6.05.2 Before any sign, structure or building may be erected, structurally altered, or in any way remodeled or improved so as to change the outward appearance of the sign, structure or building, a Design Review Permit shall be obtained unless exempted by Ordinance 2013-02.
- 6.05.3 All applications for permits as required by this ordinance shall be in writing, upon a form prescribed and furnished by the City, and filed in the office of the City Clerk. The application shall contain the name and address of the applicant; the name and address of the owner of the land; a description of the property involved; the street address; the reasons for filing the application; a description of the project to be undertaken; and other information as required by the City Manager or their designee to evaluate the application. Any application required by this Ordinance shall be accompanied by copies, in a quantity as required by the City Clerk, of site plans, diagrams, photographs, materials, or other presentation material as may be necessary for complete review and consideration of the proposed development.
- 6.05.4 Design Review Permits shall be subject to the following procedures:
  - a. The planning commission shall act on design review applications and follow the procedures in this section.
  - b. In the initial application, an applicant may request either conceptual design review or final design review under the provisions of this Ordinance.
    - 1. Conceptual Design Review. The purpose of conceptual design review is to provide the applicant with the planning commission's tentative reaction to the general design concept of a proposed project. Such review shall not include a formal decision on the application by the planning commission.

2. Final Design Review. Final design review by the planning commission is for the purpose of rendering a final decision on the application. At the conclusion of final design review, the planning commission may impose such conditions that are reasonable and necessary to carry out the purposes of this chapter and may, in addition, require such public improvements as are deemed necessary for the promotion of the public health, safety, and welfare.
- c. A notice of the time and place of consideration of design review applications, including a general explanation of the matter to be considered and a general description of the area affected, shall be posted at least 10 calendar days before the hearing at City Hall.
- ed. The decision-making authority shall make appropriate findings of fact in support of each final design review decision, including, but not limited to, findings regarding each of the following matters:
  1. Compliance of the project with the California Environmental Quality Act;
  2. The consistency of the project design with the Ferndale general plan and zoning ordinance; and
  3. Consistency of the project with policies set forth in this Section 6.05.
- fe. The decision-making authority may not base any final decision solely upon consideration of the following matters:
  1. Design details such as the color, shape, volume, texture, or construction materials to be used on a project, except where such details are of a magnitude that will significantly affect the overall appearance of the project or the compatibility of the project with its surroundings or where such details are inconsistent with adopted design review policies, if any; or
  2. The interior design of a fully enclosed building.
- gf. Actions of the planning commission are appealable to the city council in accordance with Article 11 of the Zoning ordinance.
- 6.05.4 Emergency / minor / routine repairs in Design Control Combining Zone.
  - a. Any of said repairs as defined in Sections 3.29 and 3.48 having value of less than \$5,000.00 requires no Design Review Permit.
- 6.05.5 Time Limits:
  - a. Applicants for projects that do not require a building permit shall have six months after the date of Design Review Permit issuance to complete the project.
  - b. Applicants for projects that do require a building permit shall be subject to the conditions and time limits of the building permit. If a building permit is not obtained within six (6) months of Design Review Permit issuance, the Design Review Permit shall be revoked by operation of law.
  - c. City staff may grant a one-time Design Review Permit extension of 6 months upon applicant's request, provided that the request is submitted prior to the expiration of the Design Review Permit.

§6.06 Qualified Combining or -Q Zone.

The Qualified Combining or -Q Zone is intended to be combined with any principal commercial zone in which residential uses constitute the predominant use of land in such zone, and in which it is desired to protect the general peace, safety, comfort, health and welfare of persons residing in such areas from impacts which may result from the introduction of new commercial uses, by regulating those uses allowed in the underlying principal zone, either as a principal permitted use or a use requiring a use permit, to those certain uses which the Planning Commission finds are compatible with the maintenance of a healthful residential living environment and the residential character of the area.

6.06.01 Principal permitted uses:

- a. Single-family dwellings.
- b. Boarding of not more than two persons not employed on the premises.
- c. Small employee housing.

6.06.02 Uses permitted with a Use Permit:

- a. Two-family dwellings.
  - b. Dwelling groups and multiple dwellings for not more than four (4) families.
  - c. Professional and business offices.
  - d. Commercial instruction.
  - e. Private institutions.
  - f. Bed and breakfast inns.
  - g. Boarding houses.
  - h. Outpatient small-animal clinics.
  - i. Mortuaries.
  - j. Plant nurseries.
  - k. Stores and services of a light commercial character, conducted entirely within an enclosed building, and limited to the following uses:
    - ii. Antique shops.
    - iii. Art galleries.
    - iv. Barber shops and beauty salons.
    - v. Book stores.
    - vi. Florist shops.
    - vii. Restaurants and licensed premises appurtenant thereto.
    - viii. Small-scale retail shops.
    - ix. Studios.
    - x. Tailor and dressmaking shops.
    - xi. Wholesale food preparation and catering.
    - xii. Sales of used and second-hand goods when appurtenant to any of the foregoing.
  - l. Other uses as approved by the Planning Commission, provided such additional uses are specifically enumerated as a permitted use of land in the regulations for the underlying principal zone, and the Planning Commission finds that such use is both similar to, and compatible with, the Principal Permitted Uses and Uses Permitted with a Use Permit specified in subsections 6.06.1 and 6.06.2.
- 6.06.3 Other Regulations
- f. Minimum lot area, width, maximum lot depth, and maximum building height shall be the same as those required in the underlying principal zone.

