

Part III: Regulations Applying to Some or All Districts

Article 20 General Site Regulations

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15-2001 Purpose

The purpose of this article is to prescribe development and site regulations that apply, except where specifically stated, to development in all districts. These standards shall be used in conjunction with the standards for each zoning district located in Part II, Base and Overlay District Regulations. In any case of conflict, the more strict regulation shall govern.

15-2002 Setbacks from Landscape Easements

- A. Where an approved tentative tract map or tentative parcel map requires a landscaped area, easement, and/or trail abutting a Major Street or any other area where determined appropriate by the Review Authority, and where access rights have been relinquished, a wall per Section 15-2008-C, Screening Wall Standards, shall be placed at the rear of the required landscape area.

- B. **Setback Requirements.** For purposes of setbacks, the distance for all structures, pools, fences, etc. shall be measured from the rear of the required landscape setback/easement.

15-2003 Trails

- A. Whenever a trail is identified on an operative plan, the trail shall be constructed per City standards. Access to trails shall be provided per Section 15-4109-B, Trails and Natural Features.
- B. When there is a demonstrated need, landscaping with appropriate adequate physical and visual barriers (e.g. masonry walls, wrought-iron, or tube steel fencing) shall be provided to screen path and trail rights-of-ways and separate paths and trails from mining operations, drainage facilities, and similar locations.
- C. **Path and Trail Crossings.** To the extent feasible, vehicle crossings shall be limited to two per 660 feet.

15-2004 Accessory Buildings and Structures

- A. **Applicability.** These provisions apply to:
 - 1. All new structures over seven feet in height, including, but not limited to, garages, carports, porte-cocheres, sheds, workshops, gazebos, greenhouses, cabanas, trellises, play structures, aviaries, covered patios, etc. which collectively shall be referred to as Accessory Structures, that are attached or detached from and accessory to the main building on the site.
 - 2. Decks and patios that are 30 inches above the ground elevation, excluding above-ground pools.
- B. **Relation to Other Structures.**
 - 1. A detached accessory building may be constructed on a lot on which there is a permitted main building to which the accessory building is related.
 - 2. Should the ownership of two contiguous and immediately adjoining residential lots be the same and one lot contains a single-family home, an accessory building (with the exception of required parking) and/or pool, may be permitted on the adjoining vacant lot subject to compliance with all property development standards. The owner shall sign a covenant, which will at a minimum require that any improvements, such as pools, storage sheds, etc., be removed should either parcel be sold separately.
 - 3. An accessory building may be constructed prior to a permitted main building and used for not more than one year in connection with the construction of the main building. The owner shall sign a covenant, which will at a minimum, require that the accessory structure be removed should the main building not be constructed.
- C. **Residential Districts.**
 - 1. For habitable accessory structures, including Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters, refer to Section 15-2754. For outdoor kitchens see 15-2753, Second and Outdoor Kitchens.

2. An Accessory Structure may have plumbing for a washer, dryer, and/or utility sink.
3. An Accessory Structure may contain a toilet, shower, and sink. Bathtubs and stoves are not permitted. The applicant shall sign a covenant that would prohibit the structure from being used habitable space.
4. Existing accessory structures that do not comply with the strict application of the required setbacks of the underlying zone district, may install a toilet, shower, sink, and plumbing for a washer, dryer, or utility sink, subject to compliance with the adopted Building Code. This exception does not allow for a reduction in required parking spaces, parking space dimensions, building regulations, or any other adopted standards.

D. **Setbacks.** Accessory Structures shall comply with the standards below.

1. ***All Districts.***

- a. *Front and Street-Side Yards.* Accessory Structures may not be located within required front yard or street-side setback areas.
- b. *Alleys.* Accessory Structures shall be set back a minimum of five feet from an alley if the Accessory Structure utilizes the alley for vehicle access.

2. ***Single-Family Districts.***

- a. *Front Yards.* Not permitted, unless on a Double Frontage Lot (e.g. Through Lot). In the case of the latter, both street frontages shall be treated as Front Yards.
- b. *Interior-Side and Rear Yards.* Accessory Structures shall be set back from interior side and rear property lines as follows:
 - i. If the Accessory Structure is located closer than six feet from the main building, the Accessory Structure shall be set back a minimum five feet from the property line.
 - ii. If the Accessory Structure is located six feet away or farther from the main building, it may be located within three feet of an interior or rear property line. Said structure shall comply with the Building Code.

3. ***Multi-Family Districts.***

- a. *Front Yards.*
 - i. Accessory Structures shall be located to the rear of main buildings.
 - ii. Detached garages and/or carports shall be located away from adjacent public roadways, to the rear, or shall be perpendicular to adjacent roadways to the greatest extent feasible.
- b. *Interior-Side and Rear Yards.* Accessory Structures shall be set back from interior side and rear property lines as follows:

- A. **Applicability.** The standards of this section apply to:
1. New fences, hedges, or walls;
 2. New development;
 3. Building additions to existing buildings that expand the existing floor area by at least 20 percent, or 2,500 square feet, whichever is less, not including Single-Unit Dwellings or Duplexes. The addition and/or expansion shall be cumulative from the date of adoption of this Code;
 4. A new building on a developed site when the new building is more than 300 square feet. The 300 square feet shall be cumulative from the date of adoption of this Code;
 5. The demolition and reconstruction of a site;
 6. A request for a Discretionary Permit;
 7. Change of Occupancy of an existing building as defined by the Building Code; or,
 8. Condominium Conversions.
 9. **Exceptions.** The standards of this section do not apply to fences that are part of a designated historic site.
- B. **Fence and Height Locations for All Districts.**
1. **Other Regulations.** Fences shall comply with the setback requirements below, unless a greater setback is required by an operative plan, an adopted policy, or a condition of project approval.
 2. **Subdivision Approval Conditions.** In certain circumstances, such as at the rear of landscape easements, fence locations are identified as part of the subdivision approval process. In such cases and in the potential case of conflict with this section, the map conditions of approval shall govern.
 3. **Street-Facing References.** Street-facing includes all roadways, including highways.
 4. **Parking Lot Entrances.** Fence and gate locations may need to provide greater setbacks than those listed in this section to allow for vehicle stacking. This includes fencing that limits access to parking lots.
- C. **Fence Height and Locations for Single-Family Homes.**
1. **Front Yards.**
 - a. *Wrought Iron or Tubular Steel.* A fence up to four feet in height may be installed on the front property line. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.
 - b. *All Other Materials.* A fence up to three feet in height may be placed on the front property line.
 - i. Exception. Front yard fences on parcels within the Pinedale Neighborhood Plan area may be up to four feet in height in the front

yard, regardless of material, however fences shall comply with Section 15-2018, Intersection Visibility.

2. **Side-Street Yards.** Fences up to six feet in height may be installed on the street-side property line.
3. **Other Yards.** Fences up to six feet in height may be installed on property lines. Fences, regardless of location on the site, shall not exceed six feet in height.
4. **Through Lots.** Both street frontages shall be considered Front Yards.

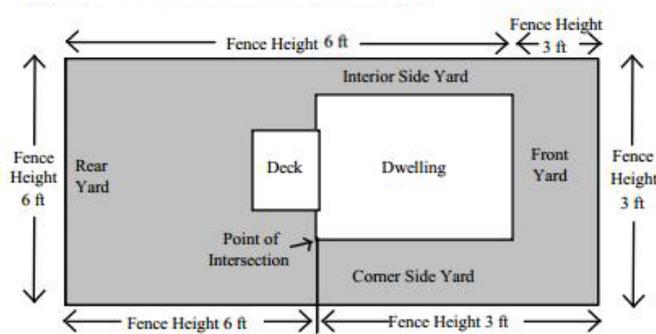


FIGURE 15-2006-C: MAXIMUM FENCE HEIGHT

D. Fence Height and Locations for Multi-Family Districts.

1. **Front Yards.**
 - a. Where a lot is on the same block frontage with parcels that are zoned for Single-Family uses, fencing shall comply with fencing standards of the Single-Family District in Subsection 15-2006-C.
 - b. If the block does not contain Single-Family zoned lots:
 - i. Wrought Iron or Tubular Steel. A fence up to four feet in height may be installed on the front property line. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.
 - ii. All Other Materials. The fence may be placed on the property line if the fence does not exceed three feet in height.
 - (1) Exception. Fences on parcels within the Pinedale Neighborhood Plan may be up to four feet in height, regardless of material, however fences shall comply with Section 15-2018, Intersection Visibility.

2. ***Street-Side Yards.***
 - a. *Lots with a Street-Side Yard of 125 Feet or Less in Length.* Fencing up to six feet in height may be placed on the property line.
 - b. *Lots with Street-Side Yards Greater than 125 Feet in Length.* Fencing up to six feet in height may be placed per the main building setback of the underlying district minus five feet.
3. ***Interior and Rear Yards.*** Fences may be placed on property lines.
4. ***Through Lots.*** All street frontages shall be considered Front Yards.
5. ***Private Patios, Yards, Etc.*** Fencing for private patios, yards, etc. in multi-family developments shall comply with the fencing requirements of this section.
6. ***Other Yards.*** Fences up to six feet in height may be installed on property lines. Fences, regardless of location on the site, shall not exceed six feet in height.

E. **Fence Height and Locations for Downtown Districts.**

(Reserved)

F. **Fence Height and Locations for All Other Districts.**

1. ***Front Yard.***
 - a. *Wrought Iron or Tubular Steel.* A fence up to four feet in height may be installed on the front property line. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.
 - b. All other fences are permitted up to three feet in height and shall comply with the main building setback, minus five feet.
2. ***Street-Side Yard.***
 - a. *Wrought Iron or Tubular Steel.* A fence up to four feet in height may be installed on the property line. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.
 - b. All other fences are permitted up to three feet in height and shall comply with the main building setback, minus five feet.
3. ***Interior and Rear Yards.*** Fences may be placed on property lines.
4. ***Through Lots.*** Both street frontages shall be considered Front Yards.
5. ***Other Yards.*** Outside of the required front yard and street-side yards, the maximum height for fences is seven feet (regardless of location on the site) unless the fence is part of Outdoor Storage per Section 15-2013, Outdoor Service Yards and Storage.
6. ***Bollards.*** Bollards, up to three feet in height may be placed at the rear of required landscape areas.

