Exeter Zoning Ordinance
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Prepared for
City of Exeter

Prepared by
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The Zoning Ordinance

Sections

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17.01.01 Adoption

Pursuant to Government Code Section 65000 et seq., a zoning ordinance is hereby adopted by the City of Exeter. The Zoning Ordinance, hereinafter referred to as the “Ordinance”, is a document that regulates the use of land in the city limits of Exeter.

17.01.02 Purpose and Objectives

The Ordinance is enacted to protect and promote the public health, safety and general welfare, and to facilitate the planning of the City of Exeter in a precise and orderly manner consistent with the Exeter General Plan. In support of this purpose, the Ordinance is adopted in order to implement the following objectives:

• Provide standards for the orderly development of Exeter;
• Conserve natural resources;
• Maintain and protect the value of property;
• Ensure the provision of adequate open space for light, air, and recreation;
• Promote the economic stability of existing land uses that conform to the General Plan and protect them from intrusions by inharmonious or harmful land uses;
• Permit the development of residential, office, commercial and industrial land uses in accordance with the general plan in order to strengthen Exeter’s economic base;

• Protect the character of Exeter’s downtown and its residential neighborhoods;

• Provide the private sector with a document upon which it can base investment decisions;

• Inform the public where certain types of development will occur in the community as well as the development standards to which they will develop;

• Coordinate with the County of Tulare with regards to the use of land within Exeter’s General Plan planning area, and the standards to which development will conform if it occurs outside the city limits.

17.01.03 Authority and General Plan Consistency

This Ordinance, consistent with Government Code Section 65860, is the primary document by which the City of Exeter implements the goals, policies and actions of the Exeter General Plan.

17.01.04 Components

The Zoning Ordinance shall be composed of zoning and planning regulations and the Official Zoning Map, hereinafter referred to as the “Zoning Map”. The zoning and planning regulations will control the use of land, the density (units per acre or person per acre) and intensity (floor area per acre) of development, the uses and locations of structures, the height and size of structures, the yard areas around structures, and development standards for land uses. The Zoning Map will delineate the location of zone districts inside the Exeter city limits.

17.01.05 Application

This Ordinance shall apply to all property inside the Exeter city limits whether owned by private persons or by public entities, including the federal government, the State of California or any of its agencies or political subdivisions; by school districts or special districts, by any city or county, or by any authority or district organized under the laws of the State. Lands that are exempt from these regulations are: public streets and alleys, and railroad rights-of-way.
17.02.01 Review Authority

The Planning Director shall resolve any questions that involve the interpretation or application of this Ordinance. The Director may seek the advice of the City Attorney before rendering a decision on a matter of interpretation. The Director's opinion may be appealed to the Planning Commission. The Planning Commission shall review the section of the Ordinance in question and shall set forth its finding as a resolution. This finding shall stand unless appealed to the City Council.

Periodically, a party may wish to use property for purposes, that, while consistent with the regulations of the district in which the property is located, is inconsistent with the purpose of the district in the opinion of the Planning Director. When such findings are made by the Director, they shall be forwarded to the party whose proposed use of property is in question, and to the Planning Commission. The Planning Commission shall review the Director's findings and shall set forth their decision as a resolution.
17.02.02 Minimum Requirements

The provisions set forth in this Ordinance are the minimum requirements for the protection of the public health, safety and general welfare. This Ordinance shall not interfere with any easements, covenants, or other agreements between parties; however, where this Ordinance imposes a greater restriction upon the use of land within the Exeter city limits or on development standards or regulations that apply to these land uses, the provisions of this Ordinance shall govern.

17.02.03 Language

The word “shall” will mean a mandatory action and not an action that is discretionary. The word “may” will be deemed permissive. The present tense includes past and future tenses; the future tense includes the present tense. The masculine pronoun gender includes the feminine and neuter gender. The singular number includes the plural, and the plural the singular. The word “includes” shall not limit a term to specific examples, but is intended to extend its meaning to all other instances of like kind or character.

The word “city” shall mean the City of Exeter. The words “city council” and “planning commission” shall mean the City Council and Planning Commission of the City of Exeter.

The word “district” shall have the same meaning as the word “zone”, and the word “classification” shall have the same meaning as “zoning”.

17.02.04 Interpretation

Where there is a difference in meaning between the text of this Ordinance and any caption, illustration, table or appendix within this Ordinance, the text of the Ordinance shall prevail.

17.02.05 Classification of Uses

Persons may wish to use property for purposes that are not specifically listed in the permitted or conditional use lists of a district. To accommodate such uses, the Planning Director is authorized to make the necessary findings to add the use to the permitted or conditional use list of the district the property is located.
The Planning Director shall determine if the use is substantially similar in character, intensity and compatibility to the uses listed on the permitted or conditional use lists of the applicable district. This findings shall be set forth in an administrative resolution. Based on this finding, the use shall be processed in the same manner as the use listed on the permitted or conditional use list of the district. Where the applicant disputes the finding of the Planning Director, the decision may be appealed to the Planning Commission.

Where a use has been added to the permitted or conditional use list of a district by the Planning Director or Planning Commission, the Ordinance shall be updated to reflect the addition.

17.02.06 Non conforming Lots

A lot or parcel, which is shown on an approved and recorded subdivision or parcel map for which a deed or valid contract of sale was recorded prior to the adoption of this Ordinance, and having an area, frontage or depth less than the standard for the district in which the lot or parcel is located, may be used for any permitted or conditional use listed in the applicable district.

Two or more adjoining vacant lots with continuous frontage, each with an area or frontage less than the standard for the district in which the lots are located, and under a single ownership as of the date of the adoption of this Ordinance (Ordinance 246, 1965), shall be subject to all regulations for the district in which the lots are located.

17.02.07 Validity

If any chapter, section or subsection of this Ordinance is found to be unconstitutional, such decision shall not affect the remaining chapters or sections of this Ordinance.

17.02.08 Continuity of Provisions

The provisions of this Ordinance, insofar as they are substantially the same as previously existing ordinance provisions relating to the same subject matter, shall be construed as restatements and continuations thereof and not new enactments. Any actions or proceedings commenced, or permits issued pursuant to any previously existing ordinance shall not be affected by the enactment of this Ordinance; but such actions, proceedings and permits shall hereafter conform to this Ordinance.
17.02.09 Fees and Charges

Fees and charges called for by this Ordinance shall be set forth in a resolution of the City Council establishing a comprehensive schedule of fees and charges relating to zoning and planning applications.

17.02.10 Legal Use of Land

No use of land, under this title, shall be permitted within the city limits if such use shall be in violation of any local, state or federal laws.
CHAPTER 3

Administration

Sections

17.03.01 Authority
17.03.02 City Council
17.03.03 Planning Commission
17.03.04 Planning Director
17.03.05 Head Building Official
17.03.06 City Engineer
17.03.07 Site Plan Review Committee
17.03.08 Design Review Committee

17.03.01 Authority

This Ordinance is the primary tool for implementing the goals, policies and action programs of the Exeter General Plan, the Exeter Subdivision Ordinance and any planned unit developments, specific plans or master plans. The authority to execute this Ordinance shall be vested with the City Council, Planning Commission and other named city officials and public bodies.

17.03.02 City Council

The Exeter City Council shall be the final authority on zoning ordinance amendments, appeals, general plan and specific plans and their amendments, development agreements, and other permit procedures that may be included in or added to this Ordinance.

The City Council shall also be responsible for appointing persons to the Planning Commission and other decision-making bodies that may be named in this Ordinance.
17.03.03 Planning Commission

The Exeter Planning Commission shall be the final authority on classification of uses, site plan review permits, and other permits that may be included in or added to this Ordinance. In addition, the Commission shall provide recommendations to the City Council by means of a resolution that details findings on zoning ordinance amendments, conditional use permits, general and specific plans and amendments thereto, development agreements and other permit procedures that may be added to the Ordinance.

17.03.04 Planning Director

The Planning Director, or assigned representative, shall be the authority on the interpretation, administration and enforcement of the Ordinance. Further, the Planning Director shall be the final authority on minor deviations and administrative planning permits. Other duties of the Director shall include preparation of reports, resolutions and ordinances that come before the Planning Commission and City Council.

The Director shall serve as a member of the site plan and design review committees, shall prepare administrative resolutions on decisions made by the site plan or design review committees, shall provide notification to persons who are in violation of any provision of this Ordinance, and shall undertake other responsibilities that may be included in or added to this Ordinance.

17.03.05 Head Building Official

The Head Building Official, or assigned representative, shall be the authority on the interpretation, administration and enforcement of the Uniform Building Code. Other duties of the Building Official shall include enforcement of specified provisions of this Ordinance, securing Ordinance clearance prior to issuing a building permit, serving as a member of the Site Plan Review Committee, notification of persons who are in violation of specified provisions of this Ordinance and other responsibilities that may be included in or added to this Ordinance.

17.03.06 City Engineer

The City Engineer, or assigned representative, shall be the authority on the interpretation, administration and enforcement of the Subdivision Ordinance, the City of Exeter Improvement Standards Manual, and other responsibilities that may be included in or added to this Ordinance. Other duties of the City Engineer shall include preparation of
reports and recommendations on all engineering matters that come before the Planning Commission and City Council, membership on the Site Plan Review Committee, and notification of persons who are in violation of specified provisions of this Ordinance.

17.03.07 Site Plan Review Committee

The Site Plan Review Committee shall provide findings and recommendations to the Planning Commission on site plan review and conditional use permits. The Committee shall ensure that developments shall be designed and constructed consistent with the development and design standards contained in this Ordinance.

At a minimum, the Site Plan Review Committee shall include the Planning Director, Head Building Official, City Engineer, Exeter Public Works Director, Fire Marshall, and other persons who may possess expertise in fields that would benefit the site plan review process.

17.03.08 Design Review Committee

The Design Review Committee shall provide findings and recommendations to the Planning Commission on architectural elevations and drawings for projects that are prepared for new or existing buildings within the Downtown or Historic combining districts. The Committee shall ensure that developments shall be designed and constructed consistent with the development and design standards contained in these combining districts.

The Design Review Committee shall be composed of persons appointed by the City Council consistent with Chapter 2.17 of the Municipal Code.
Prior to the Planning Commission or City Council holding a public hearing on a permit, amendment, agreement, variance, use permit or other application specified by this Ordinance, a public hearing notice shall be published in a newspaper of general circulation not less than 10 days prior to said hearing. If there is no such paper of general circulation, the public hearing notice shall be posted at least 10 days prior to the hearing in at least three public places within the City of Exeter.

Where this Ordinance requires a public hearing notice, notice shall be given in all of the following ways:

A notice shall be mailed or delivered not less than 10 days prior to the hearing to the owner of the subject property or the owner's authorized agent, the project applicant, and to owners of properties within 300 feet of the subject property as shown on the latest equalized tax assessment role. If the number of properties exceeds 1,000, the City of Exeter, in lieu of a notice that is mailed or delivered, may provide a notice by placing a display notice of at least one-eighth page in at least one newspaper of general circulation at least 10 days prior to the meeting.

A notice of the hearing shall be mailed or delivered not less than 10 days prior to the hearing to each local agency expected to provide water, waste water collection and
treatment, streets, schools and other essential services or facilities, and whose ability to provide these services and facilities may be significantly affected.

17.04.02 Contents

The public hearing notice, whether published in a newspaper of general circulation or posted at a public place within the City, shall include the following information: date, time and place of the public hearing; the hearing body or officer that will consider the public hearing item; and a general description of the project and its location.

17.04.03 Failure to Receive Notice

Failure of any person or entity to receive a public hearing notice shall not invalidate any proceedings or applications authorized by this Ordinance.

17.04.04 Continuation

Any public hearing conducted under this Ordinance may be continued. The Commission or Council shall announce the time and place to which the hearing is to be continued. No further public hearing notice shall be required.
Any person dissatisfied with a decision of the Planning Director or Planning Commission on a planning application may appeal the decision. The decision of the Planning Director can be appealed to the Planning Commission, and the Planning Commission's decision to the City Council, unless otherwise not allowed by this Ordinance.

An appeal of a decision by the Planning Director or Planning Commission shall be completed by filing a letter with the City Clerk no later than 10 days after the day on which the decision was made. The appeal shall state the name of the person appealing the decision, the decision that is being appealed and the reasons for the appeal, including an error, abuse or discretion or a decision that is not supported by the findings in the record.
17.06.03 Effect of Appeal

The filing of an appeal shall have the effect of staying the issuance of any permit or procedure until such time as the matter on appeal is resolved.

17.06.04 Public Notice and Hearing

Upon receipt of an appeal by the City Clerk, a public hearing shall be held within 45 days of the receipt of the appeal. The public hearing notice for the appeal shall comply with the notice requirements detailed in Chapter 17.04 Public Hearings.

17.06.05 Decision on Appeal

The Planning Commission or City Council shall hold a public hearing on the matter that is under appeal. The appellate body shall affirm, modify or reverse the decision under appeal. At the discretion of the appellate body, the public hearing may be continued.

17.06.06 Appeals by the Planning Director

The Planning Director may appeal a decision of the Planning Commission to the City Council if the Director finds that:

A. The action of the Planning Commission constitutes new policies for the City.
B. The action is contrary to established City policy.
C. The action will have a significant fiscal impact on the City.
D. The action is not in compliance with City zoning or subdivision ordinances.
E. The action is inconsistent with the Exeter General Plan.

17.06.07 New Appeal

When an appeal has been denied by an appellate body, no new application for the same or substantially same application shall be filed with the City for 12 months following the final decision on the appeal.
17.06.08  Reconsideration

If the appellate body determines that more complete information or additional facts on the matter previously appealed become evident, the affected party may request reconsideration of the appeal. All costs associated with the reconsideration shall be borne by the applicant. A new public hearing notice will processed consistent with Chapter 17.02 Public Hearings.
CHAPTER 8

Zoning Districts

Sections

17.08.01 Purpose
17.08.02 Definition
17.08.03 Districts
17.08.04 Combining Districts
17.08.05 Official Zoning Map
17.08.06 District Boundaries
17.08.07 District Regulations
17.08.08 Effect of Annexation, Vacation or Abandonment on District Boundaries
17.08.09 Effect on Other Regulations

17.08.01 Purpose

Pursuant to Government Code Section 65800 et seq., the State of California grants to the City of Exeter the power to apply zoning to lands within its city limits. The purpose of zoning is to protect the public health, safety and general welfare. The constitutionality of zoning has been upheld by the United States Supreme Court since 1926, Euclid v. Amber Realty Company (272 US 365).

17.08.02 Definition

Zoning is the division of a city into districts, and the regulation within those districts of the height, appearance and bulk of buildings and structures; the area of a lot that may be occupied and the size of required open spaces; the density and intensity of development; and the use of buildings and land for commercial, agricultural, industrial, residential and other purposes.
17.08.03 Districts

Districts are areas within the City of Exeter within which certain zoning regulations apply. The districts hereby established and into which the City is divided are as follows:

<table>
<thead>
<tr>
<th>District Symbol</th>
<th>Zone District</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Agriculture</td>
</tr>
<tr>
<td>UR</td>
<td>Urban Reserve</td>
</tr>
<tr>
<td>RA</td>
<td>Rural Agriculture</td>
</tr>
<tr>
<td>R-1</td>
<td>Single Family Residential</td>
</tr>
<tr>
<td>RM</td>
<td>Multi-Family Residential</td>
</tr>
<tr>
<td>C-N</td>
<td>Neighborhood Commercial</td>
</tr>
<tr>
<td>C-C</td>
<td>Central Commercial</td>
</tr>
<tr>
<td>C-S</td>
<td>Service Commercial</td>
</tr>
<tr>
<td>C-G</td>
<td>General Commercial</td>
</tr>
<tr>
<td>C-H</td>
<td>Highway Commercial</td>
</tr>
<tr>
<td>PO</td>
<td>Professional Office</td>
</tr>
<tr>
<td>MU</td>
<td>Mixed Use</td>
</tr>
<tr>
<td>I</td>
<td>Industrial</td>
</tr>
<tr>
<td>O</td>
<td>Open Space</td>
</tr>
<tr>
<td>PF</td>
<td>Public Facilities</td>
</tr>
</tbody>
</table>
17.08.04 Overlay Districts

Overlay districts are areas in Exeter that may require special regulations due to unique locational features, architecture, historical significance, resources or hazards. These districts may be combined with any of the base districts identified in this Chapter. For purposes of identification on the Official Zoning Map for Exeter, districts that are joined with an overlay district shall be suffixed with the name of the overlay district. As an example, the zoning for an area of Exeter that is classified central commercial (CC) and contains the historic downtown, which demands unique design regulations, would read as CC-DD, central commercial, downtown design district. Exeter overlay districts are as follows:

- PD  Planned Development
- DD  Downtown Design
- HN  Historic Neighborhood

17.08.05 Official Zoning Map

The zoning boundaries of the aforementioned districts and overlay districts shall be shown on the Official Zoning Map of Exeter. The Official Zoning Map shall be a part of this Ordinance and shall remain on file with the Exeter Planning and Building Department and displayed on the City of Exeter's website.

The Exeter Planning and Building Department shall be responsible for amending the Official Zoning Map when land is annexed into the city or when property is reclassified from one zone to another.

17.08.06 District Boundaries

Where uncertainty exists as to the boundary of any district shown on the Zoning Map, the following rules shall apply.

A. District boundaries shall coincide with either streets, alleys, property lines or railroad rights-of-way unless otherwise shown on the Zoning Map.

B. Where doubt exists as to the location of a district boundary within a block, the boundary line shall be the nearest interior lot line existing at the effective date of this Ordinance (Ordinance 246, 1965).
17.08.07 District Regulations

Except as provided for in this Ordinance, no structure or part thereof shall be erected, altered or enlarged, nor shall any site or structure be used in a manner other than is included among the uses hereinafter listed as permitted or conditionally permitted in the district in which the structure or site is located. In addition, no structure or part thereof shall be erected, reconstructed, enlarged or moved into any district that exceeds the development standards for the district in which the structure is located.

17.08.08 Effect of Annexation, Vacation or Abandonment on District Boundaries

Where property is annexed into Exeter or where property is vacated or abandoned, the following zoning rules shall apply:

A. Exeter may pre-zone unincorporated territory adjoining the city for the purpose of determining the zoning that will apply to such territory in the event of annexation. Zoning of the subject territory will be conducted consistent with Chapter 17.48 Zoning Ordinance Amendments and will become effective when annexation has been completed.

B. Unless pre-zoned, all property annexed into the City shall be classified to the Urban Reserve (UR) district.

C. All property that lacks zoning because property has been vacated or abandoned shall be zoned to the centerline of the subject property consistent with the zoning on the adjoining property.

17.08.09 Effect on Other Regulations

Where more restrictive standards, use regulations or rules are established by any other applicable statutes, ordinances or regulations than is established by this Ordinance, the provisions of such statutes, ordinances or regulations shall govern.
The purpose of the Agriculture (A) District is to preserve lands for long-term agricultural uses within the city limits of Exeter. The application of this zone will protect lands utilized for raising of crops, livestock, and horticultural specialties from urban encroachment.

17.10.02 Permitted Uses

A. Single-family dwellings

B. The raising of crops, livestock and horticultural specialties.

C. Home occupatons subject to the requirements detailed in Chapter 17.64 Special Uses.

D. Manufactured homes subject to design standards contained in Chapter 17.16 Single Family Residential.

E. Second residential units subject to the requirements contained in Chapter 17.64 Special Uses.
17.10.03 Accessory Uses

Incidental and accessory structures and uses located on the same site as the permitted use including barns, stables, storage tanks, windmills, silos, and other outbuildings; private garages and carports; agricultural storehouses, garden structures, greenhouses; and recreation rooms, hobby shops and swimming pools. Development standards for some of these accessory structures are provided in Chapter 17.64 Special Uses.

17.10.04 Conditional Uses

A. Packinghouses and cold storage plants
B. Fruit stands
C. Retail plant nurseries
D. Wineries
E. Other uses when determined to be similar by the Planning Director

17.10.05 Development Standards

A. Site Area

   The minimum parcel size shall be 20 acres.

B. Lot Frontage and Depth

   Each parcel shall not have less than 100 feet of frontage on a public street. There shall be no requirement for parcel depth.

C. Building Height

   The maximum height of residential structures shall be 35 feet; the maximum height of agricultural accessory structures shall be 75 feet.

D. Lot Coverage

   No requirement.

E. Yards

   1. Front Yard: 35 feet
2. **Side Yard**: 10 feet

3. **Rear Yard**: 25 feet

**F. Fences, Walls and Hedges**

1. **Front Yards**: Fences, walls and hedges shall not exceed three feet in height. A fence or wall may be four feet in height if more than 50 percent of the structure is see-through.

2. **Rear and Side Yards**: Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.

**G. Off-Street Parking and Loading Facilities**

1. For single family dwellings, a minimum of two covered parking stalls shall be required. Each space shall have a minimum width of 10 feet and a minimum depth of 20 feet. All parking spaces and driveways shall have a concrete or asphalt surface. Where a carport or garage is open to a public street, a driveway of at least 20 feet shall be provided between the face of the garage or carport and the back of sidewalk or property line, which ever distance is greater.

2. **Non-residential uses in this shall provide off-street parking consistent with Chapter 17.68 Parking and Loading.**

**H. Signs**

Signs shall be consistent with the requirements detailed in Chapter 17.69 Signs.
“UR” Urban Reserve Zone

Sections

17.12.01 Purpose
17.12.02 Permitted Uses
17.12.03 Accessory Uses
17.12.04 Conditional Uses
17.12.05 Development Standards

17.12.01 Purpose

The purpose of the Urban Reserve (UR) District is to preserve undeveloped land, including agricultural lands, within the city limits of Exeter as open space until such time as the conversion to an urban use is determined to be appropriate and feasible.

17.12.02 Permitted Uses

A. Single-family dwellings

B. The raising of crops, livestock and horticultural specialties.

C. Home occupations subject to the requirements detailed in Chapter 17.64 Special Uses.

D. Manufactured homes subject to design standards contained in Chapter 17.16 Single Family Residential.
E. Second residential units subject to the requirements contained in Chapter 17.64 Special Uses.

F. The keeping of household pets.

17.12.03 Accessory Uses

Incidental and accessory structures and uses located on the same site as the permitted use including barns, stables, storage tanks, windmills, silos, and other outbuildings; private garages and carports; agricultural storehouses, garden structures, greenhouses; and recreation rooms, hobby shops and swimming pools. Development standards for some of the accessory structures are provided in Chapter 17.64 Special Uses.

17.12.04 Conditional Uses

A. Fruit stands

B. Retail plant nurseries

C. Other uses when determined to be similar by the Planning Director

17.12.05 Development Standards

A. Site Area

The minimum parcel size shall be 20 acres.

B. Lot Frontage and Depth

Each parcel shall not have less than 100 feet of frontage on a public street. There shall be no requirement for parcel depth.

C. Building Height

The maximum height of residential structures shall be 35 feet; the maximum height of agricultural accessory structures shall be 75 feet.

D. Lot Coverage

No requirement.

E. Yards
Exeter Zoning Ordinance
Chapter 12: “UR” Zone (Urban Reserve)

1. Front Yard: 35 feet
2. Side Yard: 10 feet
3. Rear Yard: 25 feet

F. Fences, Walls and Hedges
1. Front Yards: Fences, walls and hedges shall not exceed three feet in height. A fence or wall may be up to four feet in height if more than 50 percent of the structure is see-through.
2. Rear and Side Yards: Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.

G. Off-Street Parking and Loading Facilities
1. For single family dwellings, a minimum of two covered parking stalls shall be required. Each space shall have a minimum width of 10 feet and a minimum depth of 20 feet. All parking spaces and driveways shall have a concrete or asphalt surface. Where a carport or garage is open to a public street, a driveway of at least 20 feet shall be provided between the face of the garage and the back of sidewalk or property line, whichever distance is greater.
2. Non-residential uses in this shall provide off-street parking consistent with Chapter 17.68 Parking and Loading.

H. Signs

Signs shall be consistent with the requirements detailed in Chapter 17.69 Signs.
17.14.01 Purpose

The purpose of the Rural Agriculture (RA) District is to provide residential living areas which combine certain advantages of both urban and rural locations at very low residential densities.

17.14.02 Permitted Uses

A. Single-family dwellings

B. The raising of crops, livestock and horticultural specialties. Livestock shall not exceed two animal units per acre.

C. Home occupations subject to the requirements detailed in Chapter 17.64 Special Uses.

D. Second residential units consistent with Chapter 17.64 Special Uses.

E. Small day care homes (eight of fewer children) consistent with Chapter 17.64 Special Uses.
F. Manufactured homes subject to design standards contained in Chapter 17.16 Single Family Residential.

G. The keeping of household pets.

17.14.03 Accessory Uses

A. Incidental and accessory structures and uses located on the same site as the permitted use including barns, stables, storage tanks, windmills, silos, and other outbuildings; private garages and carports; agricultural storehouses, garden structures, greenhouses; and recreation rooms, hobby shops and swimming pools. Development standards for some of these accessory structures are provided in Chapter 17.64 Special Uses.

B. Temporary subdivision sales office and signs consistent with Chapter 17.69 Signs.

17.14.04 Conditional Uses

A. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, nonprofit schools and colleges; churches and other religious institutions.

B. Public and private charitable institutions, hospitals, convalescent homes, sanitariums, or rest homes for mental, drug or alcoholic cases.

C. Public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings; and public playgrounds, parks, and community centers.

D. Private noncommercial clubs and lodges.

E. Large day care homes consistent with Chapter 17.64 Special Uses.

F. Roadside stands for the sale of agricultural products grown on the premises.

G. Other uses when determined to be similar by the Planning Director.

17.14.05 Development Standards

A. Site Area
The minimum parcel size shall be 20,000 square feet.

B. Lot Frontage and Depth

Each parcel shall not have less than 100 feet of frontage on a public street. The minimum depth of each parcel shall be 125 feet.

C. Building Height

The maximum height of residential structures shall be 35 feet; the maximum height of agricultural accessory structures shall be 75 feet.

D. Lot Coverage

The maximum site area covered by structures shall be forty percent.

E. Yards

1. Front Yard: 30 feet

2. Side Yard: 10 feet. For corner and reverse corner lots, the side yard adjoining the street shall be one-half of the required front yard.

3. Rear Yard: 25 feet

4. Garage/Carport Setback: A garage or carport that faces a public street shall be set back a minimum of 20 feet from the back of sidewalk or property line, whichever distance is greater.

5. Exceptions:

a. Architectural features, including eaves, sills, chimneys, cornices, and bay windows may extend up to 30 inches into a required side yard.

b. Uncovered, unenclosed porches, platforms or landings that do not extend above the first floor elevation may extend a maximum of six feet into a front or rear yard setback area. Railings up to 30 inches in height may be installed on any of these features.

F. Distances Between Structures

The minimum distance between a residential dwelling and another structure on the same lot shall be ten feet.
### Figure 14-1 • R-A Zone Development Standards

<table>
<thead>
<tr>
<th>Site Area</th>
<th>Frontage &amp; Depth</th>
<th>Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>All new parcels must contain at least 20,000 square feet of area.</td>
<td>10 feet, minimum</td>
<td>Agricultural accessory structures may be up to 75 feet in height.</td>
</tr>
<tr>
<td>20,000 square feet, minimum</td>
<td>35 feet, maximum</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lot Coverage</th>
<th>Front Yard</th>
<th>Side Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>40% Maximum</td>
<td>30 feet, minimum</td>
<td>10 feet, minimum, each side yard</td>
</tr>
<tr>
<td>Maximum coverage of lot by all structures</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rear Yard</th>
<th>Distance between Structures</th>
<th>Off-Street Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 feet, min.</td>
<td>10 feet, minimum</td>
<td>2 covered parking spaces required for each single family dwelling.</td>
</tr>
<tr>
<td>A garage or carport facing a street shall be set back 20 feet from the property line</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fences, Walls and Hedges</th>
<th>Corner Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>7-foot max fencing in this area</td>
<td>4-foot max fencing in this area. Top one foot shall be open.</td>
</tr>
<tr>
<td>Fencing is limited to 4-feet in height within 50' radius of street corner</td>
<td></td>
</tr>
</tbody>
</table>

Exeter Zoning Ordinance
Chapter 14: “RA” Zone (Rural Agriculture)
Chapter 14: “RA” Zone (Rural Agriculture)

G. Fences, Walls and Hedges

1. Front Yards: Fences, walls and hedges shall not exceed three feet in height. A fence or wall may be four feet in height if more than 50 percent of the structure is see-through.

2. Rear and Side Yards: Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.

H. Off-Street Parking and Loading Facilities

1. For single family dwellings, a minimum of two covered parking stalls shall be required. Each space shall have a minimum width of 10 feet and a minimum depth of 20 feet. All parking spaces and driveways shall have a concrete or asphalt surface. Where a carport or garage is open to a public street, a driveway of at least 20 feet shall be provided between the face of the garage and the back of sidewalk or property line, whichever distance is greater.

2. Non-residential uses in this shall provide off-street parking consistent with Chapter 17.68 Parking and Loading.

I. Signs

Signs shall be consistent with the requirements detailed in Chapter 17.69 Signs.

17.14.06 Design Standards

The following standards shall apply to all single family dwellings, including manufactured and mobile homes, that are constructed in the RA district.

A. The minimum width of a single family dwelling or a manufactured or mobile home shall be 20 feet.

B. Mobile homes must be certified under the National Manufactured Home Construction and Safety Act of 1974.

C. All residential dwellings shall be attached to a permanent foundation.
D. The roofs of all residential dwellings shall be composed of composition shingles, ceramic tiles, metal or wood shakes or shingles. The pitch of the roof shall not be less than three inches of vertical rise over 12 inches of horizontal run. The roof overhang shall not be less than 12 inches around the building perimeter.

E. The exterior siding of all residential dwellings shall be composed of wood, masonry, plaster, or metal sheathing.

F. Siding shall extend to the ground, except when a solid concrete or masonry perimeter foundation or retaining wall is used in which case the siding material need only extend to the top of the foundation or wall.
The purpose of the R-1 district is to provide living areas within Exeter where development is consistent with the Exeter General Plan and is limited to low density concentrations of single-family dwellings, and where regulations are designed to promote the following: (1) encourage a suitable environment for family life, (2) provide space for community facilities, including parks, schools, churches and other facilities that will complement the residential environment; (3) a circulation system that is pedestrian-friendly, is properly connected to the community at-large and adjacent residential developments, and provides for alternative forms of transportation; (4) an attractive and unique neighborhood design that ranges from streetscape to the residential dwellings themselves; and (5) the conservation of valuable resources ranging from water to energy.
17.16.02 Subdistricts

In order to adequately plan for single family development at various densities, the R-1 district is further divided into the following subdistricts:

R-1-5 (single family residential, one unit per 5,000 square feet);
R-1-6 (single family residential, one unit 6,000 square feet);
R-1-7.5 (single family residential, one unit per 7,500 square feet); and
R-1-10 (single family residential, one unit per 10,000 square feet).

17.16.03 Permitted Uses

A. Single-family dwellings
B. Accessory uses.
C. Home occupations subject to the requirements detailed in Chapter 17.64 Special Uses.
D. Second residential units consistent with Chapter 17.64 Special Uses.
E. Small day care homes consistent with Chapter 17.64 Special Uses.
F. Mobile homes subject to design standards contained in Section 17.16.09 of this chapter.
G. Licensed group care homes (six or fewer persons) consistent with Chapter 17.64 Special Uses.
H. Drainage basins.
I. Water well sites.
J. Utility facilities, including electrical substations, elevated pressure tanks, and communication equipment buildings.
K. Model homes and subdivision sales offices associated with the development of a residential subdivision.
L. Transitional and supportive housing (six or fewer persons).
M. The keeping of household pets.
17.16.04  Accessory Uses

A. Incidental and accessory structures and uses located on the same site as the permitted use including private garages and carports; storage buildings; garden structures; greenhouses and recreation rooms; ground-mounted solar panels; hobby shops and swimming pools. Development standards for some of these accessory structures are provided in Chapter 17.64 Special Uses.

B. Temporary subdivision sales office and signs consistent with Chapter 17.69 Signs.

C. Enclosed temporary construction materials storage yards associated with the development of a residential subdivision.

17.16.05  Conditional Uses

The following uses shall be permitted upon the granting of a use permit consistent with Chapter 17.52 Conditional Use Permits.

A. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, nonprofit schools and colleges; churches and other religious institutions.

B. Public and private charitable institutions, hospitals, convalescent homes, sanitariums, or rest homes for mental, drug or alcoholic cases.

C. Public uses of an administrative, recreational, public service or cultural types including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities.

D. Senior citizen housing project.

E. Bed and breakfast.

F. Large family day care facility.
17.16.06 Development Standards

A. Site Area (see also Exhibit 16-1)

The minimum site area for Exeter’s single family residential districts are as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>Minimum Site Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1-5</td>
<td>5,000 square feet</td>
</tr>
<tr>
<td>R-1-6</td>
<td>6,000 square feet</td>
</tr>
<tr>
<td>R-1-7.5</td>
<td>7,500 square feet</td>
</tr>
<tr>
<td>R-1-10</td>
<td>10,000 square feet</td>
</tr>
</tbody>
</table>

B. Lot Frontage and Depth (see also Exhibit 16-1)

1. The minimum lot frontage for each of Exeter’s single family residential districts are as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>Corner Lot</th>
<th>Interior Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1-5</td>
<td>55 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>R-1-6</td>
<td>65 feet</td>
<td>60 feet</td>
</tr>
<tr>
<td>R-1-7.5</td>
<td>70 feet</td>
<td>65 feet</td>
</tr>
<tr>
<td>R-1-10</td>
<td>75 feet</td>
<td>70 feet</td>
</tr>
</tbody>
</table>

2. The minimum lot depth for each of Exeter’s single family residential districts are as follows (see also Exhibit 16-1):

<table>
<thead>
<tr>
<th>District</th>
<th>Corner Lot</th>
<th>Interior Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1-5</td>
<td>100 feet</td>
<td>100 feet</td>
</tr>
<tr>
<td>R-1-6</td>
<td>80 feet</td>
<td>95 feet</td>
</tr>
<tr>
<td>R-1-7.5</td>
<td>80 feet</td>
<td>95 feet</td>
</tr>
</tbody>
</table>
Chapter 16: R-1 Zone (Single Family Residential)

C. Building Height

The maximum height of residential structures shall be 35 feet; the maximum height of accessory structures shall be 15 feet.

D. Lot Coverage

The maximum lot coverage by structures shall be forty percent.
E. Yard Requirements (see also Exhibit 16-2)

1. Front Yard:

<table>
<thead>
<tr>
<th>District</th>
<th>Minimum Front Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1-5</td>
<td>15 feet</td>
</tr>
<tr>
<td>R-1-6</td>
<td>20 feet</td>
</tr>
<tr>
<td>R-1-7.5</td>
<td>20 feet</td>
</tr>
<tr>
<td>R-1-10</td>
<td>25 feet</td>
</tr>
</tbody>
</table>

On a lot situated between residential lots with buildings that are set back less than the minimum distance required by this section, the minimum front yard setback shall be the average of the front yard setbacks of the adjoining lots.

