

## **SECTION 8.07: "CO" COMMERCIAL RECREATION ZONE**

(Added by Ord. No. 2910, effective 12-28-89)

### **PURPOSE A.**

The "CO" Zone is intended primarily for the foothill and mountain areas of Tulare County and allows commercial uses which are oriented to recreation-related activities, services, and other recreational characteristics of these areas, especially where such uses may be located in environmentally sensitive surroundings. The purposes of this zone are as follows:

1. To permit retail and service commercial uses that are oriented toward or associated with recreational opportunities for the tourist or highway traveler as well as those that serve the needs of residents of foothill and mountain areas.
2. To permit open-space oriented recreation-commercial uses as well as commercial uses commonly associated with recreational resort areas.
3. To permit certain types of commercial uses in environmentally sensitive areas where such uses are found to be compatible with the surrounding foothill or mountain environment.
4. To implement the goals, objectives, policies, and develop and implement strategies set forth in the Mountain Plan, the Springville Community Plan, and the Three Rivers Community Plan, specific to the commercial-recreation aspects of those communities and locales.
5. To permit multiple-family dwelling units on selected properties where such developments will be harmonious with surrounding natural features and compatible with adjacent land uses.

### **USES B**

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

#### **1. Uses Permitted Without Site Plan Review:**

- a. **One (1) single-family dwelling or mobilehome and accessory structures** on an individual lot or parcel.
- b. **Growing or harvesting of field crops**, fruit and nut trees, vines, vegetables, horticultural specialties and timber, and the operation of plant nurseries and greenhouses for producing trees, vines and other horticultural stock.
- c. **Raising and slaughter of rabbits and other similar fur-bearing animals.** To determine the total number of said animals that can be raised, the total number of square feet in the entire property shall be divided by twelve thousand five hundred (12,500). If the quotient is not a whole number, it shall be increased to the next higher whole number. Said quotient shall then be multiplied by twenty-four (24) and the product is the number of animals that can be raised on the property. In addition, any offspring of the animals allowed under this paragraph may be retained until they are weaned.
- d. **Raising and slaughter of poultry.** To determine the total number of poultry that can be raised, the total number of square feet in the entire property shall be divided by twelve thousand five hundred (12,500). If the quotient is not a whole number, it shall then be increased to the higher whole number. Said quotient shall then be multiplied by twenty-four (24) and the product is the number of poultry that can be

- raised on the property.
- e. **Raising of sheep, goats, horses, mules, swine, bovine animals, and other similar domesticated quadrupeds**, subject to the following restrictions:
    - i) None of the aforementioned animals may be raised if there is less than twelve thousand five hundred (12,500) square feet in the entire property.
    - ii) One (1) of the aforementioned animals may be raised if there is twelve thousand five hundred (12,500) square feet in the entire property and one (1) additional animal may be raised for each additional full twelve thousand five hundred (12,500) square feet in the entire property. Any offspring of the animals allowed under this subparagraph may be retained until they reach the normal age for weaning.
  - f. **Storage of petroleum products** for use on the site.
  - g. **Satellite television antennas** in accordance with Section 15 of this ordinance, and with a reflector area of 120 square feet or less.
  - h. **Electric generators in conjunction with the above uses.** Electric generators shall be equipped with appropriate muffling devices and enclosed in a sound attenuating structure.
  - i. **Minor Improvements**, as defined in Section 2 of the Zoning Ordinance.

#### **USES REQUIRING SITE PLAN REVIEW: C.**

The following uses shall be permitted in this zone only after a site plan has been filed for consideration by the Site Plan Review Committee pursuant to the procedures set forth in Section 16.2 and providing such uses are permitted by the General Plan:

- Group houses not exceeding four dwelling units on the same lot or parcel.
- Two-family or multiple-family dwellings not exceeding four dwelling units on the same lot or parcel.
- Alcoholic beverage sales under an off-sale license.
- Antique store.
- Arcades; games and video.
- Art gallery or studio.
- Bakery or pastry store.
- Barber shop.
- Beauty shop.
- Book or record store.
- Cafe or coffee shop.
- Candy and confectionery store.
- Clothing and apparel; sales, repairs and alterations.
- Delicatessen.
- Drug store or pharmacy.
- Firewood sales/wood lot for precut wood only, no wood cutting to occur on site.
- Gifts, novelties or souvenir store.
- Grocery store, supermarket, convenience market.
- Health clubs.
- Ice cream parlor.
- Jewelry, watch and clock making; repair and sales.
- Laundromat; self-service and coin-operated.

- Liquor store.
- Lodging facilities, including guest house and bed and breakfast inn, where four (4) or less guest quarters are proposed.
- Museum.
- Newsstand or magazine sales store.
- Offices; business or professional, medical or dental, banks, savings and loans.
- Pet stores and supplies.
- Photographic supply stores and services, including film processing.
- Post Office.
- Public parking area.
- Radio, television tower for commercial use less than 75' in height.
- Recreational vehicle and trailer sales, services, and rental.
- Restaurants, fast-food operations, drive-ins or food stands not involving the on-site sale of alcoholic beverages, dancing, and/or live entertainment.
- Service station and automobile repair garage, provided all operations except the sale of gasoline or oil shall be conducted within a building enclosed on at least three (3) sides.
- Shoe sales and repair.
- Sporting goods sales.
- Tobacco store.
- Toy and variety store.
- Travel agency.
- Video machine and tapes; sale and rental.
- Accessory buildings and uses, including warehousing, customarily incidental to any of the above uses when located on the same lot.
- Those uses and activities that are found by the Planning and Development Director to be similar to and compatible with those specific uses and activities identified above as determined by the Planning Commission and Board of Supervisors by resolution pursuant to the provisions of Section 15.A.1.B of the Zoning Ordinance.