- G. **Temporary Fencing.** For Temporary or Seasonal uses, including Community Gardens, Urban Agricultural, Farming, temporary sales, etc., fencing setbacks shall comply with main building setbacks of the underlying zone district.
- H. **Construction Fencing.** Refer to Section 15-2009, Security Fencing.
- I. **Vacant Parcels.** Fencing shall be setback a minimum of five feet from the front property line however traffic sight areas shall be respected. Upon development of the site, all fencing shall comply with the provisions of this Code.
- J. **Fence and Retaining Wall Combinations.** Where a fence is located on top of a retaining wall, and a six-foot maximum fence height is normally applicable, the Director may allow a combined height of fence and retaining wall up to a maximum of seven feet.
- K. **Natural Grade Differences.** Where there is a natural grade difference between two adjacent parcels, or a parcel and a street, the Director may allow a deviation of the fence height based on the slope and may measure the overall fence height from the higher parcel. In no case shall the retaining wall and fence combination exceed seven feet from the lower side unless a deviation is granted.
- L. **Decorative Features.**
 - 1. Columns and gates may exceed the maximum height requirements by four inches.
 - 2. On through and corner lots, the exposed (e.g. rough) side of the fence shall face into the subject parcel, rather than the street. The finished side of the fence shall be oriented towards the street.
 - 3. Fences, greater than 125 feet in length in Residential Districts and/or along Major Streets, shall incorporate decorative pilasters with decorative caps spaced no more than 30 feet apart. This shall not apply to industrial districts, unless the industrial district is located on the same side of the street as existing, planned, or zoned residences.
 - 4. Decorative caps, not to exceed four inches, may be added to the columns of walls.
 - 5. A wrought iron decorative entry gate, located outside of required street yard setbacks may be allowed up to seven feet in height in Residential Districts and eight feet in Non-Residential Districts with Director approval.
- M. **Materials.**
 - 1. ***Limitation on Chain-Link Fencing:*** Chain-link fencing is not permitted in:
 - a. *Single-Family Districts.* Along a Major Street, unless it is three feet or less in height.
 - b. *Multi-Family Districts and Mixed-Use Districts.*
 - i. Along a Major Street.
 - ii. Local Streets. Along street-facing yards in developments that contain six or more units.

- (1) **Exception.** A fence that is three feet or less in height and located within the Pinedale Neighborhood Plan.
 - c. ***Office and Commercial Districts.*** Along Major Street-facing yards, or when the parcel shares a street that also serves a Residential District.
 - d. ***Industrial Districts.*** When abutting a residential use or when located across a Local Street from a residential use.
 2. ***Limitation on Concrete/Masonry Block.*** Plain concrete block shall not be the primary material along Major Streets or other situations when block walls are required as part of project approval, such as at the rear of landscape easements. Concrete block or precast concrete walls shall be split face or finished with stucco, and capped with a decorative cap, or other decorative material as may be approved by the Director. Other materials may be approved by the Director should the design provide for an enhanced appearance. For continuity, walls should incorporate similar styles, colors, etc., when located on the same side of the street.
- N. **Residential Recreational Fencing.**
1. Fencing located around tennis, basketball, or volleyball courts, and similar areas up to 14 feet in height may be allowed outside of required setback areas.
 2. For residential batting cages, fencing is permitted up to 14 feet in height, located outside of required setback areas.
 3. For other requirements, refer to Section 15-2749, Private Recreational Facilities.
 4. Lighting of recreational areas shall comply with Section 15-2015, Outdoor Lighting and Illumination.
- O. **Commercial Recreational Fencing.** Refer to Sections 15-2708 Arcades, Video Games, and Family Entertainment Centers and 15-2749, Private Recreational Sports Facilities.
- P. **Intersection and Driveway Visibility.** Notwithstanding other provisions of this section, fences, walls, hedges, and related structures must comply with Section 15-2018, Intersection Visibility.
- Q. **Exceptions.**
1. Walls used to mitigate noise may exceed the standards above, per Section 15-2506, Noise.

15-2007 Walls for Noise Attenuation (Noise Barriers)

New development, proximate to transportation corridors or other mobile noise sources in the public right-of-way shall mitigate noise to acceptable levels. See Section 15-2506, Noise.

15-2008 Screening Between Differing Land Uses

- A. **Applicability.** The standards of this section apply to:
1. New fences, hedges, or walls;
 2. The demolition and reconstruction of a site;

3. New development;
 4. A new building on a developed site when the new building is more than 300 square feet. The 300 square feet shall be cumulative from the date of adoption of this Code;
 5. Building additions to existing buildings that expand the existing floor area by at least 20 percent, or 2,500 square feet, whichever is less, not including Single Unit Dwellings or Duplexes. The addition and/or expansion shall be cumulative from the date of adoption of this Code;
 6. A request for a Discretionary Permit;
 7. Change of Occupancy of an existing building as defined by the Building Code; or
 8. Condominium Conversions.
 9. **Exceptions.** The standards of this section do not apply to fences that are part of a designated historic site.
- B. **Common Property Lines.** A six-foot-high screen wall shall be provided on the interior lot lines where any non-residential use abuts a residential district and where multi-family development of four or more units abuts a single-family residential district. Walls shall step down to three feet in height along interior property lines within front yards.
1. **Alleys.** Where residential and non-residential uses are separated by an alley, a screen wall is not required, unless required to screen outdoor storage of material.
- C. **Screening Wall Standards.**
1. **Location.** Screening walls shall follow the lot line of the lot to be screened, or shall be so arranged within the boundaries of the lot so as to substantially hide from adjoining lots the building, facility, or activity required to be screened.
 2. **Materials.** Walls shall be of stucco, decorative block, decorative concrete panel, or other substantially equivalent material as approved by the Director. Chain-link or double-faced wood fencing does not fulfill the screening wall requirement.
 3. **Berms.** Topography, berming, and other alternative methods of mitigating the nuisance of noise and light might be considered at time of project review. An earth berm may be used in combination with the above types of screening walls, but not more than one-third of the required height of such screening may be provided by the berm.
 4. **Maintenance.** Screening walls shall be maintained in good repair, including painting, if required, and shall be kept free of litter or advertising.
 5. **Graffiti.** Graffiti on a screen wall shall be removed within 48 hours.
 6. **Timing.** If a non-residential use develops adjacent to an existing residential development the wall shall be constructed with the new development. Where a six-foot-high wood fence already exists, the masonry wall footing, when constructed, shall comply with City standards.
 7. **Pedestrian Access.** Pedestrian access, or breaks in screening walls, shall be provided from commercial to residential land uses in strategic locations to allow for connectivity.