2. Side Yard:

<table>
<thead>
<tr>
<th>District</th>
<th>Minimum Side Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1-5</td>
<td>5 feet</td>
</tr>
<tr>
<td>R-1-6</td>
<td>5 feet</td>
</tr>
<tr>
<td>R-1-7.5</td>
<td>5 feet</td>
</tr>
<tr>
<td>R-1-10</td>
<td>5 and 12 feet</td>
</tr>
</tbody>
</table>

On the street side of a corner lot, the side yard setback shall be one-half the required front yard setback.

Where an interior lot is less than fifty feet in width, each side yard shall be a minimum of ten percent of the lot width, or three feet, whichever is more.

3. Garage/Carport Setback:

A garage or carport that faces a public street shall be set back a minimum of 20 feet from the back of sidewalk or property line, whichever distance is greater.
4. Exceptions:
   
a. Architectural features, including eaves, sills, chimneys, cornices, and bay windows may extend up to 30 inches into a required side yard.

   b. Uncovered, unenclosed porches, platforms or landings that do not extend above the first floor elevation may extend a maximum of six feet into a front or rear yard setback area. Railings up to 30 inches in height may be installed on any of these features.

5. Rear Yard:

<table>
<thead>
<tr>
<th>District</th>
<th>Minimum Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1-5</td>
<td>15 feet</td>
</tr>
<tr>
<td>R-1-6</td>
<td>20 feet</td>
</tr>
<tr>
<td>R-1-7.5</td>
<td>20 feet</td>
</tr>
<tr>
<td>R-1-10</td>
<td>25 feet</td>
</tr>
</tbody>
</table>
# Exhibit 16-2

## R-1 Zone • Yard Setbacks

*Shown on various lot types*

<table>
<thead>
<tr>
<th>Zone Districts</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(1) Regardless of orientation, a garage or carport facing a street shall be set back at least 20 feet from the property line.</td>
</tr>
<tr>
<td></td>
<td>(2) Uncovered, unenclosed porches, platforms or landings that do not extend above the first floor elevation may extend a maximum of six feet into a rear yard setback area. Railings up to 30 inches in height may be installed on any of these features.</td>
</tr>
<tr>
<td></td>
<td>(3) On a lot situated between residential lots with buildings that are set back less than the minimum distance required by this section, the minimum front yard setback shall be the average of the front yard setbacks of the adjoining lots.</td>
</tr>
<tr>
<td></td>
<td>(4) Architectural features, including eaves, sills, chimneys, cornices, and bay windows may extend up to 30 inches into a required side yard.</td>
</tr>
<tr>
<td></td>
<td>(5) Where an interior lot is less than fifty feet in width, each side yard shall be a minimum of ten percent of the lot width, or three feet, whichever is greater.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>R-1-5</th>
<th>R-1-6</th>
<th>R-1-7.5</th>
<th>R-1-10</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A</strong> Front Yard (2) (3)</td>
<td>15'</td>
<td>20'</td>
<td>20'</td>
<td>25'</td>
</tr>
<tr>
<td><strong>B</strong> Side Yard (4) (5)</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'/12'</td>
</tr>
<tr>
<td><strong>C</strong> Corner Lot Street Side</td>
<td>7.5'</td>
<td>10'</td>
<td>10'</td>
<td>12.5'</td>
</tr>
<tr>
<td><strong>D</strong> Rear Yard</td>
<td>15'</td>
<td>20'</td>
<td>20'</td>
<td>25'</td>
</tr>
</tbody>
</table>
17.16.07 Fences, Walls and Hedges (see Exhibit 16-3)

A. Front Yards:

Fences, walls and hedges shall not exceed three feet in height. A fence or wall may be four feet in height if more than 50 percent of the structure is see-through.

B. Rear and Side Yards:

Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.

Exhibit 16-3: Fencing Standards
17.16.08 Off-Street Parking and Loading Facilities

A. For single family dwellings, a minimum of two covered parking stalls shall be required. Each space shall have a minimum width of 10 feet and a minimum depth of 20 feet. All parking spaces and driveways shall have a concrete or asphalt surface. Where a carport or garage is open to a public street, a driveway of at least 20 feet shall be provided between the face of the garage and the back of sidewalk or property line, whichever distance is greater.

B. Non-residential uses in this district shall provide off-street parking consistent with Chapter 17.68 Parking and Loading.

17.16.09 Signs
Signs shall be consistent with the requirements detailed in Chapter 17.69 Signs.

17.16.10 Design Standards

The following standards shall apply to all single family dwellings, including manufactured and mobile homes, that are constructed in the R-1 districts.

A. The minimum width of a single family dwelling or a manufactured or mobile home shall be 20 feet.

B. Mobile homes must be certified under the National Manufactured Home Construction and Safety Act of 1974.

C. All residential dwellings shall be attached to a permanent foundation.

D. The roofs of all residential dwellings shall be composed of composition shingles, ceramic tiles, metal or wood shakes or shingles. The pitch of the roof shall not be less than three inches of vertical rise over 12 inches of horizontal run. The roof overhang shall not be less than 12 inches around the building perimeter.

E. The exterior siding of all residential dwellings shall be composed of wood, masonry, plaster, or metal sheathing.

F. Siding shall extend to the ground, except when a solid concrete or masonry perimeter foundation or retaining wall is used in which case the siding material need only extend to the top of the foundation or wall.

17.16.11 Energy Conservation

A. Seventy-five percent of all garages shall be located on the west side of a home that fronts onto an east/west roadway, and on the north side of a home that fronts onto a north/south roadway. (This location feature will conserve energy.)

B. All ground-mounted heating/cooling units shall be located on the east side of a home that fronts onto an east/west roadway, and on the north side of a home that fronts onto a north/south roadway. (This location feature will conserve energy.)

C. Residents are encouraged to plant deciduous trees on the south and west sides of their home. (This location design feature will conserve energy.)
17.16.12 Water Conservation

A. Not more than fifty percent of the front yard landscaping shall be devoted to turf. Shrubs planted in the front yard shall be drought-tolerant species. Artificial lawn shall be considered as a landscaping option. (These design features will conserve water.)

B. All parkways shall be five feet wide, shall be depressed and shall be provided with a drip irrigation line that runs from the adjoining home to the parkway. Parkways will be planted with deciduous street trees. The parkway will be covered with mulch; turf will not be permitted.
CHAPTER 18

RM Zone (Multi-Family Residential)

Sections

17.18.01 Purpose
17.18.02 Subdistricts
17.18.03 Permitted Uses
17.18.04 Accessory Uses
17.18.05 Conditional Uses
17.18.06 Site Plan Review
17.18.07 Development Standards
17.18.08 Fences, Walls and Hedges
17.18.09 Off-Street Parking and Loading Facilities
17.18.10 Signs
17.18.11 Special Conditions
17.18.12 Design Standards
17.18.13 Energy Conservation
17.18.14 Design Standards

The purpose of the RM districts is to provide living areas within Exeter where development is consistent with the Exeter General Plan and is limited to medium and high density concentrations of multi-family dwellings, and where regulations are designed to promote the following: (1) encourage a suitable environment for family life, recognizing that a significant part of the multi-family population is adult, including senior citizens; (2) provide space for community facilities, including parks, schools, churches and other facilities that will complement the residential environment; (3) an attractive and unique project that encompasses well-designed buildings with ample landscape and off-street parking; and (4) the conservation of valuable resources ranging from water to energy.
17.18.02 Subdistricts

In order to adequately plan for multi-family development at various densities, the RM district is further divided into the following subdistricts: RM-3 (multi-family residential, one unit per 3,000 square feet) and RM-1.5 (multi-family residential, one unit 1,500 square feet).

17.18.03 Permitted Uses

A. Single-family dwellings, duplexes and tri-plexes
B. Accessory structures.
C. Multi-family apartments.
D. Home occupations subject to the requirements detailed in Chapter 17.64 Special Uses.
E. Small day care homes consistent with Chapter 17.64 Special Uses.
F. Mobile homes subject to design standards contained in Chapter 17.16 Single Family Residential.
G. Licensed group care homes (six or fewer persons) consistent with Chapter 17.64 Special Uses.
H. Drainage basins.
J. Water well sites.
K. Utility facilities, including electrical substations, elevated pressure tanks, and communication equipment buildings.
L. Model apartments and rental offices associated with the development of a multi-family development.
M. Transitional and supportive housing (six or fewer persons).
N. The keeping of household pets.

17.18.04 Accessory Uses

A. Incidental and accessory structures and uses located on the same site as the permitted use including private garages and carports; storage buildings; garden structures, greenhouses; and recreation rooms, hobby shops and swimming pools.
Development standards for some of these accessory structures are provided in Chapter 17.64 Special Uses.

B. Temporary apartment rental office and signs consistent with Chapter 17.69 Signs.

C. Enclosed temporary construction materials storage yards associated with the development of an apartment complex.

17.18.05 Conditional Uses

The following uses shall be permitted upon the granting of a use permit consistent with Chapter 17.49 Conditional Use Permits.

A. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, non-profit schools and colleges; churches and other religious institutions.

B. Public and private charitable institutions, hospitals, convalescent homes, sanitariums, or rest homes for mental, drug or alcoholic cases.

C. Public uses of an administrative, recreational, public service or cultural types including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers;

D. Senior citizen housing project.

E. Rest homes and nursing homes; boardinghouses and rooming houses.

F. Bed and breakfast.

17.18.06 Site Plan Review

No multi-family uses may be established on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.54 Site Plan Review.
17.18.07 Development Standards

A. Unit Density

The maximum unit density for Exeter’s multi-family residential districts is as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>Maximum Unit Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-3</td>
<td>3,000 square feet per dwelling unit</td>
</tr>
<tr>
<td>RM-1.5</td>
<td>1,500 square feet per dwelling unit</td>
</tr>
</tbody>
</table>

B. Lot Frontage and Depth

1. The minimum lot frontage for each of Exeter’s multi-family residential districts is as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>Corner Lot</th>
<th>Interior Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-3</td>
<td>50 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>RM-1.5</td>
<td>50 feet</td>
<td>50 feet</td>
</tr>
</tbody>
</table>

2. The minimum lot depth for each of Exeter’s multi-family residential districts is as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>Corner Lot</th>
<th>Interior Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-3</td>
<td>100 feet</td>
<td>100 feet</td>
</tr>
<tr>
<td>RM-1.5</td>
<td>100 feet</td>
<td>80 feet</td>
</tr>
</tbody>
</table>

C. Building Height

The maximum height of residential structures shall be 35 feet; the maximum height of accessory structures shall be 15 feet.
Figure 18-1 • RM Zone Development Standards

**Density**

<table>
<thead>
<tr>
<th>ZONE</th>
<th>MIN. LOT AREA PER UNIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-3</td>
<td>3,000 sq. ft.</td>
</tr>
<tr>
<td>RM-1.5</td>
<td>1,500 sq. ft.</td>
</tr>
</tbody>
</table>

Number of units permitted depends on lot size.

**Lot Coverage**

<table>
<thead>
<tr>
<th>ZONE</th>
<th>MAX. SITE AREA COVERAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-3</td>
<td>50%</td>
</tr>
<tr>
<td>RM-1.5</td>
<td>65%</td>
</tr>
</tbody>
</table>

Maximum coverage of parcel by all structures.

**Frontage, Width & Depth**

<table>
<thead>
<tr>
<th>ZONE</th>
<th>A Width</th>
<th>B Depth</th>
<th>C Width</th>
<th>D Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-3</td>
<td>50 feet</td>
<td>100 feet</td>
<td>50 feet</td>
<td>100 feet</td>
</tr>
<tr>
<td>RM-1.5</td>
<td>50 feet</td>
<td>80 feet</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Building Height**

Maximum Building Height: 35 feet

Accessory structures may be up to 15 feet high.

**Front Yard***

RM-3: 20’
RM-1.5: 15’

Where existing buildings abut the site and have setbacks less than is required, the setback of the proposed building may be the average of the setbacks of the adjacent buildings.

A carport that opens to a street must be set back at least 20 feet from the back of sidewalk or property line, whichever is greater.

**Side Yard***

Setback: 5 feet minimum;
Corner lots shall have a setback of 7-1/2 feet on the street side yard;
Lots less than 50 feet wide shall have a setback of at least 10% of the lot width, but not less than 3 feet.

**Rear Yard***

RM-3: 20’
RM-1.5: 15’, plus ten feet for each additional story

**Distance between Structures**

10 feet, all zones

**Fencing, Walls and Hedges**

Fencing behind front yard setback may be up to 7 feet high
Fencing within front yard setback area may be up to 3 feet high or 4 feet high if 50% of fence is see-through

* See exceptions for yards in Section 17.18.07 E.4

18-5
D. Lot Coverage

<table>
<thead>
<tr>
<th>District</th>
<th>Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-3</td>
<td>50 percent</td>
</tr>
<tr>
<td>RM-1.5</td>
<td>65 percent</td>
</tr>
</tbody>
</table>

E. Yard Requirements

1. Front Yard:

<table>
<thead>
<tr>
<th>District</th>
<th>Minimum Front Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-3</td>
<td>20 feet</td>
</tr>
<tr>
<td>RM-1.5</td>
<td>15 feet</td>
</tr>
</tbody>
</table>

On a lot situated between residential lots with buildings that are set back less than the minimum distance required by this section, the minimum front yard setback shall be the average of the front yard setbacks of the adjoining lots.

2. Side Yard:

<table>
<thead>
<tr>
<th>District</th>
<th>Minimum Side Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-3</td>
<td>5 feet</td>
</tr>
<tr>
<td>RM-1.5</td>
<td>5 feet</td>
</tr>
</tbody>
</table>

On the street side of a corner lot, the side yard setback shall be one-half the required front yard setback.

Where an interior lot is less than fifty feet in width, each side yard shall be a minimum of ten percent of the lot width, or three feet, whichever is more.

3. Garage/Carport Setback:

A garage or carport that faces a public street shall be set back a minimum of 20 feet from the back of sidewalk or property line, which ever is greater.
4. Exceptions:
   a. Architectural features, including eaves, sills, chimneys, cornices, and bay windows may extend up to 30 inches into a required side yard.
   b. Uncovered, unenclosed porches, platforms or landings that do not extend above the first floor elevation may extend a maximum of six feet into a front or rear yard setback area. Railings up to 30 inches in height may be installed on any of these features.

5. Rear Yard:

<table>
<thead>
<tr>
<th>District</th>
<th>Minimum Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-3</td>
<td>20 feet</td>
</tr>
<tr>
<td>RM-1.5:</td>
<td>10 feet. However, where construction in the rear yard involves more than one story, 10 feet per story shall increase the rear yard.</td>
</tr>
</tbody>
</table>

17.18.08 Fences, Walls and Hedges

A. Front Yards: Fences, walls and hedges shall not exceed three feet in height. A fence or wall may be four feet in height if more than 50 percent of the structure is see-through.

B. Rear and Side Yards: Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.

17.18.09 Off-Street Parking and Loading Facilities

A. For multi-family dwellings, a minimum of 1.5 parking stalls shall be required. Half of these stalls shall be covered. All parking spaces, driveways and parking lots shall have a concrete or asphalt surface.

   Where a carport or garage is open to a public street, a driveway of at least 20 feet shall be provided between the face of the garage and the back of sidewalk or property line, which ever distance is greater.

B. Non-residential uses in this District shall provide off-street parking consistent with Chapter 17.68 Parking and Loading.
17.18.10 Signs

Signs shall be consistent with the requirements detailed in Chapter 17.69 Signs.

17.18.11 Special Conditions

All multi-family projects that contain 16 or more units shall be required to provide an on-site manager.

17.18.12 Design Standards

The following standards shall apply to all multi-family developments:

A. The architectural design of multi-family developments to the best extent possible should be compatible with adjacent residential neighborhoods. Compatibility may involve the use of materials, color, scale, roof pitch, and other physical features that would assist in blending the new multi-family development with surrounding residential uses.

B. The architectural design of multi-family developments that are not adjacent to or within existing residential neighborhood shall adhere to the following design standards:

1. Long, unbroken building facades and box-like building forms should be discouraged. Alternating building planes, building material, color and building heights, should vary building facades. Other approaches to providing interesting multi-family structures could involve alternating the patterns of window and door opening; the use of projections such as balconies, porches and awnings; and changing setbacks and softening the building facade with tree plantings.

2. Setbacks should be varied with individual structures.

3. The rooflines of multi-family structures should be altered to provide a more interesting horizontal view. No metal roofs shall be permitted.

4. There should only be a maximum of two adjacent multi-family units with identical wall and roofline planes.

5. It is important that door and window openings be articulated on the face of the multi-family structure. Articulation can include framing, insets or shudders for windows and insets, framing and color for doorways.
6. Materials used for multi-family developments should be durable and of low-maintenance. Where possible, exterior siding should provide a distinctive appearance, such as river rock, brick, or flagstone.
7. Stairways should be designed as an integral part of the overall multi-family development. Materials used on the building should be incorporated into the stairway design. Stairways should not be a dominant exterior feature on the building but should be sited so that they are not visually prominent.

Figure 18-3: Stairways

8. The maximum height for multi-family developments shall be two (2) stories.

C. Parking lots and driveways should be designed to blend in with the overall multi-family project.

   1. Long, unbroken rows of parking spaces are discouraged. Where possible, these rows should be broken by landscaped islands, buildings, or garages.

   2. Carports should contain some design elements that make the structures visually interesting, such as finished roofs or articulated support beams.

   3. Parking lots should be screened from adjacent properties with a 7-foot solid block wall that is softened with landscaping.

D. Special design treatment should be given to the entryways and street corners of multi-family projects.

   1. The street corners of multi-family projects should be enhanced visually with features like landscaping, walls, lighting, fountains, trellises, signage or public art.
2. Project entryways should be given special treatment such as stamped concrete driveways, metal gates with pilasters or landscaped medians.

E. All common areas shall be provided with landscaping and an automated irrigation system. Landscaping shall be consistent with Chapter 17.66 Landscaping, Irrigation and Grading.

F. All trash enclosures shall be surrounded by a 6-foot solid block wall and a metal gate. A trellis or arbor shall be constructed over the trash enclosure. The exterior to the enclosure shall be landscaped.

G. All roof-mounted mechanical equipment shall be screened from view.

H. Where a multi-family development abuts a single-family use or a commercial use, a 7-foot solid block wall shall be constructed along the property line common to the two land uses.

17.18.13 Energy Conservation

A. To the greatest extent possible, the multi-family buildings should run east and west to take advantage of passive solar design opportunities.

B. All ground-mounted heating/cooling units shall be located on the east side of a building that fronts onto an east/west roadway, and on the north side of a building that fronts onto a north/south roadway. (This location feature will conserve energy.)

C. The landscaping plan for the multi-family complex should plant deciduous trees on the south and west sides of the residential complex. (This location design feature will conserve energy.)
17.18.14 Water Conservation

A. Not more than fifty percent of the front yard landscaping shall be devoted to turf. Shrubs planted in the front yard shall be drought-tolerant species. Artificial lawn shall be considered as a landscaping option. (These design features will conserve water.)

B. All parkways shall be five feet wide, shall be depressed and shall be provided with a drip irrigation line that runs from the multi-family development to the parkway. Parkways will be planted with deciduous street trees. The parkway will be covered with mulch; turf will not be permitted.
Figure 18-5: Parkway Design

Parkways shall be 5 feet wide, depressed to accept storm and irrigation drainage and planted with deciduous street trees.
17.20.01 Purpose

The purpose of the PO district is to provide areas in Exeter where professional offices can be constructed outside of commercial districts; to provide opportunities for older residential dwellings to be converted to an office use; and to protect offices from noise, disturbances, traffic hazards and other objectionable influences which would adversely affect professional practices from being exercised.

17.20.02 Permitted Uses

A. Offices which deal primarily with professional services, in which goods, wares and merchandise are not commercially created, sold or exchanged, including medical offices, engineering, architecture, planning and landscape consulting, law, accounting, bookkeeping, and brokerage offices.

B. Prescription pharmacies in connection with a medical office building, medical clinic or hospital.

C. Medical and dental laboratories and clinics.
D. Single and multi-family residential uses in accordance with the RM-3 district.

E. Utility and infrastructure improvements including water wells, communication equipment buildings, above ground water tanks, and storm drainage basins.

F. Public parks.

G. Accessory uses.

17.20.03 Accessory Uses

A. Incidental and accessory structures and uses located on the same site as the permitted use including private garages and carports; storage buildings; garden structures, greenhouses; and recreation rooms, and hobby shops.

B. Temporary apartment rental office and signs consistent with Chapter 17.69 Signs.

C. Enclosed temporary construction materials storage yards associated with the development of an apartment complex.

17.20.04 Conditional Uses

A. Churches, parsonages and other religious institutions.

B. Public and parochial elementary schools.

C. Public uses of a cultural type including libraries, museums, art galleries, and other similar structures and facilities.

D. Mortuaries.

E. Antique stores, restoration and sales.

F. Bed and breakfast establishments.

G. Dance studios and exercise facilities.

H. Hobby and art supply shops.

I. Public and private charitable institutions, hospitals (excluding animal hospitals) and sanitariums, rest homes or nursing homes, or group homes for the mentally handicapped, or drug or alcoholic addicted.

J. Beauty and barber shops, beauty and hair salons, tanning salons and day spas.
K. Small retail stores including, the sale of clothing, shoes, gift items, stationary, candy and flowers, not to exceed 1,500 square feet in size.

17.20.05 Site Plan Review

No office, residential, or other uses listed above may be established on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.54 Site Plan Review.

17.20.06 Development Standards (also see Exhibit 20-1)

A. Site Area/Unit Density

The minimum lot area for this district shall be 6,000 square feet. The maximum unit density for multi-family development shall be one dwelling unit per 3,000 square feet of lot area.

B. Lot Frontage and Depth

1. The minimum lot frontage for the PO district is as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>Corner Lot</th>
<th>Interior Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO</td>
<td>65 feet</td>
<td>60 feet</td>
</tr>
</tbody>
</table>

2. The minimum lot depth for the PO district is as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>Corner Lot</th>
<th>Interior Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO</td>
<td>80 feet</td>
<td>100 feet</td>
</tr>
</tbody>
</table>

C. Building Height

The maximum height of residential structures shall be 35 feet; the maximum height of accessory structures shall be 15 feet.

D. Lot Coverage

The maximum lot coverage by structures constructed on a lot in this district shall be 60 percent.
## Exhibit 20-1 • PO Zone Development Standards

### Site Area/Density

6,000 square feet, minimum

- All new parcels must contain at least 6,000 square feet of area.
- Maximum density for multi-family units is one unit per 3,000 square feet of lot area.

### Frontage, Width & Depth

- **A** (Width) 60 feet
- **B** (Depth) 100 feet

### Building Height

- Accessory structures may be up to 15 feet high

### Lot Coverage

- Maximum coverage of lot by all structures: 60%

### Front Yard

- 15 feet, minimum

### Side Yard

- 5 feet, minimum, each side yard. Other standards may apply - see 17.20.06 E.2.

### Rear Yard

- 10 feet, minimum

### Fences, Walls and Hedges

- 3-foot max fencing in this area
- 7-foot max fencing in this area. May be 4 feet high if top one foot is see-through.

### Off-Street Parking

- One parking space per each 250 square feet of floor area.

- Other uses have specific parking requirements - See Chapter 17.68.
E. Yard Requirements

1. Front Yard:
   a. The minimum front yard shall be 15 feet.
   b. On a lot situated between residential lots with buildings that are set back more than the minimum distance required by this section, the minimum front yard set back shall be the average of the front yard set backs of the adjoining lots.
   c. A garage or carport that faces a public street shall be set back a minimum of 20 feet from the back of sidewalk or property line, whichever distance is greater.
   d. Uncovered, unenclosed porches, platforms or landings that do not extend above the first floor elevation may extend a maximum of six feet into a front or rear yard setback area. Railings up to 30 inches in height may be installed on any of these features.

2. Side Yard:
   a. The minimum side yard shall be five feet.
   b. On the street side of a corner lot, the side yard setback shall be one-half the required front yard set back.
   c. Where an interior lot is less than fifty feet in width, each side yard shall be a minimum of ten percent of the lot width, or three feet, whichever is more.
   d. Architectural features, including eaves, sills, chimneys, cornices, and bay windows may extend up to 30 inches into a required side yard.

3. Rear Yard:
   a. The minimum rear yard shall be 10 feet, however, where construction in the rear yard involves more than one story, the rear yard shall be increased by 10 feet. Accessory structures less than seven feet in height may be located within the rear yard setback area.
17.20.07 Fences, Walls and Hedges

A. Front Yards: Fences, walls and hedges shall not exceed three feet in height. A fence or wall may be four feet in height if more than 50 percent of the structure is see-through.

B. Rear and Side Yards: Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.

17.20.08 Off-Street Parking and Loading Facilities

A. For multi-family dwellings, a minimum of 1.5 parking stalls shall be required per dwelling unit. Half of these stalls shall be covered. All parking spaces, driveways and parking lots shall have a concrete or asphalt surface.

B. Non-residential uses in this District shall provide off-street parking consistent with Chapter 17.68 Parking and Loading.

17.20.09 Signs

Signs shall be consistent with the requirements detailed in Chapter 17.69 Signs.

17.20.10 Distance Between Structures

The minimum distance between structures shall be 10 feet.

17.20.11 Design Standards

A. For single family dwellings that are being converted to an office use, the redevelopment of the structure should be sensitive to architectural details associated with the original design of the structure including roof pitch, exterior building materials, porch dimensions and design, roof materials, exterior colors, door locations and design, window patterns, materials and treatment; and landscaping.

B. Parking for any residential structure being converted to an office use shall be located behind the structure or shall utilize the existing garage or carport and the driveway leading to these structures.

C. Handicapped parking and its associated signage, ramps, railings and platforms shall be located at the rear or side of the building.
D. Signage for the office use shall be of a scale and design that complements the architectural style of the building.
MU Zone (Mixed Use)

Sections

17.21.01 Purpose
17.21.02 Application
17.21.03 Conditional Uses
17.21.04 Site Plan Review
17.21.05 Development Standards
17.21.06 Fences, Walls and Hedges
17.21.07 Off-Street Parking and Loading Facilities
17.21.08 Signs
17.21.09 Landscaping
17.21.10 Design Standards

17.21.01 Purpose

The purpose of the Mixed Use (MU) district is to implement the goals and policies of the Exeter General Plan, Land Use Element; the Exeter Downtown Specific Plan and the Southwest Exeter Specific Plan. The MU district is intended to allow for a combination of residential, office and commercial uses. The district does not permit service commercial or industrial uses given that these land use categories can creating noise, odor, vibration, visual and traffic impacts that would adversely impact adjoining uses in the mixed use project.

17.21.02 Application

All projects proposed for the MU district shall be processed through Exeter’s conditional use permit process detailed in Chapter 17.49 Conditional Use Permits. All use permit applications shall be accompanied by a project master plan the requirements of which are described in Section 17.21.09 of this chapter.
17.21.03  Conditional Uses

Any combination of uses listed as a permitted or conditional use in the following zone districts:  R-1, RM-3, RM-1.5, CN, PO or CC.

17.21.04  Site Plan Review

No development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.54 Site Plan Review.

17.21.05  Development Standards

The following development standards together with applicable standards contained in a combining district, if applicable, shall apply to all land and structures within this district.

A.  Site Area

   The minimum parcel size shall be 5,000 square feet.

B.  Lot Frontage and Depth

   No requirement.

C.  Building Height

   The maximum height of commercial structures shall be 35 feet.

D.  Yards

   1.  Front:  No requirement.

   2.  Side:  No requirement unless the subject property abuts a residential district, wherein the minimum side yard shall be 10 feet.

   3.  Rear:  No requirement unless the subject property abuts a residential district, wherein the minimum side yard shall be 10 feet.

17.21.06  Fences, Walls and Hedges

A.  Where a mixed-use development abuts a residential district, a 7-foot solid block wall shall be constructed between the two uses. Where appropriate, the two uses should be connected by means of a pedestrian walkway.

B.  If a parking lot abuts a public sidewalk, a 3-foot fence, wall or hedge shall be constructed between the two features.
Exhibit 21-1: MU Zone Development Standards

**17.21.07 Off-Street Parking and Loading Facilities**

A. Uses in the MU District shall provide off-street parking consistent with Chapter 17.68 Parking and Loading.

B. Parking lots constructed in MU district shall be designed and constructed so that within five years of construction, 50 percent of the parking lot is shaded by trees.

C. Parking lots shall be separated from buildings by raised sidewalks or curbing.

D. Parking lots for uses that require a large number of parking stalls should be divided into a series of connected parking lots.

E. Parking lots shall be designed to accommodate solid waste pick-up as well as off-loading of goods.

**17.21.08 Signs**

Signs shall be consistent with the requirements detailed in Chapter 17.69 Signs.
17.21.09 Landscaping

A. A landscaping and irrigation plan shall be submitted on all mixed-use developments to the Planning Director for review and approval. If the landscaping area exceeds 2,500 square feet, the landscaping and irrigation plan shall comply with the regulations contained in Chapter 17.66 Landscaping, Irrigation and Grading.

B. The landscaping and irrigation plan shall show a tree-planting scheme in the parking lot that will result in 50 percent of the parking lot being shaded within five years.

C. The landscaping and irrigation plan shall provide for a minimal amount of turf and shall incorporate a variety of xerophytic plants.

D. Parking lots should be screened from adjacent public roadways by low walls and/or hedges.

E. Vines and climbing plants should be used on buildings, trellises and perimeter garden walls in order to soften the appearance on the buildings.

F. All trash enclosures shall be surrounded by a 6-foot solid block wall and shall be covered by a trellis system. The gate shall be metal.

17.21.10 Design Standards

A. Large buildings shall be designed to avoid the appearance of a box-like structure.

B. Roof lines should not run in a continuous plane for more than 50 feet without offsetting or jogging the roofline.

C. Wall planes should not run for more than 50 feet without a change in plane, color or material.

D. Where appropriate, the use of awnings is encouraged.

E. The scale, appearance, architectural style, height, and building materials of surrounding residential neighborhoods should be given consideration when the neighborhood commercial buildings are being designed.

F. Ground floor uses shall be restricted to office and retail commercial uses. Second and third floor uses shall be restricted to office and residential uses.
17.22.01 Purpose

The purpose of the Neighborhood Commercial district is to provide for the development of small scale, low intensity commercial uses that serve the daily needs of residential neighborhoods that are in close proximity to the shopping center. The design of neighborhood commercial centers shall be of a scale and design that is compatible with the surrounding residential neighborhoods. In addition, the design of the center should provide for pedestrian access from surrounding neighborhoods.

The types of permitted and conditional uses that would be allowed in a neighborhood commercial center would be limited to uses that local residents would require on a daily basis including small scale grocery stores, barber and beauty shops, clothes cleaning establishments, banks and restaurants.

17.22.02 Permitted Uses

The following uses are permitted in the CN district.
A. Professional offices.
B. Retail stores and service establishments that supply commodities or services that meet the convenience needs of residents from one or more neighborhoods.
C. Bakery.
D. Bank.
E. Barber and beauty shops.
F. Drug stores.
G. Dry cleaning establishments.
H. Gift shops.
I. Medical clinics.
J. Food stores, delicatessens, and convenience stores.
K. Newsstand and magazine stores.
L. Restaurants.
M. Self-service laundry and dry cleaning establishments.
N. Drainage basins, water well sites, and utility facilities, including electrical substations, elevated pressure tanks, and communication equipment buildings.
O. Other uses that are added to this list by the Planning Director consistent with Chapter 17.02 General Provisions.

17.22.03 Conditional Uses

The following conditional uses may be permitted in accordance with the provisions of Chapter 17.52 Conditional Use Permits.

A. Churches and other religious institutions.
B. Cafes and restaurants serving alcoholic beverages.
C. City, county, state or federal administrative offices, libraries, police and fire stations.
D. Single-family dwellings; provided, that such dwellings are for the exclusive use of the person or persons owning or operating the commercial use on the same site; and further provided, that each site so used shall be subject to the use, site area, coverage and yard requirements of the R-3 district.

**17.22.04 Site Plan Review**

No development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.56 Site Plan Review.

**17.22.05 Development Standards**

A. Site Area

The minimum parcel size shall be 6,000 square feet and the maximum parcel size shall be five acres.

B. Lot Frontage and Depth

No requirement.

C. Building Height

The maximum height of commercial structures shall be 35 feet; the maximum height of accessory structures shall be 15 feet.

D. Yards

1. Front: 15 feet

2. Side: No requirement unless the subject property abuts a residential district, wherein the minimum side yard shall be 10 feet.

3. Rear: No requirement unless the subject property abuts a residential district, wherein the minimum side yard shall be 10 feet.
17.22.06  Fences, Walls and Hedges

A.  Front Yards:  Fences, walls and hedges shall not exceed three feet in height.  A fence or wall may be four feet in height if more than 50 percent of the structure is see-through.

B.  Rear and Side Yards:  Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.

C.  Where the neighborhood shopping center abuts a residential district, a 7-foot solid block wall shall be constructed between the two uses.  Where appropriate, openings should be provided to allow pedestrians to travel between the two uses.
17.20.07 Off-Street Parking and Loading Facilities

A. Uses in the CN District shall provide off-street parking consistent with Chapter 17.76 Parking and Loading.

B. Parking lots constructed in CN district shall be designed and constructed so that within five years of construction, 50 percent of the parking lot is shaded by trees.

C. Parking lots shall be separated from buildings by raised sidewalks or curbing.

D. Parking lots for uses that require a large number of parking stalls should be divided into a series of interconnected parking lots.

E. Parking lots shall be designed to accommodate solid waste pick-up.

17.22.08 Signs

Signs shall be consistent with the requirements detailed in Chapter 17.74 Signs.

17.22.09 Landscaping

A. A landscaping and irrigation plan shall be submitted on all neighborhood commercial shopping centers to the City Planner for review and approval. If the landscaping area exceeds 2,500 square feet, the landscaping and irrigation plan shall comply with the regulations contained in Chapter 17.66 Landscaping, Irrigation and Grading.

B. The landscaping and irrigation plan shall show a tree-planting scheme in the parking lot that will result in 50 percent of the parking lot being shaded within five years.

C. The landscaping and irrigation plan shall provide for a minimal amount of turf and shall incorporate a variety of xerophytic plants, mulch to reduce water use, and an automated irrigation system that incorporates water conservation technology, including drip irrigation, smart irrigation controllers, and low-flow irrigation heads.

D. Parking lots should be screened from adjacent public roadways by low walls and/or hedges.

E. Vines and climbing plants should be used on buildings, trellises and perimeter garden walls in order to soften the appearance on the buildings.
F. All trash enclosures shall be surrounded by a 6-foot solid block wall and shall be covered by a trellis system. The area around the enclosure shall be landscaped. The gate to the enclosure shall be constructed of metal.

