

Chapter 18.02

ESTABLISHMENT AND DESIGNATION OF ZONING DISTRICTS

Sections:

- 18.02.010 Districts.**
- 18.02.020 District boundaries.**
- 18.02.030 Effect of district regulations.**
- 18.02.040 Changes of district boundaries or regulations due to annexation or right-of-way abandonment.**
- 18.02.050 Requirements for maintaining consistency with general plan.**

18.02.010 Districts.

The base districts establish the basic land use and property development regulations applicable to all property within the city as provided under Section 18.01.060. The combining districts provide additional regulations which are to be exercised over certain lands in order to meet special community health, safety, welfare, environmental or development objectives described by the general plan. Combining district regulations apply in addition to the base zone and other regulations of this code.

The base and combining districts established by the zoning title are designated as follows:

A. Base Districts. The RA, R and RM districts are also subject to the density limitations, policies and standards of the land use element of the general plan. The base districts are as follows:

- RCO Resource conservation and open space district
- UR Urban reserve district
- RA Residential acreage district
- R One-family residential districts
 - R-1-7 7,000 square feet minimum site area
 - R-1-5, PUD 5,000 square feet minimum site area

- RM Multi-family residential districts
 - RM-MH88 mobile homes per net acre
 - RM-3 3,000 square feet minimum site area per dwelling unit
 - RM-2 2,000 square feet minimum site area per dwelling unit
 - RM-1.5 1,500 square feet minimum site area per dwelling unit
- PO Professional office district
- C Commercial districts
 - CN Neighborhood commercial district
 - CC Central commercial district
 - CS Service commercial district
 - CH Highway commercial district
- I Industrial districts
 - IL Light industrial district
 - IN Heavy industrial district
 - IP Planned industrial district
- B. Combining Districts.
 - PUD Planned unit development district
 - MXU Mixed use district (Ord. 437 § 1 (part), 1989)

18.02.020 District boundaries.

Whenever any uncertainty exists as to the boundary of a district as shown on the zone plan, the following regulations shall control:

A. Where a boundary line is indicated as following a street, alley, railroad right-of-way, drainage channel or other watercourse, the centerline of such street, alley, railroad right-of-way, drainage channel or other watercourse shall be considered to be the boundary line.

B. Where a boundary line is indicated as following a lot line or property line, it shall be construed as following such lot line or property ownership line.

C. Where a boundary line is not indicated as following a street or alley and does not follow or coincide approximately with a lot line or property ownership line, the boundary line shall be determined by the use of the scale designated on the zone plan.

D. Where further uncertainty exists, the city council, upon written application or on its own motion, shall determine the location of the boundary in question, giving due consideration to the location indicated on the zone plan and the objectives of the zoning code and the purposes set forth in the district regulations and the general plan. (Ord. 437 § 1 (part), 1989)

18.02.030 Effect of district regulations.

Except as otherwise provided in this code:

A. No structure or part thereof shall be erected, altered, added to or enlarged, nor shall any site or structure be used, designated or intended to be used for any purpose, or in any manner other than is included among the uses hereinafter listed as permitted or conditional in the district in which such structure, land or premises is located.

B. No structure or part thereof shall be erected, nor shall any existing structure be altered, enlarged or rebuilt or moved into any district, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, site area and building location regulations hereinafter designated for the district in which such structure or open space is located.

C. No yard or other open space on one site shall be considered as providing a yard or open space for a structure on any other site.

D. Two or more abutting lots may be combined and used as though a single site. Such combination of lots shall be deemed to be a single site for all purposes of this code; provided, however, that there shall not exist on any part thereof any structure or improvement which depends for compliance with this code upon the same being treated as a single site.

E. A lot, or lots, may be divided into parts, provided that each part is equal to or exceeds the minimum lot area requirements of the code, and so long as such parts are used as though separate lots they shall be deemed to be separate lots under all provisions of this code.

F. No deed or conveyance of any portion of a site shall be made which reduces the site area, yards, off-street parking spaces or other minimum requirements of this code, without the prospective grantor and grantee first recording, in the office of the Tulare court recorder, a covenant for the benefit of the city agreeing that such site shall continue to be maintained, operated and used as though a single site so long as any part thereof depends on the other for compliance with the provisions of this code.

G. Any lot recorded prior to the adoption of this title, any lot of record in any area heretofore or hereafter annexed to the city, and any lot affected by an action of eminent domain as described in Section 18.15.080(J), which are substandard with respect to the minimum lot area requirements of this title, shall be classified as a legal substandard lot. The existence of a legal substandard lot shall not be deemed to change any other requirement or regulation pertaining to such lot. Except as provided under subsection H of this section, no lot shall be deemed to be a legal substandard lot where such lot, at the time of the adoption of this title, or upon annexation or upon being affected by an action of eminent domain, has a common side lot line with another lot under the same ownership.

H. Where a group of legal substandard lots have common side lot lines and are under the same ownership, and have in the aggregate less than the minimum lot area required for the zoning district in which located, the aggregate of such lots may be continued to be used as a single legal substandard lot. (Ord. 437 § 1 (part), 1989)

18.02.040 Changes of district boundaries or regulations due to annexation or right-of-way abandonment.

A. Territory annexed to the city which was previously classified by the county in a particular zoning district may be retained by the city if such classification is also provided for by this code and is consistent with the general plan.

B. Where property to be annexed to the city was classified previously by the city under pre-zoning provisions of state law and this title, such pre-zoning classification shall become effective at the same time that the annexation becomes effective.

C. All territory which becomes unzoned through abandonment as a public street, alley or railroad right-of-way shall immediately become classified the same as the property adjoining such right-of-way. (Ord. 437 § 1 (part), 1989)

18.02.050 Requirements for maintaining consistency with general plan.

A. Zoning districts shall be applied to all public and private property in a manner that is consistent with applicable policies and land use arrangements set forth in the general plan.

B. All actions and procedures pertaining to the granting, modification or denial of various permits or other entitlements provided by this title, including use permits, site plans, planned unit development and amendments, shall be consistent with applicable policies and land use arrangements set forth by the general plan.

C. The city shall not accept any application as a filing for any permit or entitlement provided for by this title if such permit or entitlement would in any way be inconsistent with applicable policies and land use arrangements of the general plan.

D. Where amendments to policies of the general plan have not yet been reflected in appropriate amendments to the zoning code, the policies of the general plan shall govern as if set forth herein until corresponding regulations have been added to this title consistent with such policies of the general plan. (Ord. 437 § 1 (part), 1989)