Locations shall be determined and negotiated at the time of approval, unless otherwise stated in this Code.

- D. **Screening for All Uses Adjacent to Outdoor Sports Facilities.** See Section 15-2749, Private Recreational Sports Facilities.

15-2009 Security Fencing

- A. **Where Permitted.** The use of barbed wire, razor wire, ultra-barrier, and other hazardous fencing is prohibited with the exception of barbed wire in the situations listed below.
1. Where such fencing is required by any law or regulation of the City, the State of California, the federal government, or other public agency.
 2. **Livestock.** Where used to contain livestock, the maximum height of a fence shall be five feet, measured from the natural grade of the site to the highest strand of barbed wire.
 3. **Commercial Districts.** Where not visible from any street, highway, public open space, recreation area, or Residential District, barbed wire may be up to 18 inches in height on top of permitted fencing provided the barbed wire is located at the top portion of a fence which is at least six feet in height.
 4. **Industrial Districts.** May be up to 18 inches in height on top of permitted fencing provided the barbed wire is located at the top portion of a fence which is at least six feet in height, unless it abuts a Residential District, is located within 100 feet of a Residential District, or is located within 100 feet of a park or other public open space, where it is prohibited.
- B. **Construction Sites.** Nothing in this Development Code shall be deemed to prohibit the erection of temporary fencing around construction sites in compliance with the Building Code and other applicable provisions of the Fresno Municipal Code.
- C. **Fencing Encroachments.** All fencing within the public right-of-way requires an encroachment permit from the City Engineer and shall be subject to all requirements of this section, in addition to those of the Public Works Department. Security fencing shall not extend over into any abutting property.
- D. **Maintenance.** All walls and fences shall be maintained in a safe, neat, and orderly condition at all times, and shall be kept free of all litter, graffiti, and signs or postings not authorized by Article 26, Signs. Where hedges are used as screening, trimming, or pruning shall be employed as necessary to maintain the maximum allowed height.
- E. **Permit.** Property owner(s) shall apply for a permit with the City prior to installation.
- F. **City Indemnification.** Prior to the installation of security fencing, the owner shall obtain a permit and execute a covenant, with any required subordinations prepared by the City, to defend, hold harmless, and indemnify the City against all claims related to the fencing.

15-2010 Electric Fences

Electric fences shall comply with the following regulations.

A. **Permitted Locations.**

1. In all non-residential zones.
2. Electric fences shall not encroach into the public right-of-way.

B. **Compliance with State and Federal Regulations.**

1. Electrified fencing shall comply with the California Civil Code Section 835 and the California Building Code, as amended from time to time.
2. Only allowed to be installed with a permit issued under the requirements of applicable building and electrical codes, and only allowed to be activated after an approved final inspection of the installation.
3. Fire access, warning signs, electrical connections, etc., shall comply with the Building Code and Fire regulations.

C. **Electricity.**

1. Shall conform to the California Civil Code Section 835 and shall only be powered by a commercial storage battery not to exceed 12 volts of direct current (DC) or another approved 12 volt DC or lower voltage-power source.
2. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission (IEC) Standard No. 60335-2-76.
3. Non-low voltage electrical components (e.g. controllers, transformers) of the electric fencing system shall be approved and listed by an Occupational Safety and Health Act (OSHA) Nationally Recognized Testing laboratory (NRTL).

D. **Perimeter Fence or Wall.** No electric fence shall be installed or used unless it is completely surrounded by a nonelectrical fence or wall that is a minimum six feet in height. Should a non-electrical fence not exist, one shall be installed prior to the electric fence being operational.

E. **Setbacks.** Non-electrical fencing behind which electric fencing is installed shall comply with setbacks of the underlying zone district unless the non-electrical fence is legally non-conforming.

F. **Height.** Shall have a maximum height of ten feet regardless of location on the property.

G. **Warning Signs.** Shall be clearly identified with warning signs that read: "Warning-Electric Fence" at intervals of not less than 60 feet.

H. **Permit.** Property owner(s) shall apply for a permit with the City prior to installation.

I. **City Indemnification.** Prior to the installation of electric fencing, the owner shall obtain a permit and execute a covenant, with any required subordinations prepared by the City, to defend, hold harmless, and indemnify the City against all claims related to the fencing.

