

Appendix 1
A SUMMARY* OF LAND USE CONTROLS WHICH ARE APPLICABLE
TO THE A-1 (AGRICULTURAL) ZONE AS EXCERPTED FROM
THE TULARE COUNTY ZONING ORDINANCE

* The following information is taken from various sections of the Zoning Ordinance which pertain to allowed activities in the A-1 Zone. It is not the official text of the Ordinance and may not answer all questions which may arise. Please contact the Tulare County Resource Management Agency for further information.

**REGULARLY
PERMITTED
USES**

A.

1. Mobilehomes and residences for the owners and lessees of the property and for housing farmworkers or employees who work on the property, but not including housing for ten (10) or more farmworkers and employees. Housing for ten (10) or more farmworkers and employees may be allowed under the use permit procedure set forth in Section 16 of this Ordinance.
2. One (1) mobilehome or single-family residence for persons other than those mentioned in number 1 above for each two and one-half (2-1/2) acres in the entire property. If a lot has less than two and one-half (2-1/2) acres and was of record on January 11, 1973, one (1) single-family residence or mobilehome for persons other than those mentioned in number 1 above may be constructed.
3. The growing and harvesting of field crops, grain and hay crops, fruit and nut trees, vines, vegetables, horticultural specialties and timber, and the growing of grass for pasture and grazing, except mushroom growing.
4. The raising and slaughter of poultry up to a maximum of three (3) birds for each one thousand three hundred (1,300) square feet in the entire property, and not to exceed a total of one thousand (1,000) birds in all, unless a Use Permit has been secured as required under subsection B.
5. The raising and slaughter of rabbits and other similar fur-bearing animals. The maximum number of mature animals allowed on any parcel shall not exceed two hundred and forty (240) unless a Use Permit has been secured as required under subsection B. Any offspring of the animals may remain on the property until they reach the normal age for weaning.

6. The raising and slaughter of sheep, goats, horses, mules, swine, bovine animals, and other similar domesticated quadrupeds. The total of such animals on the property at any time shall not exceed two (2) mature animals for each acre in the entire property, excluding feed lots or areas for concentrated feeding of more than twenty-five (25) animals, unless a Use Permit has been secured as required under subsection B. Any offspring of the animals allowed may remain until they reach the normal age for weaning.
7. Dairies when not more than 25 cows are on the property at any time.
8. Feed lots for 25 animals or less.
9. Apiary and honey extraction plant.
10. Incidental and accessory structures and uses including barns, stables, coops, tank houses, storage tanks, wind machines, windmills, silos and other farm buildings, private garages and carports, guest houses, storehouses, garden structures, greenhouses, recreation rooms, the storage and use of petroleum products, and kennels for private non-commercial use.
11. Plant nursery, not including retail sales.
12. 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 feed for livestock and fowl and trees grown for ornamental use, such as Christmas trees.
13. Signs which pertain only to a permitted use of the property on which the sign is situated or which pertain to the sale, lease, or rental of the property or a structure or personal property located on the property. In addition, signs which are no larger than four (4) square feet in area and which pertain to producer and marketing associations and organizations with which the owner or lessee is affiliated are allowed.

14. Temporary landing of aircraft engaged in agricultural uses.
15. Fish farming operations for the raising and harvesting of fish as a crop, but not including fishing clubs or fishing for the general public on a commercial basis.
16. Game preserve, private or public, but not including hunting clubs, or hunting for members of the public on a commercial basis.
17. Open space uses including, but not limited to, a scenic highway corridor, wildlife habitat area, saltpond, managed wetland area or a submerged area, as defined as agricultural land by Land conservation Act of 1965, as amended.
18. Jail or correctional institution in conformance with the Public Building Element of the Tulare County General Plan.
19. Apiary and honey extraction plant.
20. The storage and/or handling of agricultural chemicals for on-farm, noncommercial use only.
21. Land spreading of biosolids, provided that no portion of the property proposed for land spreading is located (a) within an Urban Improvement Area, Urban Development Boundary, or Urban Area Boundary adopted pursuant to the Urban Boundaries Element of the General Plan; (b) within six hundred and sixty feet (660') of said Area or Boundary; or (c) east of the easterly boundary of the Rural Valley Lands Plan Policy Area adopted pursuant to the Rural Valley Lands Plan.
22. Bed and Breakfast Home with one or two guest rooms.
23. Family Day Care Home, small.