- g. Off-street parking and loading facilities shall conform to Section 7.16 of the Zoning Ordinance.
- h. The use of land and buildings existing upon the effective date of these regulations, where said uses are in conformance with the uses and regulations specified for the underlying principal zone but are not in conformance with the uses and regulations set forth hereinabove, shall be permitted to be continued and maintained without becoming subject to the provisions of Article XII of the Zoning Ordinance, "Non-Conforming Buildings and Uses." Expansion of such pre-existing use subject to exemption under this section may be granted by the Planning Commission through the issuance of a Use Permit, provided such expansion is found to be consistent with the purpose of the –Q Zone.
- i. All other applicable City Ordinances.

*(Begin section added by Ordinance 2012-01 1/5/12)*

**Housing Combining Zone or –H Zone.** The –H Zone is intended to cover the existing duplex units on a portion of the Ferndale Housing Project site located on Fairview Drive and Trident Lane. This combining zone principally permits the existing duplex units. *(End section added by Ordinance 2012-01 1/5/12.)*

## **ARTICLE 7: GENERAL PROVISIONS AND EXCEPTIONS**

...

~~§7.09 Guest Houses: Guest houses are herein defined as a detached living quarter of permanent construction, without a kitchen, which is clearly subordinate and incidental to the use of the main building, on the same lot. Guest houses shall not be let, leased or rented, in whole or in part, independently of the main building.~~

...

§7.24 Sidewalks: (This Entire Section added April 19, 2019 by Ordinance 2019-01)

7.24.1 Maintenance and Repair of Existing Sidewalks is the Responsibility of the Property Owner.

- a. To avoid trip and fall accidents, hazardous sections of sidewalks shall be repaired or replaced promptly.
- b. An encroachment permit from the City is required before repair work can begin.
- c. Repaired or replaced sections of sidewalk shall match the form, texture and color of the original sidewalk on the block to the satisfaction of the City Engineer.
- d. Width of repaired sidewalk shall match existing sidewalk width.
- e. Replacement driveway and corner cuts shall use ADA standard

~~7.25.2~~ 7.24.2 New Construction.

- a. Comply with City Standards (7.234.3) and current ADA requirements.

7.24.3 Design Standards.

- a. All new sections of sidewalks shall match the form, texture and color of the original sidewalk on the block to the satisfaction of the City Engineer. To match historic sidewalks:
  - i. Concrete shall be tinted at a ratio of 2 to 3 lbs. lamp per cubic yard of 3/8" - 6-sack concrete.
  - ii. Finishing work shall include an exposed aggregate surface, not a broom finish.
  - iii. Stress relief lines shall match the pattern of the existing sidewalk. In the absence of an adjoining sidewalk, the default pattern will be 2'-6" squares.

...

§7.27 Yards. The minimum yard requirements set out in Articles V and VI shall be subject to the regulations of this Section:

- 7.27.1 Cornices, eaves, canopies, bay windows, chimneys and similar architectural features may extend a maximum of 2 ½ feet into such yards. Uncovered porches or stairways, fire escapes or landings may extend a maximum of six (6) feet into front or rear yards and three (3) feet into side yards
- 7.27.2 Detached accessory buildings shall not be located within five (5) feet of any main building nor within five (5) feet of a side line on the front ½ of the lot. Detached accessory buildings shall not be located nor constructed so that any part, including cornices and eaves, are closer than one (1) foot of a side line or rear line of the lot when located on the rear one-half of the lot. Detached accessory buildings used as a

guest house shall not be located within five (5) feet of lot lines, nor within five (5) feet of an alley. Accessory buildings attached to the main buildings shall be structurally a part and shall comply with the main building yard requirements

7.27.3 In any R Zone, where more than one-half of the block is occupied with buildings, the required front yard shall be the average of those of the improved sites, to a maximum of that required for the zone

7.27.4 If any building is so located on a lot that the front or rear faces any side lot line, it shall be at least 10 feet from such side lot line.

7.27.5 Any dwelling located in a C or M Zone, except a dwelling over a commercial establishment, shall provide side and rear yards as required in R-3 Zones

7.27.6 The side yard of a corner lot shall be equal to the front yard of its key lot if any part of the main building on the corner lot is within 25 feet of the rear lot line, and shall be equal to one-half of the front yard of such key lot if all parts of the main building are more than 25 feet from the rear lot line.

7.27.7 (This section added by Ord. 07-01 on 2/12/07) On lots that include a right of way (street, sidewalk, or other), the setback is measured from the right of way. (End of section added by Ordinance 07-01 on 2/12/07)

7.27.8 Flag lot: the front of the lot shall be as that defined as that interior lot line which is more parallel and closest to the public street, except where due to the irregularity of the shape of the lot the City Manager or their designee may determine otherwise. In computing the area of the flag lot, the area of the corridor shall be excluded.