15-2011 Screening of Mechanical and Electrical Equipment

A. **Applicability.** The standards of this section apply to:

1. New development;

2. New equipment that is added to serve existing buildings; or,
 3. Condominium Conversions.
 4. **Exceptions.** Existing equipment that serves existing buildings; and Industrial Districts.
- B. **Equipment.** All exterior mechanical and electrical equipment shall be screened or incorporated into the design of buildings so as not to be visible from major streets, highways, passenger railways, or abutting Residential Districts.
- C. **Residential Districts.** Equipment to be screened includes, but is not limited to, all roof-mounted equipment, air conditioners, heaters, utility meters, cable equipment, telephone entry boxes, backflow preventions, irrigation control valves, electrical transformers, pull boxes, and all ducting for air conditioning, heating, and blower systems. Screening materials shall be consistent with the exterior colors and materials of the building. Above grade equipment by Public Utility providers may be permitted within easements.
- D. **Roof Access Ladders and Fire Sprinkler Risers.** Roof access ladders shall be screened from Major Streets. Fire sprinkler risers should be designed for interior installation whenever possible where an exterior location would be visible from a Major Street. Where site conditions dictate an exterior location for the sprinkler riser, a three foot clear space shall be provided between the screening materials and the riser. The alarm bell and fire department connection shall be installed so that they are visible from the street.

15-2012 Heights and Height Exceptions

- A. **Applicability.** The standards of this section apply to:
1. New development or structures; or
 2. New equipment that is added to serve existing buildings.
- B. **General Standards.** The structures listed in the following table may exceed the maximum permitted building height for the district in which they are located, subject to the limitations stated in the table and further provided that no portion of a structure in excess of the building height limit may be used for sleeping quarters or advertising and all heights shall comply with any operative Airport Plan.

TABLE 15-2012-B: ALLOWED PROJECTIONS ABOVE HEIGHT LIMITS		
<i>Structures Allowed Above the Height Limit</i>	<i>Maximum Coverage, Locational Restrictions</i>	<i>Maximum Vertical Projection Above the Height Limit (ft)</i>
Skylights	No limitation	1
Solar panels, and other energy production facilities located on a rooftop	No limitation	10
Parapets	No limitation	4

TABLE 15-2012-B: ALLOWED PROJECTIONS ABOVE HEIGHT LIMITS		
<i>Structures Allowed Above the Height Limit</i>	<i>Maximum Coverage, Locational Restrictions</i>	<i>Maximum Vertical Projection Above the Height Limit (ft)</i>
Chimneys Elevator and stair towers Rooftop open space features such as sunshade and windscreen devices, open trellises, and landscaping (for multi-family and non-residential buildings only) Flagpoles	10% of roof area	16 (if no height limit in the underlying district, 35)
Decorative features such as spires, bell towers, domes, cupolas, obelisks, clock towers, and monuments (attached or detached)	10% of roof area	Residential: 6 Non-Residential: 20
Fire escapes, catwalks, and open railings required by law	Per Building Code	Per Building Code
Radio towers	Refer to Section 15-2759, Telecommunications and Wireless Facilities	
Water tanks Windmills Industrial structures where the manufacturing process requires a greater height	25% of the area of the lot, or 10% of the roof area of all on-site structures, whichever is less. Must be located at least 25 ft. from any lot line.	100. May exceed 100 with the approval of a Conditional Use Permit. Public noticing shall be eight times the height of the structure measured in ft.
Building-mounted telecommunications facilities, antennas, and microwave equipment	Subject to the provisions of Section 15-2759, Telecommunications and Wireless Facilities	

C. Building height shall be measured as put forth in Section 15-305, Measuring Height.

15-2013 Outdoor Service Yards and Storage

A. Applicability.

1. Outdoor service yards and the open storage of goods, materials, machines, equipment, and vehicles or parts outside of a building for more than 72 hours must conform to the standards of this section. This applies to goods to be sold or goods being stored that are pending transport to other locales.
2. **Exceptions.** Except as may be permitted by Table 15-2013-B, the regulations of this section do not apply to:
 - a. Agricultural and residential uses;
 - b. Temporary storage of construction materials reasonably required for construction work on the premises pursuant to a valid building permit or grading permit; or
 - c. Outdoor sales or uses that by their very nature provide outdoor storage, such as auto, trailer, and boat dealers, and equipment rental.

- B. **Permitted Locations.** Table 15-2013-B states the districts where outdoor storage and service yards are permitted and prohibited.

TABLE 15-2013-B: OPEN STORAGE REGULATIONS BY DISTRICT AND LOCATION	
<i>Base Districts</i>	<i>Permissibility of Open Storage</i>
Agricultural	Permitted if associated with a permitted agricultural use, located outside of all required setbacks.
Residential and Mixed-Use	Outdoor storage of materials generally found in households is not permitted.
Commercial, Employment, and Public and Semi-Public Districts	Not permitted in front or street-facing side yards. Permitted in interior side and rear yards, or outside of required yards, subject to the standards of this section. Setback minimum 20 feet from Residential Districts.

- C. **Surfacing.** Outdoor storage areas shall be surfaced as determined by the Public Works Director. In making a determination, the Public Works Director shall take into consideration:

1. The zone district of the site.
2. If the site will be used to store equipment that is used daily and common drive-aisles will be paved and/or treated to mitigate potential dust from vehicles.
3. Surrounding sensitive uses such as residential uses, schools (K-12), day cares, hospitals, or elderly care facilities.
4. If the proposed surfacing is appropriate to the type of product stored.
5. If the proposed surfacing will conform to all applicable federal and State air and water quality standards.
6. If the surface will comply with adopted regulations of the San Joaquin Valley Air Pollution Control District.