17.22.10 Design Standards

A. Large buildings shall be designed to avoid the appearance of a box-like structure.

B. Rooflines shall not run in a continuous plane for more than 50 feet without offsetting or jogging the roof line.

C. Wall planes shall not run for more than 50 feet without a change in plane, color or material.

D. Where appropriate, the use of awnings is encouraged. Use simple awning shapes and profiles which reflect the facade composition and geometry of the building. Set individual awning between the vertical elements of the ground floor storefront such as piers, pilasters, shop divisions, second floor entries and the like.

E. The scale, appearance, architectural style, height, and building materials of surrounding residential neighborhoods should be given consideration when the neighborhood commercial buildings are being designed.
CC Zone (Central Commercial)

Sections

17.24.01 Purpose
17.24.02 Permitted Uses
17.24.03 Conditional Uses
17.24.04 Prohibited Uses
17.24.05 Site Plan Review
17.24.06 Development Standards
17.24.07 Off-Street Parking and Loading Facilities
17.24.08 Signs
17.24.09 Landscaping/Streetscape
17.24.10 Design Standards
17.24.11 Special Conditions

17.24.01 Purpose

The CC district is intended primarily to serve as the central district of Exeter. This district permits the accommodation and enhancement of several existing dominant functions within the central business district including shopping, retailing goods of a durable nature and office uses, as well as serving as the financial, government, retail and entertainment center of Exeter.

17.24.02 Permitted Uses

A. Professional offices.

B. Parking lots.

C. Retail stores and service establishments.

D. Apparel, shoe, and jewelry stores.
E. Art and antique stores; art galleries, art supply stores, and art and craft schools

F. Automobile sales, new vehicles.

G. Automobile supply stores.

H. Bakery, food, and dairy product stores.

I. Banks and other lending institutions.

J. Barber and beauty shops.

K. Coffee, candy, florist, tobacco and health food stores.

L. Department, drug and appliance stores.

M. Fire and police stations.

N. Hardware stores

O. Hotels and motels

P. Liquor stores and bars

Q. Locksmiths

R. Florists

S. Farm equipment sales and service

T. Mortuaries

U. Restaurants, coffee shops and delicatessens

V. Theaters and auditoriums

X. Garden shops

Y. Music and dance studios

Z. Reproduction and printing centers

AA. Glass stores with incidental repair and service
BB. Apartments over or behind permitted uses consistent with the standards of the RM-1.5 district.

CC. Other uses that are added to this list by the Planning Director consistent with Chapter 17.02 General Provisions.

17.24.03 Conditional Uses

A. Bus depots and transit stations.

B. Cocktail lounges and night clubs

C. City, county, state and federal administrative offices and libraries.

D. Convenience stores.

E. Drive-in restaurants.

F. Electrical, gas or utility substations; above ground water tanks, or pumping stations.

G. Service stations.

H. Pawnshops and secondhand stores

I. Pool halls or card rooms.

J. Car washes, automated and self-service.

17.24.04 Prohibited Uses

A. Adult book stores

B. Marijuana dispensaries.

C. Sexually-oriented businesses.

D. Tattoo parlors

E. Palm readers and fortune tellers
**17.24.05 Site Plan Review**

No development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.54 Site Plan Review. The site plan review process will not pertain to existing vacant buildings that are occupied by permitted uses.

**17.24.06 Development Standards (see also Exhibit 24-1)**

A. Site Area: No requirements

B. Lot Frontage and Depth
   1. Lot frontage: No requirement.
   2. Depth: No requirement.

C. Building Height: 45 feet

D. Yards
   1. Front: No requirement.
   2. Side: No requirement, except where the CC district abuts a R or PO zone district in which case the side yard requirement shall be 10 feet.
   3. Rear: No requirement, except where the CC district abuts a R or PO zone district in which case the side yard requirement shall be 10 feet.

**17.24.07 Off-Street Parking and Loading Facilities**

A. Uses in the CC District shall provide off-street parking consistent with Chapter 17.68 Parking and Loading.

B. Parking lots shall be separated from buildings by raised sidewalks or curbing.

C. Parking lots shall be designed to accommodate solid waste pick-up.

D. Parking lots shall be located to the side or to the rear of new buildings proposed for construction in the C-C district.
**Exhibit 24-1: Zoning Standards**

- **Min Parcel Size:** No requirement.
- **Lot Frontage and Depth:** No requirement.
- **Side Yards:** None, except that a 10-foot setback is required when the site abuts a residentially zoned parcel.
- **Front Yard:** No requirement.
- **Rear Yard:** None, except that a 10-foot setback is required when the site abuts a residentially zoned parcel.
- **Max. Building Height:** 45' Max.
- **Fencing:** Front yard fencing may be up to 3-feet high (four feet if top one foot is of open "see-through" material). 7-foot tall fencing is required along property lines separating a commercially zoned parcel from a residentially zoned parcel. Openings should be provided to allow pedestrian connection. Fences shall not exceed 7 feet in height anywhere on the site.
- **Landscaping:** shall be provided according to standards in Section 17.24.09 and Chapter 17.66.
- **Parking:** shall be provided according to standards in Chapter 17.76. New parking lots shall be situated to the rear or side of buildings in the CC zone.
- **Parking lots shall include trees and landscaping for a shading factor of 50% within five years.**
- **Design standards** contained in Chapter 17.48 (Downtown Design Combining District) shall be applied.

### 17.24.08 Signs

A. **Signs** shall be consistent with the requirements detailed in Chapter 17.69 Signs.

B. Use of a comprehensive sign plan shall be required for all new and restored buildings that contain two or more business establishments. **Signs** shall be unified in design.

C. Appropriate sign material should include the following:

1. **Wood panels.**
2. **Metal.**
3. Individually mounted letters of wood, metal, or vinyl.
D. Sign materials must be compatible with the building design or architecture.

E. Sign illumination shall be by indirect means such as concealed or inconspicuous spot lights or backlighting.

17.24.09 Landscaping/Streetscape

A. Landscaping can be provided in containers that are located in the front of a store front. A minimum of six feet of sidewalk shall remain open and clear for pedestrian passage.

B. Placement of tables, chairs, signs and umbrellas on the public sidewalk of public use, directly in front of a given business is permitted subject to review and approval of the City Planner. A minimum of six feet of sidewalk shall remain open and clear for pedestrian passage.

C. Furniture and trash receptacles shall be removed daily prior to the closing of business.

17.24.10 Design Standards

Development shall be consistent with the design guidelines in Chapter 17.46 Downtown Design Overlay District.

17.24.11 Special Conditions

A. All processes, businesses and services shall be conducted entirely within a completely enclosed structure, except for off-street parking and off-street loading areas, gasoline sales, outdoor dining areas, nurseries, Christmas tree sales lots, bus depots, and public utility stations.

B. No use shall be permitted, and no processes, equipment, or materials shall be used which are found to be injurious to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare of unsightliness or to involve any hazard of fire or explosion.
CS Zone (Service Commercial)

Sections

17.26.01 Purpose
17.26.02 Permitted Uses
17.26.03 Accessory Uses
17.26.04 Conditional Uses
17.26.05 Site Plan Review
17.26.06 Development Standards
17.26.07 Fences, Walls and Hedges
17.26.08 Off-Street Parking and Loading Facilities
17.26.09 Signs
17.26.10 Landscaping
17.26.11 Design Standards
17.26.12 Special Conditions

17.26.01 Purpose

The purpose of the Service Commercial (CS) district is to provide locations for wholesale and heavy commercial uses and service establishments that are not suited for other commercial zones. It also provides areas for certain light industrial uses which manufacture, assemble or package products within buildings and which do not emit fumes, odor, dust, smoke or gas.

The service commercial uses shall be developed in buildings and complexes that exhibit high standards of design, including sites where generous amounts of landscaping, screen outdoor storage, repair and assembling areas from the public’s view and where the impact of noise, vibrations, and light on surrounding properties are minimized.

17.26.02 Permitted Uses

A. Auto repair garages and associated operations
B. Glass shops
C. Gun shops
D. Heating, air conditioning and sheet metal shops
E. Household and office equipment and machinery repair
F. Laundries and linen supply services
H. Lumber yards
I. Machinery sales and rentals
J. Motorcycle sales and repair
K. Nurseries and garden supply stores
L. Plumbing and sheet metal shops
M. Printing, lithographic and engraving
N. Public utility yards
O. Refrigeration equipment sales and service
P. Rug and carpet cleaning
Q. Safe and vault manufacturing and repair
R. Sign painting shops
S. Stone and monument yards
T. Storage garages and yards, warehouses and mini-storage facilities
U. Tire sales and service, upholstery shop, radiator shops, body and fender shops
V. Welding and blacksmith shops
W. Wholesale establishments
X. Offices and retail stores incidental to and on the same site with a service commercial establishment.
Y. Utility and water works facilities

Z. Other uses that are added to this list by the Planning Director consistent with Chapter 17.02 General Provisions.

17.26.03 Accessory Uses

Those uses and structures incidental to the commercial use of the land, including trash storage areas and bins; required loading and unloading facilities; radio and television antennas; storage and use of fuels for fleet use; showrooms and administration offices; and other uses and structures, which are determined by the Planning Director to be incidental to the commercial use of the land.

17.26.04 Conditional Uses

A. Public buildings and grounds.

B. Churches and other religious institutions

C. Small-animal boarding, hospitals, clinics, kennels and veterinarians

D. All uses permitted in the ML district.

E. Other uses that are added to this list by the Planning Director consistent with Chapter 17.02 General Provisions.

17.26.05 Site Plan Review

No development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.54 Site Plan Review.

17.26.06 Development Standards (see also Exhibit 26-1)

A. Site Area

The minimum site area shall be 10,000 square feet.

B. Lot Frontage and Depth

No requirement.

C. Building Height
The maximum height shall be 45 feet. The maximum height of accessory structures shall be 35 feet.

D. Yards

1. Front: 15 feet

2. Side: except where the CS district abuts a R district in which case the side yard requirement shall be 10 feet.

3. Rear: No requirement, except where the CS district abuts a R district in which case the rear yard requirement shall be 10 feet.

Exhibit 26-1: Zoning Standards
17.26.07 Fences, Walls and Hedges

A. Where the CS district abuts a R district, a 7-foot solid block wall shall be constructed on the property line that separates the two districts.

B. The outdoor storage of equipment or materials shall be screened from the view of any adjoining public right-of-way with a 7-foot solid block wall, or 7-foot chain-linked fence with slats and landscaping.

C. Fencing in the front yard shall be limited to wrought-iron fencing.

17.26.08 Off-Street Parking and Loading Facilities

Off-street parking and loading facilities shall be provided for each use as required by Chapter 17.68 Parking and Loading.

17.26.09 Signs

Signs shall be consistent with the requirements detailed in Chapter 17.69 Signs.

17.26.10 Landscaping

A landscaping and irrigation plan shall be submitted to the City Planner for review and approval. If the landscaped area exceeds 2,500 square feet in area, the landscaping and irrigation plan shall be prepared consistent with Chapter 17.66 Landscaping, Irrigation and Grading.

17.26.11 Design Standards

A. All metal buildings shall be designed with a front facade that is composed of a material other than metal, including stucco, brick, rock or wood. The front facade of these buildings shall contain a recognizable bulkhead, cornice and combination of window and door openings. These openings can be accented with awnings.

B. All front yard fencing shall be wrought-iron or wrought-iron with columns composed of brick, stucco, concrete or some combination.

17.26.12 Special Conditions

No use shall be permitted, and no processes, equipment, or materials shall be used which are found to be injurious to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare of unsightliness or to involve any hazard of fire or explosion.
The purpose of the Highway Commercial (CH) district is to provide locations along arterial roadways to afford the traveling public the opportunity to take advantage of the provision of certain goods and services, including hotel and motel services, and the sale of food, gasoline, and commodities grown in the region.

Highway commercial uses shall be developed in buildings and complexes that exhibit high standards of design, including sites that include generous amounts of landscaping, ample on-site parking, properly scaled signage and buildings that are attractive and are consistent with the scale of Exeter.
17.30.02 Permitted Uses

A. Bus depots and transit stations
B. Convenience stores
C. Fruit stand
D. Hotels and motels
E. Parking lots
F. Public utility structures, services and facilities, including gas and electrical distribution and transmission substations, gas regulator stations and public service pumping stations
G. Private clubs and lodges
H. Repair garages associated with a service station
I. Restaurants, including drive-in restaurants
J. Service stations
K. Other uses that are added to this list by the Planning Director, which are consistent with Chapter 17.02 General Provisions

17.30.03 Accessory Uses

Those uses and structures incidental to the commercial use of the landing including, trash storage areas and bins; required loading and unloading facilities; radio and television antennas; the storage and use of fuels for fleet use; and other uses and structures which are determined by the Planning Director to be incidental to the commercial use of the land.

17.30.04 Conditional Uses

A. Churches and other religious institutions
B. Golf driving ranges; miniature golf; race tracks; riding facilities; and other similar commercial recreational facilities.
C. Public buildings and grounds
D. Trailer parks and courts

E. Car washes

17.30.05 Site Plan Review

No development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.54 Site Plan Review.

17.30.06 Development Standards (see also Exhibit 30-1)

A. Site Area

The minimum site area shall be 10,000 square feet.

B. Lot Frontage and Depth

No requirement.

C. Building Height

The maximum height shall be 45 feet. The maximum height of accessory structures shall be 35 feet.

D. Yards

1. Front: 20 feet

2. Side: None, except where the CH district abuts a R district in which case the side yard requirement shall be 10 feet.

3. Side yard that abuts a street: 20 feet

4. Rear: No requirement, except where the CH district abuts a R district in which case the rear yard requirement shall be 10 feet.

17.30.07 Fences, Walls and Hedges

A. Where the CH district abuts a R district, a 7-foot solid block wall shall be constructed on the property line that separates the two districts.
B. The outdoor storage of equipment or materials shall be screened from the view of any adjoining public right-of-way with a 6-foot solid block wall, or 6-foot chain-linked fence with slats and landscaping.

C. Fencing in the front yard shall be limited to wrought-iron fencing.

**Exhibit 30-1: Zoning Standards**

- **Min Parcel Size:** 10,000 square feet
- **Lot Frontage and Depth:** No requirement
- **Rear Yard:** None, except that a 10 foot setback is required when the site abuts a residentially zoned parcel.
- **Max. Building Height:** 45' Max
- **Accessory structures may be up to 35 feet high.**
- **Street side yard:** 20 feet minimum
- **Fencing:**
  - 7-foot high solid block fencing required where the site abuts a residentially-zoned parcel.
  - Front yard fencing is limited to wrought-iron.
  - Outdoor storage of materials and equipment must be screened by solid fencing not less than 6 feet high.

**Landscaping** shall be provided according to standards in Chapter 17.66

**Parking** shall be provided according to standards in Chapter 17.76

Parking lots shall include trees and landscaping for a shading factor of 50% within five years.

Site Plan shall adhere to **Design Standards** contained in Section 17.30.11.

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**17.30.08 Parking and Loading**

Off-street parking and loading facilities shall be provided for each use as required by Chapter 17.68 Parking and Loading.
17.30.09 Signs

Signs shall be consistent with the requirements detailed in Chapter 17.69 Signs.

17.30.10 Landscaping

A landscaping and irrigation plan shall be submitted to the City Planner for review and approval. If the landscaping area exceeds 2,500 square feet, the landscaping and irrigation plan shall comply with the regulations contained in Chapter 17.66 Landscaping, Irrigation and Grading.

17.30.11 Design Standards

A. The highway commercial project shall not contain more than two access driveways per street.

B. Outdoor storage, loading and equipment areas shall be screened from public view.

C. Large, blank unarticulated wall surfaces that are visible from the public right-of-way shall be discouraged.

D. Utilize low profile walls and landscaping to screen parking lots from the public right-of-way. Earthen berms can also be used to screen the parking lot.

E. Entryways into a parking lot shall be bracketed by landscaped bulbouts. These bulbouts may also contain monument signs or directional signs.

F. Where a highway commercial development occupies a corner lot, the corner shall be articulated with landscaping, low profile walls and signage, lighting and hardscape.

G. Parking lots with more than 20 stalls shall be provided with raised, landscaped medians that will be planted with shade trees. Within five years of the completion of the parking lot, the selected shade trees should shade at least 50 percent of the parking lot.

H. Lighting should be used to illuminate on-site areas such as parking, loading and pathways. Adjacent residential properties shall not be illuminated by a highway commercial use.

I. All roof-mounted equipment shall be screened from public view.
I Zone (Industrial)

Sections

17.32.01 Purpose
17.32.02 Permitted Uses
17.32.03 Accessory Uses
17.32.04 Conditional Uses
17.32.05 Site Plan Review
17.32.06 Development Standards
17.32.07 Fences, Walls and Hedges
17.32.08 Off-Street Parking and Loading Facilities
17.32.09 Signs
17.32.10 Landscaping
17.32.11 Design Standards
17.32.12 Performance Standards

17.32.01 Purpose

The purpose of the Industrial (I) district is to provide appropriate locations in the community for industrial uses and related activities. The development shall be consistent with the Exeter General Plan and be limited to industrial and service commercial uses. Regulations are designed to promote the following: (1) to protect appropriate areas for industrial use from intrusion by residences and other harmonious uses, (2) to provide opportunities for certain types of industrial uses to concentrate in mutually beneficial relationships to each other; (3) to provide adequate space to meet the needs of modern industrial development, including truck parking, off-street parking and loading; (4) to provide industrial employment opportunities for residents of the region; and (5) to operate in a manner that protects the public health, safety and welfare by insuring that potential harmful impacts such as noise, vibration, noxious fumes, fire, and explosions, are avoided.
17.32.02 Permitted Uses

A. All uses permitted in the service commercial district.

B. Agricultural packing houses, cold storage, box manufacturing and growing/harvesting of crops.

C. Assembly of appliances, equipment, and other goods.

D. Manufacturing of equipment, ceramic products, merchandise, food products, and other chemicals.

E. Engine repair, paint and machine shops.

F. Public utility and public service structures and facilities such as communication equipment buildings, electric distribution substations, electric transmission substations, gas regulator stations, public utility service yards, reservoir and storage tanks.

G. Lumber yards, feed and seed stores, and general storage yards.

H. Sexually oriented businesses pursuant to Chapter 17.65 Sexually Oriented Businesses.

I. Food lockers

J. Food products manufacturing

K. Cogeneration facility

L. Gasoline service stations, including dispensing of diesel fuel and truck service.

M. Recycling facilities.

N. Offices, retail stores and living quarters incidental to and on the same site as the industrial or service commercial use.

O. Other uses that are added to this list by the Planning Director consistent with Chapter 17.02 General Provisions.

17.32.03 Accessory Uses

Those uses and structures incidental to the industrial use of the land including, trash storage areas and bins; required loading and unloading facilities; radio and television
antennas; the storage and use of fuels for fleet use; and other uses and structures, which are determined by the Planning Director to be incidental to the industrial use of the land.

17.32.04  Conditional Uses

A. Breweries, distilleries, and wineries
B. Building materials manufacturing
C. Carpet and rug manufacturing
D. Cement plant
E. Clay pipe manufacturing
F. Agricultural chemicals, storage and distribution
G. Chemical manufacturing
H. Heavy equipment and machinery manufacturing
I. Meat processing and packing
J. Paper, metal and plastic manufacturing
K. Recycling operations, including storage, sorting, baling, and crushing
L. Hazardous waste facility
M. Waste water treatment facility pursuant to the requirements in Chapter 17.64
Special Uses
N. Wood processing and lumberyards
O. Other uses that are added to this list by the Planning Director consistent with Chapter 17.02 General Provisions.

17.32.05  Site Plan Review

No development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.54 Site Plan Review.
17.32.06 Development Standards (see also Exhibit 32-1)

A. Site Area

The minimum site area shall be 20,000 square feet.

B. Lot Frontage and Depth

Each lot shall have a width to depth ratio of not less one to three.

C. Building Height

The maximum building height shall be 45 feet. The maximum height of accessory structures shall be 75 feet.

D. Yards

1. Front: 15 feet

2. Side: No requirement except where the I district abuts an R district in which case the side yard requirement shall be 10 feet.

3. Rear: No requirement, except where the I district abuts an R district in which case the rear yard requirement shall be 10 feet.

17.32.07 Fences, Walls and Hedges

A. Where the I district abuts a R district; a 7-foot solid block wall shall be constructed on the property line that separates the two districts.

B. The outdoor storage of equipment or materials shall be screened from the view of any adjoining public right-of-way with a 7-foot solid block wall, or 6-foot chain-linked fence with slats and landscaping.

C. Fencing in the front yard shall be limited to wrought-iron fencing.

17.32.08 Off-Street Parking and Loading Facilities

Chapter 17.68 Parking and Loading shall provide off-street parking and loading facilities for each use as required.
17.32.09  Signs

Signs shall be consistent with the requirements detailed in Chapter 17.69 Signs.

17.32.10  Landscaping

A. A landscaping and irrigation plan shall be submitted to the City Planner for review and approval. If the landscaping area exceeds 2,500 square feet, the
landscaping and irrigation plan shall comply with the regulations contained in Chapter 17.66 Landscaping, Irrigation and Grading.

B. The landscaping and irrigation plan shall show a tree-planting scheme in the parking lot that will result in 50 percent of the parking lot being shaded within five years.

C. The landscaping and irrigation plan shall provide for a minimal amount of turf and shall incorporate a variety of xerophytic plants, mulch to reduce water use, and an automated irrigation system that incorporates water conservation technology, including drip irrigation, smart irrigation controllers, and low-flow irrigation heads.

D. All trash enclosures shall be surrounded by a 6-foot solid block wall and shall be covered by a trellis system. The area around the enclosure shall be landscaped. The gate to the enclosure shall be constructed of metal.

17.32.11 Design Standards

A. All metal buildings shall be designed with a front facade that is composed of a material other than metal, including stucco, brick, rock or wood. The front facade of these buildings shall contain a recognizable bulkhead, cornice and combination of window and door openings. These openings can be accented with awnings.

B. All front yard fencing shall be wrought-iron or wrought-iron with columns composed of brick, stucco, concrete or some combination thereof.

C. Parking aisles should be separate from loading and unloading routes to improve vehicular circulation.

D. Common driveways to industrial sites that have multiple tenants are encouraged.

E. Parking lot driveways should be located as far as possible from street intersections. The number of access points onto a public roadway should be kept to a minimum.

F. A buffer area shall be established between public roadways and parking lots and loading and unloading zones. This area shall be landscaped and provided with an automated irrigation system. Low walls and decorative fencing may be installed in this area.

G. Parking lots shall be designed so that solid waste pick-up can be accommodated without requiring excessive backing up by solid waste trucks.
H. Loading facilities should be located out of view of the public right-of-way. Loading docks are most appropriately located at the rear of buildings. Public roadways shall not be used during the loading and unloading of materials or goods.

I. All roof-mounted equipment shall be screened from public view.

J. New development should be designed with a precise concept for signage, including provisions for sign placement, scale, and sign readability. The design of individual signs should be integrated with building architecture, in terms of materials, colors and texture.

K. Exterior lighting to provide illumination for the security and safety of on-site areas such as parking, loading, shipping and receiving, and other work areas is encouraged.

L. Exterior lighting shall be designed and directed to only illuminate the subject site.

17.32.12 Performance Standards

A. In the I district, all open and unlandscaped portions of any lot shall be maintained in good condition, free from weeds, dust, trash and debris.

B. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the Planning Commission to be injurious to persons residing or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, noise, vibrations, illumination, glare or heavy truck traffic, or to involve any hazard of fire, explosion, or to emit electrical disturbances which adversely affect commercial or electronic equipment outside the boundaries of the site.

C. No solid or liquid wastes shall be discharged into a public or private sewage disposal system except in compliance with the regulations of the owners of the system, and local, state and federal agencies that regulate disposal of these wastes.

D. In the I district, all uses shall be subject to the regulations of local, state and federal air quality agencies.
CHAPTER 38

O Zone (Open Space)

Sections

17.38.01 Purpose
17.38.02 Permitted Uses
17.38.03 Accessory Uses
17.38.04 Conditional Uses
17.38.05 Site Plan Review
17.38.06 Development Standards
17.38.07 Fences, Walls and Hedges
17.38.08 Off-Street Parking
17.38.09 Signs

17.38.01 Purpose

The purpose of the Open Space (O) district is to provide appropriate locations in the community for a wide range of open space uses, such as parks and playgrounds, cultural and educational facilities, public infrastructure systems and environmentally sensitive areas and agriculture. The O district will be matched with the “open space” designation detailed in the Land Use Element of Exeter’s General Plan to ensure consistency between Exeter’s zoning ordinance and general plan.

17.38.02 Permitted Uses

A. Parks, playgrounds, and botanical gardens
B. Cemeteries
C. Drainage basins
D. Environmentally sensitive lands, including wetlands, reservoirs, and floodplains
E. Golf courses
F. Growing and harvesting of agricultural crops

17.38.03 Accessory Uses

Those uses and structures incidental to the open space use of the land, including trash storage areas and bins; required loading and unloading facilities; parking lots; the storage and use of fuels; agricultural accessory buildings and other uses and structures that are determined by the Planning Director to be incidental to the open space use of the land.

17.38.04 Conditional Uses

A. Public and quasi-public uses of an educational or religious type, including public and parochial elementary schools, junior high schools, high schools, nursery schools; private nonprofit schools and colleges; churches, parsonages, parish houses, monasteries, convents and other religious institutions.

B. Public uses of an administrative, recreational public service, or cultural type, including city, county, state or Federal administrative centers, libraries, museums, art galleries, police and fire stations, and other public buildings, structures and facilities.

17.38.05 Site Plan Review

No development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.54 Site Plan Review.

17.38.06 Development Standards (see also Exhibit 38-1)

A. Site Area

The minimum site area shall be 10,000 square feet.

B. Lot Frontage and Depth

No requirement.

C. Building Height

The maximum height shall be 35 feet. The maximum height of accessory structures shall be 15 feet.
D. Yards

1. Front: 25 feet

2. Side: except where the O district abuts an R district, in which case the side yard requirement shall be 10 feet.

3. Rear: No requirement, except where the O district abuts an R district, in which case the rear yard requirement shall be 10 feet.

Exhibit 38-1: Zoning Standards
17.38.07 Fences, Walls and Hedges

A. Front Yards: Fences, walls and hedges shall not exceed three feet in height. A fence or wall may be four feet in height if more than 50 percent of the structure is see-through.

B. Rear and Side Yards: Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.

17.38.08 Off-Street Parking

Off-street parking shall comply with the standards contained in Chapter 17.68 Parking and Loading.

17.38.09 Signs

Signage shall comply with the standards contained in Chapter 17.69 Signs.
Chapter 40  
PF Zone (Public Facilities)

Sections

17.40.01 Purpose
17.40.02 Permitted Uses
17.40.03 Conditional Uses
17.40.04 Site Plan Review
17.40.05 Development Standards
17.40.06 Fences, Walls and Hedges
17.40.07 Off-Street Parking
17.40.08 Signs

17.40.01 Purpose

The purpose of the Public Facilities (PF) district is to provide appropriate locations in the community for a wide range of public uses that contain open space, public buildings, public grounds or infrastructure improvements. The PF district will be matched with the “open space” designation detailed in the Land Use Element of Exeter’s General Plan to ensure consistency between Exeter’s zoning ordinance and general plan.

17.40.02 Permitted Uses

A. Recreation areas, parks, public open spaces, and playgrounds.

B. Flood control channels, water pumping stations and reservoirs, irrigation ditches and canals; and storm water basins.

C. Botanical Gardens

D. School farms

E. Dog Parks
17.40.03 Conditional Uses

A. Elementary, junior high and high schools; and colleges.

B. Fire stations

C. Post Office

D. Cemetery

E. Wastewater Treatment Facilities

17.40.04 Site Plan Review

No development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.54 Site Plan Review.

17.40.05 Development Standards (see also Exhibit 40-01)

A. Site Area

The minimum site area shall be 10,000 square feet.

B. Lot Frontage and Depth

No requirement.

C. Building Height

The maximum building height shall be 35 feet. The maximum height of accessory structures shall be 15 feet.

D. Yards

1. Front: 25 feet

2. Side: No requirement, except where the PF district abuts a R district in which case the side yard requirement shall be 10 feet.

3. Rear: No requirement, except where the PF district abuts a R district in which case the rear yard requirement shall be 10 feet.
Exhibit 40-1: Selected Zoning Standards

17.40.06 Fences, Walls and Hedges

A. Front Yards: Fences, walls and hedges shall not exceed three feet in height. A fence or wall may be four feet in height if more than 50 percent of the structure is see-through.

B. Rear and Side Yards: Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.

17.40.07 Off-Street Parking

Off-street parking shall comply with the standards contained in Chapter 17.68 Parking and Loading.

17.40.08 Signs

Signage shall comply with the standards contained in Chapter 17.69 Signs.
PD Zone (Planned Development Overlay)

Sections

17.42.01 Purpose
17.42.02 Applicability
17.42.03 Permitted Uses
17.42.04 Conditional Uses
17.42.05 Application Requirements
17.42.06 Site Plan Review
17.42.07 Planned Single-Family Residential Development Standards

17.42.01 Purpose

The purpose of the planned development (PD-X) overlay district is to promote development designs that respond to significant planning-related issues facing Valley cities, including urbanization of agricultural land, air quality, housing affordability, traffic, aesthetics and neighborhood deterioration. This new approach to development design has been popularized by the term “smart growth”. The basis for this type of growth is revealed in the following documents: Ahwanee Principles, Landscaping of Choice and Ten Planning Principles for the Next 10 Million.

The planned development overlay district is structured to produce a comprehensive development that is superior to traditional development of the recent past. In addition to better design strategies, a development constructed in an overlay zone will have less of an impact on the environment and will be consist with recent State legislation - AB 32 and SB 375, which attempts to curb the impacts of climate change.
17.42.02 Applicability

This overlay district can be combined with any single family, multi-family or neighborhood commercial district identified in the zoning ordinance. For purposes of identification, an established PD overlay district shall be suffixed with the zoning notation of the district with which it is combined (e.g. PD-R-1 or PD-CN).

17.42.03 Permitted Uses

Uses listed on the permitted use list of the district to which the planned development district is being overlayed.

17.42.04 Conditional Uses

Uses listed on the conditional use list of the district to which the planned development district is being overlayed.

17.42.05 Application Requirements

Prior to filing an application for a zoning ordinance amendment to reclassify property to the planned development overlay district, the applicant shall submit to the City a development plan, which shall include the following:

A. Legal description and boundary survey map of the exterior boundaries of the land to be developed.

B. A site plan of the project consistent with Chapter 17.54 Site Plan Review of this Ordinance.

C. Front elevation drawings of the major building features of the project.

D. A phase plan, if applicable.

E. The location and general arrangement of all open space, landscaping and hardscape areas.

F. An infrastructure and utilities plan.

G. Schematic plan for adjacent properties.

17.42.06 Site Plan Review

No development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.54 Site Plan Review.
17.42.07 Planned Single-Family Residential Development Standards

The following development standards together with applicable standards specified in the single-family residential base zone shall apply to all land and structures within this planned development overlay district.

A. Minimum site area

The minimum site area for application of the planned development overlay district to single family residential districts shall be one acre.

B. Density

For single-family residential developments, the number of residential dwelling units per acre shall not exceed the density permitted by the base zone district.

C. Height

The maximum height of a structure shall be consistent with the requirements of the base zone.

D. Coverage

The maximum building coverage of a lot shall be consistent with the requirements of the base zone.

E. Minimum Lot Size

The minimum lot size of single-family residential lots may be 5,000 square feet, except in the case of the RA and R-1-10 districts where the minimum lot size shall be consistent with the minimum lot standards of these base zones.

For cottage corner lots, the minimum lot size shall be 4,000 square feet.

F. Average Lot Size

The average lot size of a subdivision created under the planned development overlay district shall not be less than the minimum lot size of the base zone (Note: the average lot size is calculated by dividing the square footage of all residential lots to be created by the number of proposed lots).
G. Lot Frontage and Depth

The minimum lot frontage of single family residential lots shall be consistent with the requirements of the base zone except in the case of the R-1-6 and R-1-7.5 zone districts in which case the minimum lot width may be as follows: interior lot, 50 feet; corner lot, 60 feet.

The minimum lot depth of single family residential lots shall be consistent with the requirements of the base zone except in the case of cottage corner lots where the minimum lot width shall be 75 feet.

H. Yards

1. Front Yard: Front yard setbacks for single family residential buildings shall be consistent with the requirements of the base zone except in the case of the R-1-6 zone district in which case 50 percent of the buildings can deviate from the front yard setback standard. Buildings that deviate from the front yard setback may have a 15-foot setback and their porches and overhangs may have a 10-foot setback. All garages shall have a front yard setback of 20 feet from rear of sidewalk or alley, and shall also at a minimum be 10 back from face of residential dwelling.

2. Side Yard: Side yard setbacks for single family residential buildings shall be consistent with the requirements of the base zone except in the case of a zero-lot-line development wherein one side yard may be zero and the opposing side yard shall be 10 feet.

3. Rear Yard: Rear yard setbacks for single family residential buildings shall be consistent with the requirements of the base zone.

I. Cottage Corner Lots

1. All cottages shall be located on corner lots. The front door of each cottage shall face a different street. A maximum of one cottage corner lot per 20 single-family residential dwellings may be constructed in a subdivision. A maximum of two cottages per corner lot shall be permitted.

2. Corner cottages shall have the following setbacks:

   a. Front yard: 15 feet
   b. Side yard: 5 feet
   c. Street side, side yard: 7.5 feet
d. Rear yard: 10 feet

3. All other development standards shall comply with the base zone district.

J. Elevations

The elevation drawings of buildings to be constructed in the planned development combining district shall be those traditional to Exeter and the San Joaquin Valley. Architectural historians familiar with the San Joaquin Valley have identified several styles common to the region. These include but are not limited to Craftsman, Art Deco, Victorian, Prairie, Spanish, and Spanish Revival to name a few.

K. Streets and Alleys

1. In order to take advantage of passive solar opportunities, most subdivision streets and alleys shall be oriented east and west.

2. Single family residential subdivisions may have local streets that have a minimum right-of-way width of 56 feet, 32 feet paved width. Tree-lined parkways shall be installed in this right-of-way. The parkway shall have a width of 7 feet; the sidewalk 5 feet.

3. Single family residential subdivisions may have cul-de-sac streets that have a minimum right-of-way width of 52 feet, 28 feet paved width. Tree-lined parkways shall be installed in this right-of-way. The parkway shall have a width of 7 feet; the sidewalk 5 feet. All cul-de-sac streets shall provide for a pedestrian opening at the end of the cul-de-sac when there is an opposing street, park or other type of public right-of-way or open space feature.

4. Alleys are permitted within residential subdivisions. Alleys shall have a right-of-way of 24 feet and a paved width of 20 feet. A concrete vee gutter is required in the middle of the alley. The non-paved portion of the right-of-way shall be landscaped and provided with irrigation. Garbage pickup shall not be permitted in the alleys.

