

SECTION 10.7: "RC" RESOURCE CONSERVATION ZONE

(Added by Ord. No. 2956, effective 4-11-91)

PURPOSE A.

The "RC" Zone is an exclusive zone to be applied to remote, largely undeveloped areas of Tulare County where it is desirable or necessary to manage and preserve existing natural resources. These areas are generally identified in the General Plan as "Resource Conservation".

The purposes of this zone are as follows:

1. To minimize development in the remote areas of the County where services cannot be reasonably provided.
2. To protect and preserve the natural resources, including open space resources, of the County from encroachment of unrelated and incompatible uses.
3. To permit the utilization and management of natural resources which provide commodity values such as timber, extensive agriculture, mining and energy development.
4. To protect and preserve natural and cultural resources which provide amenity values, such as watershed, wildlife habitat, scenic vistas, and historical and archaeological sites.
5. To establish a minimum parcel size standard which is appropriate for remote mountain areas where emphasis will be placed on resource management and development opportunities will be limited.
6. To support and enhance the purposes of the Williamson Act for those properties which are subject to agricultural preserve contracts.
7. To implement land use controls and development standards which are necessary to achieve the goals and objectives for mountain lands as required by the General Plan.
8. To function as a holding zone in certain mountain areas which should be retained in resource management until such time as the General Plan is amended to provide for the conversion of such lands to other uses.

PERMITTED USES B.

No building or land shall be used, and no building shall be hereafter erected or structurally altered, except for the following uses:

1. One (1) **single-family dwelling**, manufactured home or mobilehome on each legal lot or parcel. Said dwelling shall only be occupied by an owner of the property and his/her family, a lessee of the property and his/her family, or by employees who work on the property.
2. In addition to the dwelling allowed under Paragraph 1. above, one (1) **additional dwelling** is permitted for each forty (40) acres in the legally created parcel. Any additional dwelling permitted by this paragraph shall only be occupied by an owner of the property and his/her family, a lessee of the property and his/her family, or by employees who work on the property.
3. **Accessory structures and uses incidental to the above allowed uses**, including but not limited to guest houses as defined in this Ordinance, garages, carports, storage tanks, windmills, storage buildings, garden structures, greenhouses, power generating facilities and their enclosures, and storage and use of petroleum products. The structures and uses listed herein are for personal, non-commercial use only, except as permitted in the home occupation provision of the Zoning Ordinance.

4. **Growing and harvesting of timber and forest products.**
5. **Temporary helicopter landing areas for craft engaged in timber harvesting and agricultural operations.**
6. **Uses and facilities integrally related to the growing and harvesting of timber and forest products** including, but not limited to, log landings and log storage areas, but not including lumber milling or processing facilities.
7. **The growing and harvesting of fruit and nut trees**, vines, vegetables, timber and trees grown for ornamental use, such as Christmas trees.
8. **The growing and harvesting of field crops**, grain and hay crops, and the growing of grass for pasture and grazing.
9. **Raising and slaughter of rabbits and other similar fur-bearing animals.** The maximum number of mature animals allowed on any parcel shall not exceed sixty (60), unless a Use Permit has been secured as required in Subsection C of this section. Any offspring of the animals allowed under this paragraph may remain on the property until they reach the normal age for weaning.
10. **Raising and slaughter of poultry** up to a maximum of three (3) birds for each thirteen-hundred (1,300) square feet in the entire property, and not to exceed a total of one hundred (100) birds in all, unless a Use Permit has been secured as required in Subsection C of this section.
11. **Grazing of sheep, goats, horses, mules, bovine animals and other similar domesticated quadrupeds**, provided that no feed lot may be maintained.
12. **Power generating facilities and their enclosures for personal**, non-commercial use only, except hydroelectric facilities.
13. **Fish farming operations** for the raising and harvesting of fish as a crop but not including fishing clubs or fishing for members of the general public on a commercial basis, unless a use permit has been secured as required under Subsection C of this section.
14. **Game preserve**, private or public, but not including hunting clubs or hunting for members of the general public on a commercial basis, unless a use permit has been secured as required under Subsection C of this section.
15. **Open space** uses including, but not limited to, scenic highway corridors, wildlife habitat areas or preserves, watershed areas, managed wetlands or submerged areas.
16. **Incidental and accessory structures and uses** necessary for activities as allowed in Subsections 7, 8, 9, 10 and 11 above, including, but not limited to, barns, stables, coops, and silos.
17. **Sale of agricultural products**, including sale at roadside stands and from vehicles, if more than one-half (1/2) of the retail value of the agricultural products offered for sale at any time has been produced on the property where the sale is conducted or on other property owned by the same person who owns the property where the sale is conducted. As used in this paragraph, "agricultural products" means commodities produced for the purpose of food, fuel and fiber, and also includes trees grown for ornamental use, such as Christmas trees.
18. **Signs** which pertain only to a permitted use on the property on which the sign is situated or which pertain to the sale, lease or rental of the property or a structure of personal property located on the property.
19. **Bed and Breakfast Home** with one or two guest rooms. (Added by Ord. No. 3222, effective 4-22-99.)