- D. **Screening.**

1. Outdoor storage areas and service yards shall be screened so as not to be visible from Major Streets or at-grade highways; Residential Districts; public schools, or public parks.
2. Screening walls and fences shall be architecturally compatible with the main structure on the site.
3. Earth berms or plant material may serve to satisfy screening requirements as alternative materials.
4. No screening wall or fence shall be located within a required setback or landscape area.
5. No stored goods may exceed the height of the screening wall or fence by more than one foot.
6. Service yards may have screen walls up to 15 feet in height and must be attached to the main building and shall be of the same quality and appearance as those used on the building itself. Service yards shall be considered part of the main structure for property

development standards and shall be clearly incidental to the primary use. Outdoor storage shall not be the primary use on the property.

15-2014 Projections/Encroachments into Required Yards

Building projections may extend into, and other encroachments may be located in, required yards according to the standards of Table 15-2014 and are subject to all applicable requirements of the Building Code. The “Limitations” column states any other limitations that apply to such structures when they project into required yards. For standards for measurement of required yards and setbacks, refer to Section 15-313, Determining Setbacks and Yards.

TABLE 15-2014: ALLOWED BUILDING PROJECTIONS AND ENCROACHMENTS INTO REQUIRED YARDS				
<i>Projection/Encroachment</i>	<i>Front or Street Side Yard (ft)</i>	<i>Interior Side Yard (ft)</i>	<i>Rear Yard (ft)</i>	<i>Limitations</i>
All projections	Notwithstanding any other subsection of this section, no projection may extend closer than three feet to an interior lot line or into a public utility easement.			
Cornices, canopies, eaves, and similar architectural features; chimneys.	2	2	2	
Bay windows	3	2	3	
Outdoor dining areas for restaurants	10	10	10	May not encroach into yards adjacent to residential uses.
Fire escapes required by law or public agency regulation	4	4	4	
Uncovered stairs, ramps, stoops, or landings that service above the first floor of building	3	2	3	
Depressed ramps or stairways and supporting structures designed to permit access to parts of buildings that are below average ground level	3.5	3.5	3.5	
Basketball Rims and Backboards	No closer than 10 ft. of a street-facing property line or 5 ft. from an interior side or rear property line.			
Decks, porches, and stairs				
<i>Less than 18 inches above ground elevation</i>	6	2	8	Must be open on at least three sides. No closer than 5 ft. of a street-facing property line or 3 ft. of an interior property line.
<i>18 inches or more above ground elevation</i>	3	2	3	
Ramps and similar structures that provide access for persons with disabilities	Reasonable accommodation will be made, consistent with the Americans with Disabilities Act; see Article 57, Reasonable Accommodation for Housing.			

15-2015 Outdoor Lighting and Illumination

- A. **Applicability.** The standards of this section apply to on-site lighting under the following circumstances:
1. New lights;
 2. The demolition and reconstruction of a site;
 3. New development;
 4. Building additions to existing buildings that expand the existing floor area by at least 20 percent, or 2,500 square feet, whichever is less, not including Single-Unit Dwellings or Duplexes. The addition and/or expansion shall be cumulative from the date of adoption of this Code;
 5. The addition of residential units;
 6. A request for a Discretionary Permit;
 7. Change of Occupancy of an existing building as defined by the Building Code; or,
 8. Condominium Conversions.
- B. **Control and Illumination of Outdoor Artificial Light.**
1. **Purpose.** This subsection is intended to minimize outdoor artificial light that may have a detrimental effect on the environment, astronomical research, amateur astronomy, and enjoyment of the night sky. These provisions are also intended to reduce the unnecessary illumination of adjacent properties and the use of energy.
 2. **General Standards.**
 - a. *Single-Family Districts.* Each new home shall provide at a minimum, lighting proximate to the main entrance, the garage/carport, and alley, if present.
 - b. *Multiple-Unit Residential Buildings.* Aisles, passageways, recesses, parking areas, carports, garages, etc., related to and within the building complex shall be illuminated with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness. Lighting devices shall be protected by weather and vandal-resistant covers.
 - c. *Pedestrian-Oriented Lighting.* In Multi-Family, Mixed-Use, and Commercial Districts, exterior lighting with an intensity of at least 0.25 foot-candles at the ground level shall be provided for a secure nighttime pedestrian environment by reinforcing entrances, public sidewalks and open areas with a safe level of illumination.
 - d. *Non-Residential Buildings.* All exterior doors, during the hours of darkness, shall be illuminated with a minimum of 0.5 foot-candle of light.
 - e. *Trails/Paseos.* As determined by the Public Works Director.
 3. **Maximum Height.** Lighting fixtures shall not exceed the maximum heights specified in the following table.

TABLE 15-2015-B.3: MAXIMUM HEIGHT OF LIGHTING FIXTURES	
<i>District</i>	<i>Maximum Height (ft)</i>
Residential Single-Family Districts	Shall not exceed the fascia of the home
Residential Multi-Family Districts	Shall not exceed the fascia of the unit or 16 feet, whichever is greater
Commercial and Mixed-Use Districts	20 within 100 of any street frontage or Residential District; 25 in any other location
Employment Districts	25 within 100 of any street frontage; 30 in any other location
Public and Semi-Public and Airport Overlay District	25, or as necessary for safety and security

4. ***Exemptions.*** The following types of lighting fixtures are exempt from the requirements of this section:
 - a. *Public and Private Street Lighting.*
 - b. *Parks/Athletic Field Lights.* Athletic field lights used within a school campus or public or private park.
 - c. *Public Safety and Security Lighting.* Safety and security lighting as required by State and federal regulations, including, but not limited to, airports, radio towers, antennas, etc.
 - d. *Construction and Emergency Lighting.* All construction or emergency lighting fixtures provided they are temporary and are discontinued immediately upon completion of the construction work or abatement of the emergency.