**USES
REQUIRING A
USE PERMIT**

B.

1. Agricultural aircraft industries and services establishments located with an airport or heliport.
2. Agricultural chemicals; manufacturing and/or commercial storage and/or handling.
3. Agricultural chemical experiment stations.

4. Agricultural dehydrator with more than a combined total of one hundred (100) horsepower in all motors used.
5. Agricultural service establishments primarily engaged in performing agricultural animal husbandry services or horticultural services to farmers, and services to farmers or farm-related activities in planting, harvesting, storage, hauling and equipment repair and maintenance.
6. Airports, however, no Use Permit is required to locate an airport in conformity with the Tulare County Airport Master Plan.
7. Airport, agricultural.
8. Animal hospital, clinic and veterinarian office for large animals (i.e. horses, cattle, sheep, etc.) and/or small/domestic animals (i.e. dogs, cats, etc.).
9. Animal sales yards.
10. Asphalt manufacturing and refining.
11. Assemblage of people for educational or entertainment purposes in a building or open area not otherwise approved for assemblage. (NOTE: A use permit for the assemblage of people may include approval of sales of alcoholic beverages under an on-sale license.)
12. Ball park.
13. Biomass fuel manufacturing for commercial or personal use.
14. Borrow pit, however, no Use Permit is required for an operation subject to a surface mining permit or reclamation plan.
15. Brick, tile and terra cotta manufacturing, if proximate to the source of raw material.
16. Campground.
17. Carnival.
18. Cemetery, columbarium, mausoleum, or crematory.

19. Church.
20. Circus.
21. Concrete products manufacturing.
- 21a. Contractor's Storage Yards subject to certain limitations (see Section 15).
22. Cotton gin and oil mill.
23. Dairy, when more than 25 cows are on the property at any time.
24. Establishments for the curing, processing, packaging, packing, storage and shipping of agricultural products.
25. Equestrian establishments such as academies, schools and stables.
26. Expansion, alteration or replacement of non- conforming buildings and uses which were legally established in accordance with all applicable building and zoning regulations and which are now legally nonconforming.
27. Fairgrounds.
- 27a. Family Day Care Home, Large
- 27b. Farmworker housing for ten (10) or more.
28. Feed lot for more than twenty-five (25) animals.
29. Feed mill with more than a combined total of one hundred seventy-five (175) horsepower in all motors used.
30. Fertilizer manufacturing.
31. Fire Station.
32. Flammable liquids stored above ground – see Section 16 requirements.
33. Fish smoking, curing and canning.
34. Golf course.

- 35. Golf driving range.
- 36. Guest ranch and summer camps, provided the site complies with RVLP (Section 16.II.F.)
- 36a. Hazardous Waste Facility, specified.
- 37. Heliport.
- 38. Heliport, agricultural.
- 39. Hospital, sanitarium and nursing home.
- 40. Hunting and fishing clubs and hunting and fishing on a commercial basis for members of the general public, provided the site complies with RVLP (Section 16.II.F.).
- 41. Jails or correctional institutions, however, no use permit is required to locate a jail or correctional institution in conformance with the Public Buildings Element of the Tulare County General Plan.
- 42. Kennels for commercial breeding, boarding, training or other commercial purposes.
- 43. Labor camp, permanent.
- 44. Manufacture of irrigation pipe and accessory equipment and agricultural machinery, equipment, implements and containers, including sales and storage thereof, provided that any such irrigation pipe, machinery, equipment, implements or containers are used specifically to aid in the production of farm animals or crops and at least 50% of the manufactured products are sold directly to farmers.
- 45. Mining or extraction of metals, minerals, oil, gas, or hydrocarbons, together with necessary buildings, apparatus, and appurtenances incidental thereto; however, no use permit is required for an operation which is subject to a surface mining permit or reclamation plan.
- 46. Mushroom growing.
- 47. Olive processing plants.