L. Passive Solar Design

1. Eighty percent of garages will be situated on the west side of a residence that is located on an east/west street and on the south side of the residential dwelling on a north/south street.
2. Ground-mounted heating/cooling units will be situated on the east side of a residential dwelling that is located on an east/west street and on the north side of the residential dwelling on a north/south street.

3. Minimal glazing will be permitted on west-facing residential walls.

M. Neighborhood Pocket Parks

One lot of not less than the average lot size for the subdivision for every 30 lots within a subdivision shall be dedicated and improved as a neighborhood pocket park unless the Commission finds that a pocket park is not necessary because of the location of a community park. Where the Commission finds that a park is not necessary, an in lieu fee shall be paid. The amount of said fee shall be determined by the city engineer and shall be identified in a subdivision agreement.

Neighborhood pocket parks shall be centrally located and shall have a minimum parcel size of 10,000 square feet.

N. Residential Unit Design

1. Residential dwelling units can have a 15-foot front yard setback if the garage is setback a minimum distance of 25 feet from the front property line or back of sidewalk whichever distance is greater.

2. Residential dwelling units situated on corner lots shall be designed so that the garage and the front door face different streets.

3. Alleys may be incorporated into the design of a subdivision. The garages of residential dwelling units that back up to an alley shall open up to the alley, not the street.

4. If alleys are incorporated into the design of a subdivision, said alley shall be landscaped. A landscaping and irrigation plan shall be submitted to the city planner for review and approval. If the landscaped area exceeds 2,500 square feet in area, the landscaping and irrigation plan shall be prepared consistent with Chapter 17.66 Landscaping, Irrigation and Grading.

5. Rooms are permitted to be built above garages.

6. A residential dwelling unit is permitted to be built on a property line if there is a minimum distance of 10 feet between said unit and a structure on the adjacent lot.
7. A two-car carport can be built in place of a two-car garage so long as: the carport is setback 20 feet further than the setback on the house, the carport is connected to the house, the carport has the same roof pitch as the house and the roofing material is the same, and the support beams or posts are decorative in style.

8. All fencing visible from the street shall contain pilasters. These pilasters shall generally be placed as follows: where two fences intersect, where a fence and a gate intersect or at the corner of a lot.

9. All front yards and street side yards shall be landscaped and shall be provided with an automatic irrigation system. A minimum of one, 15-gallon tree per 25 feet of street frontage shall be required of each lot. A 24-inch box tree shall be planted on each corner lot within the subdivision. Not more than 50 percent of the landscaped portion of the front yard area shall be planted with turf.

17.42.08 Planned Multi-Family Residential

Improvements, standards, and procedures not specifically detailed below shall conform to the base zone district.

A. Minimum site area

The minimum site area for application of the planned development overlay district to multi-family residential districts shall be one-half acre.

B. Density

For multi-family residential developments, the number of residential dwelling units per acre shall not exceed the density permitted by the General Plan.

C. Height

The maximum height of a structure shall be consistent with the requirements of the base zone.

D. Coverage

The maximum building coverage of a lot shall be consistent with the requirements of the base zone.
E. Minimum Lot Size

The minimum lot size of multi-family residential lots shall be consistent with the requirements of the base zone.

F. Lot Frontage and Depth

1. The minimum lot width of multi-family residential lots shall be consistent with the requirements of the base zone.

2. The minimum lot depth of multi-family residential lots shall be consistent with the requirements of the base zone.

H. Yards

1. Front Yard. Front yard setbacks for multi-family residential buildings shall be consistent with the requirements of the base zone. All garages shall have a front yard setback of 20 feet from rear of sidewalk and shall also at a minimum be 10 feet back from face of residential dwelling.

2. Side Yard. Side yard setbacks for multi-family residential buildings shall be consistent with the requirements of the base zone.

3. Rear Yard. Rear yard setbacks for multi-family residential buildings shall be consistent with the requirements of the base zone.

I. General Building Design and Orientation

1. The elevation drawings of multi-family buildings to be constructed in the planned development combining district shall be those traditional to Exeter and the San Joaquin Valley. Architectural historians familiar with the San Joaquin Valley have identified several styles common to the region. These include but are not limited to Craftsman, Art Deco, Victorian, Prairie, Spanish, and Spanish Revival to name a few.

2. Multi-family buildings located on corner lots shall have the front doors of the living units facing both streets.

3. Straight building lines are discouraged by staggering units, varying building heights and rooflines.

4. Monotonous building designs are discouraged by using different building materials, color schemes, and landscaping treatments.
5. All mechanical equipment shall be screened from view with a wall, fencing, or landscaping.

6. Front porches and balconies are encouraged.

7. Buildings shall be designed and oriented to reduce overview of private backyards and patio areas, both on-site and on adjacent properties.

8. Multi-family development shall be pedestrian oriented. Providing multiple pedestrian access points and constructing pedestrian oriented improvements (shaded arbors, lighting, tree-lined sidewalks, and walkways across parking lots) are two examples.

9. Multi-family buildings should be oriented east and west in order to take advantage of passive solar opportunities.

J. Parking Requirements and Parking Lot Design

1. Parking requirements shall be consistent with the base zone.

2. On-street parking should be discouraged through the use of red-curbing, landscaping and/or fencing.

3. Off-street parking should be located on the side or at the rear of the building(s).

4. A minimum of 75 percent of the required parking stalls shall be covered. Covered parking stalls shall have design elements similar to the primary buildings, including roof pitch, roof composition and paint color.

5. Parking lots shall be landscaped with trees so that 50 percent of the lot is shaded within 10 years. Rows of parking stalls shall be interrupted with a tree-containing planter.

6. Pedestrian pathways through parking lots shall be clearly delineated using improvements such as landscaping, lighting and pavement material.

K. Landscaping Improvements

1. If the landscaped area exceeds 2,500 square feet in area, the landscaping and irrigation plan shall be prepared consistent with Chapter 17.66 Landscaping, Irrigation and Grading.

2. The major treatment for all setback areas shall be a combination of lawn and trees, with shrubs being planted at the base of buildings. Plant
material shall be varied in size, shrubs from one to five gallons and trees from 15 gallons to 24-inch box. All landscaped areas shall be provided with an automatic irrigation system. Not more than 50 percent of the landscaped area shall be planted with turf.

3. Tree lined parkways will be installed along streets that abut adjoin the multi-family project.

4. Blank walls will receive special landscaping attention, which could include climbing vines trained on a trellis or installation of trees or shrubs.

5. Deciduous trees shall be planted along the south and west facing building walls to allow solar access during the winter.

6. Trees should be located where they will screen views by residents of parking lots, back yards and patios.

7. Twenty-four inch box trees should be planted in the street-side setback areas at a ratio of one tree per 50 feet of street frontage.

8. On-site open space amenities shall be centrally located and easily visible from surrounding units. Benches, shading and a drinking fountain should be incorporated into this open space feature.

L. Fencing and Walls

1. All fencing visible from the street shall contain pilasters. These pilasters shall generally be placed as follows: where two fences intersect, where a fence and a gate intersect or at the corner of a lot. Fencing may be staggered and/or fencing materials may be mixed in order to create visual interest.

2. Fences or walls that surround a parking lot shall be landscaped with plant material, such as vines and shrubs that masks these hard surfaces.

3. Decorative wrought-iron fencing is encouraged, especially between on-street parking and the living units.

4. Gates and pedestrian opening into the project shall be accentuated with pilasters, awnings, landscaping, trellises and/or lighting.
M. Trash Enclosures

1. Trash enclosures shall be constructed of solid masonry material. They shall be designed so that walk-in access is permitted by tenants without having to open the gates.

2. The trash enclosure shall have decorative heavy gauge metal gates and be designed with cane bolts on the doors to secure the gates when it is in the open position. A concrete apron shall be constructed either in front of the trash enclosure or at a point of dumpster pickup by the waste removal truck.

3. A landscaped trellis will be constructed over the trash enclosure. Landscaping should also be planted on the perimeter of the enclosure.

4. The dimensions of the trash enclosure shall be consistent with Exeter’s improvement standards.

17.42.10 Planned Neighborhood Commercial

Improvements, standards, and procedures not specifically detailed below shall conform to the base zone district.

A. Site Area

The minimum and maximum site area for a neighborhood commercial development shall be consistent with the base zone district.

B. Height

The maximum height of a structure shall be 35 feet but not greater than two stories.

C. Permitted Uses

Permitted uses shall be consistent with the base zone except in the case of offices and residential uses, which shall be permitted in the second story of a building.

D. Conditional Uses

Conditional uses shall be consistent with base zone district.

E. Building Design

1. All buildings should have a distinguishing base.
2. All buildings shall have a distinguishable decorative, architectural treatment for the roof, cornice or parapet.

3. Buildings located at a street intersection should have a corner treatment, including a diagonal cut ground floor opening, a corner window, a fountain or statue or an architectural feature, like a turret or bay window.

4. Buildings may be constructed behind sidewalk so long as there is 10-foot sidewalk pattern.

5. All storefronts should have display windows, an easily identifiable entrance, and a facade with architectural accents, including columns, awnings, light fixtures, pilasters, paneling, etc.

6. All projects shall contain a pedestrian focal feature, such as an interior courtyard, fountain, statue, tree-lined pedestrian corridor, etc.

7. Building with parking lots at the rear shall have decorative, architectural treatment for rear entrances.

F. Parking Requirements and Parking Lot Design

1. Parking requirements for uses in the neighborhood commercial development shall be consistent with the base zone.

2. Shared parking is recommended.

3. Off-street parking shall be located on the side or at the rear of the building(s).
CHAPTER 44

H-X Zone (Historic Overlay District)

Sections

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17.44.01 Purpose

The purpose of the historic (H-X) overlay district is to preserve the public health, safety and welfare of the residents of Exeter, and to commit the City to the protection of its cultural heritage as reflected in its historic structures, sites and buildings. This chapter will serve to 1) protect and preserve historic structures, 2) preserve and maintain historic residential neighborhoods as unique sections of the community, 3) protect and enhance property values within historic neighborhoods, 4) preclude land uses that are incompatible with historic neighborhoods, 5) ensure Exeter’s cultural heritage is not lost or diminished, 6) encourage development of vacant properties within the historic district that are in concert with the character and architecture of the neighborhood, and 7) involve citizens in the planning of their historic neighborhoods.

17.44.02 Applicability

This overlay district can be combined with any residential, office or commercial district identified in the zoning ordinance. For purposes of identification, an established H district shall be suffixed with the zoning notation of the district with which it is combined (e.g. H-R-1-6 or H-RM-3). The application for a historic overlay zone for property or properties designated as an area of historic interest or as a cultural resource historic district shall be processed consistent with Chapter 17.48 Zoning Ordinance Amendments.

17.44.03 Permitted Uses

Uses listed on the permitted use list of the district to which the historic overlay district is being combined.
17.44.04 Conditional Uses

Uses listed on the conditional use list of the district to which the historic overlay district is being combined.

17.44.05 Components of the Historic Ordinance

The Historic Ordinance shall include 1) this chapter, which specifies the historic district overlay designation, design evaluation criteria and the formation, powers and duties of the historic preservation advisory board; 2) the creation of a local register of historic structures, sites and features, which may be modified by the City Council from time to time; and 3) a map which will delineate the historic overlay district within the City of Exeter.

17.44.06 Definitions

When used in this chapter, the following words shall be defined as specified in this section, unless a different meaning clearly appears from the context:

A. “Alteration” is defined as any change or modification requiring a permit from the city, through public or private action, of any designated cultural resource or property within or without a designated historic district.

B. “Area of historic interest” is defined as geographic areas, places, structures, buildings, improvements, sites or objects within the city that have distinctive character or special historic, aesthetic, architectural, cultural interest or value. Area of historic interest can also mean a single location such as a place, structure, building, improvement, site or object within the city, which has distinctive character or special historic, aesthetic, architectural, cultural interest or value.

C. “Designated area of historic interest” is an area of historic interest as defined above that has been designated by the Commission.

D. “Exeter Register of Historic Places” is defined as the official city list of designated cultural resources, historic districts, and areas of historic interest.

E. “Commission” is defined as the Exeter Historic Preservation Commission.

F. “Cultural resource” is defined as on site improvements, buildings, structures, signs, features (including significant trees or other landscaping), places, place names, interior architecture features, landmark sites, historic sites, or other objects of scientific, archaeological, aesthetic, educational, cultural, architectural or historical significance to the citizens of the city.

G. “Designated cultural resource” is defined as a cultural resource that has been approved by the Commission and designated by the City Council.

H. “Exterior architectural feature” is defined as an architectural element embodying style, design, general arrangement and components of all of the outer surfaces of an improvement, building or structure, including but not limited to the kind, color and
texture of the building materials and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to such improvement, building or structure.

I. “Historic district” is defined as any geographically definable urban or rural, small or large area containing buildings, structures, sites and objects linked historically through location, design, setting, materials, workmanship, and/or association. The significance of a district is the product of the sense of time and place in history that individual components collectively convey. This significance may relate to developments during one period or through several periods in history.

J. “Designated historic district” is defined as a historic district, as defined in subsection I of this section that has been approved by the Commission and designated by the City Council.

K. “Historic site” is defined as any parcel or portion of real property that has special character or special historical, cultural, archaeological, architectural, community or aesthetic value.

L. “Landmark site” is defined as any site or improvement, man-made or natural, which has special historical, cultural, architectural, archaeological, community, or aesthetic character, interest, or value as part of the development, heritage or history of the city, the state of California or the United States.

M. “National Register of Historic Places” is defined as the official national list of districts, sites, buildings, structures and objects of local, state or national importance that are significant for their historical, architectural, archaeological or cultural values. The Commission will follow the guidelines of the National Register of Historic Places when considering historic properties.

N. “Object” is defined as a material thing or functional, aesthetic, cultural, symbolic, or scientific value, usually by design or nature movable.

O. “Preservation” is defined as the act or process of applying measures to sustain the existing form, integrity, and material of a building or structure, and the existing form and landscaping of a site. It may include initial stabilization work, where necessary, as well as ongoing maintenance.

P. “Preservation plan” is defined as a list of the proposed work on a property, including any restrictions, height and area regulations, minimum dwelling size, floor area, sign regulations, parking regulations, and any other proposed modification to existing development standards appropriate to the proposed historic district. Generally a preservation plan will follow the Secretary of Interior’s Standards for Historic Preservation for any proposed work.

Q. “Property owner” or “owner of property” or “owners of property” is defined as the person or persons shown as the record owner(s), as determined by a title search, of the property proposed to be designated as a cultural resource. As to property to be included in a historic district and as to owners of property to be notified of any hearing as to property other than their own, “property owners” is defined as owners as shown on the latest equalized assessment roll of the county of Tulare.
“Protection” is defined as the act or process of applying measures designated to affect the physical condition of a property by protecting or guarding it from deterioration, loss or attack, or to cover or shield the property from danger or injury. In the case of buildings and structures, such treatment may be of a temporary nature and anticipates future historic preservation treatment; in the case of archaeological and paleontological sites, the protective measure may be temporary or permanent.

“Restoration” is defined as the act or process of accurately returning the form and details of a property and its setting as it appeared at a particular period of time, or the removal of later work or the replacement of missing earlier work. Restoration shall follow the guidelines of the Secretary of Interior’s Standards for Historic Preservation.

“Stabilization” is defined as the act or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property while maintaining the essential form as it exists at present. Stabilization also shall follow the guidelines of the Secretary of Interior’s Standards for Historic Preservation.

“State Office of Historic Preservation” of “SHPO” is defined as a division of the State Department of Parks and Recreation which serves as the staff for the State Historic Preservation Officer who is the official designated and appointed by the Governor to administer the historic preservation program in California.

17.44.07 Historic Preservation Commission-Establishment-Membership.

A. A Historic Preservation Commission consisting of five unpaid members, shall be established in the City of Exeter. Appointments shall be made by the City Council, with each council member appointing one member. The City Manager or his designated representative shall be a non-voting, ex-officio member of the Commission.

B. All members shall be residents of the city at appointment and throughout their term of office.

C. Not withstanding subsection A of this section, all terms shall be for two years and commence on July 1st and expire on June 30th. Initially, two members shall serve two years in their initial terms, and three members shall serve one year.

D. The Commission shall elect from among its members a chairperson and vice-chairperson to serve as such for a one-year term. The chairperson shall preside at all meetings of the Commission, and shall appoint each committee and perform the duties necessary or incidental to the office. The vice-chairperson of the Commission, in the absence of the chairperson or in the case of inability of the chairperson to act, shall perform the duties of the chairperson.

E. The city manager or designee, shall serve as administrative staff to the Commission. The city manager or designee shall keep minutes of each meeting, record the official actions taken, record the vote on all official actions, certify each official act
and resolution of the Commission, maintain records of operations, and perform such other duties as the Commission assigns.

F. The Commission shall review and adopt its own operating rules and bylaws, thereafter having the power and authority to perform all of the duties hereinafter enumerated and provided.

G. In the event of a vacancy occurring during the term of a member of the Commission, the council shall appoint a new member to fill the unexpired term.

17.44.08 Historic Preservation Commission-Powers and duties.

The Commission shall have the following powers and duties subject to City Council approval:

A. Establish criteria and conduct or cause to be conducted a comprehensive survey of properties within the boundaries of the city, and publicize and periodically update survey results.

B. Adopt specific guidelines for the designation of cultural resources, including landmarks, landmark sites, and historic districts.

C. Maintain a local register of designated cultural resources, designated historic districts and designated areas of historic interest.

D. Review and correspond with the City Council and city departments as to matters as they relate to the cultural resources of the community.

E. Assist in recommending prescriptive standards to be used by the council in reviewing applications for permits to alter, remove, preserve, protect, reconstruct, rehabilitate, restore or stabilize any designated cultural resource or historic district.

F. Recommend to the City Council the purchase of fee or less-than-fee interests in property for purposes of cultural resource preservation and designation.

G. Investigate and report to the City Council on the use of various federal, state, local, or private funding sources and mechanisms available to promote cultural resource preservation in the city.

H. Preserve, restore, maintain, and operate designated cultural resources and historic properties owned or controlled by the city.

I. Recommend for approval or disapproval, in whole or in part, applications for cultural resource, historic district, or area of historic interest designation pursuant to procedures set forth in this chapter.

J. Review and comment on applications for land use decisions being considered by the Planning Commission or City Council.

K. Cooperate with local, county, state and federal governments in the pursuit of the objectives of historic preservation.
L. Provide information, upon the request of the property owner, on the restoration, alteration, decoration, landscaping or maintenance of any cultural resource or property within a historic district or area of historic interest.

M. Participate in, promote, and conduct public information, educational, and interpretive programs pertaining to cultural resources, historic districts and areas of historic interest.

N. Perform any other functions that may be designated by the City Council.

O. Meet at irregular intervals as determined by the city manager or his or her designee. All meetings shall be noticed and open to the public.

P. Quorum. Three members of the Commission shall constitute a quorum for the transaction of business.

Q. Identify as early as possible conflicts between the preservation of cultural resources and alternative land uses and make recommendations to the appropriate legislative body.

R. Establish a procedure for the review of and comment on historic preservation certification applications for federal tax incentives for both designated cultural resources and designated historic districts.

17.44.09 Cultural resource historic district and area of historic interest designation- Criteria.

Any improvement, building, structure, sign, feature, site, place, or object may be designated as a cultural resource and any grouping of such may be designated as a historic district or an area of historic interest if it meets one or more of the following criteria:

A. It exemplifies or reflects special elements of the city, community or neighborhood’s historical, archaeological, cultural, social, economic, political, aesthetic, engineering or architectural development; or

B. It is identified with persons or events significant in local, state, or national history; or

C. It embodies distinctive characteristics of style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or

D. It is representative of the notable work of a builder, designer, architect, engineer, landscape architect, interior designer, artist or craftsman; or

E. Its unique location or singular physical characteristic(s) represents an established and familiar visual feature of a neighborhood, community or the city; or

F. It is an archaeological or paleontological site that has the potential of yielding information of scientific value.
17.44.10   Cultural resource designation-Initiation.
   A. The City Council or the property owner of the proposed cultural resource may
      initiate a request for the designation of a cultural resource.
   B. All applications for designation of a cultural resource shall include:
      1. A legal description or address of the proposed cultural resource, and the name
         and address of the property owner;
      2. Sketches, photographs, or drawings;
      3. Statement of condition of the structure;
      4. Explanation of any known threats to the cultural resource;
      5. Other information requested by the city staff;
   C. At time of application, the applicant shall pay a fee not to exceed the cost of
      processing such application as permitted by the Exeter Municipal Code. No application
      shall be deemed complete until the prescribed fee has been received by the city.

17.44.11   Historic district designation-Initiation.
   A. The City Council or the owners of property within a proposed historic district in
      the city of Exeter may initiate a request for the designation of that area as a historic
      district.
   B. All applications for designation of a historic district shall be accompanied by a
      petition, on forms provided by the city, setting forth the request for designation and the
      preservation plan, and signed by the owners of no fewer than two-thirds of the parcels
      within the proposed district.
   C. All applications for designation of a historic district shall include:
      1. A legal description of the boundaries of the proposed district, the names and
         addresses of all owners of property within the proposed district, and parcel
         assessor’s numbers of properties within such proposed district;
      2. A description of the proposed historic district, including special aesthetic,
         cultural, architectural, or engineering interest or value of a historical nature;
      3. Sketches, photographs or drawings of structures within the proposed district;
      4. A statement of the condition of the structures and improvements within the
         district;
      5. An explanation of any known threats to any cultural resource within the district;
      6. Other information requested by city staff;
17.44.12  Area of historic interest designation-Initiation.

A. The Historic Preservation Commission, the City Council or the owners of the property within the city of Exeter may initiate a request for the designation of an area of historic interest outside a designated historic district.

B. All applications for designation of an area of historic interest shall include:
   1. A petition, on forms provided by the city, setting forth the request or an area of historic interest designation signed by the owners of no fewer than two-thirds of the parcels within the proposed area of historic interest;
   2. A description of the boundaries of the proposed area of historic interest;
   3. A description of the proposed area of historic interest, including special aesthetic, cultural, architectural, or engineering interest or value of a historical nature;
   4. Sketches, photographs or drawings of structures within the proposed area;
   5. A statement of the condition of the area;
   6. Other information requested by city staff.

17.44.13  Hearing procedure for designation of cultural resources, historic districts and areas of historic interest.

A. Prior to recommendation of the designation of any cultural resource, historic district or area of historic interest the Commission shall hold a public hearing. Notice of such hearing shall be given not less than ten days prior to the date of the hearing, and shall state the date, time, and place of the hearing, the location of the property to be designated, and the nature of the request, in the following manner:
   1. By publishing once in a newspaper of general circulation in the city;
   2. No action shall be taken by the Commission to recommend designation of a proposed cultural resource or a historic district except following a noticed public hearing.
   3. In the case of the designation of a historic district or an area of historic interest the following shall also be required: mailing a notice to the applicant, and to each owner of property proposed to be included within a historic district or an area of historic interest and to the owners of all property within 300 feet of the exterior boundary of the district or area.
   4. In the case of the designation of a cultural resource, the following shall also be required: mailing a notice to the applicant and to owners of all property within 300 feet of the cultural resource proposed for designation.

17.44.14  Permit moratorium after notice to owner.

A. Upon notification to the property owner that the Commission has scheduled a hearing to determine if a property should be designated as a cultural resource or be included within a historic district or area of historic interest, no person or entity shall
undertake any alteration, construction, grading, demolition or removal of such building, structure, site, feature, object or district, and no permit to undertake such work shall be approved by any city official, while proceedings are pending on such designations; provided, however, that if, after a period of sixty days from the date of initial notice of such hearing, final action by the council on such designation has not been completed, any such permit application may be approved provided such permit application complies with all other legal requirements for approval, and that the proposed work will not cause harm to the proposed historic buildings. The Commission shall ensure that appropriate city officials are notified of the Commission’s intent to consider designation of a property and the moratorium.

B. The provisions of this section shall not apply to structures damaged in any flood, fire, earthquake or other disaster or otherwise in such condition that the city’s building director determines the structure or feature must be demolished in the interests of public safety. Such action by the city’s head building official may be appealed to the City Council structure by the property owner or the Commission prior to the demolition of a historic building or structure, should there be a sufficient compelling reason.

17.44.15 Commission action for a cultural resource historic district and area of historic interest designation.

A. The Commission shall review the staff reports, and consider the designation matter at a regular, adjourned or special meeting and shall either approve and recommend the designation as proposed or as altered, or shall recommend disapproval of it. A property shall be recommended for designation as a cultural resource or for inclusion in a historic district or area of historic interest only upon the affirmative roll call vote of a majority of the authorized membership of the Commission. The Commission shall make findings in support of any decision to recommend designation of property as a cultural resource or for inclusion in a historic district or area of historic interest. Such findings shall state that the property meets the designation criteria specified in Section 17.44.050 of this chapter.

17.44.16 Council action.

The council shall, not less than sixty days after the Commission’s recommendation, approve or disapprove the Commission’s recommendation. — The Council shall approve or disapprove by resolution, in accordance with its normal procedure, any designation of property as a cultural resource or historic district or area of historic interest. The action of the Council shall be final. Upon such designation, the property shall be added to the Exeter Register of Historic Places.
17.44.17 Notice of designation.

Within fifteen days after any action of the City Council designating a cultural resource or a historic district or area of historic interest said designation shall be recorded with the City Clerk.

17.44.18 Amendment or rescission of designation.

The City Council may return the designation to the Commission for further review, or rescind any designation of a cultural resource, historic district, area of historic interest in the same manner as is prescribed for the original designation. Such action or rescission shall be recorded in the city’s records on each specific property.

17.44.19 Nomination for State or National Register of Historic Places.

The City Council may request that the Commission nominate a site for inclusion on the State or National Register of Historic Places in the same manner as and following the procedure for the designation of cultural resources.

17.44.20 Alteration, demolition or relocation of a designated cultural resource or property within a historic district-Hearing required-Appeal.

A. Except as provided for in subsection B, no person shall carry out or cause to be carried out, nor shall any permit be issued for, any alteration, demolition, or relocation of a designated cultural resource or of property within a historic district without first obtaining the approval of the Commission or, on appeal thereto, of the City Council. Application for such approval shall be made to the Commission on forms provided by the city.

B. Nothing in this section shall be construed to require approval of the Commission for alterations, even if a permit is required, which are listed below and which will not adversely affect the fenestration or architectural features of the structure, where those features are specified in the designation and which will not affect the special character or special historical, architectural or aesthetic interest or special historical, architectural or aesthetic interest or the relationship and congruity between the subject structure or feature and its neighboring structures and surroundings, where specified in the designation. Examples of improvements that will be exempt from Commission review are listed below. At the discretion of the City Planner or Head Building Official other improvements similar to the types of improvements listed below may be considered for exemption.
Plumbing
Pipeline, gas line, sewer line, water heater, septic tank, septic abandonment, water softener, shower/tub, solar, on side away from the street, site sewer, site storm,

Mechanical
Air conditioner, evaporative cooler, wall heater, fireplace insert, kitchen hood.

Reroof/Patio
Re-roof patio, on side away from the street,

Pool, on side away from the street, or not within the viewshed of the street.
Pool and spa, pool or spa permanent, pool or spa portable

Electrical
Temporary power, permanent power service, outlet /switch, motors, site electrical.

C. Upon submittal of a complete application for Commission approval of alteration, demolition or removal of a designated cultural resource or property within a historic district, the Commission shall hold a public hearing and render a decision on the application as soon as possible. Notice shall be sent not less than ten days prior to the hearing, giving the date, time and place of such hearing, the location of the property, and the nature of the request, by mailing the notice to the applicant, to the owners of all property within three hundred feet of the subject property if such property is a cultural resource, and to all owners of property within the historic district, if such property is within such a district. Additionally, such notice shall be published once in a newspaper of general circulation in the city at least ten days prior to the hearing.

D. Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any property covered by this section that does not require a permit from the city.

E. Nothing in this section shall be construed to prevent the Head Building Official from issuing a building permit if he determines that demolition, removal or alteration of a designated cultural resource or of property within a historic district is immediately necessary in the interest of the public health, safety, or welfare.

F. At the time of submittal of the application, the applicant shall provide whatever detailed information (plans, drawings, agreements, etc.) is required or necessary to describe the intended work and any additional information necessary for the Commission to act on the matter, as determined by staff. Applications without such information shall be deemed incomplete for purposes of subsection C of this section.

G. The Commission shall have the authority to approve, deny, or approve subject to conditions, any application for the alteration, removal or demolition of a designated
cultural resource or property within a historic district. If the Commission determines that a permit should not be issued, the Commission shall issue its findings in writing, documenting the specific reasons for denial. The decision of the Commission and the findings supporting that decision shall be mailed to the applicant within five days of the decision. A new application for the same work affecting the same property may be submitted after the disapproval only if a change in circumstances of the owner or the property has occurred.

H. The decision of the Commission to approve, deny, or approve with conditions any application as set forth in this chapter is appealable to the City Council. Such appeal shall be made in writing and delivered to the office of the city clerk not later than ten calendar days from the date of mailing of notice of the Commission’s decision. Such appeal shall specify the reasons for the appeal from the decision of the Commission. Upon the filing of the appeal, the clerk shall set the matter for public hearing within sixty days or as soon thereafter as is practicable and shall give written notice to the appellant of the time and date set for the hearing. Upon the hearing of such appeal, the City Council may by resolution affirm or modify or reverse the determination of the Commission.

17.44.21 Alteration of a designated cultural resource or of property within a historic district-Criteria for approval.

An application for the alteration of a designated cultural resource or of property within a historic district shall not be approved unless the following conditions are found to exist:

The proposed work will not adversely affect the architectural features of the structure, where specified in the designation; nor will the proposed work adversely affect the special character or special historical, architectural or aesthetic interest or the relationship and congruity between the subject structure or feature and its neighboring structures and surroundings, where specified in the designation.

The proposed work shall also conform to such further standards as may be embodied in the designation of the historic district by resolution.

17.44.22 Demolition or relocation of a designated cultural resource or property within a historic district-Criteria for approval.

A. An application for the demolition or relocation of a designated cultural resource or of property within a historic district shall not be approved unless one or more of the following conditions exist:

1. The structure/site is a hazard to public health or safety and repairs or stabilization are not financially prudent; or
2. The site is required for a public use which will be of more benefit to the public than its use as a cultural resource or property within the historic district and there is no practical alternative location for the public use; or
3. Denial of the proposed application will result in unreasonable economic hardship to the owner, as set forth in Section 17.44.190; it is not feasible to preserve or
restore the designated cultural resource or property within the historic district; and the property owner will be denied the reasonable beneficial use of the property if the application is denied; or

4. With respect to an application for the relocation of a designated cultural resource or property within the historic district, if the Commission finds that one or more of the above conditions exist and that the relocation will not destroy the historic, cultural or architectural values of the designated cultural resource or property within the historic district, and the relocation is part of a definitive series of actions which will assure the preservation of the designated cultural resource or property within the historic district, such application shall be approved.

5. A permit for demolition of a designated cultural resource or property within the historic district shall not be approved unless the building or structure cannot reasonably be moved or relocated.

6. Applicants proposing the demolition or relocation of a designated cultural resource or property within the historic district shall have the burden of proving that the demolition or relocation is necessary, and that an economic hardship exists, if any is claimed, and shall present substantial evidence as to the need for such action.

17.44.23 Alteration, construction or relocation of a structure within an area of historic interest.

A. Any alteration, construction, or relocation of a structure within an area of historic interest should be done with respect to the overall look and feel of the area of historic interest. The Historic Preservation Commission is and can be a resource for people undertaking these types of projects. Those wishing to utilize the knowledge and resources of the Historic Preservation Commission, should provide through city staff detailed information (plans, drawings, agreements, etc.) required or necessary to describe the proposed work including any additional information necessary for the Commission to assist in the project.

B. Nothing in this section shall be construed to prevent the maintenance or repair of any exterior architectural feature in or on any property located in an area of historic interest. However the goal of the designation of an area of historic interest is to help preserve these areas for the future. Proposed work should not adversely affect architectural features of the structure, as specified in the designation; nor should the proposed work adversely affect the special character or special historical, architectural or aesthetic interest or the relationship and congruity between the subject structure or feature and its neighboring structures and surroundings.

17.44.24 Proof of unreasonable economic hardship.

In cases in which an applicant makes a claim of unreasonable economic hardship, the applicant shall provide ownership and operation of the property, mortgage or financing
information, market value, structural integrity, rehabilitation costs, assessed value, real
estate taxes and debt service.

17.44.25 Enforcement.

In addition to the regulations of this chapter, other chapters of the Exeter Municipal Code
and other provisions of law which govern the approval or disapproval of applications for
permits or licenses may be utilized to enforce the provisions of this chapter including
contacting the city attorney to institute any necessary legal proceedings to enforce the
provisions of this chapter, and city attorney is authorized to institute any actions to that
end.
The purpose of the Downtown Design Overlay District is to ensure that the Exeter Downtown represents a place that promotes a positive shopping and working environment, encourages social interaction, contains buildings and other improvements that are well-designed and provides an environment that is pedestrian-oriented, secure and visually pleasing. To ensure that these objectives are implemented, downtown design guidelines and review procedures are included in this chapter. The Downtown Design Overlay District serves to implement goals, policies and programs contained in Exeter’s Land Use Element and the Exeter Downtown Specific Plan, adopted in 1994.
17.46.02 Applicability

This overlay district can be combined with any zone district contained in Exeter’s downtown. For purposes of identification, an established DD district shall be suffixed with the zoning notation of the district with which it is combined (e.g. DD-CC). The application for an overlay zone shall be processed consistent with Chapter 17.48 Zoning Ordinance Amendments.

If any regulations specified in this chapter are more restrictive than the regulations of the base district, the regulations of this chapter shall govern.

A downtown design approved pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site that was the subject of the downtown design review.

17.46.03 Permitted Uses

Uses listed on the permitted use list of the base district.

17.46.04 Conditional Uses

Uses listed on the conditional use list of the base district.

17.46.05 Application Requirements

The applicant shall submit nine copies of the project to the downtown design review committee. The plans shall contain the following information.

A. Site Plan.

A site plan showing location, exterior boundaries and dimensions of the entire property that is the subject of the application. The scale of the drawing and the north arrow shall be shown on the site plan.

B. Elevation Drawings.

Elevation drawings shall be provided for views of all exterior wall surfaces to receive treatment or enhancement. Drawings shall be scaled to at least one-fourth inch equals one foot and shall have materials and treatments identified by reference notes that clearly indicate the nature and extent of the work to be completed. Elevation drawings shall include side views or cross-sections of features associated with the project’s appearance, including awnings, marquees, projecting signs and landscaping.
C. Samples.

Submit material samples, color chips, or other supporting literature to better illustrate the nature of the proposed color scheme, textures and materials.

D. Landscaping Plan (if applicable).

The location and extent of landscaping shall be shown including plant species and container size, and irrigation and hardscape plans.