5. ***Prohibited Lighting.*** The following types of exterior lighting are prohibited:
 - a. Drop-down lenses;
 - b. Mercury vapor lights; and,
 - c. Searchlights, laser lights, or any other lighting that flashes, blinks, alternates, or moves.

6. ***Fixture Types.*** All lighting fixtures shall be shielded so as not to produce obtrusive glare onto the public right-of-way or adjoining properties. All luminaries shall meet the most recently adopted criteria of the Illuminating Engineering Society of North America (IESNA) for “Cut Off” or “Full Cut Off” luminaries.

7. ***Glare.*** No use shall be operated such that significant, direct glare, incidental to the operation of the use is visible beyond the boundaries of the property where the use is located.

8. ***Light Trespass.*** Lights shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties.
 - a. Direct or sky-reflected glare from floodlights shall not be directed into any other property or street.

- b. No light or combination of lights, or activity shall cast light exceeding one foot candle onto a public street, with the illumination level measured at the centerline of the street.
 - c. No light, combination of lights, or activity shall cast light exceeding 0.5 foot candle onto a residentially zoned property, or any property containing residential uses.
9. ***Alternate Materials and Methods of Installation.*** Designs, materials, or methods of installation not specifically prescribed by this section may be approved by the Director, provided that the proposed design, material, or method provides approximate equivalence to the specific requirements of this section or is otherwise satisfactory and complies with the intent of these provisions.

15-2016 Trash and Refuse Collection Areas

- A. **Applicability.** The standards of this section apply to:
- 1. New collection areas;
 - 2. New development;
 - 3. The demolition and reconstruction of a site;
 - 4. Building additions to existing buildings that expand the existing floor area by at least 20 percent, or 2,500 square feet, whichever is less, not including Single-Unit Dwellings or Duplexes. The addition and/or expansion shall be cumulative from the date of adoption of this Code;
 - 5. The addition of residential unit(s) that result in five or more dwelling units.
 - 6. A request for a Discretionary Permit;
 - 7. Change of Occupancy of an existing building as defined by the Building Code; and,
 - 8. Condominium Conversions.
- B. **Requirements.**
- 1. ***Single-Family Residential.*** As required per Chapter 6, Municipal Services and Utilities, of the Fresno Municipal Code.
 - 2. ***Multi-Family Residential.*** Enclosures for solid waste and recycling containers are required when:
 - a. Five or more dwelling units are proposed; and,
 - b. There should be a minimum of one solid waste and recycling enclosure per 30 units.
 - 3. ***Non-Residential Districts.*** As required per Chapter 6, Municipal Services and Utilities, of the Fresno Municipal Code.
 - 4. ***Uses That Produce Grease.*** Uses, such as restaurants, that produce grease shall provide a “grease barrel” enclosure or alternative as approved by the Public Utilities Director.

C. **Location.**

1. Solid waste and recycling storage areas shall not be located within any required setback or any landscaped areas except where a rear yard abuts an alley. Where a rear yard abuts an alley, the solid waste and recycling storage area may be located within the required rear yard setback however the gates may not swing open into the alley.
2. In non-residential developments that abut a Residential District, enclosures shall be located as far as possible from the residential district as feasible and be proximate to the non-residential development. Enclosure gates shall not open into drive aisles and shall not block the visibility of pedestrians and drivers. Refer to Section 15-2018, Intersection Visibility.
3. Solid waste and recycling areas shall be consolidated to minimize the number of collection sites and located so as to reasonably equalize the distance from the building spaces they serve.
4. Solid waste and recycling storage areas shall be accessible to haulers. Storage areas shall be located so that the trucks and equipment used by the solid waste and recycling collector(s) have sufficient maneuvering areas and, if feasible, so that the collection equipment can avoid backing. Project applicants are responsible for procuring current equipment size and turning radius from the City or its contracted solid waste and recycling collector(s).

D. **Materials, Construction, and Design.**

1. ***Enclosure Material.*** Enclosures shall be constructed per City standards.
2. ***Gate Material.*** Gate material shall be solid, heavy-gauge metal or a heavy-gauge metal frame with a covering of a view-obscuring material.
3. ***Access to Enclosure from Residential Projects.*** Each solid waste and recycling enclosure serving a residential project shall be designed to allow walk-in access without having to open the main enclosure gate.
4. ***Enclosure Pad/Bumpers.*** Enclosures shall be constructed per City standards.
5. ***Protection for Enclosures.*** Concrete curbs or equivalent shall protect enclosures from adjacent vehicle parking and travel ways.
6. ***Stormwater Pollution Prevention.*** Enclosure pads must be designed to prevent contamination of the stormwater system. Measures that may be taken to achieve this include, but are not limited to, using roofs to divert stormwater away from the enclosures, creating grade breaks to properly direct stormwater away while keeping any water that may be in the enclosure from spilling out, and connecting a drain in the enclosure to the sewer system to collect contaminated water in cases of spillage, washing, etc.
7. ***Landscaping.*** When visible from a Major Street or a Local Street that serves residential neighborhoods, the perimeter of enclosures, excluding gates, shall be planted, with drought-resistant landscaping, including a combination of shrubs and/or climbing evergreen vines. This subsection does not apply to Industrial Districts.