48. Petroleum products; manufacturing and wholesale storage, if proximate to the source.
49. Police stations.
50. Potash works; provided, however, no use permit is required for an operation which is subject to a surface mining permit or reclamation plan.
51. Public park or playground.
52. Public works maintenance facilities.
53. Public utility structure.
54. Quarry and stone mill, however, no use permit is required for an operation which is subject to a surface mining permit or reclamation plan.
55. Race track.
56. Radio, microwave and television towers in excess of 75 feet in height or within two miles of an airport or heliport.
57. Raising or slaughter of poultry when more than three (3) birds for each 1,300 square feet in the entire property, or more than a total of 1,000 birds in all, are on the property at any time.
58. Raising or slaughter of rabbits or other similar fur-bearing animals when a total of more than two hundred and forty (240) mature animals are on the property at any time, excluding feed lots with more than 25 animals.
59. Raising or slaughter of sheep, goats, horses, mules, swine, bovine animals and other similar domesticated quadrupeds when more than two (2) mature animals for each acre in the entire property are on the property, excluding feed lots with more than 25 animals.
60. Recreation center.
61. Recreation vehicle park.
62. (Repealed – Ord. 3131, 10-12-95).
63. Residences or mobilehomes in excess of those allowed under

subsection A (No. 2) for use by persons specified therein.

- 64. Rifle, pistol, shotgun, and archery clubs and ranges.
- 65. Rock crusher and distribution of rock, sand and gravel.
- 66. Rodeo ground or roping arena.
- 67. Sales of agricultural products and feed for livestock and fowl, including sale at roadside stands and from vehicles, which does not constitute an allowed use under subsection A (No. 12).
- 68. School, private.
- 69. School, public.
- 70. Sawmill, shingle mill, or box shook mill, provided the site complies with RVLP (Section 16.II.F.).
- 71. Seed cleaning and treating plants.
- 72. Sewage plant and disposal area.
- 73. Slaughterhouse.
- 73a. Solid waste disposal truck facility.
- 74. Solid waste recycling operations.
- 75. Stadium or sports arena.
- 76. Stockyard.
- 77. Temporary buildings and uses not otherwise expressly permitted in the A-1 Zone, for periods of not to exceed two (2) years if located outside of an Urban Improvement Area or Urban Development Boundary, and for periods of not to exceed six (6) months if located within an Urban Improvement Area or Urban Development Boundary.
- 78. Waste and refuse disposal sites, private and public.
- 79. Winery.
- 80. Similar uses when determined in the manner described in

section 15-A-1-b of the Zoning Ordinance.

81. Divisions of land as follows:

- a. Divisions of land resulting in parcels containing less than five (5) acres for the purpose of conveying property containing existing agricultural-related industries or services established in accordance with all applicable building and zoning regulations.
- b. Divisions of land resulting in parcels containing less than five (5) acres for the purpose of establishing new agricultural-related industries or services in accordance with all applicable building and zoning regulations.

82. The following R-1 uses are also allowed in the A-1 Zone

- a. One-family dwellings of a permanent character placed in permanent locations and one-family manufactured homes installed on a foundation system.
- b. Private greenhouses and horticultural collections, flower and vegetable gardens, fruit trees.
- c. One (1) unlighted sign not exceeding six (6) square feet in area pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed.
- d. Storage of petroleum products for use on the premises.
- e. The keeping of household pets, such as dogs and cats.
- f. Bed and Breakfast Home with one or two guest rooms.
- g. Family Day Care Home, small.