E. Signs.

Location, type and size of all proposed signs shall be shown.

F. Outdoor Lighting.

Show location, type and size of proposed outdoor lighting.

17.46.06 Downtown Design Review

A. Upon receipt of the downtown design review application, the Downtown Design Review Committee shall review the application for consistency with Exeter’s downtown design guidelines. Following the review of the downtown design review application, the Downtown Design Committee shall take action on the project. The Committee can approve, approve with conditions or deny the project based on its consistency with the downtown design guidelines.

B. After the Committee’s decision on a downtown design review application, the Director shall prepare an administrative resolution reporting the disposition of the application. The Planning Director and the applicant shall sign the resolution.

C. The Downtown Design Review Committee can approve the project subject to conditions. Said conditions shall insure that the project is consistent with the purpose of this chapter and the downtown design guidelines.

17.46.07 Appeal

A. The decision of the Downtown Design Review Committee shall be final unless appealed by the applicant to the City Council. A written appeal of the Committee’s decision shall be filed with the City Clerk within ten calendar days of the decision.
B. The City Council shall consider the Downtown Design Review Committee’s decision. The City Council can approve, approve with modifications or deny the decision of the Committee. The decision of the City Council shall be final.

17.46.08 Application Preparation

All plans, drawings or elevations shall be prepared by, or under the direction and supervision of, a person licensed to practice as a registered architect in the State of California, and shall bear the stamp of the official seal of such registered architect.

17.46.09 Building Permit

Before a building permit shall be issued for any building, structure, or sign, the Chief Building Official shall determine that the proposed project is in conformance with the decision (action) of the Downtown Design Review Committee or City Council.

17.46.10 Time Limit

A downtown design review application shall become void one year following the date on which the approval of the Downtown Committee or City Council became effective unless, prior to the expiration of one year, a building permit is issued by the Chief Building Official and construction, installation or renovation is commenced and diligently pursued toward completion of the project which that was the subject of the design review application.

17.46.11 Revocation

A. Where the City finds that the new structure or alteration of an existing structure is not consistent with the Committee’s conditions of approval, the building permit for the project shall be suspended. Notice of the suspension shall be sent immediately to the person or persons responsible for noncompliance by the building department. Within thirty days of the suspension, the City Council shall consider the suspension.

B. If not satisfied that the regulation, general provision, condition or conditions are being complied with, the City Council may revoke the building permit, reinstate the building permit or reinstate the permit with conditions.

17.46.12 Exceptions

Minor improvements to buildings in the downtown shall be exempt from the downtown design review process. Exceptions shall include:
A. Repair of awning, or replacement of windows, doors or roofs.

B. Painting of building so long as the colors is consistent with the downtown design guidelines.

C. The construction, alteration or renovation of single-family dwellings within the downtown.

17.46.13 Design Guidelines

The design guidelines for Exeter’s downtown are detailed below as well as in the Exeter Downtown Specific Plan (adopted in 1994), which contains illustrations and diagrams.

A. New Buildings and Renovation of Existing Buildings

1. Building scale should be compatible with the adjoining buildings. Scale refers to the size and proportions of buildings as they relate to people. The material used can affect the scale of the building. For example, horizontal lines on a tall building will cause it to appear shorter. It can also be affected by the pattern and shape of the windows and door openings.

2. Proportions of building - the relationship between the width and height of a building should be compatible with buildings in the immediate vicinity.
3. Relationships of materials, textures and color should be compatible with the surrounding buildings and its own architecture style.

4. Careful consideration shall be given to rhythm and pattern of openings, size of windowpanes, and the space of openings.

5. New building design that is consistent with the informal, historical character of the community, should be encouraged.

6. Preservation and restoration of existing historic building facades should be encouraged.
7. Buildings should be designed with well-defined front and back areas, entries and separation of private, semi-public and public spaces.

8. Although architectural details, embellishments and projections are desirable, they should be used judiciously. Avoid designs that are overstated or create an indiscriminate mixing of stylistic elements.

9. Design compatibility and interest can be achieved with the tasteful organization of building elements, colors, and materials.

10. Encourage arcades in front of buildings where appropriate to the architecture.

B. Building Placement and Facade Elements

1. Divide large expanses of storefront glazing with vertical framing elements. Within these framing elements glass may be large plates, divided with true mullions or a combination of both.

2. Do not use curtain wall glazing systems or “snap-in” grilles on lower or upper floor areas.

3. Use simple awning shapes and profiles that reflect the facade composition and geometry of the building. Set individual awning between the vertical elements of the ground floor storefront such as piers, pilasters, shop
divisions, second floor entries and the like. Allow some continuous awnings, where appropriate.

*Use simple awning shapes and profiles that reflect the facade composition and geometry of the building.*

4. Do not obscure architectural elements with careless placement of awnings. Use awnings on second floors only at individual window openings.

5. Awnings are encouraged and allowed to project into the pedestrian right-of-way.

6. Awnings may be retractable or fixed frames, constructed of metal with fabric coverings. Glossy, plasticized or vinyl finishes are inappropriate for coverings.

C. Appropriate Materials

1. Use materials for the principal wall surface of the building facade, which have a durable, high quality, finish and are compatible with the existing historic brick buildings.
Use materials for the principal wall surface of the building facade, which has a durable, high quality, finish and are compatible with the existing historic brick buildings.

2. Examples of inappropriate principle material and finishes for wall surfaces include the following: imitation or processed materials, lava rock, permastone, and grooved plywood.

3. Secondary or accent facade materials should be compatible with principal facade materials and with those traditionally used on downtown commercial buildings. If brick is not used as the primary material, it is preferred as a secondary or accent material.
Secondary or accent facade materials should be compatible with principal facade materials.

4. Roofing materials and finishes should be appropriate to the type, form and style of the building.
   a. Where roofs are visible, neutral colors should generally be used.
   b. Metal roofing should be selected in subdued colors that will not present a jarring contrast with other historic buildings and roof colors and that will not fade over time.

5. Storefront and glazing materials should be durable and have a scale and quality appropriate for commercial as opposed to residential applications. Appropriate storefront materials should include the following.
   a. Clear or lightly tinted glass in painted wood frames or factory-finished colored aluminum frames.
   b. Glaze ceramic (not mosaic type) tile, wood, or metal panels (painted); brick for bases of storefront windows.
   c. Glass doors in frames to match storefront framing.
   d. Milled door wood - with or without glazing.

6. Inappropriate storefront materials include the following.
   a. Clear, anodized aluminum frames for doors or windows.
   b. Wood shakes or shingles for storefront bases, on fixed awnings or roofs.

7. Colors and finishes shall be appropriate to the nature of the material, the historic character of the district, the style of the building and the climate and quality of light in Exeter.
   a. With few exceptions wood should usually be painted.
   b. Utilize pastel, medium tone or darker colors for the facades on the northern side of Pine Street. White and very bright colors are highly reflective and can be uncomfortable to look at on sunny or bright days.
c. Avoid an overwhelming contrast in color values between facade and trim colors and the existing colors on adjacent building. Garish or super bright (neon-type) colors or metallic paint finishes are generally inappropriate for any building element.

d. The applicant shall provide a color board showing all the colors that will be used on the building facade.

D. Historic Restoration

1. Locate building additions to the rear of the existing structure whenever possible in order to maintain visual integrity.

2. Discourage upper floor additions. However, if allowed, they should be set back from the street and well behind the line of the original facade so that it maintains its visual integrity and original sense of scale.

3. Additions to buildings with historic designations should be identifiable from original construction. They should clearly distinguish old from new to avoid confusing original historical building elements with later additions. Specific architectural elements should not be replicated.

4. Additions should employ the same or complementing materials, and similar opening proportions, facade rhythms and horizontal elements as original.

5. Locate building additions to the rear of the existing structure whenever possible in order to maintain visual integrity.

6. Use authentic materials whenever possible in restoration, renovation or repair work.

7. For substitute materials, the outward appearance, durability, texture and finish should be as close as possible to that of the original. If the original was painted, the substitute should accept and retain a painted finish.

8. Wood window sash is preferred for historic buildings. Vinyl clad wood or factory finish (baked enamel) aluminum frames are acceptable if the original design can be duplicated.

9. Materials, paint colors and color schemes should be appropriate to the style and design intent of the building.
10. Sandblasting of brick/masonry surfaces to remove paint will damage the material. Other methods should be used only under the advice and guidance of an expert.

11. Do not cover over, clad or replace original siding material with a different material such as stucco, wood or composition shingles, aluminum siding, and the like.

12. Where the original materials have been covered over, use the gentlest means possible to remove them. Certain claddings, such as stucco may be difficult, if not impossible to remove without destroying the underlying material.

13. Where inappropriate or later materials have been removed, they should be replaced with the authentic materials matching the original.

14. When re-roofing, use the original or similar materials (if available and in compliance with current codes).

15. Do not remove original architectural elements- cornices, moldings, trim, etc. Replacements should be similar in character to the original.

16. Maintain the proportions of existing door and window openings and the pattern of existing window sash in replacement work or additions.

*Replacement materials on historic buildings should be similar in character to the original.*
17. New or replacement window sash should match the original sash. Where the original has been completely removed, new windows should match the existing unless a complete replacement program for the facade is undertaken.

E. Signs

1. Buildings of historic significance to the community shall be identified by a uniformly designed plaque mounted on the face of the building.

2. Signs in the downtown shall be pedestrian-oriented in scale and placement.

3. Use of a comprehensive sign plan shall be required for all new and restored buildings that contain two or more business establishments. Signs shall be unified in design.

4. Signs shall be provided at the rear of all buildings along alleyways to provide for clear identification of businesses.

5. Appropriate sign materials may include the following: wood panels (routed, painted or sealed), wood or metal panels, individually mounted letters, vinyl letters or cast metal plaques. Materials must be compatible with the building design or architecture.

6. Illumination shall be by indirect means such as concealed or inconspicuous spotlights or backlighting. Signs should not flash, scintillate, move or produce glare.
7. Background illumination by means of decorative or concealed lighting is encouraged. This may include vintage wall sconces at windows, cornices, or architectural features, or any other form of indirect concealed lighting appropriate to the architectural character and function of the building.

F. Landscaping

1. Private use and improvement of sidewalks and alleyways shall only be permitted when it enhances the streetscape and will not unduly disrupt pedestrian and vehicular movement.

2. Planter boxes that project into the public right-of-way are desirable if well maintained, designed and finished with materials and colors compatible with the building.

3. Landscaping of public alleyways adjacent to commercial buildings is encouraged subject to installation of an automatic irrigation system, proper maintenance and adequate clearance for vehicular traffic.

4. Placement of tables, chairs and umbrellas on the public sidewalks for public use, directly in front of a given business is permitted so long as adequate clearance for pedestrian circulation is maintained.

5. Placement of street furniture shall provide adequate clearance for pedestrian circulation. A minimum clearance of six feet shall be
maintained from the face of curb or any sidewalk obstruction such as a hydrant, light pole or tree well.

6. Tables, chairs, umbrellas and trash containers shall each be compatible in design and color.

7. Furniture shall be of sturdy, substantial design and materials that can withstand outdoor use and weather.
8. Furniture and trash receptacles shall be removed daily prior to the closing of a business.

9. Mechanical equipment, satellite dishes or other utility hardware on roofs, the ground or buildings shall be screened from public view with materials harmonious with the building, or they shall be located as not to be visible from any public ways.

10. Screen refuse and waste removal yards, storage yards and exterior work areas from the view from public right-of-ways using materials in accordance with walls, fencing or landscaping.

11. The consolidating of waste dumpsters shall be encouraged, particularly along alleyways.

12. Encroachments, such as awnings are permitted in the public right-of-way to add visual interest to building facades and the street so long as obstructions to pedestrian movements is avoided.

13. Activities within retail commercial buildings should be visible from the street and pedestrian-ways, encouraging visual connections between indoor and outdoor areas.

14. Awnings and covered sidewalks are strongly encouraged. They provide a unique element that shade a large commercial storefront from the hot summer sun and provide an excellent cover for pedestrians during the
winter rainy season. In addition, permanent canopies provide visual interest and complexity, reducing the scale of building massing and can help identify entries to buildings.

15. Entries should be spatially defined with canopies, awnings and other elements that help to identify them from pedestrian ways. Entries can be defined with building insets that provide a transition between the public walkways and the more private, commercial interiors of buildings. Entries should be adequately lit at all times to eliminate dark, unsafe areas.

G. Lighting

1. Lighting should be designed to complement exterior architecture and landscaping.

2. Pedestrian areas should have lighting at a height of 12 to 14 feet.

3. Coordinate lighting fixtures selected for the downtown area should be used wherever possible in private parking lots and appropriate walkway areas.
4. Exterior lighting shall be part of the architectural concept. Fixtures, standards and all exposed accessories shall be harmonious with building design.

H. Hardscape

1. Construction of new or repair of existing public sidewalks shall conform to Exeter Improvement Standards. Sidewalks shall not be treated with color dyes nor shall any materials (rock, stone, tile, etc.) be placed on top of the sidewalks unless the Public Works Director grants permission.

*Hardscape example.*
Hardscape example in the public right of way.
As the general plan of Exeter is implemented, there will be a need for changes in district boundaries and other regulations in this Zoning Ordinance. As the general plan is reviewed and revised periodically, other changes in the regulations of this title may be warranted. Such amendments shall be made in accordance with the procedures prescribed in this chapter.

### 17.48.02 Boundary Changes

A. A change in the boundaries of any district may be initiated by the owner of the property within the area for which a change of district is proposed or the authorized agent of the owner filing an application for a change of district boundaries. If the area for which a change in district is proposed is more than one
ownership, at least 50 percent of the property owners or their authorized agents shall join in filing the application.

B. A change in boundaries of any district, or a change in a district regulation, off-street parking or loading facilities requirement, general provisions, exception or other provision may be initiated by resolution of the Planning Commission, or by action of the City Council in the form of a request to the Planning Commission that in either case the procedure prescribed in this chapter.

17.48.03 Application and Fees

A. A property owner or authorized agent, desiring to propose a change in the boundaries of the district in which the property is located, may file an application with the Planning Commission for a change in district boundaries on a form prescribed by the Planning Commission which shall include the following data:

1. Name and address of the applicant.

2. Statement that the applicant is the owner of the property for which the change in district boundaries is proposed or the authorized agent for the owner, or the plaintiff in an action of eminent domain to acquire the property involved.

3. Address and description of the property, including APN, number of acres, land use, surrounding land uses and other details that could be relevant to the Planning Commission.

B. The application shall be accompanied by a drawing of the site and the surrounding area for a distance of at least 300 feet from the boundary of the site, showing the location of streets, and property lines and the names and last known addresses of the recorded legal owners of all properties shown on the latest adopted tax roll of the County of Tulare. Assessor’s maps may be used for this purpose.

C. The application shall be accompanied by a fee set by a resolution of the City Council sufficient to cover the cost of processing the application as prescribed in this chapter.

17.48.04 Public Hearing Notice

A. The Planning Commission shall hold a public hearing on each application for a change in district boundaries or a district regulation, off-street parking or loading facilities requirement, general provision, exception, or other provision of this title initiated by the Planning Commission or City Council within 45 days of the date when the application was filed or the proposal was initiated.
B. Notice of a public hearing shall be given not less than 10 days nor more than 20 days prior to the date of the public hearing by: (1) a publication of a notice of the time and place of the hearing and a general explanation of the matter to be considered in a newspaper of general circulation within Exeter; (2) mailing a notice of the time and place of the hearings to all persons whose names appear on the property owners list submitted under the provisions of this chapter.

17.48.05 Public Hearing

A. The public hearing, the Planning Commission shall review the application or the proposal and may receive pertinent evidence and testimony as to why and how the proposed amendment is necessary to achieve the objectives of the zoning ordinance prescribed in this chapter or how or why the proposed amendment is consistent with the stated purposes and application intended for the zone classification proposed.

B. The Planning Commission may review proposals for the use of the property for which a change in district boundaries is proposed or plans or drawings showing proposed structures or other improvements, in light of the fact that under the provisions of this title a change in district boundaries cannot be made conditionally.

17.48.06 Investigation and Report

The Planning Director or his designated representative, shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the Planning Commission, including a recommendation as to the action to be taken by the Planning Commission and a statement supporting such recommendations.

17.48.07 Action of the Planning Commission

Within 45 days following the completion of the public hearing, the Planning Commission shall make specific findings in writing as to whether the change is required to achieve the objectives of the zoning ordinance and the goals, policies and action programs of the general plan. The Commission shall transmit a report to the City Council recommending that the application be granted or denied or that the proposal be adopted or rejected, including, if warranted, a written statement of the reasons for the recommendation, together with one copy of the application, resolution of the Commissioner request of the City Council, the scale drawing of the site and surrounding area and all other data therewith, the minutes of the public hearing, the report of the Planning Director and the findings of the Commission.
17.48.08 Action of the City Council

A. Upon receipt of the Planning Commission’s resolution and report, the City Council shall hold a public hearing; provided, however, that if the matter under consideration is an amendment to change property from one district classification to another, and the Planning Commission has recommended against the adoption of such amendment, the City Council need not take any further action thereon unless an interested party shall request such a hearing by filing a written request with the city clerk within five days after the Planning Commission files its recommendation with the City Council.

B. Notice of the time and place of said hearing shall be given in the time and manner provided in Chapter 17.04 Public Hearings.

C. The City Council, after the close of the public hearing, shall make specific findings in writing as to whether the amendment is required in order to achieve the objectives of the zoning ordinance and goals, policies and action programs of the general plan and, when applicable, whether the amendment would be consistent with the purposes and application intended for the zoning district classification proposed.

D. The City Council may approve, modify or deny the recommendation of the Planning Commission; provided, however, that if modified, the modification shall be first referred to the Planning Commission for report and recommendation. The Planning Commission shall not be required to hold a hearing thereon. Failure of the Planning Commission to report within 40 days of the reference, or such longer period as may be designated by the City Council, shall be deemed to be approval of the proposed modification.

E. If the Council finds that the proposed amendment is required, in its original or modified form, it shall enact an ordinance amending the regulations of this title. If the Council finds that an amendment is not required, it shall deny the application or proposal for amendment.

17.48.09 Amendment of Official Zoning Map

A change in a district boundary shall be indicated on the Official Zoning Map together with the date, the amendment action and ordinance number.

17.48.10 New Application

Following the denial of an application for a change in a district boundary, no application for the same or substantially the same change shall be filed within one year of the date of denial of the application.
17.48.11 Urgency Zoning Ordinance Amendments

To protect the public interest, health, safety and welfare, the City Council may adopt an urgency zoning ordinance amendment limiting the use of property that may be in conflict with a general plan, specific plan, or zoning amendment that is being contemplated by the Planning Commission or City Council. The following regulations shall govern the procedures for an urgency zoning ordinance amendment.

A. Adoption of an urgency zoning ordinance amendment shall require a four-fifths (4/5) vote of the City Council.

B. The urgency ordinance shall not be binding 45 days from its adoption except under the following conditions.

   1. Subject to a public hearing, the City Council may extend the urgency ordinance amendment for 10 months and 15 days.

   2. An urgency ordinance amendment may extended for an additional year, subject to a four-fifths (4/5) vote by the City Council.

   3. Ten days prior to the expiration or extension of an urgency ordinance, the City Council shall issue a written report describing the measures being taken to alleviate the condition that led to the adoption of the urgency zoning ordinance.

17.48.12 Prezoning

Exeter may prezone unincorporated territory to delineate the zoning of the subject territory in the event of annexation to the City. The procedure for prezoning shall be consistent with the requirements outlined in this chapter.
Exhibit 1: Zoning Ordinance Amendment Process

Applicant submits application.

Staff reviews application to determine whether it is complete.

Staff prepares environmental analysis (as necessary) as required by California Environmental Quality Act (CEQA).

Staff prepares report to Planning Commission and prepares notices for public hearing.

Planning Commission public hearing. The Planning Commission may vote to recommend approval or denial of the request, or may continue the hearing to receive additional information. If approved, the application will be forwarded to the City Council for final action.

Staff prepares report to City Council and public hearing notices.

City Council public hearing. The City Council considers the application and may vote to approve or deny the request, or may continue the hearing to receive more information. The Council’s vote is final.
Conditional Use Permits

Sections

17.49.01 Purpose
17.49.02 Application and Fee
17.49.03 Hearings and Notice
17.49.04 Report and Findings
17.49.05 Action of the Planning Commission
17.49.06 Conditions
17.49.07 Review by City Council
17.49.08 Lapse of Conditional Use Permit
17.49.09 Extension of Conditional Use Permit
17.49.10 Revocation
17.49.11 New Application
17.49.12 Use Permit to Run with the Land
17.49.13 Preexisting Conditional Use Permits
17.49.14 Temporary Conditional Use Permits

17.49.01 Purpose

The purpose of this chapter is to establish procedures for processing conditional use permits and temporary use permits. Specific uses listed in districts in this Ordinance are permitted subject to receiving a conditional use permit. Because of their unusual characteristics, or unique area in which they are proposed, these uses require special consideration so that they may be located properly with respect to the purpose and objectives of this Ordinance and with respect to their effects on surrounding properties.
17.49.02 Application and Fee

An application for a conditional use permit shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application.

17.49.03 Hearings and Notice

Upon receipt of a conditional use permit application, the Planning Department shall prepare a notice for a public hearing consistent with the requirements contained in Chapter 17.04 Public Hearings. The application shall include the following information:

A. Name and address of applicant.

B. Statement that the applicant is the owner of the property, or is the authorized agent of the owner.

C. Statement setting forth the precise circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right, together with any other data pertinent to the findings prerequisite to the granting of the use permit;

D. An accurate scale drawing of the site and the surrounding area for a distance of at least 300 feet from each boundary of the site showing the existing locations of streets and property lines and a list of the names and last known addresses of the recorded legal owners, as shown on the county assessor’s records, of all drawings shown on the drawing.

E. Preliminary floor plans and front, side and rear elevations of the proposed structures.

F. A site plan, drawn to scale, which shall show the following:

1. Lot and building dimensions.

2. All buildings and structures: location, size, height, and proposed use.

3. Yards and space between buildings.

4. Walls and fences; location, height and materials.

5. Off-street parking and loading: Location, number of spaces, dimensions of spaces, and internal circulation pattern

7. Signs: location, size, height, and type of illumination.

8. Lighting: location and general nature.

9. Street dedication and improvements.

10. Landscaping and irrigation: location and type.

17.49.04 Report and Findings

The Planning Department shall prepare a report on the conditional use permit application. The Department shall provide a recommendation based on the following findings.

A. That the location of the proposed use is in accordance with the purpose and objectives of this Ordinance and the purpose of district in which the subject site is located.

B. That the location of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public interest, health, safety, convenience or welfare, or materially injurious to properties or improvements in the vicinity.

C. That the proposed use will not have a significant impact on the environment.

D. That the proposed use will comply with applicable provisions contained in this Ordinance.

E. That the proposed use is consistent with the Exeter General Plan.

F. That the site for the proposed use is adequate in size, shape and location to accommodate the use the district for which it is proposed.

17.49.05 Action of the Planning Commission

Following the public hearing, the Planning Commission shall take action on the conditional use permit. The Commission can approve, approve with conditions or deny the conditional use permit based on the finding listed above. The Commission's decision shall be forwarded to the City Council for their consideration.

Within 10 days of adopting a resolution on the conditional use permit, the Commission shall transmit a copy of its resolution to the person that filed the conditional use permit application.
17.49.06 Conditions

The Planning Commission can approve a conditional use permit subject to conditions. Conditions may involve the operation of the use, maintenance of the property or specific aspects associated with the development, including storage and display of goods, grading, surface and drainage improvements; vehicular ingress and egress; parking and loading; landscaping and irrigation and maintenance thereof; regulation of light, vibration, odors, and noise; appearance of buildings, grounds, signs, and other structures; street dedication and improvements; and hours of operation. In cases where certain improvements may be phased over time, Exeter may request a bond or monetary deposit to insure faithful performance on the part of the applicant. The city engineer shall determine the value of the bond or deposit.

Conditions set forth for a conditional use permit can only be required in order to achieve the purpose and objectives of this Ordinance. Conditions, which require dedication of land for a purpose not reasonably related to the use of the property, shall be prohibited.

17.49.07 Review by City Council

At the first regular meeting held more than 30 days after a decision on the conditional use permit by the Planning Commission, the City Council shall review the decision. The City Council may affirm, reverse, or modify a decision of the Commission; provided, that if a decision denying the conditional use permit is reversed or a decision granting a use permit is modified, the City Council shall, on the basis of the record transmitted and such evidence as may be submitted, make the findings prerequisite to the granting of a use permit detailed in Section 17.49.04.

A use permit shall become effective three days following the date on which the use permit is granted by the City Council.

17.49.08 Lapse of Conditional Use Permit

A conditional use permit shall lapse and become void one year from the date it became effective, unless by conditions of the use permit a greater time is allowed, or unless a building permit is issued by the Chief Building Official and construction on the use has commenced.

17.49.09 Extension of Conditional Use Permit

A conditional use permit for which no building permit has been issued may be renewed in increments of one year, not to exceed three one-year extensions; provided, that prior to the one year expiration, an application for renewal is filed with the Planning Department. The Planning Commission by resolution may approve, approve with conditions or deny the renewal application.
17.49.10 Revocation

Where the City finds that a use operating under a conditional use permit is not complying with the conditions of that use permit, the operation of the use shall be suspended. Within 60 days of the suspension, the Planning Commission shall hold a public hearing on the conditional use permit. Based on a report from the Planning Department, findings contained in Section 17.49.04 of this Chapter, and testimony from the public, the Commission may revoke the conditional use permit with conditions that may be necessary to assure compliance with the purpose and objectives of this Ordinance. The Commission’s decision shall be final unless appealed to the City Council consistent with the requirements contained in Chapter 17.06 Appeals.

17.49.11 New Application

Following the denial or revocation of a conditional use permit, no application for the same or substantially the same conditional use permit shall be filed within one year of the date of denial or revocation.

17.49.12 Use Permit to Run with the Land

A conditional use permit shall run with the land and shall continue to be valid upon change of ownership of the property or structure that was the subject of the use permit application.

17.49.13 Preexisting Conditional Use Permits

A conditional use permit granted under the provisions of the Tulare County Zoning Ordinance and supplementary provisions thereto prior to the enactment of this Ordinance shall, upon the annexation of the property into Exeter, become null and void at the end of one year after said annexation has been completed.

17.49.14 Temporary Conditional Use Permits

A. Purpose

The purpose of a temporary conditional use permit is to provide for the short-term use of property and structures that are consistent with the purpose and objectives of this Ordinance.

B. Applicant and Fee

An application and fee for a temporary conditional use permit shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application.
C. Report and Findings

The Planning Director is authorized to review and approve temporary conditional use permits subject to reviewing the following findings. The Director may add conditions to insure consistency with the purpose and objectives of the Ordinance including the following:

1. That egress and ingress and off-street parking facilities are properly designed and adequate to serve the use.

2. That the site is adequate in size and location and has the proper accessibility to accommodate the use.

3. That there are adequate public services, including fire protection, water supply, waste water disposal, and police protection to serve the use.

4. That upon termination of the use the site shall be restored to its original condition. All materials and equipment associated with the temporary use shall be removed.

5. That reasonable time limits be established for the use, not to exceed 30 days.

6. That the applicants for a temporary conditional use permit shall have all applicable licenses and permits.

7. That the signage for the use be approved by the Planning Department.

D. Processing

The Planning Director may process temporary conditional use permits as an administrative matter. Following a decision by the Director, an administrative agreement shall be prepared that outlines the findings and conditions on the temporary use permit.

E. Temporary Uses and Activities

The following uses and activities are eligible for a temporary use permit. The Planning Commission, by resolution, may add other uses to the list. The Planning Director shall determine the appropriate districts for the uses and activities listed below.

1. Christmas tree sales.
2. Promotional displays and activities, including amusement rides, street dances, concerts, live entertainment and promotional outdoor displays and sales. These activities may be conducted in any non-residential district. Temporary signs are permitted with the approval of Planning Director. All display material, signs and related improvements shall be removed no later than 24 hours from the end of the activity. Sales areas shall be located where adequate parking is available and sight distances at intersections and driveways will not be obstructed.

3. Temporary Uses.

The temporary use of property by nonprofit or charitable organizations, including activities such as expositions, concerts, carnivals, amusement rides, and church revivals.

4. Temporary Outdoor Sales

Temporary outdoor sales, sidewalk sales and parking lot sales in association with a permitted business for which there is an enclosed building. No off-site signs shall be permitted and no more than six of these events shall occur on the subject property per calendar year.

5. City-sponsored uses and activities, not occupying a structure and occurring at regular periodic intervals.

F. Exemptions

The following uses shall be exempt from securing a temporary use permit from the City of Exeter, and are covered by separate city policies and procedures.

1. Fireworks stands

2. Garage and yard sales

G. Appeal

A decision of Planning Director may be appealed to the Planning Commission consistent with the procedures contained in Chapter 17.06 Appeals.
Exhibit 1: *Conditional Use Permit Process*

1. **Applicant submits application.**
2. **Staff reviews application to determine whether it is complete.**
3. **Staff prepares environmental analysis (as necessary) as required by California Environmental Quality Act (CEQA).**
4. **Staff prepares report to Planning Commission and prepares notices for public hearing.**

**Planning Commission public hearing.** The Planning Commission may vote to approve or deny the request, or may continue the hearing to receive additional information. The decision of the Commission will then be forwarded to the City Council for review.

5. **Staff prepares report to City Council and schedules review by the City Council.**
6. **City Council review.** The City Council considers the application and may vote to approve or deny the Conditional Use Permit, or may continue the hearing to receive more information. The Council’s vote is final.
The purpose of this chapter is to establish procedures for processing variance applications. A variance may be granted where practical difficulties, unnecessary hardships and conditions inconsistent with the purpose and objectives of this Ordinance may result from the strict application of certain provisions of this Ordinance. The granting of a variance shall not constitute a special privilege inconsistent with the limitations on other properties in the vicinity and in other like districts within the city.

17.50.02 Applicability

The Planning Commission and City Council may grant a variance from district regulations, including setbacks, lot dimensions, height of structures, lot coverage, parking
and loading standards, and sign regulations. The power to grant variances shall not extend to district permitted and conditional use regulations.

17.50.03 Application and Fee

An application for a variance shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application.

17.50.04 Hearings and Notice

Upon receipt of a variance application, the Planning Department shall prepare a notice for a public hearing consistent with the requirements contained in Chapter 17.04 Public Hearings.

17.50.05 Report and Findings

The Planning Department shall prepare a report on the variance application. The Department shall provide a recommendation based on the following findings, which are pursuant to Government Code Section 65906.

A. That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, and that the strict application of this Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical classifications;

B. That granting a variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and district and denied to the property for which the variance is sought;

C. That granting the variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in such vicinity and district in which the property is located;

D. That granting the variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which such property is located;

E. That granting the variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel; and

F. That granting the variance will not be inconsistent with the General Plan.
17.50.06   Action of the Planning Commission

Following the public hearing, the Planning Commission shall take action on the variance. The Commission can approve, approve with conditions or deny the variance based on the finding listed above. To approve a variance, the Commission shall find that all of the above findings are true. The Commission’s decision shall be final unless appealed to the City Council consistent with the requirements contained in Chapter 17.06 Appeals.

Within 10 days of adopting a resolution on the variance, the Commission shall transmit a copy of its resolution to the person that filed the variance application.

17.50.07   Conditions

The Planning Commission can approve a variance subject to conditions. Such conditions will assure that the approved variance shall not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is located.

17.50.08   Appeal to City Council

Upon an appeal of the Planning Commission’s action, the City Council shall hold a public hearing and take action by resolution on the variance. The Council shall consider the Commission's decision, the claims contained in the appeal, and the findings contained in Section 17.50.05 of this chapter. The Council can approve, approve with modifications or deny the decision of the Planning Commission. The decision of the Council shall be final. The variance shall become effective three days following the date of Council approval. Within 10 days of adopting a resolution on the variance, the Council shall transmit a copy of its resolution to the person who filed the variance application.

17.50.09   Lapse of Variance

A variance shall lapse and become void one year from the date it became effective, unless conditions of the variance allow a greater time, or unless the Chief Building Official issues a building permit and construction has commenced on the use that is the subject of the variance.

17.50.10   Revocation

Where the City finds that a use or activity, which is the subject of a variance, violates its conditions or no longer complies with the findings contained in Section 17.50.05 of this chapter, the holder of the variance shall be notified of the noncompliance finding. Within 60 days of this notification, the Planning Commission shall hold a public hearing on the revocation of the variance. Based on a report from the Planning Department, findings contained in Section 17.50.05 of this chapter, and public testimony the Commission may
revoke the variance, reinstate the variance, or reinstate the variance with conditions that may be necessary to assure compliance with the purpose and objectives of this Ordinance. The decision of the Commission can be appealed to the City Council consistent with the requirements of Chapter 17.06 Appeals.

17.50.11 New Application

Following the denial or revocation of a variance, no application for the same or substantially the same variance shall be filed within one year of the date of denial or revocation.

17.50.12 Variance to Run With the Land

A variance shall run with the land and shall continue to be valid upon change of ownership of the property or structure, which was the subject of the variance application.
Exhibit 1: Variance Process

Applicant submits application.

Staff reviews application to determine whether it is complete.

Staff prepares environmental analysis (as necessary) as required by California Environmental Quality Act (CEQA).

Staff prepares report to Planning Commission and prepares notices for public hearing.

Planning Commission public hearing. The Planning Commission may vote to approve or deny the request, or may continue the hearing to receive additional information. The decision of the Commission is final unless an appeal is filed. If appealed, the Variance will be scheduled for an appeal hearing with the City Council.

If appealed, staff prepares report to City Council and schedules review by the City Council.

City Council review. The City Council considers the appeal and may vote to affirm or reverse the Planning Commission’s decision. The Council’s vote is final.
Sections

17.52.01 Purpose
17.52.02 Applicability
17.52.03 Application and Fee
17.52.04 Report and Findings
17.52.05 Action of the Planning Director
17.52.06 Conditions

17.52.01 Purpose

The purpose of this chapter is to provide a mechanism whereby the Planning Director can grant minor deviations from district regulations. A minor deviation may be granted up to 10 percent of the district regulations and up to 20 percent for setback distances. Any minor deviation that exceeds the deviation percentage explained above shall be processed as a variance consistent with the regulations detailed in Chapter 17.50 Variances.

Minor deviations shall only be granted when practical difficulties, unnecessary hardships and conditions inconsistent with the purpose and objectives of this Ordinance may result from the strict application of certain provisions of this Ordinance. The granting of a minor deviation and its associated conditions shall not constitute a special privilege inconsistent with the limitations on other properties in vicinity and in other like districts in Exeter.

17.52.02 Applicability

The Planning Director may grant a minor deviation from district regulations, including setbacks, lot dimensions, height of structures and fences, walls and hedges, lot coverage, parking standards and sign regulations.
17.52.03 Application and Fee

An application for a minor deviation shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application.