8. ***IH District Exception.*** In the IH District, as an alternative to an enclosure, a concrete curb may be provided to minimize bins from rolling about a parking area. Alternative enclosures may not be visible from any street, residential district, and/or school.

15-2017 Underground Utilities

- A. **Applicability.** The standards of this section apply to all of the following:
 1. New development;
 2. The demolition and reconstruction of a site;
 3. Any other time deemed appropriate by the Public Works Director.
- B. **Standards.** All electrical, telephone, cable television, and similar distribution lines providing direct service to a development site shall be installed underground within the site. This requirement may be waived or deferred by the Public Works Director or the City Engineer upon a determination that the installation is infeasible or premature.

15-2018 Intersection Visibility

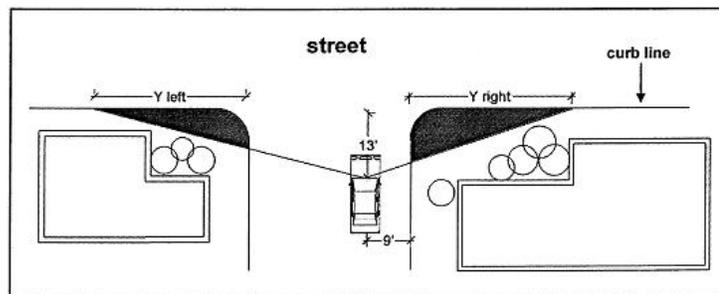


FIGURE 15-2018: INTERSECTION VISIBILITY

- A. **Street Intersections.**
 1. Vegetation and structures may not exceed a height of three feet within the triangular sight-distance area formed by the intersecting curb lines (or edge of pavement when no curbs exist) and a line joining points on these curb lines at a distance of 30 feet along both lines from their intersection.
 2. Trees that are located within this sight distance triangle shall have a clearance of eight feet high minimum between the lowest portion of the canopy and the sidewalk and street.
 3. Applies to all structures, including flag poles and signs.
- B. **Driveways and Alleys.** Visibility of a driveway crossing a street lot line shall not be blocked above a height of three feet by vegetation or structures for a depth of 12 feet as viewed from the edge of the right-of-way on either side of the driveway at a distance of 12 feet. Street trees shall be pruned at least seven feet above the established grade of the curb so as not to obstruct clear view by motor vehicle drivers are permitted.

- C. **Commercial Districts, Refuse Collection Areas, and Drive-Through Lanes.** Vegetation (with the exception of trees) and structures may not exceed a height of three feet within the triangular sight-distance area formed by the intersecting drive aisles and a line joining points on these aisles at a distance of 10 feet along both lines from their intersection. Trees located within this sight distance shall have a minimum clearance of seven feet high between the lowest portion of the canopy and the pavement and shall not be capable of growing to a width that would obstruct the sight area.
- D. **Vehicle/Pedestrian Conflicts.** Whenever it is reasonable to expect potential conflicts between vehicles exiting drive-aisles, drive-throughs, etc., and a pedestrian path that traverses said aisle, a visibility triangle per Subsection C above shall be provided.
- E. **Exempt Structures and Plantings.** The regulations of this section do not apply to existing buildings or new buildings in compliance with Base District setbacks; fire hydrants; public utility poles; saplings or plant species of open growth habits and not planted in the form of a hedge that are so planted and trimmed as to leave at all seasons a clear and unobstructed cross view; official warning signs or signals at places where the contour of the ground is such that there can be no cross visibility at the intersection.

15-2019 Development on Substandard Lots

Any lot or parcel of land that was legally created may be used as a building site even when consisting of less area, width, or depth than that required by the regulations for the district in which it is located. No substandard lot shall be further reduced in area, width, or depth, unless required as part of a public improvement. A substandard lot shall be subject to the same yard and density requirements as a standard lot, however the Director may reduce the side and rear yard requirements at a ratio equivalent with the non-conformity.

15-2020 Lots with Multiple Zone Districts (Split Zoning)

- A. **Generally.** Where a contiguous lot is divided by a zoning district boundary, the regulations applicable to each district shall be applied to the area within the district, and no use, other than parking serving a principal use on the site, shall be located in a district in which it is not a permitted or conditionally permitted use.
- B. **Access.** All access to parking serving a use must be from a street abutting that portion of the lot where the use is allowed. Pedestrian or vehicular access from a street to a non-residential use shall not traverse a Residential District in which the non-residential use is not permitted or conditionally permitted.
- C. **Accessory Facilities.** Landscaping, fences, screening or retaining walls, and open space may be located on the lot without regard for zone boundaries.
- D. **Refuse Collection Areas.** Shall be located on the parcel that permits the primary use.
- E. **Minimum Lot Area, Width, and Frontage.** The minimum lot area, width, and frontage requirements of the zone that covers the greatest portion of the lot area shall apply to the entire lot. If the lot area is divided equally between two or more zones, the requirements of the district with greater minimum lot area, width, or frontage shall apply to the entire lot.

- F. **Exceptions.** If more than 75 percent of a lot is located in one zoning district, modifications to the provisions of this section may be granted through Planning Commission approval of a Conditional Use Permit.