**PROHIBITIONS
OF
SUBDIVISIONS**

- C. No subdivision, as that term is defined in Section 2 of this Ordinance, may be created within this zone. (Added by Ord. No. 1414, effective 12-10-70; amended by Ord. No. 1539, effective 1-11-73; amended by Ord. No. 1807, effective 4-3-75; amended by Ord. No. 1990, effective 1-27-77.

DIVISIONS OF LAND

D. All real property, improved or unimproved, which is shown on the latest adopted County tax role as a unit or as contiguous units and which is owned by the same person or persons, shall not be divided after the effective date of this subsection, except in compliance with this subsection. No such land may be divided for any purpose, if any one (1) parcel resulting from the division of land contains less than a five (5) acres; provided, however, that the following transactions are not subject to this restriction.

1. Any conveyance made or required by court decree for intestate or testamentary dispositions of land.
2. Any conveyance to the State of California, any city or county, any political subdivision of the State of California, or any public utility subject to regulation by the State Public Utilities Commission. However, this exception does not apply to conveyances to any of said entities, including the State Department of Veterans Affairs, which are financing transactions.
3. Any conveyance of easements or oil, gas and mineral rights.
4. If a portion of a parcel of property is separated from the main portion of the property by a river, railroad, improved public road or a canal which is regularly used for the conveyance of water and the channel of which is six (6) feet or more in width, said portion of the parcel may be conveyed as a single unit even though it contains less than five (5) acres.
5. If a person desires to convey a portion of his/her property to the owner of property contiguous to the property to be conveyed, he/she may do so even though the parcel being conveyed contains less than five (5) acres. However, the parcel being retained shall contain at least five (5) acres unless the transaction comes within one of the following provisions:
 - a. The conveyance to the contiguous owner is to convey property on which improvements, including growing improvements, owned by the contiguous owner have been constructed or planted in error.
 - b. The conveyance to the contiguous owner is to convey property to provide necessary yard areas as required for the zone in which the property is located.

- c. If there is a residence or mobilehome on the property to be retained by the person making conveyance, he/she may retain the residence or mobilehome on a parcel at least twelve thousand five hundred (12,500) square feet in size but not more than sixty-five thousand (65,000) square feet in size, and convey the remainder of the property to the contiguous owner. Once a parcel has been divided for this purpose, the parcel containing the residence or mobilehome may not be divided again for any purpose.
- 6. (Added by Ord. No. 1414, effective 12-10-70; amended by Ord. No. 1539, effective 1-11-73; repealed by Ord. No. 1990, effective 1-27-77.)
- 7. If a person desires to construct a residence on his/her property for use in compliance with the provisions of the A-1 Zone, one (1) parcel of twelve thousand five hundred (12,500) square feet in size but not more than sixty-five thousand (65,000) square feet in size, may be divided for the purpose of financing a residence. Once a person has divided one (1) parcel from his/her property pursuant to this paragraph, he/she may not at any time thereafter cause a second parcel to be divided from the property pursuant to this paragraph. However, if a person who has created one (1) parcel pursuant to this paragraph, conveys part or all of his/her property, his/her successors in interest shall also have the right to create one (1) parcel pursuant to this paragraph if they meet all of the requirements of this paragraph.
- 8. If a person desires to sell his/her property but wishes to retain a parcel of land containing a residence or mobilehome which has been established in accordance with all applicable building and zoning regulations and which has existed on that property for at least three (3) years, one (1) parcel of at least twelve thousand five hundred (12,500) square feet in size but not more than sixty-five thousand (65,000) square feet in size, may be divided for this purpose. However, the provisions of this paragraph shall not be applicable if the lot or parcel being divided contains less than five (5) acres. Once a parcel has been divided for this purpose, the parcel containing the residence or mobilehome may not be divided again for any purpose. (Amended by Ord. No. 2751, effective 2-11-87.)
- 9. If a person decides to sell a residence or mobilehome which