17.52.04 Report and Findings

The City Director shall prepare a report on the minor deviation application and shall review the following findings with regard to a minor deviation.

A. There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, and unclear property lines, where the strict application of this Ordinance deprives such property right possessed by other property in the same vicinity or other properties that have the same district classification;

B. That granting a minor deviation is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or other properties that have the same district classification;

C. That granting the minor deviation will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and district in which the property is located; and

D. That granting the minor deviation does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the property is located.

17.52.05 Action of the Planning Director

The Planning Director may process minor deviations as an administrative matter. Following a review of a minor deviation application and the findings listed above, the Planning Director may take action on the minor deviation. The Planning Director can approve, approve with conditions or deny the minor deviation based on the findings listed above. Following a decision by the Planning Director, an administrative agreement, consistent with Chapter 17.63 Administrative Agreements, shall be prepared that outlines the findings and conditions of the decision. The Planning Commission will be notified of all minor deviations granted by the Planning Director.

The Director’s decision shall be final unless appealed to the Planning Commission consistent with the requirements contained in Chapter 17.06 Appeals. Within 10 days of approving the minor deviation, the Director shall transmit a copy of the administrative agreement to the person that filed the minor deviation application.
17.52.06 Conditions

The Director can approve a minor deviation subject to conditions. Conditions will assure that the approved minor deviations shall not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which such property is situated.
17.54.01 Purpose

The purpose of the site plan process is to enable the Planning Commission to make a finding that the proposed development is in conformity with the intent and provisions of this Ordinance and to guide the building department in the issuance of building permits. The site plan review process is constructed to ensure that development constructed in Exeter meets good urban design standards, does not have an adverse impact on neighboring properties, does not impact the public health, safety and welfare, and produces a development that will enhance the image and marketability of Exeter.

17.54.02 Applicability

The site plan review process shall be applicable to all uses on the permitted and conditional use lists of Exeter’s zone districts.
17.54.03 Exemptions

The following uses shall be exempt from Exeter’s site plan review process:

A. Single family dwellings
B. Open space uses that do not require a building permit
C. Incidental and accessory structures
D. Various public and private utility and infrastructure improvements
E. Small family day care homes (Health and Safety Code 1597.45)
F. Existing permitted uses whose building area is being increased by less than 25 percent
G. Other uses that the Planning Director determines not to require site plan review because it would not further the objectives of this chapter, including temporary use permits, minor building and site improvements and in home care facilities that cater to the elderly, disabled or homeless.

17.54.04 Application and Fee

An application for a site plan permit shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application. Uses requiring a conditional use permit shall not be required to pay for a site plan review permit because the fee for a conditional use permit would cover the fee. The information requirements detailed below will be required of use permit applicants. The application shall include the following information:

A. Name and address of applicant.
B. Statement that the applicant is the owner of the property or is the authorized agent of the owner.
C. An accurate scale drawing of the site and the surrounding area for a distance of at least 100 feet from each boundary of the site showing the existing locations of streets and property lines.
D. Preliminary floor plans and front, side and rear elevations of the proposed structures.
E. A site plan, drawn to scale, which shall show the following:
1. Lot and building dimensions.

2. All buildings and structures: location, size, height, and proposed use.

3. Yards and space between buildings.

4. Walls and fences: location, height and materials.

5. Off-street parking and loading: location, number of spaces, dimensions of spaces, and internal circulation pattern.


7. Signs: location, size, height, and type of illumination.

8. Lighting: location and general nature.


10. Street dedication and improvements.

11. Grading and drainage plan.

12. Landscaping and irrigation: location and type.

17.54.05 Action of the Site Plan Review Committee

Within 15 working days after the submission of a site plan, the site plan review committee shall review the site plan and shall provide a recommendation to the Planning Commission of approval, approval with conditions or denial.

17.54.06 Report and Findings

The Planning Department shall prepare a report on the site plan permit application. The Department shall prepare a report and recommendation based on the findings and conditions provided by the Site Plan Review Committee. This report shall be forwarded to the Planning Commission. The findings shall include the following:

A. That the location of the proposed use is in accordance with the purpose and objectives of this Ordinance and the purposes of the district in which the subject site is located.
B. That the location of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public interest, health, safety, convenience or welfare, or be materially injurious to properties or improvements in the vicinity.

C. That the proposed use will not have a significant impact on the environment.

D. That the proposed use will comply with applicable provisions contained in this Ordinance.

E. That the proposed use is consistent with the Exeter General Plan.

F. That the site for the proposed use is adequate in size, shape and location to accommodate the use for which it is proposed.

17.54.07 Action of the Planning Commission

Following the review of the Planning Department’s report on the site plan review application; the Planning Commission shall take action on the site plan permit. The Commission can approve, approve with conditions, or deny the site plan permit based on the finding listed above. The Commission's decision shall be final unless successfully appealed to the City Council consistent with the requirements contained in Chapter 17.06 Appeals.

Within 10 days of adopting a resolution on the site plan permit, the Commission shall transmit a copy of its resolution along with its required conditions to the person who filed the site plan permit application.

17.54.08 Street Dedication and Improvements

In addition to the conditions detailed in the Planning Commission’s resolution, changes in the neighborhood that would result from traffic generated by the development undergoing site plan review may require land dedication and/or street improvements. Should the Commission find that approval of the proposed development combined with existing traffic in and near the subject property warrant road improvements along the subject property, the Commission may warrant conditions as follows?

A. The applicant shall dedicate necessary right-of-way along the subject property adequate to facilitate the installation of roadway improvements consistent with Exeter’s Circulation Element and Improvements Manual.

B. The applicant shall install roadway improvements, including curbs, gutters, sidewalks and street paveout, along the subject property that are consistent with Exeter’s Circulation Element and Improvements Manual. These improvements
may extend off site for purposes of ensuring safe traffic circulation, effective storm drainage, or pedestrian safety.

C. The applicant shall install non-roadway improvements within the roadway right-of-way, including street signs, streetlights, street trees and bus stops.

All improvements shall be constructed and installed to city standards and shall be installed at the time of development. Where it is determined by the Planning Commission that it is impractical to install certain or all improvements at the time of development, an agreement to make such improvements may be accepted in lieu thereof. In the event of such an arrangement, the applicant shall enter into an agreement with Exeter for the installation of improvements before a building permit is issued. The applicant shall deposit money with the City of Exeter or post a bond with the City in the amount determined by the City Engineer to guarantee the installation of said improvements.

17.54.09 Building Permit

Before a building permit shall be issued for any building or structure proposed as part of a site plan review, the Chief Building Official shall find that the proposed building location and size, facilities and improvements are in conformance with the site plan and conditions approved by the Planning Commission or City Council.

17.54.10 Lapse of Site Plan

Site plan approval shall lapse and shall become void one year following the date on which it was approved unless, prior to expiration of one year, the Chief Building Official has issued a building permit and construction has commenced.

17.54.11 Revocation

Upon violation of any conditions of an approved site plan, said site plan shall be revoked and building permits associated with an approved site plan shall be suspended. Within 30 days of the revocation and suspension, the City Council shall consider the matter. If not satisfied that the regulation, general provision, condition or conditions are being complied with, the City Council may revoke the site plan and/or building permit and take action as may be necessary to ensure compliance.

17.54.12 Site Plan to Run With the Land

A site plan shall run with the land and shall continue to be valid upon change of ownership of the property or building, which was the subject of a site plan application.
Exhibit 54-1: Site Plan Review Process

1. Applicant submits application.
2. Staff reviews application to determine whether it is complete.
3. Within fifteen days of receiving a complete application the Site Plan Review Committee will prepare a recommendation on the project to the Planning Commission.
4. Planning Commission review. At a regularly scheduled meeting, the Planning Commission will review the project and vote to approve or deny the Site Plan Review application. Any decision of the Planning Commission may be appealed to the City Council. If appealed the Council at the next regularly scheduled meeting. Any decision of the Council is final.
Development Agreements

Sections

17.56.01 Purpose
17.56.02 Authority
17.56.03 Development Agreement Contents
17.56.04 Application and Fees
17.56.05 Hearings and Notice
17.56.06 Report and Findings
17.56.07 Development Agreement Regulations
17.56.08 Action of the Planning Commission
17.56.09 Action of the City Council
17.56.10 Amendment or Cancellation of Development Agreement
17.56.11 Recordation of Development Agreement
17.56.12 Review of Development Agreement

17.56.01 Purpose

The lack of certainty in the approval of development projects can result in the waste of resources, escalate the cost of housing and other development to the consumer, and discourage investment in and commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public. A development agreement assures the applicant of a development project that existing policies, rules and regulations, and conditions of approval remain in place once the project has been approved.

17.56.02 Authority

Any city may enter into a development agreement with any person having a legal or equitable interest in real property for the development of property. Further, Exeter may enter into a development agreement with any person having equitable interest in real property in unincorporated territory within its sphere of influence. However, the
agreement shall not become operative unless annexation proceedings are completed within the time limit specified by the agreement.

17.56.03 Development Agreement Contents

A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of the use, the maximum height and size or buildings, and provisions for reservation or dedication of land for public purposes. The development agreement may contain conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that construction shall be commenced within a specified time and that the project or any phase thereof be completed within the specified time. The agreement may also include terms and conditions relating to applicant financing of necessary public facilities and subsequent reimbursement over time.

17.56.04 Application and Fees

An application for a development agreement shall be made to the Planning Department on a form prescribed by the Department. The application shall be accompanied by a fee set by resolution of the City Council.

17.56.05 Hearings and Notice

A public hearing on an application for a development agreement shall be held by the Planning Commission and City Council. Notice of intention to consider adoption of a development agreement shall be given consistent with Chapter 17.04 Appeals.

17.56.06 Report and Findings

The Planning Department shall prepare a report on the development agreement application. The Department shall provide a recommendation based on the following findings.

A. That the location of the proposed project is in accordance with the purpose and objectives of this Ordinance and the purposes of the district in which the subject site is located.

B. That the location of the proposed project and the conditions under which it would be operated or maintained will not be detrimental to the public interest, health,
safety, convenience or welfare, or be materially injurious to properties or improvements in the vicinity.

C. That the proposed project will not have a significant impact on the environment.

D. That the proposed project will comply with applicable provisions contained in this Ordinance.

E. That the proposed project is consistent with the Exeter General Plan and any specific plans.

17.56.07 Development Agreement Regulations

Unless otherwise provided by the development agreement, rules, regulations, and policies governing the permitted uses of land, density, and design, improvement and construction standards and specifications applicable to development of the property subject to a development agreement shall be those rules, regulations, and official policies in force at the time of execution of the agreement.

17.56.08 Action of the Planning Commission

Following a public hearing, the Planning Commission shall review the Planning Department’s report and shall take action on the development agreement. The Commission can approve, approve with conditions or deny the development agreement. The Commission’s action and findings shall be forwarded in a resolution to the City Council.

17.56.09 Action of the City Council

Following a public hearing, the City Council shall consider the Commission’s action and findings and the information contained in the staff report. The Council can approve, approve with modifications or deny the development agreement. Said actions shall be by means of an ordinance.

17.56.10 Amendment or Cancellation of Development Agreement

Either party may propose an amendment to or cancellation of, in whole or in part, the development agreement previously entered into. If proposed by the applicant the procedure shall be the same as the procedure for entering into an agreement. However, where the City Council initiates the proposed amendment to or the cancelation of, the
development agreement it first shall give at least 30 days notice to the applicant of its intention to initiate proceedings in advance of giving public notice.

17.56.11 Recordation of Development Agreement

No later than 10 days after Exeter enters into a development agreement, the city clerk shall record with the Tulare County Recorders Office a copy of the agreement. The burdens of the agreement shall be binding upon, and the benefits of the agreement shall apply to all successors in interest to the parties to the agreement.

17.56.12 Review of Development Agreement

An approved development agreement shall be reviewed at least every 12 months, at which time the applicant, or successor in interest thereto, shall be required to demonstrate good faith compliance with the terms of the agreement. If, as a result, of such periodic review, the local agency finds and determines, on the basis of substantial evidence, that the applicant or successor in interest thereto has not complied in good faith with the terms or conditions of the agreement, the local agency may terminate or modify the agreement.
Density Bonuses

Sections

17.58.01 Purpose
17.58.02 Definitions
17.58.03 Application and Fee
17.58.04 Density Bonus Requirements
17.58.05 Application
17.58.06 Public Hearings
17.58.07 Report and Findings
17.58.08 Action of Planning Commission
17.58.09 Action of the City Council
17.58.10 Density Bonus Housing Agreement
17.58.11 Density Bonus Calculations

17.58.01 Purpose

The purpose of a density bonus is to encourage the private sector to construct affordable housing for “target households” as defined by the Government Code. A density bonus can be approved by Exeter if a private sector housing developer agrees to construct a certain percentage of units for target households and agrees to maintain their affordability for a specific time period.

Section 65915 of the State Government Code states that when an applicant seeks a density bonus for a housing development in Exeter, the City shall provide the applicant incentives or concessions for the production of housing units and child care facilities.

17.58.02 Definitions

A. Density Bonus: A density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and the land use element...
of the general plan as of the date of application. Density bonus percentages may range from five to 35 percent depending upon the percentage of low-income, very low-income or moderate-income housing units proposed for construction a housing developer.

B. Developer Incentives:

1. Reduce or eliminate standards contained in the subdivision ordinance or Exeter’s Improvements Manual.

2. Reduce or eliminate residential zone district requirements, including open space, lot size, setbacks, or parking standards.

3. Reduce or eliminate any design requirements exceeding Uniform Building code specification.

C. Housing Development: One or more residential projects that have five or more residential units.

D. Low Income Household: A unit affordable to a household at a rent that does not exceed 80 percent of the Tulare County median household income.

E. Very Low Income Household: A unit affordable to a household at a rent that does not exceed 50 percent of the Tulare County median household income.

F. Extremely Low Income Household: A units affordable to a household at a rent that does not exceed 30 percent of the Tulare County median household income.

G. Target Households: Lower-income households or senior citizen households.

H. Senior Households: Those residential units that have at least one occupant that is at least 55 years of age or older.

17.58.03 Application and Fees

An application for a density bonus shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application.

17.58.04 Density Bonus Requirements

Government Code Section 65915 indicates that when an applicant seeks a density bonus for a housing development, the density bonus requirements are triggered when the residential development sets aside at least 10 percent of the total units as affordable to
low-income households; or at least 5 percent of the total units as affordable to very low-income households; or at least 10 percent of the total units as affordable for moderate-income households.

Development concessions or incentives that may be provided by the City of Exeter include a reduction in site development standards; a modification of zoning code requirements (including a reduction in setbacks, square footage requirements, or parking spaces; or architectural design requirements which exceed the minimum building standards); approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development, and if such nonresidential uses are compatible with the project; or other regulatory incentives or concessions proposed by the developer or the city of Exeter which result in identifiable cost reductions.

A project that receives a density bonus and concession or incentive must retain affordability of the units for at least 30 years.

17.58.05 Density Bonus Requirements for Land Donations

If an applicant for a tentative subdivision map, parcel map, or some other type of residential development application donates land to Exeter where very-low income housing can be developed, the developer shall be entitled to a minimum of 15 percent increase above the allowable residential density under the zoning ordinance and land use element of the general plan.

17.58.06 Application

An application for a density bonus shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application.

17.58.07 Report and Findings

The Planning Department shall prepare a report on the density bonus application. The Department shall provide a recommendation based on the following density bonus requirements.

A. The housing development qualifies for a density bonus based on the requirements outlined in Government Code Sections 65915 to 65918.

B. The applicant has provided to the City the legal instrument that will insure that “target households” will remain affordable for at least 30 years.

C. The application has selected a developer incentive or concession.
17.58.08 Action of Planning Commission

Following the Planning Commission’s review of the Planning Department’s report on the applicant’s request for a density bonus, the Commission shall take action on the density bonus application based on the regulations contained in Government Code Sections 65915 to 65918. The Commission can approve, approve with conditions, or deny the density bonus. Denial of a density bonus application shall require findings consistent with those in Government Code Sections 65915 to 65918.

The Commission’s recommendation shall be forwarded to the City Council.

If the Commission approves the density bonus and the developer provides an instrument that will insure that “target households” will remain affordable for 30 years or longer, the Commission may grant a developer incentive. If the Commission finds that a developer incentive is not necessary to insure the affordability of “target households,” it shall make a written finding that the incentive or concession is not necessary.

The Commission’s decision shall not be based on a finding that “target households” will occupy the housing project and that this condition may have an adverse impact on the neighborhood or community.

Within 10 days of adopting a resolution on the density bonus, the Planning Department shall forward the Commission’s recommendation to the City Council and shall transmit a copy of the Commission’s resolution to the applicant.

17.58.09 Action of the City Council

The City Council shall consider the Planning Commission’s recommendation and shall take action on the density bonus application. The Council can approve, approve with modifications, or deny the density bonus application. One of the following actions shall be initiated:

A. If the City Council approves or approves with modification an ordinance on the density bonus application, the Council shall initiate proceedings to adopt a second reading of the ordinance.

B. Any modification of the proposed density bonus by the City Council that is based on information not considered by the Planning Commission shall cause the density bonus application to be referred back to the Commission for its reevaluation and recommendation.
17.58.10 Density Bonus Housing Agreement

Agreements, contracts, or other instruments between the City and the developer shall be required to insure that “target households” shall remain affordable for the period of time agreed to by the City and the developer. Said agreement shall be reviewed and approved by the City Attorney and shall be recorded with the Tulare County Recorders Office.

17.58.11 Density Bonus Calculations

The base density of a property for which a density bonus is being requested shall be determined by the property’s zoning. A housing development may qualify for a minimum increase or density bonus of 35 percent over the maximum number of permitted residential units of the property’s zoning.
Non-Conforming Uses and Structures

Sections

17.60.01 Purpose

The purpose of this chapter is to prevent the expansion of non-conforming uses and structures, to the maximum extent possible, to establish criteria under which they may be continued or possibly expanded and to provide for the modification or removal of these non-conforming uses and structures in a fair, defensible and timely manner.

17.60.02 Definitions

A. A non-conforming use is a use of a structure or land that was lawfully established and maintained prior to the adoption of the Exeter Zoning Ordinance but which does not conform with the use regulations for the district in which it is located.

B. A non-conforming structure is a structure that was lawfully erected prior to the adoption of the Exeter Zoning Ordinance but which does not conform with the standards of coverage, setbacks, height, or distance between structures prescribed in the regulations for the district in which the structure is located.

17.60.03 Continuation, Maintenance and Abandonment

A. A use legally occupying a structure or a site on the effective date of the zoning ordinance (Ordinance No. 246, 1965) or amendments thereto, which does not conform with the use regulations for the district in which the use is located shall be deemed a legal, non-conforming use and may be continued, except as otherwise provided in this chapter.
B. A structure legally occupying a site on the effective date of the zoning ordinance (Ordinance No. 246, 1965) or amendments thereto which does not conform with the standards of coverage, setbacks, height, or distances between structures prescribed in the regulations for the district in which the structure is located shall be deemed a legal, non-conforming structure and may be continued, except as otherwise provided in this chapter.

C. A sign or outdoor advertising structure legally occupying a site on the effective date of the zoning ordinance or amendments thereto which does not conform with the standards for message content, location, size, lighting, or movement prescribed in Chapter 17.69 Signs for the district in which it is located shall be deemed to be a non-conform, except as otherwise provided in this chapter.

D. Routine maintenance and repairs may be performed on a non-conforming site, a non-conforming structure or a non-conforming sign or outdoor advertising structure. Improvements in the design or appearance of these non-conforming features may be made so long as the discrepancy between the existing conditions of the use, structure, sign, or advertising structure and the current district standards is not increased.

E. Alterations and additions to uses that are non-conforming shall be prohibited unless required by law or unless the moving, altering, or enlargement will result in the elimination of the non-conforming use.

F. Alterations and additions to structures, signs and outdoor advertising structures shall be prohibited unless required by law or unless the moving, altering or enlargement will result in the elimination of the non-conforming structure, sign, or outdoor advertising structure.

G. Whenever a non-conforming use, structure, sign, or outdoor advertising structure has been abandoned, discontinued, or changed to a conforming use for a continuous period of six months, the non-conforming use shall not be reestablished and the non-conforming structure, sign or outdoor advertising structure shall be removed.

H. Nothing in this chapter shall be construed or applied so as to require the termination, discontinuance, or removal or so as to prevent the expansion, modernization, replacement, maintenance, alteration, reconstruction or rebuilding and continued use of a public building or public utility buildings, structures, equipment, and facilities.

I. Fences, walls, and hedges that do not conform to the provisions of the Exeter Zoning Ordinance shall, within two years of the effective date of this ordinance, be removed or made to conform.
17.60.04 Restoration of Damaged Structure

A. Whenever a non-conforming use, structure, sign or outdoor advertising structure is destroyed by fire or other calamity or by an act of God or by the public enemy to the extent that less than 50 percent of the value of a use, structure, sign or outdoor advertising structure is destroyed as determined by the Chief Building Official, the feature may be restored provided that restoration is started within three months of the act of destruction and is completed within one year from the time of the event.

B. Whenever a non-conforming use, structure, sign, or outdoor advertising structure is destroyed by fire, or other calamity, or by an act of God or by the public enemy to the extent that more than 50 percent of the value of the use, structure, sign or outdoor advertising structure is destroyed as determined by the Chief Building Official, the feature shall be voluntarily razed, shall be required by law to be razed or shall be restored to conformity with the regulations for the district in which the feature is located. A non-conforming use shall not be resumed.
Reasonable Accommodations

Sections

17.62.01 Purpose
17.62.02 Applicability
17.62.03 Application and Fee
17.62.04 Action of Planning Director
17.62.05 Appeal to the Planning Commission

17.62.01 Purpose

It is the policy of the City of Exeter, pursuant to the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act (hereafter called “fair housing laws”), to provide individuals with disabilities reasonable accommodation in rules, policies, practices and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities. This ordinance establishes a procedure for making requests for reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures of the jurisdiction to comply fully with the intent and purpose of fair housing laws.

17.62.02 Applicability

Reasonable accommodation in the land use and zoning context means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.
A request for reasonable accommodation may be made by an individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning, or building regulation, policy, practice or procedure acts as a barrier to fair housing opportunities.

17.62.03 Application and Fee

Any eligible person as defined in Section 17.62.02 may request a reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures. An application for reasonable accommodation shall be made to the Planning Department on a form prescribed by the Department. A fee set by resolution of the City Council shall accompany the application.

Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

17.62.04 Action of Planning Director

The Planning Director shall prepare a report on the reasonable accommodation application. Reasonable accommodation applications shall be processed as an administrative matter. The Planning Director can approve, approve with conditions or deny the application based on the findings listed below. Following a decision by the Planning Director, an administrative agreement, consistent with Chapter 17.63 Administrative Agreements, shall be prepared that outlines the findings and conditions of the decision. The decision shall be made within 30 days of receiving the application. The written decision of the Planning Director shall be final unless appealed to the Planning Commission consistent with the requirements contained in Chapter 17.06 Appeals. The Planning Director shall render a decision based on the following findings.

A. The Exeter Housing Element contains policies and action programs that remove governmental constraints to housing for individuals with disabilities, including local land use and zoning constraints.

B. The Attorney General of the State of California has recommended that cities and counties implement fair housing reasonable accommodation procedures for making land use and zoning determinations concerning individuals with disabilities.

C. A fair housing reasonable accommodation will ensure Exeter’s compliance with federal and state fair housing laws and provide greater opportunities for the development of critically needed housing for individuals with disabilities.
D. Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws.

E. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair share housing laws.

F. Whether the requested accommodation would impose an undue financial or administrative burden on the City of Exeter.

G. Whether the requested accommodation would require a fundamental alteration in the nature of the jurisdiction’s land use and zoning or building codes.

17.62.05 Appeal to the Planning Commission

Upon an appeal of the Planning Director’s decision, the Planning Commission shall take action by resolution on the reasonable accommodation application. The Commission shall consider the Planning Director’s decision, the claims contained in the appeal, and the findings contained in Section 17.62.04 of this chapter. The Commission can approve, approve with modifications or deny the recommendation of the Planning Director. The decision of the Commission shall be final. The decision shall become effective three days following the date of the Commission’s approval at which time the applicant may secure a building permit for the accommodation under consideration.
Administrative Agreements

Sections

17.63.01 Purpose
17.63.02 Applicability
17.63.03 Application and Fee
17.63.04 Action of Planning Director
17.63.05 Appeal to the Planning Commission
17.63.06 Action of Planning Director
17.63.07 Appeal to the Planning Commission
17.63.08 Conditions
17.63.09 Administrative Resolution Requirements
17.63.10 Administrative Resolution Contents

17.63.01 Purpose

The purpose of this chapter is to provide a process whereby the Planning Director can make administrative decisions on minor planning requests in order to expedite the building or planning process. Said decisions are minor planning or building issues that will not negate the purpose and intent of the Exeter general plan or zoning ordinance.

17.63.02 Applicability

The Planning Director may review and grant approval of the following minor planning requests.

A. Home occupation permits.
B. Temporary conditional use permits.
C. Building permits for fences, signs and accessory structures.
D. Site plans for parking lots.
E. Minor deviations.

F. Lot line adjustments.

G. Building permit applications for additions to existing buildings and uses, where the existing building or use is being expanded by less than 25 percent of the area of the existing building or use.

H. Classification of conditional uses, placing uses on the conditional use list of districts with the finding that the use to be added is similar in nature to the uses already listed.

17.63.03 Definitions

A. Administrative Agreement: An agreement duly executed and legally binding between the City of Exeter, prepared and signed by the Planning Director, and the applicant for a minor planning request. The agreement will delineate the terms and conditions agreed upon by the two parties.

B. Minor Planning Request: The temporary use of a structure or land, a deviation from a development standard of a district, addition of uses to a conditional use list, site plans for existing land uses where the existing building is being expanded by less than 25 percent of the area of the building or use, or other minor planning requests that might be added to this chapter by the Planning Commission.

17.63.04 Application and Fee

An application for a minor planning request shall be submitted to the Planning Department on a form prescribed by the Planning Department. A fee set by resolution of the City Council shall accompany the application.

17.63.05 Findings

The Planning Director shall review the minor planning request and shall make the following findings prior to approving the request.

A. That the minor planning request will not adversely impact the purpose and intent of the Exeter Zoning Ordinance.

B. That the minor planning request will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and district in which the property is located.
C. That approving the project will not have a significant adverse impact on the environment.

17.63.06 Action of Planning Director

Following a review of a minor planning request and the findings above, the Planning Director may take action on the matter. The Director can approve, approve with conditions, or deny the planning request. Following a decision by the Planning Director, an administrative resolution shall be prepared that outlines the findings and conditions of the Director’s decision. The Planning Director and the applicant shall sign the administrative resolution.

The Director’s decision shall be final unless appealed to the Planning Commission consistent with the requirements contained in Chapter 17.06 Appeals.

17.63.07 Appeal to the Planning Commission

Upon an appeal of the Planning Director’s decision, the Planning Commission shall take action by resolution on the minor planning request. The Commission shall consider the Planning Director’s decision, the claims contained in the appeal, and the findings contained in Section 17.63.04 of this chapter. The Commission can approve, approve with modifications or deny the recommendation of the Planning Director. The decision of the Commission shall be final. The decision shall become effective three days following the date of the Commission’s approval at which time the applicant may secure a building permit for the accommodation under consideration.

17.63.08 Conditions

The Planning Director can approve a minor planning request subject to conditions. Such conditions will ensure that the approved project shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which such subject property is located. Said conditions shall be contained in an administrative resolution.

17.63.09 Administrative Resolution Requirements

To prepare an administrative resolution, the Planning Director shall find that:

A. A person has a legal or equitable interest in real property for the development of such property.

B. The minor planning request is consistent with the Exeter General Plan.

C. The approval of the minor planning request is within the purpose and intent of the Exeter Zoning Ordinance.
17.63.10 Administrative Resolution Contents

An administrative agreement shall indicate the type of minor planning request being desired, the findings and decision of the Planning Director, and a list of conditions. It shall contain signature lines for the applicant and the Planning Director.
Special Uses

Sections

17.64.01 Purpose
17.64.02 Accessory Structures
17.64.03 Temporary Sales of Alcoholic Beverages
17.64.04 Modular Structures
17.64.05 Garage Conversions
17.64.06 Garage, Rummage and Yard Sales
17.64.07 Home Occupations
17.64.08 Community Care Facilities
17.64.09 Mobile home Parks
17.64.10 Recycling/Buyback Centers
17.64.11 Second Residential Units
17.64.12 Wireless Telecommunication Equipment
17.64.13 Family and Group Day Care Homes, Nursery Schools and Day Care Centers

17.64.01 Purpose

The purpose of this chapter is to provide procedures, development standards, and location criteria for special uses within the City of Exeter. Special uses may include but are not limited to group care homes, modular structures, and recycling/buyback centers. The location criteria and development standards for special uses is intended to ensure that these uses do not have an adverse impact on the public health, safety, or welfare.

17.64.02 Accessory Structures (see also Exhibit 64-1)

Accessory structures provide opportunities for small-scale aesthetic and shade structures; functional, protected, and enclosed ancillary storage and activity space; and additional guest housing, among other benefits. As subordinate facilities to a principal structure,
however, appropriate regulation is required in order to ensure compatibility of land uses, protect privacy of neighbors, ensure minimum open space and area requirements, and protect the health, safety, and welfare of the neighborhood and community.

It is the purpose of this section to recognize accessory structures as desirable and beneficial accessory uses, and to provide for such uses under certain circumstances so long as land use compatibility is maintained, privacy of neighbors is protected, minimum open space and area requirements are maintained, and public health, safety, and welfare is preserved.

For purposes of this chapter, garages and carports shall not be considered to be accessory structures. Accessory structures shall conform to all of the following requirements.

A. Accessory structure review shall be performed by the Planning Department.

B. All accessory structures shall comply with the requirements of the Uniform Building Code as adopted by the City of Exeter.

C. An accessory structure in any district may only be constructed on a lot containing a principal structure.

D. Accessory structures and any accessory uses (including surface parking) may not exceed 30 percent of the square footage of the required rear yard.

E. The maximum height for an accessory structure is 15 feet.

F. Minimum setbacks for an accessory structure shall be:
   1. Front yard - same as principal structure
   2. Rear yard - 10 feet (0 feet if rear yard adjoins an alley)
   3. Interior side - 5 feet (0 feet if interior side yard adjoins an alley). If the accessory structure is less than seven feet in height and contains no electrical, plumbing or mechanical improvements, the side yard setback may be reduced to 0 feet.
   4. Street side - same as principal structure

G. The size of a non-habitable accessory structure shall not exceed 25 percent of the gross square footage of the primary structure (including any attached facilities such as a garage).
H. An applicant may apply for a Minor Deviation Permit to reduce the required 10-foot rear setback for accessory structures to a minimum of 5 feet for lots not adjoining an alley.

I. An applicant may apply for a Minor Deviation Permit to exceed the limitations established herein on structure height and/or size.

J. Accessory structures shall individually be located a minimum of 10 feet from the principal structure and any other accessory structure.

K. Except for guesthouses and second dwelling units, accessory structures shall not be used for dwelling purposes.

L. A non-habitable accessory structure (small shed) less than or equal to 120 square feet in size and intended for storage purposes only may be located within the required rear yard or interior side yard but not in the front yard. The maximum shed height shall be 7 feet.

M. Shipping containers shall not be permitted in any single family or duplex residential district within the City of Exeter.

N. Portable carports shall not be permitted in the front or street-side, side yards.

Exhibit 64-1: Selected Accessory Structure Standards
17.64.03 Temporary Sales of Alcoholic Beverages

The temporary sales of alcoholic beverages shall not be subject to a conditional use permit, but shall be subject to review and approval by the Planning Director and Police Chief in accordance with the temporary conditional use permit procedures detailed in Section 17.49.14.

17.64.04 Modular Structures

The purpose of this section is to control the approval and location of all modular structures within the City of Exeter and to ensure that the uses of said structures, which shall meet the use requirements of the district in which the property is located, will not have a detrimental effect on the appearance of Exeter nor on surrounding properties. Regulation of modular structures is therefore deemed necessary to promote the public health, safety, and welfare of residents of the City of Exeter.

A modular structure shall mean any designed, manufactured, remanufactured, used, or converted to a transportable building for use for commercial, office, or industrial purposes.

A. A permanent modular structure shall be approved by the Planning Director and shall comply with the following development standards:

1. A permanent modular structure shall be placed on a permanent foundation.

2. A permanent modular structure shall be of an architectural style that is consistent with buildings in the surrounding neighborhood. The modular structure shall require skirting around the base of the structure.

3. Permanent parking spaces and unloading zones shall be required consistent with Chapter 17.68 Parking and Loading.

4. Landscaping and irrigation shall be required consistent with Chapter 17.66 Landscaping, Irrigation and Grading.

5. The business or use conducted within the structure shall secure a business license from the City of Exeter prior to being open to the public.

B. A temporary modular structure shall be approved by the Planning Director and shall comply with the development standards below. Construction management offices and model home offices shall be exempt from the time limitation standard.

1. A temporary modular structure shall be removed from the subject property within 30 days.
2. A temporary modular structure shall require skirting around the base of the structure.

3. The business or use conducted within the structure shall secure a business license from the City of Exeter prior to being open to the public.

17.64.05 Garage Conversions

The conversion of a garage to a living area will require a building permit as well as the approval of the Planning Director. As a condition of approval, the conversion of a garage to a living area will require the property owner to construct on the same property a two-car garage or two-car carport consistent with all applicable district regulations.

17.64.06 Garage, Rummage and Yard Sales

Garage, rummage or yard sales conducted in residential districts shall comply with the following requirements:

A. No more than three sales may be conducted in any one calendar year.

B. Each sale shall last no more than two consecutive days beginning each day no earlier than 7:00 A.M. and ending no later than 7:00 P.M.

C. Personal property sold at a sale shall not include second hand goods obtained for purposes of resale.

17.64.07 Home Occupations

Persons wishing to conduct a home occupation, which is clearly incidental and secondary to the use of a building, as a residential dwelling shall apply for a business license/home occupation, permit through the Finance Department. Home occupations shall comply with the following regulations.

A. There shall be no stock-in-trade other than products manufactured on the premises. Direct sales shall not be made on the premises.

B. A home occupation shall be conducted within the residential dwelling by the resident and shall be clearly incidental to the use of the structure as a dwelling.

C. A home occupation shall not be conducted in an accessory structure and there shall be no storage of equipment or supplies in an accessory structure or in the yard area.
D. A home occupation shall not involve the use of any material or mechanical equipment not recognized as being part of normal household or hobby uses.

E. No signs shall be permitted on the premises advertising the existence of a home occupation in the residence.

F. No one other than the resident(s) of the residence shall be employed in the conduct of the home occupation.

G. A home occupation shall not create any light, vibrations or noise beyond the boundaries of the subject property.

H. A home occupation shall not create pedestrian, automobile, or truck traffic significantly in excess of the normal amount generated by a residential dwelling.