#### **USES REQUIRING SPECIAL USE PERMITS D.**

The following uses shall be permitted in the CO Zone only if a Special Use Permit has been approved in the manner provided in Section 16, Part II B. Additional special uses which are allowed in this zone are also set forth in said Part II of Section 16 of this Ordinance. Prior to filing such use permits, a site plan shall be filed for review and recommendation by the Site Plan Review Committee pursuant to the procedures set forth in Section 16.2.

- **Group houses** exceeding four (4) dwelling units on the same lot or parcel. Two-family or multiple family dwellings exceeding four (4) dwelling units on the same lot or parcel.
- **Boarding and lodging facilities**, including hotels and motels, with five (5) or more guest quarters.
- **Bus depot.**
- **Equipment sales, rental, and storage.**
- **Hunting and fishing clubs** for public use or on a commercial basis.
- **Propane/butane storage and sales.** Recycling collection center. Resort or guest ranch.
- **Accessory buildings and uses**, including warehousing, customarily incidental to any of the above uses when located on the same lot.

- Those uses and activities that are found by the Planning and Development Director to be similar to and compatible with those specific uses and activities identified above as determined by the Planning Commission and Board of Supervisors by resolution pursuant to the provisions of Section 15.A.1.b of the Zoning Ordinance.

**DEVELOPMENT STANDARDS: E.**

1. Lot Area: The minimum lot area shall be twelve thousand five hundred (12,500) square feet; 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. Where topography, soil conditions, or other factors as might be set forth in the applicable Land Use Element or Community Plan of the Tulare County General Plan have indicated a need for a larger minimum parcel size, the minimum parcel size is represented by the number attached to this zone, as it appears on the Official Zoning Map of Tulare County, and as described in the provisions of Section 14.5, the "Special Combining Zone", of this Ordinance.
2. Residential Density: There shall be no more than one family per fifteen hundred (1,500) square feet of lot area; provided, however, this regulation shall not apply to overnight lodging facilities where no cooking is done in any individual room or suite.
3. Coverage: The maximum site area covered by structures shall be twenty (20) percent of the total area of the site unless a larger maximum coverage requirement is set forth in the applicable General Plan.
4. 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 of that portion of the site being covered by the building to the uppermost part of the roof.
5. Front Yard: There shall be a front yard of not less than twenty-five (25) percent of the depth of the lot, provided such front yard need not exceed twenty-five (25) feet.
6. Rear Yard: There shall be a rear yard of not less than five (5) feet.
7. Side Yard: On interior lots there shall be a side yard on each side of a building of not less than ten (10) percent of the width of the lot, provided that such side yard shall not be less than three (3) feet and need not exceed five (5) feet in width. On corner lots, the side yard regulation shall be the same as for interior lots except in the case of a reverse corner lot. In the case of a reverse corner lot, there shall be a side yard on the street side of the corner lot of not less than twelve and one-half (12-1/2) feet, and accessory buildings on said corner lot shall not project beyond the front yard line of the lot in the rear of said corner lot; provided, further, that this regulation shall not be so interpreted as to reduce the buildable width (after providing the required interior side yard) of a reverse corner lot of record at the time this section becomes effective to less than twenty-eight (28) feet, nor to prohibit the erection of an accessory building where this regulation cannot reasonably be complied with.
8. Distance Between Structures: The minimum distance between any structures within a parcel shall be at least ten (10) feet, and the minimum distance between an accessory structure and property line shall be at least five (5) feet. The minimum distance between a structure used for human habitation and a pen, coop, stable, barn, corral or other structure housing livestock or poultry shall be forty (40) feet.
9. Outdoor Advertising Display Signs: Identification sign or signs pertaining to a permitted use conducted on the site shall have an aggregate area of not more than one-half (1/2)

square foot for each one (1) foot of the frontage of the site, but not more than one hundred (100) square feet; provided, however, that if a site has less than forty (40) feet of frontage, the signs may have an aggregate area of not more than twenty (20) square feet. Only one side of each sign shall be considered in determining the aggregate areas of signs permitted in this zone. No sign shall project above the eave or parapet line of the nearest building on the premises and no sign shall be located in or project into a required front, side or rear yard. No sign shall be directly illuminated and any lights installed to indirectly illuminate a sign shall be shielded so as to deflect direct rays from public roadways and adjacent properties.

In the case of integrated commercial centers having two or more businesses, one free standing sign advertising the name of the commercial center, and which may list the businesses included therein, may be permitted. In addition to the free standing sign, one additional sign advertising the name of each individual business in the commercial center shall be permitted so long as said sign is attached to and flat against the primary building facade. The design, setback, size, architectural compatibility, traffic safety and visibility shall be determined during the site plan review/special use permit process.

10. Setbacks from 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

#### **DEVELOPMENT STANDARDS WITH DISCRETIONARY PERMITS F.**

All development proposals requiring discretionary permits shall comply with all applicable development standards as set forth in the General Plan for the area.