has existed on the property for at least ten (10) years, and retain the balance of the property, a parcel of at least twelve thousand five hundred (12,500) square feet in size but not more than sixty-five thousand (65,000) square feet in size may be divided for this purpose. If there is more than one such residence or mobilehome on the property, there may be more than one division of land pursuant to this paragraph. However, the provisions of this paragraph shall not be applicable if the lot or parcel being divided contains less than five (5) acres. Once a parcel has been divided for this purpose, the parcel containing the residence or mobilehome may not be divided again for any purpose. (Amended by Ord. No. 2751, effective 2-11-87.)

10. The following transactions do not conform to the aforementioned five (5) acre limitation, but they do have the following special temporary status:
 - a. A person owning two (2) or more contiguous parcels, lots or units shown on a final subdivision or parcel map recorded in the office of the Tulare County Recorder shall have the right to convey, lease or finance one or more of such parcels, lots or units, and to secure permits to develop any of such parcels, lots or units, although the individual parcels, lots or units contain less than the required five (5) acres, unless and until the circumstances stated in subparagraph d below occur.
 - b. A person owning two (2) or more contiguous parcels, lots or units shown on a parcel map, when the recordation of a final parcel map has been waived, or two (2) or more contiguous parcels, lots or units in an approved lot split map under the former County Ordinance establishing lot split procedures, which did not authorize recordation of a final map, shall also have the rights set forth in subparagraph a above, unless and until the circumstances stated in subparagraph d below occur.
 - c. A person owning property who has filed with the Building and Planning Director a tentative subdivision or parcel map which contains parcels, lots or units of a size that conform to the existing zoning, but do not conform to the five (5) acre minimum the A-1 Zone, and said filing is made before the A-1 Zone becomes

applicable to the property being divided, shall have the right to have said map processed after the A-1 Zone becomes effective and shall have the right to convey, lease or finance one or more parcels, lots or units and to secure permits to develop such parcels, lots or units, after the A-1 zoning becomes effective, even though the parcels, lots or units contain less than five (5) acres, unless and until the circumstances stated in subparagraph d below occur.

- d. Under Sections 7-01-2710 - 7-01-2735 (formerly Sections 7121-7121.7) of the Tulare County Ordinance Code, the Board of Supervisors has the power, after a public hearing, to merge existing parcels, lots or units in subdivisions, parcel maps and lot splits. If such merger occurs with regard to property described in subparagraphs a through c above, all of the contiguous parcels, lots or units under a single ownership shall merge and thereafter no parcels, lots or units may be conveyed, leased or financed until a new subdivision or parcel map has been approved when required by State law or the Tulare County Ordinance Code, and no permits for development may be issued except in conformity with the requirements of the A-1 Zone.
- e. Two (2) or more contiguous parcels, lots or units of the type described in subparagraphs a through c above shall not have the special temporary status described in subparagraphs a through c above if: (1) the parcels, lots or units lie outside of the Urban Area Boundary as designated by the General Plan; (2) the parcel, lot or unit to be conveyed, leased or financed is less than five (5) acres or the total property to be retained is less than five (5) acres; (3) the parcel, lot or unit to be conveyed was created prior to February 3, 1959; and (4) the parcels, lots, or units to be conveyed lie west of the eastern boundary of the Foothill Region, as delineated in the Foothill Growth Management Plan, said boundary to include the northern boundary of the Three Rivers Planning Area, as delineated in the Three Rivers Community Plan. Therefore, none of such parcels, lots or units may be conveyed, leased or financed under this Paragraph 10.

11. (Division of gift parcels - Repealed by Ord. No. 2858,

effective 10-20-88)

Notwithstanding the aforementioned restrictions, if the entire property contained less than five (5) acres prior to the effective date of this paragraph, 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 Sections 7-01-2150 to 7-01-2460 (formerly Sections 7100-7110) of the Ordinance Code of Tulare County.