I. The applicant for a home occupation permits may appeal the decision of the Planning Director consistent with Chapter 17.06 Appeals.

17.64.08 Community Care Facilities

A "community care facility" means any facility, place, or building that is maintained and operated to provide non medical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults; including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. A community care facility shall be permitted in any single-family residential district so long as there are six or fewer persons excluding supervisory services and that there is not a similar facility within one-quarter mile of the care facility. A community care facility shall include the following:

A. "Residential facility" means any family home, group care facility, or similar facility determined by the director for 24-hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

B. "Adult day program" means any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals on less than a 24-hour basis.

C. "Therapeutic day services facility" means any facility that provides non medical care, counseling, educational or vocational support, or social rehabilitation services on less than a 24-hour basis to persons under 18 years of age who would otherwise be placed in foster care or who are returning to families from foster care.
D. "Foster family home," means any residential facility providing 24-hour care for six or fewer foster children that are owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian.

E. "Small family home" means any residential facility in the licensee's family residence that provides 24-hour care for six or fewer foster children who have mental disorders or developmental or physical disabilities and who require special care and supervision as a result of their disabilities.

F. "Social rehabilitation facility" means any residential facility that provides social rehabilitation services for no longer than 18 months in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling.

17.64.09 Mobile Home Parks (see also Exhibit 64-2)

The purpose of this section is to establish procedures and development standards for mobile home parks in Exeter. Exeter’s housing element acknowledges that these parks serve as a valuable source of housing for the elderly and households in the lower- to moderate-income categories.

A. Mobile home parks, new and expansion of existing shall require a conditional use permit consistent with Chapter 17.49 Conditional Use Permits.

B. The residential density of a mobile home park shall not exceed the land use designation of the Exeter General Plan.

C. The minimum parcel size for a mobile home park shall be five acres.

D. The conditions and development standards for a new or an expansion of an existing mobile home park shall be as follows:

1. Each mobile home pad shall consist of a base material adequate to support a mobile home.

2. No more than 75 percent of an individual lot shall be covered with structures, including the mobile home, carport, patio, and storage buildings.

3. All tongues and tow bars shall be removed once a mobile home is fixed to the lot.
4. All mobile homes shall be fitted with skirting, extending from the floor level of the mobile home to the ground.

5. A mobile home shall have a minimum width of 12 feet and a minimum length of 40 feet.

6. The front yard of each individual mobile home lot shall be landscaped.

7. An on-site manager shall be required for all mobile home parks containing 16 or more mobile home units.

8. Setbacks for the mobile home park shall be as follows:
   a. Front yard: 15 feet.
   b. Side yard: 15 feet.
   c. Rear yard: 15 feet.

9. Setbacks for a mobile home shall be as follows:
   a. Front yard: 10 feet.
   b. Side yard: 5 feet.
   c. Rear yard: 10 feet.

10. Accessory structures including greenhouses and storage sheds shall not be located within three feet of a side or rear yard.

11. Each mobile home site shall provide two off-street parking stalls. Said stalls may be designed as tandem stalls. Each stall shall have a minimum width of 10 feet and a minimum depth of 20 feet. All stalls shall be paved consistent with Exeter’s Improvements Manual.

12. A 7-foot solid block wall shall be constructed along all property lines that surround the mobile home park.

13. A mobile home park shall have no fewer than two entrances for vehicles from a public street.

14. Five percent of the gross area of any mobile home park shall be devoted to useable open space.
15. Interior streets within the mobile home park shall have a minimum paved width of 32 feet. Said streets shall be constructed consistent with Exeter’s Improvements Manual.

16. All setback areas that front onto a public street shall be provided with landscaping and an automated irrigation system.

**Exhibit 64-2: Selected Mobile Home Park Standards**
17.64.10 Recycling/Buyback Centers

Recycling and buyback centers shall be permitted uses in all of Exeter’s commercial districts subject to the applicant securing a temporary use permit. The conditions and development standards for recycling/buyback centers shall be as follows:

A. The location of these centers shall be conducted in a parking lot that is associated with a commercial use. The centers shall not be permitted to locate in the front of any commercial storefront but should be established on the side or rear of the commercial development.

B. The recycling/buyback centers shall provide trash containers.

C. At the conclusion of daily business, the area around the center shall be cleaned of all trash and debris, and the trash containers shall be emptied.

D. The recycling or buyback of batteries or hazardous waste materials shall not be permitted.

17.64.11 Second Residential Units

A. The construction of second residential units within the City of Exeter shall be consistent with Government Code Section 65852.2, which provides for cities to set standards for the development of second dwelling units with ministerial review in an effort to increase the supply of small, affordable residential units throughout the State.

B. Any application for secondary dwelling unit that meets the location and development standards contained in this section shall be approved ministerially through Exeter’s building permit process without discretionary review or public hearing.

C. One secondary dwelling unit may be located on any lot zoned for single-family dwellings.

D. Applications for second dwelling units shall conform to the following submittal requirements.

   1. A scaled plot plan of the subject parcel on which the secondary dwelling unit will be located shall be provided. Indicate the location and dimensioned setbacks, and dimensions of all existing and proposed structures on the site. Provide dimensions of all easements, right-of-way(s), building envelopes, parking, and paved areas.
2. Complete floor plans of both existing and proposed conditions shall be provided. Each room shall be dimensioned and resulting floor area calculation included. The use of each room shall be labeled. The size and location of all doors, closets, walls, and cooking facilities shall be clearly depicted.

3. Provide elevations that show all exterior structure dimensions, all architectural projections, and all openings for both the existing residence and the proposed secondary dwelling unit. The secondary dwelling unit shall meet the following design standards.

   a. A second dwelling unit shall have a roof pitch and roof overhang equal to the roof pitch and roof overhang of the primary residence. The roof material shall be the same as the material on the primary residence unless the Planning Director finds that a different standard would be more compatible with the neighborhood.

   b. A second dwelling unit shall have the same siding material as the primary residence unless the Planning Director finds that a different material would be more compatible with the neighborhood.

   c. The maximum size of a secondary dwelling unit shall be 640 square feet.

   d. No addition to the primary dwelling to accommodate a secondary dwelling unit may exceed 325 square feet.

   e. A secondary dwelling unit shall be permitted only if it complies with all primary dwelling unit setbacks, based on the zoning district in which it is located. The minimum required distance between the secondary dwelling unit and the primary dwelling unit and all other structures on the property shall be in accordance with the Uniform Building Code.

   f. A secondary dwelling unit shall be permitted only if it complies with all primary dwelling unit height restrictions based on the zoning district in which it is located.

   g. The property shall conform to the lot coverage requirements applicable to the primary dwelling unit, based on the zoning district in which it is located.
h. A secondary dwelling unit shall provide one off-street parking space. This parking space may be covered or uncovered and shall meet all parking space location, dimension, and surfacing requirements of the zoning district in which it is located.

F. Secondary dwelling units may be rented or owner-occupied.

G. No separate unit shall be created for sale, lease, or financing pursuant to the State Subdivision Map Act.

H. A maximum of one secondary dwelling unit shall be permitted on any residentially zoned lot where at least one, but no more than one, single-family residence exists on the property. No secondary unit shall be permitted on a property containing multiple dwellings.

I. Mobile homes are not permitted as secondary dwelling units.

J. The secondary dwelling unit shall have a sidewalk that connects the public right-of-way with the front door of the second unit. The address and mailbox for the second dwelling unit shall be located near the public right-of-way.

K. The owner(s) of the subject property on which the second dwelling unit exists shall occupy either the primary or second unit. All utilities including, sewer, water, garbage, gas and electricity, shall be under the name of the property owner.

17.64.12 Wireless Telecommunication Equipment

The purpose of this section is to provide uniform standards for the desired design, placement, permitting, and monitoring of telecommunication facilities consistent with applicable federal requirements. The standards are intended to address adverse visual impacts and operational effects of these facilities through appropriate design, siting, screening techniques and locational standards while providing for the communication needs of residents, local businesses, and government agencies. Wireless telecommunication facilities include residential and commercial TV antennae and satellite antennae; public safety facilities; telecommunication facilities accessory to public equipment for data acquisition such as irrigation controls; well monitoring and traffic signal controls, telecommunication facilities erected for emergency situations and/or public information coverage with a duration of less than seven days; satellite Earth Station facilities not exceeding two meters in diameter or in diagonal measurement and television and AM/FM radio antennae for commercial purposes, and monopoles and lattice towers.

The following location criteria and development standards shall apply to all wireless telecommunications equipment.
A. With the exception of monopole and lattice tower facilities, all wireless telecommunication equipment listed above shall be permitted uses in all of Exeter’s zone districts.

B. Monopoles and lattice tower facilities shall be a permitted use in Exeter’s industrial district and a conditional use in all commercial districts. These facilities shall be prohibited in residential and open space districts.

C. Monopoles and lattice towers shall be located on the rear half of the parcel, unless aesthetic benefits are achieved through an alternative location or stealth design techniques can be employed.

D. Monopoles and lattice towers shall not be permitted within 1,000 feet of an existing tower.

17.64.13 Large Family Day Care Homes, Nursery Schools and Day Care Centers

Large family day care homes serving fewer than 14 children, the State Department of Social Welfare licenses nursery schools, and day care centers. Such care is specifically suitable for comprehensive, enriched partial, or full day care for children between the ages of three and five years and for children needing after-school care who would benefit from large group contact. Large family day care homes, nursery schools, and day care centers shall have a minimum of:

A. Thirty-five square feet of unencumbered indoor space per child;

B. An adequate fence between adjoining properties; and

C. Seventy-five square feet of unencumbered outdoor space per child.

D. The facilities may also be subject to other requirements, such as the California Health and Safety Code, the California Administrative Code, and the Uniform Building Code;

E. Large family day care homes, nursery schools, and day care centers shall secure a conditional use permits consistent with Chapter 17.49 Conditional Use Permits.
**CHAPTER 65**

**Sexually Oriented Businesses**

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**17.65.010 Purpose and Intent**

A. It is the purpose and intent of this Ordinance to regulate sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of Exeter and to establish reasonable and uniform regulations to prevent any deleterious location and concentration of sexually oriented businesses within the City, thereby reducing or eliminating the adverse secondary effects from such sexually oriented businesses. The provisions of this ordinance have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of the ordinance to condone or legitimatize the distribution of obscene material.

B. "One of the important purposes of the regulations set forth in this Chapter is to discourage and to minimize the opportunity for criminal conduct. As such, nothing in this Chapter shall permit or be interpreted to permit to be interpreted to permit any use, conduct, and/or activity that is specifically prohibited under the following California Penal Code sections:
1. Receipt of money for placement of person for purposes of cohabitation (Penal Code 266d);

2. Purchase of person for purposes of prostitution of placement of person for immoral purposes (Penal Code 266e);

3. Sale of person of immoral purposes (Penal Code 266f);

4. Pimping (Penal Code 266h);

5. Pandering (Penal Code 266i);

6. Lewd or obscene conduct (Penal Code 314);

7. Houses of ill-fame (Penal Code 315);

8. Disorderly houses that disturb the immediate neighborhood (Penal Code 316);

9. Places of prostitution (Penal Code 317);

10. Place of prostitution; place of lewdness; place used as bathhouse permitting conduct capable of transmitting AIDS (Penal Code 11225).

C. "Nothing in this Chapter shall be interpreted to permit or permit any use, conduct, and/or activity which violates any federal, state or local law of regulation."

17.65.020 Definitions

For the purposes of this Chapter, certain terms and words are defined as follows:

A. "Sexually oriented businesses" are those businesses defined as follows:

1. "Adult arcade" means an establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines, for viewing by five or fewer persons each, are regularly available or used to show films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

2. "Adult Bookstore", "Adult Novelty Store" or "Adult Video Store" means a commercial establishment which (1) has as a significant or substantial portion of its stock-in-trade or (2) derives a significant or substantial portion of its revenues or (3) devotes a significant or substantial portion of
its interior floor or display space or (4) devotes a significant or substantial portion of its business activities or employees' time, or advertising, to the sale, rental or viewing for any for any form of consideration, of any one or more of the following:

a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations which are characterized by the depiction of description of "specified sexual activities" or "specified anatomical areas";

b. Instruments, devices, or paraphernalia that are designed for use in connection with "specified sexual activities."

c. An establishment may have other significant or substantial business purposes that do not involve the offering for sale, rental or viewing of materials, depicting or describing "specified sexual activities" or "specified anatomical areas", and still be categorized as adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishments from being categorized as an adult bookstore, adult novelty store or adult video store so long as one of its significant or substantial business purposes is offering for sale or rental, for some form of consideration, the specified materials which depict or describe "specified anatomical areas" or "specified sexual activities."

3. "Adult cabaret" means a nightclub, bar, restaurant, "bottle club", or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features: (a) persons who appear nude or in a state of nudity or semi-nude; (b) live performances which are characterized by the exposure of "specified anatomical areas", or by "specified sexual activities", or (c) films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

4. "Adult motel" means a motel, hotel or similar commercial establishment which: (a) offers public accommodations, for any form of consideration, and which regularly provides or makes available to patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" and which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by means of any off-premises advertising including, but not
limited to, newspapers, magazines, pamphlets or leaflets, radio or television, or (b) offers a sleeping room for rent for a period of time less than ten (10) hours; or (c) allows a tenant or occupant to rent or sub-rent the sleeping room for a period of less than ten (10) hours.

5. "Adult motion picture theater" means a commercial establishment where films, motion pictures, video cassettes, slides or similar photographic reproductions depicting or describing "specified sexual activities" or "specified anatomical areas" are regularly shown for any form of consideration.

6. "Adult theater" means a theater, concert hall, auditorium, or similar commercial establishment which, for any form or consideration, regularly features persons who appear in a state of nudity or live performances which are characterized by exposure of "specified anatomical areas" or by "specified sexual activities."

7. "Nude Model Studio" means any place where a person, who appears in a state of nudity or displays "specified anatomical areas" is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. This term does not include a modeling class operated by a proprietary school, licensed by the State of California; a college, junior college, or university supported entirely or partly by taxation; by a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or in a structure which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing, where in order to participate in a class a student must enroll at least three (3) days in advance of the class, and where no more than one nude model is on the premises at any one time.

8. "Regularly Features or Regularly Shown" with respect to an adult cabaret, adult theater, or adult motion picture theater means at least three (3) times within any thirty (30) day period; or carried on as part of the business's routine scheduling of events or activities and not so infrequently as to constitute a single, rare or unusual event or occurrence.

9. "Significant or Substantial Portion" means such a percentage of its activities, space allocation, revenues, advertising targeting, stock in trade, floor or display space, business receipts, revenues, or other business undertakings as to indicate to a reasonable person that a sexually oriented portion of the business is one of its important activities, though not necessarily its only or even primary activity; for this purpose, evidence
that 25% or more of its revenues are derived from such sexually oriented activities or materials, or that 25% or more of its interior floor space or display space is devoted to such sexually oriented activities or materials, or that 25% or more of its actual stock in trade regularly displayed and immediately available for use, rental, purchase, viewing or perusal is comprised of such sexually oriented materials, all as defined in Section 17.65.02 of this Chapter, Definitions, shall be evidence that a "significant or substantial portion" of the business is devoted to such uses.

B. "Employee" means a person who works or performs in and/or for a sexually oriented business, regardless of whether or not said person is paid a salary, wage or other compensation by the operation of said business.

C. "Establishment" means and includes any of the following:

1. The opening or commencement of any such business as a new business;

2. The conversion of an existing business, whether or not a sexually oriented business, to any of the sexually oriented businesses defined in this chapter;

3. The addition of any of the sexually oriented businesses defined in this chapter to any other existing sexually oriented business; or

4. The relocation of any such sexually oriented business; or

5. The substantial enlargement of any such sexually oriented business.

D. "Nudity or State of Nudity" means: (a) the appearance or display of human bare buttock, anus, male genitals, female genitals, or the areola or nipple of the female breast; or (b) a state of dress which fails to opaquely and fully cover a human buttock, anus, male or female genitals, pubic region or areola or nipple of the female breast.

E. "Operator" means and includes the owner, permit holder, custodian manager, operator or person in charge of any permitted or licensed premises.

F. "Permitted or "Unlicensed Premises" means any premises that requires a license and/or permit that is classified as a sexually oriented business.

G. "Permittee and/or Licensee" means a person in whose name a permit and/or license to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a permit and/or license.

H. "Person" means an individual, proprietorship, partnership, corporation, association or other legal entity.
I. "Public Building Regularly Frequented By Children" means any building owned, leased or held by the United States, the state, the county, the city, any special district, school district, or any other agency or political subdivision of the state or the United States, which building is used as a library, community center, children's center, or any other use having special attraction to children, or which building is often visited by children for social activities unaccompanied by their parents or other adult custodian.

J. "Public Park" or "Recreation Area" means public land which has been designated for park or recreational activities including, but not limited to a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, open space wilderness areas, or similar public land within the city which is under the control, operation, or management of the city park and recreation authorities.

K. "Religious Institution" means any church, synagogue, mosque, temple or building which is primarily for religious worship and related religious activities, as identified on the latest equalized tax roll.

L. "School" means any public or private educational facility including, but not limited to nursery schools, preschools, kindergartens, elementary schools, primary schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities. School includes the school grounds, but does not include the facilities used primarily for another purpose and only incidentally as a school.

M. "Semi-Nude" means a state of dress in which clothing covers no more than the genitals, pubic region and areolae of the female breast, as well as portions of the body covered by supporting straps or devices.

N. “Sensitive land uses” means residences and residential neighborhoods, child day care facilities, cemeteries, religious institutions, schools, boys' clubs, girls' clubs, or similar existing youth organizations, or public parks, or any public building regularly frequented by children.

O. "Sexually Oriented Business" means an adult arcade, adult bookstore, adult novelty shop, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, massage parlor, sexual encounter establishment, and escort agency or nude model studio.

P. "Specified Anatomical Areas" as used in this Chapter means and includes any of the following:
1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae; or

2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Q. "Specified Sexual Activities" as used in this Chapter, means and includes any of the following:

1. The fondling or other intentional touching of buttocks for purpose of sexual arousal, or fondling or other intentional touching of human genitals, pubic region, anus, or female breasts.

2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;

3. Masturbation, actual or simulated;

4. Human genitals in a state of sexual stimulation, arousal or tumescence;

5. Excretory functions as part of or in connection with any of the activities set forth in sub-sections a through d of this subsection.

R. "Substantial Enlargement of a Sexually Oriented Business" means an increase in the floor areas occupied by the business as the floor areas existed on the affected date of this ordinance.

S. "Transfer of Ownership or Control of a Sexually Oriented Business" means and includes any of the following:

1. The sale, lease or sublease of the business; or

2. The transfer of securities that constitute a controlling interest in the business, whether by sale, exchange or similar means.

17.65.030 Establishment and Classification of Businesses Regulated

The establishment of any sexually oriented business shall be permitted only in the zone district permitted, and shall be subject to the following restrictions: No person shall cause or permit the establishment of any sexually oriented businesses, as defined above, within 1000 feet of any sensitive land use, as defined above. These limitations apply to sexually oriented businesses classified as follows:
A. adult arcade
B. adult bookstore, adult novelty store, or adult video store
C. adult cabaret
D. adult motel
E. adult motion picture theater
F. adult theater
G. nude model studio.

17.65.040 Measurement of Distance

The distance between any sexually oriented business and any sensitive land use shall be measured in a straight line, without regard to intervening structures or objects from property line to property line.

17.65.050 Location of Sexually Oriented Business

The City of Exeter's Zoning Ordinance requires that sexually oriented businesses shall be allowed only in a zone where such uses are specifically permitted -- the I (Industrial) zone, at the time of adoption of this ordinance. Permits for sexually oriented businesses shall be required and governed by the procedures and policies specified in the City of Exeter Municipal Code. In addition, any sexually oriented business shall be subject to the following restrictions:

A. The person commits a misdemeanor, if he operates or causes to be operated, a sexually oriented business outside of the permitted zone.

B. The person commits a misdemeanor if he operates or causes to be operated a sexually oriented business within 1000 feet of any sensitive land use, as defined above.

17.65.060 Non-Conforming Uses

A. Any sexually oriented businesses operating on (effective date of this Ordinance) that are in violation of Sections .01 through .05 shall be deemed a non-conforming use. A non-conforming use will be permitted to continue for a two (2) year period with possible extensions for extenuating circumstances to be granted by the City Council only upon a convincing showing of extreme financial hardship. Such extensions shall not exceed a total of three (3) years in addition to the initial amortization period. Any such non-conforming business loses its right to operate as a non-conforming use, if, for any reason, it voluntarily discontinues its business operation for a period of thirty (30) days or more or if its license to operate is revoked, and such revocation is not overturned by a court of competent jurisdiction. Such non-conforming uses, while non-conforming, shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use.
B. A sexually oriented business lawfully operating as a conforming use is not rendered a non-conforming use by the location, subsequent to the grant or renewal of the sexually oriented business permit and/or license, within 1000 feet, of a sensitive land use. This provision applies only to the renewal of a valid permit and/or license, but this provision does not apply when an application for a permit and/or license is submitted after a permit and/or license has expired or has been revoked.

C. Abandonment. Notwithstanding the above, any discontinuance or abandonment of the use of any lot or structure as an Adult-Oriented Business shall result in a loss of legal nonconforming status of such use.

D. Amortization -- annexed property. Any Adult-Oriented Business which was a legal use at the time of annexation of the property and which is located in the City, but which does not conform to the provisions of Section 17.65.030-17.65.050 shall be terminated within two (2) years of the date of annexation unless an extension of time has been approved by the City Council in accordance with the provisions of Section 17.65.060(A).

17.65.070 Injunction

A person who operates or causes to be operated a sexually oriented business without having a valid permit due to location restrictions is subject to a suit for injunction as well as prosecution for the misdemeanor punishable by a fine of $1,000.00 and/or one hundred eighty (180) days imprisonment, or by both such fine and imprisonment. If an injunction is sought and granted, the sexually oriented business shall be obligated to pay the City, attorneys' fees and costs of the City, at the discretion of the Court.

17.65.080 Exception for Certain Nude Modeling

It is a defense to prosecution under this ordinance if a person appearing in a state of nudity did so in a modeling class operated:

A. By a proprietary school, licensed by the State of California; a college, junior college, or university supported entirely or partly by taxation;

B. By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or

C. In a structure:
1. Which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and

2. Where, in order to participate in a class a student must enroll at least three (3) days in advance of the class; and

3. Where no more than one nude model is on the premises at any one time.
The City of Exeter finds that there is a limited supply of water and the demand for this resource is ever increasing; that Exeter’s economic well-being is dependent upon having an adequate supply of water in the future; and that it is important to Exeter’s long-term environmental goals that water be conserved and used in an efficient manner.

Exeter realizes that well-designed and maintained urban landscapes improve the appearance of the community and its quality of life by cleaning the air, providing shade and reducing erosion; and that these landscapes should be designed, installed and maintained to be water efficient.

The purpose of this chapter is to provide for local landscaping, irrigation and grading regulations that are consistent with the State’s Model Water Efficient Landscape Ordinance.
17.66.02 Applicability

This chapter shall apply to landscape projects that involve new construction for public agency projects and private development projects with a landscaped area equal to or greater than 2,500 square feet and which require a building or landscape permit, plan check or design review.

17.66.03 Landscaping, Irrigation and Grading Plan

The landscaping, irrigation and grading plan shall contain the following elements:

A. Project Information
   1. Date
   2. Project Applicant
   3. Project Address
   4. Total landscaped area
   5. Project type
   6. Water supply type
   7. Project Contacts
   8. Applicant signature and date with statement, “I agree to comply with the requirements of the water efficient landscape ordinance

B. Water Efficient Landscape Worksheet.
   1. Hydozone information table.
   2. Water budget calculations.

C. Maximum applied water allowance (MAWA)

D. Estimated total water use (ETWU)

E. Soil management report

F. Landscape design plan

G. Irrigation design plan

H. Grading design plan.
### 17.66.04 Water Efficient Landscape Worksheet

A project applicant shall complete the Water Efficient Landscape Worksheet that contains two sections:

A. A hydrozone information table for a landscape project (see State of California’s Model Landscaping Ordinance).

B. A water budget calculation for the landscaped project (see State of California’s Model Landscaping Ordinance). The water budget calculations shall adhere to the following:

1. The plant factor shall use the following ranges: 0 to .3 for low water use plants; from .4 to .6 for moderate water use plants; and from .7 to 1.0 for high water use plants.

2. All water features shall be included in the high water use hydrozone and temporary irrigated areas shall be included in the low water use hydrozone.

C. The maximum applied water allowance shall be calculated using the following equation:

\[ MAWA = (ETo)(.62 \times .7 \times LA) + (.3 \times SLA) \]

where MAWA = maximum applied water allowance, ETo = Evapotranspiration in inches per year; LA = landscaped area; and SLA = special landscaped area.

### 17.66.05 Soil Management Report

In order to reduce runoff and encourage healthy plant growth, the project applicant shall complete a soil management report as follows:

A. Soil samples shall be submitted to a laboratory for analysis and recommendations.

1. Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.

2. The soil analysis may include soil texture, infiltration rate, pH, total soluble salts, sodium, percent organic matter and recommendations.

B. The applicant shall comply with the following:

1. If significant mass grading is not planned, the soil analysis report shall be submitted to the local agency as part of the Certificate of Completion.
2. The soils analysis report shall be made available to the professional preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.

17.66.06 Landscape Design Plan

For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

A. A landscape design plan shall contain the following:

1. Delineate and label each hydrozone by number, letter, or other method.

2. Identify each hydrozone as low, moderate, high water, or mixed use water. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation.

3. Identify recreation areas.

4. Identify areas permanently and solely dedicated to edible plants.

5. Identify areas irrigated with recycled water.

6. Identify type of mulch and application depth.

7. Identify soil amendments, type and quantity.

8. Identify type and surface area for water features.

9. Identify hardscapes, pervious and impervious.

10. Identify location and installation details of any applicable storm water best management practices that encourage on-site retention and infiltration of storm water. Storm water best management practices are encourage in the landscape design plan and examples include, but are not limited to:

   a. Infiltration beds, swales, and basins that allow water to collect and soak into the ground.

   b. Constructed wetlands and retention ponds that retain water, handle excess flow, and filter pollutants.

   c. Pervious or porous surfaces that minimize runoff.
11. Identify any applicable rain harvesting or catchment technologies.

12. Bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape.

B. Any plant may be selected for the landscape, providing the Estimated Total Water Use (ETWU) in the landscaped area does not exceed the Maximum Applied Water Allowance ((MAWA)). To encourage the efficient use of water, the following is highly recommended:

1. Protection and preservation of native species and natural vegetation.

2. Selection of water-conserving plant and turf species.

3. Selection of plants based on disease and pest resistance.

4. Selection of trees based on applicable local tree ordinances or tree shading guidelines.

5. Selection of plants from local and regional landscape program plant lists.

C. Each hydrozone shall have plant materials with similar water use.

D. Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. To encourage the efficient use of water, the following is highly recommended:

1. Use the Sunset Western Climate Zone System that takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate.

2. Recognize the horticultural attributes of plants to minimize damage to property or infrastructure.

3. Consider the solar orientation for plant placement to maximize summer shade and winter solar gain.

E. Turf is not allowed on slopes greater than 15 percent where the toe of the slope is adjacent to an impermeable hardscape.

F. The use of invasive and/or noxious plant species is strongly discouraged.

G. Recirculating water systems shall be used for water features.
H. Where available, recycled water shall be used as a source for decorative water features.

I. Pool and spa covers are highly recommended.

J. A minimum of two inches of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications.

K. Stabilizing mulching products shall be used on slopes.

L. Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected.

17.66.07 Irrigation Design Plan

For the efficient use of water, an irrigation system shall meet all the requirements listed in this section. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following criteria shall be submitted as part of the Landscape Documentation Package.

A. The irrigation design plan shall contain:

1. Location and size of separate water meters for landscape.

2. Location, type and size of components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices.

3. Static water pressure at the point of connection to the public water supply.

4. Flow rate, application rate, and design operating pressure for each station.

5. The signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor or any other person authorized to design an irrigation system.

B. Dedicated landscape water meters are highly recommended on landscape areas smaller than 5,000 square feet to facilitate water management.

C. Automatic irrigation controllers utilizing either evaportranspiration or soil moisture sensor data shall be required for irrigation in all irrigation systems.
D. The irrigation system shall be designed to ensure that the dynamic pressure at each emission device is within the manufacturer’s recommended pressure range for optimal performance.

1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.

2. Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

E. Sensors, either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems as appropriate for local climatic conditions. Irrigation should be avoided during windy, rainy, or freezing weather.

F. Manual shut-off valves shall be required as close as possible to the point of connection of the water supply to minimize water loss in case of an emergency or routine repair.

G. Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system.

H. High flow sensors that detect and report high flow conditions created by system damage or malfunction are recommended.

I. Check valves or auto-drain valves are required for all irrigation systems.

J. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

K. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers and turf.

17.66.08 Grading Design Plan

For the efficient use of water, a grading plan for a project site shall be designed to minimize soil erosion, runoff and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A civil engineer shall prepare a comprehensive grading plan.
A. The grading design plan shall include the following:

1. Height of graded slopes
2. Drainage patterns
3. Pad elevations
4. Finished grade
5. Storm water retention improvements, if applicable.

B. To prevent excessive erosion and runoff, it is highly recommended that the project applicants grade so that all irrigation and normal rainfall remains within the property lines and does not drain onto impervious hardscapes, avoid disruption of natural drainage patterns and undisturbed soils, and avoid soil compaction in landscaped areas.

17.66.09 Certificate of Completion

A. The Certificate of Completion shall include the following elements.

1. Date
2. Project name
3. Applicant name, telephone and mailing address
4. Project address and location
5. Property owner name, telephone, and mailing address
6. Certification by either the signer of the landscape design plan, signer of the irrigation plan or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package.

B. The project applicant shall submit the signed Certificate of Completion to the City Planner for review. The Planning Director shall approve or deny the Certificate of Completion. The applicant may appeal the Planning Director’s decision consistent with Chapter 17.06 Appeals.
17.66.10 Irrigation Scheduling

For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria.

A. Irrigation shall be regulated by automatic controllers.

B. Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions such as rain or freezing temperatures prevent it.

C. For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, flow rate, and current reference evapotranspiration so that applied water meets the Estimated Total Water Use (ETWU). Automatic irrigation controllers using current reference evapotranspiration data or soil moisture sensor data shall regulate actual irrigation schedules.

D. Parameters used to set the automatic controller shall be developed and submitted for each of the following:

1. The plant establishment period.
2. The established landscape.
3. Temporary irrigated areas.

E. Each irrigation schedule shall consider for each station all of the following that apply:

1. Irrigation intervals, days between irrigation
2. Irrigation run times, hours or minutes per irrigation event
3. Number of cycle starts required for each irrigation event
4. Amount of water to be applied on a monthly basis
5. Application rate setting
6. Root depth setting
7. Plant type setting
8. Soil type
9. Slope factor setting

10. Shade factor setting.

**17.66.11 Irrigation Maintenance, Audit and Analysis**

A. Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.

B. All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.

C. All landscape irrigation audits shall be conducted by a certified landscape irrigation audit.
Chapter 68: Parking and Loading

Sections

17.68.01 Purpose
17.68.02 General Requirements
17.68.03 Number of Parking Spaces Required
17.68.04 Parking Lot Design Standards and Location Criteria

17.68.01 Purpose

The purpose of this chapter is to provide parking and loading regulations for new, and the expansion of existing, development and uses in Exeter. This chapter will also serve to: provide accessible, attractive, secure, and well maintained parking and off-street loading facilities; provide parking and loading facilities that are designed to reduce traffic congestion; minimize the impact of new development on parking and loading facilities on surrounding properties; ensure the maneuverability of emergency vehicles in parking facilities and provide for loading and delivery services in proportion to the needs generated by the proposed land use which are clearly compatible with adjacent parcels and the surrounding neighborhood.

17.68.02 General Requirements

A. No building shall be constructed or use permitted unless off-street parking and loading spaces are provided in accordance with the provisions of this chapter unless otherwise exempted by this chapter.

B. When an existing use or building is enlarged and requires additional parking and loading under the provisions of this chapter, said improvements shall be provided on the subject site or the developer shall provide an in lieu parking fee consistent with the provisions in this chapter.
C. For uses not listed in this chapter, the Planning Director shall determine parking and loading standard for the use based on the operational, size and locational characteristics of the use and the standards that similar cities apply to said use.

D. Fractional space requirements shall be rounded up when the fractional number is 0.5 or more and shall be rounded down when the fractional number is less than 0.5.

E. In any residential district, all inoperable motor vehicles shall be stored in a garage, carport or outside the front yard setback area of a residential district.

17.68.03 Number of Parking Spaces Required

The minimum number of parking spaces (or stalls) required for new uses or buildings or the expansion of existing buildings or uses are detailed below. The abbreviations used below are as follows: s.f. = square feet, gfa= gross floor area and nfa=net floor area.