20. **Family Day Care Home, small.** (Added by Ord. No. 3222, effective 4-22-99.)

SPECIAL USE PERMIT C.

Because of consideration of smoke, fumes, dust, odor and other hazards, regardless of the other provisions of this section, the establishment and operation of the following uses shall be permitted in this zone only if a Use Permit is first secured pursuant to the procedures referred to in Paragraph B of Part II of Section 16 of this Ordinance.

1. **A second dwelling** on a legal lot when the lot is less than forty (40) acres in area but more than ten (10) acres, and was of record at the time this zone became applicable to the property. Any additional dwelling permitted by this paragraph shall only be occupied by an owner of the property and his/her family, a lessee of the property and his/her family, or by employees who work on the property.
2. **Raising and slaughter of poultry** when more than 3 birds for each 1,300 sq. ft. in the entire property, or more than 100 birds in all, are on the property at any time.
3. **Raising and slaughter of rabbits or other fur-bearing animals** when a total of more than 60 mature animals are on the property at any time.
4. **An increase in lot density** beyond that which is allowed by this zone as set forth in Section B. of this section which would result from a division of land in conformance with the minimum parcel size regulations. Division of land proposed pursuant to this paragraph shall only be approved when it is found that special circumstances are applicable to the property including size, shape, topography, location, surroundings or ownership that can provide the basis for approving the division of land in spite of the fact that an increase in the density will result.
5. **Agricultural service establishments** primarily engaged in performing agricultural animal husbandry services or horticultural services to farmers.
6. **Recreational uses**, including outdoor educational activities, and including public and private hunting and fishing clubs, equestrian establishments, guest ranches, public and private stables, campgrounds, summer camps and public and private parks.
7. **Mineral and hydrocarbon exploration and mining**; provided, however, that no use permit shall be required if a surface mining permit and/or reclamation plan is required under the provisions of Section 7-25-1000, et seq., of the Ordinance Code of Tulare County.
8. **Power/energy generating facilities** not set forth in Subsection B. of this section, including hydroelectric facilities.
9. **Temporary logging camps or labor camps** established in conjunction with timber harvesting or planting operations.
10. **Rock crusher and distribution of rock, sand and gravel.**
11. **Temporary portable sawmills and temporary portable planing mills.**
12. **Public utilities transmission station.**
13. **Microwave relay station.**
14. Similar uses when determined in the manner prescribed in Section 15, Paragraph A. USE, Subparagraph 1., item b.
15. Those other uses as set forth in Part II (B) of Section 16 of this Ordinance as denoted by "RC" Zone in the respective listings.

DEVELOPMENT STANDARDS D.

Minimum parcel size:

1. Lot area: The minimum lot area shall be one hundred sixty (160) acres; provided, however, that where a lot has less area than herein required and was of record at the time this paragraph became effective, said lot may be occupied by not more than one (1) main building subject to the provision of this Section.
2. Height: The maximum building height shall be thirty-five (35) feet to the uppermost part of the roof except as provided in Section 15 of this Ordinance. Said maximum building height shall be measured at the average level between the highest and lowest points between that portion of the site being covered by the building to the uppermost part of the roof; provided, however, that this paragraph shall not be so interpreted as to prohibit the construction of a one (1) story building. Water tanks, silos, barns, antennas, and other accessory structures related to permitted uses may be constructed to a height not exceeding seventy-five (75) feet provided such structures do not project into the landing or takeoff zone, or other restricted areas, of an airport, established pursuant to Sections 7-13-1000 to 7-13-1085 of the Ordinance Code of Tulare County.
3. Front yard: The minimum front yard shall be twenty-five (25) feet except along those streets and highways where a greater setback is required by this Ordinance or by other ordinances of the County.
4. Side yard: The minimum side yard shall be ten (10) feet except where a greater setback is required by this Ordinance or by other ordinances of the County.
5. Rear yard: The minimum rear yard shall be twenty-five (25) feet except where a greater setback is required by this Ordinance or by other ordinances of the County.
6. Required yard areas may be used for grazing of animals, growing of agricultural crops, and the growing and harvesting of timber and forest products.
7. Setbacks for watercourses: All new structures, except fences, shall be set back a minimum of twenty-five (25) feet from any watercourse. However, where a more restrictive setback related to flooding conditions is established by other state or local regulations, the more restrictive setback shall apply.
8. Fences: Where required by applicable General Plan, site perimeter fencing shall be constructed in such a way as to allow passage of deer.* The following minimum standard shall be required: Either the lowest fence rail or barbless wire strand shall be no lower than eighteen (18) inches from the ground; or, the highest fence rail or barbless wire strand shall be no higher than forty-two (42) inches from the ground. This paragraph shall not apply to the maintenance of existing fences. This standard shall also not be applicable to fences being erected around homesites and areas where fruit trees, vines or vegetables are grown and harvested.
(*NOTE: Deer passage fencing standards are presently required in the Mountain Plan for the Kennedy Meadows subarea.)
9. Generators and generator sheds: Where required by applicable General Plan, electric generators shall be equipped with appropriate muffling devices and shall be housed or enclosed in a sound attenuating structure, except for emergency purposes only.
10. Grading Standards:
 - a. All disturbed slopes shall be graded so that they are contoured to harmonize and blend with the natural slopes remaining on the site and surrounding the development site.

- b. The slope of exposed cuts and fills shall meet the standards established in the Improvement Standards of Tulare County as adopted pursuant to Section 7-01-2025 of the Ordinance Code of Tulare County and as said improvement standards are amended from time to time.
 - c. Where cut or fill slopes intersect, the area of intersection shall be graded and shaped to closely resemble natural topography. This requirement is not applicable to cut or fill slopes composed entirely of rock material.
 - d. All lots and parcels shall be designed in a manner that minimizes future grading or land disturbance.
11. Sediment, Drainage and Erosion Control Standards:
- a. Fill slopes shall not extend into natural watercourses or constructed channels. Excavated materials shall not be stored in watercourses.
 - b. Immediately following completion of grading or excavation activities, temporary mulching, seeding or other suitable stabilization methods shall be undertaken to protect exposed critical areas.
 - c. Any denuded or exposed slopes caused by construction activities shall be planted with native plant materials or any similar climatically adapted vegetation which are determined suitable for protecting exposed slopes from erosion.
12. Fire Prevention Standards:
- a. A thirty (30) foot clearance of flammable vegetation shall be provided and maintained around all new structures.
 - b. Class A fire retardant roofing materials, as established in the Uniform Building Code, shall be provided on all new buildings.
 - c. Attic vent screens of corrosion-resistant wire mesh, with a mesh size of 1/4 inch, shall be provided for all vent openings. Chimney openings shall be equipped with a corrosion-resistant wire mesh screen with a mesh size of 1/2 inch. These provisions are applicable to all new buildings.
 - d. House numbers shall be provided in conjunction with the establishment of all new dwelling units in those areas where a house numbering plan is available from the County. The house numbers shall be a minimum of three (3) inches high, with a one-half (1/2) inch line width, and a reflective color that contrasts sharply with the background. The numbers shall be placed so that they are clearly visible from an adjacent public roadway. If the dwelling is to be located more than one-hundred (100) feet from the public roadway, the house numbers shall be displayed upon a non-flammable sign and post to be provided at the intersection of the driveway and the public road.

DIVISIONS OF LAND E.

All real property, improved or unimproved, which is shown on the latest adopted County tax roll as a unit or as contiguous units and which is owned by the same person or persons shall not be divided, after RC zoning is applied to such property, except in compliance with this subsection. No such land may be divided for the purpose if any one (1) parcel resulting from the division of land contains less than one-hundred and sixty (160) acres; provided, however, that the transactions set forth in Subsections D.2 and D.3 of Section 15 of this Ordinance are not subject to this restriction.

Notwithstanding the aforementioned restrictions, if the entire property contained less than one-hundred and sixty (160) acres at the time RC zoning was applied to the property, the entire property may be sold as a single unit. Any divisions of land which are allowed under this subsection shall be made in compliance with the provisions of Section 7-01-1000 to 7-01-2855 of the Ordinance Code of Tulare County.