A. Residential uses

a. Single family residence: two covered stalls per unit

b. Second residential unit: one uncovered stall per unit

c. Condominium unit

1. One bedroom: one covered stall per unit

2. Two or more bedrooms: two covered stalls per unit

d. Specialized housing

1. Emergency shelters: one stall for every four beds

2. Group care housing: two stalls for every two clients; tandem parking is permitted.

3. Transitional housing: one stall for every three clients.

4. Supportive housing: one stall for every three clients.

5. Labor camps: one stall per living unit

6. Nursing homes: one stall for every three beds
7. Family and group day care homes: one stall for every three beds
   
e. Multiple family units: 1.5 stalls per units half of which shall be covered
   
f. Senior housing: one covered stall per unit
   
g. Mobile home parks: two covered stall per unit; tandem parking permitted
   
h. Trailer parks: one stall per trailer pad
   
i. Motels and hotels: one stall per room.
   
j. Convalescent home: one stall per three beds
   
k. Retirement homes

B. Office Uses
   
a. Medical and dental offices: one stall per 250 sq. ft. of building area
   
b. Medical and dental clinics: one stall per 200 sq. ft. of building area
   
c. Professional offices, including insurance, specialized consultants, law, travel, real estate, accountants, financial advisors and architects: one stall per 250 sq. ft. of building area
   
d. Other offices: one stall per 250 sq. ft. of building area

C. Personal Services
   
a. Banks, savings and loan, check cashing, credit unions, and Western Union offices: one stall per 200 sq. ft. of building area
   
b. Self-service laundry: one stall for every three machines
   
c. Barber/beauty shops, day spas, massage therapists and hair stylists: two stalls per station
   
d. Funeral home, mortuaries: one stall for every 50 sq. ft. of building area
D. General Commercial Uses.

a. Retail stores including clothing, shoes, stationary, sporting goods, kitchen wares, gift shops, book stores and beauty supplies: one stall per 350 sq.ft. of building area

b. Convenience stores: one stall per 200 sq. ft. of building area

c. Furniture, hardware and appliance stores: one stall per 600 sq. ft. of building area

d. Grocery stores: one stall per 300 sq. ft. of building area

e. Antique and second-hand shops: one stall per 350 sq. ft. of building area

f. Auto parts: one stall per 500 sq. ft. of building area

E. Eating and Drinking Establishments

1. Coffee and tea establishments, candy shops and bakeries: one stall per 100 square feet of building area

2. Restaurants: one stall per four seats

3. Fast food establishments: one stall per 100 sq. ft. of building area

4. Donut shops: one stall per 100 square feet of building area

5. Sandwich shops and delicatessens: one stall per 100 square feet of building area

6. Sports bars: One stall per three seats

7. Bars: one stall per three seats
F. Service Commercial Establishments

1. Tire, brake, radiator, and auto repair shops: one stall per 200 square feet of building area.

2. Multi-tenant auto-related shops: one stall per 200 square feet of building area.

3. Full-service car washes: one stall per 200 sq. ft. of building area

4. Self-service car washes: one parking stall per bay

5. New/Used-car sales: one parking stall per employee plus one stall for every 20 cars displayed on the sales lot.

6. Oil change shops: one stall per bay

7. Service stations: one stall per 300 sq. ft. of building area.

8. Auto glass, upholstery and stereo shops: one stall per 200 sq. ft. of building area

9. Paint and body shop: one stall per 200 square feet of building area.

10. Wholesale establishments: one stall per 600 sq. ft. of building area.

G. Recreation Uses

1. Health clubs: one stall per 100 sq. ft. of building area

2. Bowling alleys: one stall per 100 sq. ft. of building area.

3. Dance and martial arts studios: one stall per 100 sq. ft. of building area

4. Golf courses: 1.5 stall per tee plus one stall for every four seats

6. Stadiums, arenas, and other outdoor facilities: one stall for every five seats

7. Video arcades: one stall per 100 sq. ft. of building area

8. Rodeo and equestrian facilities: one stall for every five seats

9. Miniature golf course: 1.5 stalls per tee
H. Miscellaneous Commercial

1. Retail nursery/garden shops: one stall for every 1,000 sq. ft. of outdoor display area
2. Agricultural Chemicals/Sales: one stall per 500 sq. ft. of building area
3. Agricultural Services, including topping, farming operations, trucking, farm maintenance, spraying, agricultural contractors, and contract farming: one stall per 500 sq. ft. of building area
4. Farm machinery, sales and service: one stall per 500 sq. ft. of building area

I. Industrial Uses

1. Manufacturing: one stall per 500 sq. ft. of building area
2. Fabrication: one stall per 500 sq. ft. of building area
3. Mini-storage: two stalls plus one stall for every 250 sq. ft. of building area
4. Warehousing: one stall per 1,000 sq. ft. of building area
5. Packing house: one stall per 750 sq. ft. of building area
6. Food productions and processing: one stall per 500 sq. ft. of building area

J. Institutional Uses.

1. Churches: one stall per four seats
2. Schools
   a. Nursery and pre-schools: one stall per classroom plus one stall for every 250 sq. ft. of non-classroom building area
   b. Elementary and middle schools: one stall per classroom plus one stall per 500 sq. ft. of building area.
   c. High schools: three stalls for every two staff members
d. Business and trade schools: three stalls for every two staff members

3. Libraries, museums and art galleries: one stall per 500 sq. ft. of building area

4. Hospitals: one stall per bed

5. Medical clinics: one stall for every 200 sq. ft. of building area

K. Government

1. Governmental centers: one stall per 400 sq. ft. of building area

2. Courthouses: one stall per 400 sq. ft. of building area

3. Public safety buildings: one stall per 400 sq. ft. of building area

4. Corporation, transportation and fuel yards: one stall per 500 sq. ft. of building area

5. Wastewater treatment facilities: one stall per 400 sq. ft of building area

6. Water treatment facilities: one stall per 400 sq. ft. of building area

17.68.04 Parking Lot Design Standards and Location Criteria

A. Design Dimensions

Parking lots shall be designed to be consistent with the standards, dimensions and requirements of the details contained in Exhibit 68-1. The construction of parking lots shall be consistent with the improvements standards contained in Exeter’s Improvements Manual.
Exhibit 68-1: Parking Design

B. Circulation

Parking lots shall be designed so that a travel lane within a parking lot has a minimum width of 12 feet, the backup distance for a car backing out of a stall has a minimum distance of 27 feet, and that backing into a public street from a parking stall shall be minimized in order to maintain effective traffic flow along the public street. Single-family dwellings will be exempt from this requirement. The use of alleys to access parking lots shall be encouraged.
C. Paving, Slope and Drainage

All parking lots shall be constructed with a 4-inch aggregate base and a 2-inch asphalt or concrete overlay, described in the Exeter Improvements Manual. Parking lots shall be sloped so that storm water runoff flows towards public streets or alleys, into on-site landscape planters or bioswales or into pervious hardscape features.

D. Curbing and Wheel Stops

Concrete curbing shall be provided around all parking lots and landscape planters consistent with the Exeter Improvements Manual. Wheel stops may be provided in parking stalls to ensure that the overhang of a vehicle does not interfere with pedestrian movements along a sidewalk, or damage landscaping adjacent to the parking lot.

F. Stripping and Symbols

Parking lot stalls and travel lanes shall be clearly marked with painted strips. Parking stalls for handicapped persons shall be stripped and provided with the appropriate symbols and signage that are consistent with the American Disabilities Act (see Exhibit 68-2).

Exhibit 68-2: Striping and Handicap Space Design Standards
G. Lighting

All parking lots shall have pole lighting that property illuminates the parking lot but does not cause a nuisance for adjoining properties.

H. Driveways

Driveways from a public street or alley shall have locations and dimensions consistent with the Exeter Improvements Manual. For one-way driveways the width of the driveway shall be 15 feet; two-way driveways shall have a minimum width of 25 feet.

I. Landscaping (see also Exhibit 68-3)

All parking lots shall be landscaped in accordance with the requirements in Chapter 17.66 Landscaping, Irrigation and Grading. Trees shall be planted within all parking lots. Tree species shall be selected that will not cause damage to the parking lot or adjacent sidewalks, driveways or curbing, and will shade more than 50 percent of the parking lot within ten years. Landscape planters between the parking lots and public streets shall be planted with low hedges. As an alternative, a low wall (three feet) may be constructed and shrubs, turf or ground cover may be planted between the wall and the street.

Exhibit 68-3: Typical Parking Lot Landscaping Scheme
J. Location Criteria

Parking lots shall be located on the same property as the building they serve, except that parking for buildings in the Central Commercial (CC) district may be located within 300 feet of the subject property. In the CC district, parking lots shall be located at the rear or side of the subject building. Parking lots shall not be located on the corner where two streets intersect.

K. Shared Parking

Where two or more non-residential uses share a single parking lot, the number of required parking spaces may be reduced by a maximum of 20 percent, as long as the total number of spaces is not less than the required for the use requiring the largest number of spaces.

Where non-residential uses share a single parking lot and it can be demonstrated that the uses operate at different times of the day (an evening use versus a day-time use), the required number of parking spaces may be reduced by up to 50 percent of the combined parking requirements of the two uses.

L. Parking Standard Modifications

Parking space requirements may be modified through Exeter’s minor deviation process. The Planning Director may approve a reduction of up to 20 percent in a project’s required parking spaces if the following findings can be made:

1. That the granting of the minor deviation will not create a safety hazard or lead to a condition where the loading of public vehicles onto public streets will interfere with the free flow of traffic on these streets.

2. That the granting of the minor deviation will not create a safety hazard of any other condition inconsistent with the objectives of the Zoning Ordinance.

M. Handicapped Parking Spaces

Handicapped parking stalls shall be provided per the Uniform Building Code. Handicapped parking stalls shall be designed consistent with the illustrations shown in Exhibit 68-2.

N. Loading Facilities

1. Commercial, industrial, office, institutional, and public uses exceeding 10,000 square feet in size shall be required to install an off-street loading facility unless
the Planning Director finds that due to the operational nature of the use, none or more than one off-street loading space should be required.

2. To the extent possible, loading facilities should be located at the rear or side of the building that they are to serve.

3. Streets and alleys shall not be used as loading or unloading areas, nor shall trucks use streets and alleys for maneuvering trailers into a loading space.

4. Loading facilities, at a minimum, shall have a length of 25 feet, a width of 12 feet, and an overhead clearance of 14 feet. All loading surfaces shall be paved consistent with Exeter’s Improvements Manual.

5. Where a loading facility is near or adjacent to a residential district or other noise-sensitive land uses, noise attenuating design measures will be incorporated into the project. These design measures could include increased setback distances, the construction of a 7-foot solid block wall, landscaping or locating the loading facilities away from noise-sensitive land uses.

6. All loading facilities shall be lighted to provide adequate illumination of the loading area for safety and security reasons. Where a loading area is near or adjacent to a residential district or other light-sensitive uses, the lighting shall be directed away from these uses.
17.69.01 Purpose

The purpose of this chapter is to establish procedures for regulating signs, including the type, size, and location and construction standards of signs by zone district. Signs have an obvious impact on the character and quality of the city. As a prominent part of the visual environment, they attract or repel the viewing public, affect the safety of vehicular traffic and their suitability or appropriateness helps to set the tone of the neighborhood. The objectives of this chapter include the following:

A. To reinforce that the sign should serve primarily to identify the general nature of an establishment or to direct attention to a project, activity, place, person, organization, or enterprise.

B. As identification devices, signs must not subject the citizens of the Exeter to excessive competition for their visual attention. As appropriate identification devices, signs must harmonize with the building, the neighborhood, and other signs in the area.
C. The City of Exeter intends to encourage the installation of signs that improve the appearance of the property and the neighborhood and to enhance the economic effectiveness of signs.

D. The provisions in this chapter provide standards to safeguard life, health, property, and public welfare in keeping with the character of the City of Exeter by regulating the size, height, structural design, quality of materials, construction location, electrification, illumination and maintenance of all types of signs and sign structures.

E. The provisions in this section present criteria indicating whether or not signs conform to the above intentions of suitability and safety.

17.69.02 Definitions

As used in this chapter, the following items are defined in this section. Some terms are illustrated in Exhibits 69-1 and 69-2.

A. “A-Frame Sign”. See “Sandwich Board Sign”.

B. “Advertising Structure” means any notice or advertisement, pictorial or otherwise, and all such structures used as an outdoor display, including billboards, regardless of size and shape, for the purposes of making anything known, the origin or place of sale of which is not on the property with such advertising structure.

C. “Aggregate Area” means the total area of all permanent signs on the premises.

D. “Alley-Side Sign” means a sign placed on the wall of a building that faces onto or abuts a public alley.

D. “Animated Sign” means a sign with action or motion, whether by flashing lights, color changes, wind, rotation, movement of any parts of the sign or letters or parts of the sign structure, or other motion.

E. “Awning Sign” means a sign applied to an awning or canopy that is attached to a building.

F. “Banner” means any cloth, bunting, plastic, paper, or similar material attached to, or appended on or from any structure, staff, pole, line, or framing upon which there is an advertising message.

G. “Changeable copy sign” means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the only copy that changes is an electronic or
mechanical indication of time or temperature shall be considered a “time and temperature” sign and not a changeable copy sign for purposes of this chapter.

H. “Copy” means any graphic, letter, numeral, symbol, insignia, text, sample, model, device, or combination thereof that relates to advertising, identification, or notification.

**Exhibit 69-1: Selected Sign Definitions**

I. “Directional Sign” means signs giving only information and direction to the viewer and containing no advertising message.

J. “Directory Sign” means a sign typically used to list individual businesses in a multi-tenant complex or center.
K. “Externally illuminated sign” means a sign that has light cast on its surface from an artificial exterior source installed for the purpose of illuminating the sign.

L. “Freestanding Sign” means a sign, which is supported by one or more columns, uprights, or braces in or upon the ground.

M. “Internally illuminated sign” means any sign whose illumination originates from within the structure of the sign and the source of which is not visible from the exterior of the sign.

N. “Nonconforming Sign” means any sign, which was lawfully erected or maintained prior to the time of adoption of this title.

O. “Occupancy Frontage” means a single lineal dimension measured horizontally along the front of a building, which defines the limits of a particular occupancy at that location and which has direct pedestrian access through an exterior wall which is visible from the public right of way.

P. “Off-premises signs and billboards” means any sign not located on the same lot or project site as the use, product, or service it advertises.

Q. "Roof line" means the highest point of a parapet wall or the main roof structure or a highest point of a parapet wall other than such architectural features as cupolas, pylons, projections or minor raised portions of the roof.

R. "Pedestrian oriented sign" means a sign that is specifically located and designed to be viewed from a pedestrian right-of-way.

S. “Pennant” means series of lightweight plastic, fabric, or other materials, suspended from a rope, wire, or string designed to move in the wind. Pennants shall not include banners as defined in this chapter or individual flags mounted on a single pole.

T. "Political sign" means a sign advertising a candidate for political office, a political party or a measure scheduled for an election.

U. "Portable sign" means a sign that is capable of being carried or moved by manual or mechanical means from one location to another and which is not affixed to the ground, a structure, or a vehicle.

V. “Projecting Sign” shall mean a sign that projects from and is supported by a wall or a façade of a building and are also referred to as marquee signs.

W. "Reader board" means a sign indicating the name, address and type of business of the businesses within a building.
X. “Roof Sign” means a sign erected upon or above a roof or parapet of a building.

Y. “Sandwich Board Sign” means a portable sign with advertising messages mounted on two surfaces with two edges connected and the other two edges spread so that the two faces read from different directions.

Z. "Sign" means any words or symbols used for visual communication including its structure and component parts intended to be used to attract attention to an activity. "Sign area" means the geometric area of a sign including all elements such as board or frames, perforated or a solid background, ornamental embellishments, arrows or other sign media. The area of individual signs shall be measured as follows (see also Exhibit 69-2):

1. Sign Faces Counted: Where a sign has two faces containing sign copy, which are oriented back to back and separated by not more than twenty-four inches at any point, the area of the sign shall be measured using one sign face only.

2. Wall Mounted Letters: Where a sign is composed of letters individually mounted or painted on a building wall, without a border or decorative enclosure, the sign area is that of the smallest area of a rectangle within which all letters and words can be enclosed.

3. Three-Dimensional Signs: Where a sign consists of one or more three-dimensional objects such as balls, cubes, clusters of objects, or sculptural or statute-type trademarks, the sign area shall be measured as the area of the smallest rectangle within which the object(s) can be enclosed, when viewed from a point where the largest area of the object(s) can be seen.
Exhibit 69-2: Sign Area Measurement

AA. "Sign copy" means any words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign face and/or its structure with the purpose of attracting attention to the subject matter.

BB. "Sign face" means the panel surface of a sign that carries the advertising or identification message.

CC. "Sign structure" means any structure that supports or is capable of supporting any sign. A sign structure may or may not be an integral part of a building. For the purpose of a freestanding sign, the sign structure shall include the aggregate area of the sign including the sign copy and all structural elements of the sign.

DD. "Site" means the length of a site along the street or other principal public thoroughfare, but not including such a length along an alley, watercourse, railroad or freeway.

EE. “Special events sign” means any sign advertising specific temporary events, such as carnivals, festivals, exhibits, and parades, but not including promotional sales or grand opening signs.

FF. “Temporary sign” means a sign designed to be used for short periods of time, as opposed to a permanently mounted sign such as a freestanding sign or wall sign.
GG. "Temporary subdivision sign" means a sign erected and maintained within the boundaries of a recorded subdivision and indicating the name of the subdivision, the name of the contractor and/or subdivider, the name of the owner and/or agent, and giving information regarding directions, price or terms concerning the sale or lease of parcels within the subdivision.

HH. “Wall Sign” means a sign attached to or erected against the wall or façade of a building or structure with the exposed face of the sign in a plane parallel to the plane of the wall or façade.

II. “Window Sign” means a sign mounted within or on a window.

17.69.03 Applicability

No sign shall be erected, placed, established, painted, created, or maintained in the city that is not in conformance with the standards, procedures, and other requirements of these provisions. All signs erected within the Exeter city limits shall be subject to the sign application procedures within these provisions. The regulations in this chapter are in addition to those set forth in the California Building Code, the California Electrical Code and the 1997 Uniform Sign Code, as adopted, and any amendments made thereto by the city, and the nuisance provisions in the Exeter Municipal Code.

17.69.04 Standards by Zone Districts

Signs permitted by zone district are listed as follows

A. Residential (RA, R-1, R-M), Urban Reserve (UR), Open Space (O), Agriculture (A) and Public Facilities (PF) zone districts.

B. Unlighted signs and other commercial advertising shall be permitted in residential districts only as provided in this section.

   1. Name plates shall be permitted subject to the following conditions.

      a. Maximum size: two square feet

      b. Content: Name plates may display the following: name of the premises upon which it is displayed; name of the owner or lessee of the premises; address of the premises; nature of a home occupation engaged in on the premises; and private information such as “beware of dog” or “no solicitors”, that does not contain an advertising message.
c. Placement: Nameplates shall be affixed flush to the subject building

2. “For Rent” and “For Sale” signs shall be permitted. Not more than two such signs, not exceeding a total of six square feet (aggregate) in area, shall be permitted on any lot or parcel.

3. For subdivisions, apartment complexes and mobile home parks, churches and other permitted institutional uses; no more than one sign shall be erected at any entrance to the development. Signs shall not exceed 35 square feet for all readable surfaces, nor exceed four feet in height.

C. Commercial and Industrial Zone Districts (CN, CS, CC, CH and I))

The following signs are permitted for each business in commercial and industrial districts (see also Exhibit 69-3 for graphic illustration of standards for various sign types). For multi-tenant shopping centers or office parks containing three or more individual uses, the Planning Director shall submit a coordinated sign program for review and approval.

1. The number of wall signs permitted per business or parcel is as follows:

   a. One primary wall sign is permitted on the wall with the primary public entrance to the business. For businesses with more than one entrance, only one entrance shall be counted as the primary entrance.

   b. Where the site abuts a public street and the primary wall sign is on a wall not facing the street, a secondary wall sign is permitted on the wall facing the street.

   c. If the site has a parking lot and a building wall faces the parking lot and that wall does not have a wall sign permitted under a. or b, above, a secondary wall sign is permitted on the wall facing the parking lot. Not more than one such parking lot sign is permitted.

   d. For businesses fronting onto a public alley, one alley wall sign is permitted for the wall that faces onto the alley.
## Exhibit 69-3: Selected Sign Standards

### 1. Wall Signs

- **Area:** 0.9 s.f. per lineal occupancy frontage, up to 150 s.f. for primary sign.
- **Number:** One primary sign permitted for wall with primary entrance. Secondary sign(s) permitted for other walls abutting a street or parking lot on the site, where a primary sign is not present.

### 2. Free Standing Signs

- **Height:** 10 feet, max.
- **Number:** One sign per parcel (or groups of parcels functioning as a unit) for each 1,000 feet of street frontage.
- **Area:** 36 square feet, max.

### 3. Directional Signs

- **Height:** 4 feet max.
- **Area:** 6 s.f., max.
- **Number:** One per driveway
- **Time:** No further than five feet from a driveway.

### 4. Directory Signs

- **Height:** 6 feet, max.
- **Area:** 35 feet, maximum

### 5 Temporary Signs

#### Banner Signs
- **Area:** 50 s.f., maximum
- **Height:** May not exceed roof height/30 feet
- **Time:** 30 days per calendar year, maximum

#### Sandwich Board
- **Area:** 5 square feet, maximum
- **Number:** One per frontage

#### Sandwich Board
- **Area:** 5 square feet, maximum
- **Number:** One per frontage

### 6. Projecting Signs

- **Height:** May not project - above roofline
- **Area:** One square foot per lineal occupancy foot up to 20 s.f.
- **Number:** One permitted per business only when a wall sign is not used
- **Time:** May project no more than 2/3 distance to curb

### 7. Canopy/Awning Signs

- **Area:** Not to exceed 25% of the awning surface upon which sign is mounted
- **Number:** One sign/graphic per awning

### 8. Window Signs

- **Area:** Not to exceed 10% of the window surface upon which sign is mounted
- **Number:** One per business

### 9. Alley-side Signs

- **Area:** Up to 25 square feet of sign area, maximum
- **Number:** One sign per parcel. Business must have a public alley entrance

### 10. "For Sale" Signs

- **Area:** 32 square feet, max.
- **Height:** 6 feet, max.
- **Number:** One per street frontage

### 11. Pedestrian Signs

- **Area:** Five square feet, maximum
- **Number:** One per storefront

### 12. Open Air Sales (vehicles/equipment)

Open area sales uses, such as automobile sales are permitted additional ten square feet of sign area for every 5,000 s.f. of site area.
2. Calculation of Wall Sign Area:

a. For a primary wall sign, 0.9 square foot of sign area is permitted for each foot of linear occupancy frontage, as shown in Exhibit 69-4, up to a maximum of 150 square feet of sign area, whichever is less. Notwithstanding this regulation, all businesses shall be permitted a minimum of 25 square feet of primary wall sign.

b. Where a secondary wall sign is permitted, the maximum sign area shall be one-half the permitted sign area of a primary sign.

c. For an alley wall sign, the maximum sign area shall be 25 square feet.

d. For multi-tenant buildings, each tenant shall be permitted one sign mounted on the wall with the primary entrance, except for corner units that may be permitted a primary wall sign and a secondary wall sign.

3. Maximum Height: Not to exceed the top of the vertical wall surface on which the sign is mounted. Signs mounted on a pitched roof may not extend the peak of the ridgeline of the roof. No sign is permitted on the top of a flat-roofed structure.

4. Permit. A sign permit shall be obtained for all wall signs, consistent with the procedure outlined in Section 17.69.110 of this Section.
Exhibit 69-4: Permitted Wall Sign Area

Calculation of Permitted Area of Primary Wall Sign

\[ n \text{ (wall length)} \times 0.9 = \text{permitted sign area for primary wall sign} \]

Example:

50’ (wall length) \times 0.9 = 45 square feet of sign area permitted for primary wall sign

* (If calculation results in a sign area of more than 150 square feet, the sign is limited to 150 square feet)

2. Free-Standing Signs

a. Maximum Height: Ten feet

b. Maximum Area: 35 square feet per sign face

c. Sign Design: Free standing signs shall be designed as a monument sign with a solid base extending the entire height of the sign.

d. Number per parcel: One free-standing sign is permitted per parcel (or collection of parcels functioning as a single integrated development) for each 1,000 feet of street frontage, or fraction thereof, except that parcels with frontage on more than one public street shall be permitted one free-standing sign for each 1,000 lineal feet of frontage (or fraction thereof) on each street

e. Setbacks: A free standing sign shall be set back a minimum of 5 feet from any interior side property line. The Planning Director may permit encroachment into a setback where the location of
existing improvements presents a functional hardship in compliance with the required setback.

f. Landscaping. All freestanding signs shall be surrounded by landscaping of an area at least twice the size of one side of the sign structure.

g. Permit. A sign permit shall be obtained for all freestanding signs, consistent with the procedure outlined in Section 17.69.110 of this chapter.

3. Directional Signs

a. Maximum height: 4 feet

b. Maximum Area: 6 square feet

c. Number per site: one per driveway from a public street

d. Location: Directional signs shall be placed within five feet of a driveway that accesses the site from a public street. Placement of directional signs shall ensure the sight safety of vehicles entering/leaving a site is not compromised.

e. Permit. A sign permit shall be obtained for all directional signs, consistent with the procedure outlined in Section 17.69.110 of this chapter.

4. Directory Signs

a. Number per site: one per public vehicle and/or pedestrian entrance to the site

b. Maximum Area: 35 square feet.

c. Maximum Height (if freestanding): 6 feet.

d. Location: No directory sign which is a freestanding sign may locate closer than 5 feet to any neighboring property line or closer than three feet to any point of ingress/egress.

e. Permit. A sign permit shall be obtained for all directory signs, consistent with the procedure outlined in Section 17.69.110 of this chapter.
5. Temporary/Portable Signs

a. Banners

i. Number of signs: One banner sign is permitted per business.

ii. Maximum Height: Not to exceed roofline of nearest building or building affixed to but in no case higher than 30 feet. Banner signs shall not be attached to existing freestanding signs.

iii. Maximum Area: 50 square feet

iv. Permitted Time: Banner signs may not be utilized for more than 30 days per calendar year. The banner shall include a date visibly noted on the sign and be removed within 30 days of the posted date.

v. Temporary signs used to identify a business shall be removed within thirty days and replaced with a permanent sign.

vi. Permit. A sign permit shall be obtained for all banner signs, consistent with the procedure outlined in Section 17.69.110 of this chapter.

b. Sandwich Board Signs

i. Maximum Height and Width: Three feet wide and four feet tall, maximum

ii. Maximum Area: 12 square feet

iii. Number per business: One

iv. Location: May be placed on the business site as long as conflicts with vehicle safety are not caused. May also be placed on the public sidewalk adjacent to the business with approved encroachment permit, but must permit a minimum of five feet of passage area on sidewalk.

v. Permitted Display Time: During business hours.
c. Changeable message signs. A business that enters into an agreement with the City to not use temporary signs may be permitted a changeable message sign to be incorporated into its free-standing monument sign, or as a building wall sign, provided that the overall sign area for the business is not increased (see Exhibit 69-4).

6. Projecting Signs
   a. Maximum Height and Projection: Not to exceed roofline of wall or structure to which projecting sign is attached. (Note: Bottom of sign shall be a minimum of 8 feet from ground to provide proper clearance).
   b. Number per business: One, but a projecting sign is permitted only where a wall sign is not used on the same wall.
   c. Calculation of Area: 0.5 square foot of sign area for each lineal foot of building frontage of the business to which sign pertains
   d. Maximum Area: 20 square feet
   e. Location: Projecting signs may extend over public rights-of-ways including public sidewalks not to exceed two-thirds of the distance from the building face to which the sign is attached to the curb face of said sidewalk
   f. Permit. A sign permit shall be obtained for all projecting signs, consistent with the procedure outlined in Section 17.69.110 of this chapter.

7. Awning/Canopy Signs
   a. Number of signs: Where an awning is present, a sign may be affixed to the awning.
   b. Maximum Area: The area of signage on each surface of an awning shall not exceed 25 percent of the area of the individual surface.
   c. Location: Awning signs shall be made of removable materials such as individual cut-out letters and/or symbols attached,
stenciled or other wise placed on the canopy surface, and may be located on exterior surfaces of a canopy. Canopy signs shall be of color, size and design to harmonize with the color, size and design of the canopy on which they are placed.

d. Permit. A sign permit shall be obtained for all canopy/awning signs consistent with the procedure outlined in Section 17.69.110 of this chapter.

8. Window Signs

Maximum Area: Up to 25% of the area of each individual window may be covered with a window sign or graphic. No permit is required for window signs.

9. Alley-Side Signs

a. Number of Signs/Sign Area: Any building facing a public alley shall be permitted one alley-side sign with a maximum of 25 square feet of sign area. An alley-side sign may be in the form of either a wall-sign, awning sign, or projecting sign.

b. Height. Alley side signs may not project above the wall on which they are mounted.

c. Permit: A sign permit shall be obtained for all alley-side signs consistent with the procedure outlined in Section 17.69.110 of this chapter.

10. "For Sale", "For Rent", or similar signs

a. Number of signs: One sign shall be permitted per street frontage.

b. Size: 32 square feet per sign.

c. Height: maximum of 6 feet.

d. Permit: None required.

11. Pedestrian Signs

a. Number of signs: One pedestrian oriented sign that projects or hangs above a sidewalk on each side of a building with a public entrance.
b. Size: Each sign may be a maximum of 5 square feet in size and may hang or be suspended no lower than eight feet above grade level.

12. Service Station Canopy Signs
   a. Number of signs: One sign is permitted on each canopy face.
   b. Size: Ten square feet, maximum per canopy face
   c. Design: Additional graphic elements, such as color stripes associated with the particular brand shall not be permitted on service station canopies.
   d. Permit: A sign permit shall be obtained for all service station canopy signs, consistent with the procedure outlined in Section 17.69.110 of this chapter.

13. Incidental traffic control signage in parking lots within private developments
   a. Number of signs and size: As determined to be necessary by the City Engineer

14. Special Uses Standards
   a. Open Air Sales

      In addition to the sign area permitted under this section, ten square feet of additional sign area is permitted for every 5,000 square feet of site area for vehicle and large equipment sales operations. The additional signage may be used to increase the allowable area for wall signs and freestanding signs, except that height shall not be increased for freestanding signs.

   b. Drive-through menu boards

      No more than two drive-through menu/order boards are permitted for each food and/or beverage establishment featuring a drive-through. Each sign shall not exceed 40 square feet and be no taller than 8 feet.
17.69.050  Miscellaneous Signs

A.  Construction Project Signs

Construction project signs shall not exceed 32 square feet in area, and 8 feet in overall height, unless legally required by governmental contract to be larger. One sign is permitted for each street upon which the construction site fronts. A Construction Project Sign shall not require a sign permit and may exist no longer than the period of construction.

B.  Subdivision Advertising Signs

1.  Time of Placement: Subdivision signs may require a sign permit and shall be permitted as long as some portion of the property advertised for sale remains unsold or up to two years in duration, whichever is less.

2.  Location: Subdivision signs may only be located on the premises that they advertise.

3.  Size and Number of Signs: No individual sign may exceed 120 square feet of area and be no taller than ten feet. No more than four separate signs are permitted on the grounds of each subdivision.

4.  Model Home Lots: Signs are permitted on the same lot with a model home provided they do not exceed four in number and ten square feet each in area. Signs shall be removed after the developer concludes the initial sale of the lots or homes to their initial owners.

5.  Permit: A sign permit shall be obtained for all subdivision signs, consistent with the procedure outlined in Section 17.69.110 of this chapter.
17.69.060  Design Criteria (see Exhibit 69-5 for illustrations of selected criteria)

A. Design Compatibility: The design of all signs shall be compatible and harmonious with the colors, materials and architecture of the building and the immediate vicinity. Freestanding signs shall be finished with the same or compatible materials as the building on the site.

B. Size: Notwithstanding applicable sign standards elsewhere in this chapter, sign size shall be proportionate to the size and scale of the site and building upon which the sign is proposed. Sign dimensions as specified in this chapter are maximum allowable dimensions; it may be necessary that signs be smaller than the maximum allowed in order to be proportionate in size and scale to achieve the design objectives of this section.

C. Commercial and Industrial Center Signs: Individual tenant signs within multi-tenant centers shall be coordinated in size, location, materials and illumination.

D. Color: Colors shall be used in coordinated groupings, and shall be compatible with those colors used in the building or project design. For cabinet-style signs, a dark sign background is preferred with light colored copy (characters/graphics).

E. Logos and Trademarks: this section shall not prohibit the use of established corporate colors or logos. When established corporate colors are incompatible with buildings colors, compatibility in design with the surrounding development should be accomplished through the use of appropriate background colors or other design features.

F. Lighting Intensity: The light emitted or reflected by a sign, or emitted by a light source, shall be of reasonable intensity and shall be compatible with the architecture of the building and the immediate vicinity. Artificial light sources shall be shielded to prevent light spillage, glare or annoyance to persons on or inside adjoining properties or to public or private rights-of-way.

G. Sign Bases and Frames: Freestanding signs shall be either housed in a frame, or set onto a base, presenting a solid, attractive, and well-proportioned appearance. The size and shape of the frame or base shall be proportionate to the size and mass of the sign and should be low-profile in design. Pole type signs are not permitted. Guy wires, angle irons, braces and other support or construction elements shall be screened or hidden from view.

H. Landscaping: Freestanding signs shall be located in a landscaped area proportionate to the size of the sign, but not less than twice the size of one side of the sign face. Appropriate accent landscaping should be placed at the base of the sign.
Exhibit 69-5: **Selected Sign Design Criteria**

1. **Design Compatibility**
   - Signs should be compatible with the overall architectural character of the site.
   - **Village Center**

2. **Sign Size**
   - Signs should be well proportioned to the surface on which they are mounted.
   - **TONY’S TAKE-OUT**

3. **Shopping Centers**
   - Signs in multi-tenant shopping centers shall have a consistent design theme.
   - **Village Center**

4. **Color**
   - Colors used in signs should be consistent with the overall color scheme of the site.
   - Dark background material with light colored copy is usually preferred.
   - **Village Center**

5. **Logos & Trademarks**
   - Corporate logos and trademarks should be considered in the overall architectural compatibility of the site.
   - **Star Mart**

6. **Illumination**
   - Signs with exterior illumination are encouraged (versus signs with interior lighting (e.g. cabinet signs)).
   - **The Roasted Bean**

7. **Sign Base and Frame**
   - Signs should have a well designed solid base structure that is architecturally compatible with the site.
   - **Valley Bank**

8. **Landscaping**
   - Freestanding signs shall have base area that is landscaped to complement the appearance of the sign. The area of landscaping shall be at least twice that of the area of the sign structure.
   - **Medical Clinic**

9. **Sign Copy**
   - Sign copy on left is crowded with information. Characters and graphics should be simple and well-proportioned.
   - **Sam’s Sporting Goods**

10. **Wall Signs**
    - Wall signs are to be mounted flush against the building and not project above the roof line.
    - **LODGE**

11. **Screening**
    - Sign support structures are to be concealed from view.
    - **LODGE**

12. **Changeable Message Signs**
    - A changeable message sign (as part of the business freestanding or wall sign) may be permitted for businesses that agree not to use banner or sandwich board signs. Area of free-standing sign may be increased to 50 square feet. Area of wall sign may be increased by 20 percent.
    - **Village Drugs**

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**References:**

- Computers: **Tony’s Take-Out**
- Shoes: **Tony’s Take-Out**
I. Sign Copy: Sign copy should be simple and concise without excessive
description of services or products. On freestanding signs, sign copy should be
designed to contribute to the design of the structure on which it is displayed. In all
cases, freestanding sign design and sign copy should be coordinated to provide an
attractively designed freestanding element which identifies the development or
project.

J. Wall Signs: Building signs should be mounted flush against the building, and
shall not project above the roof ridge or the top of the parapet.

K. Maintenance: All signs and their supporting members shall be kept in good repair
and maintained in good structural condition at all times.

L. Design Quality: All signs shall be professionally designed and manufactured.
Signs that utilize hand-made lettering or elements should be avoided.

17.69.07 Prohibited Signs and Locations

A. Any sign mounted or attached to a vehicle parked for the purpose of calling
attention to or advertising a special business establishment

B. Any sign or sign structure which has become a public nuisance due to inadequate
maintenance, dilapidation, or abandonment

C. Any sign which obstructs in any manner the ingress to, or egress from, a door,
window, fire escape, or other access way required by building codes adopted by
the City of Exeter

D. Any sign unlawfully installed, erected, or maintained

E. Any sign now or hereafter existing which no longer advertises a business
conducted or a product sold as prescribed in this chapter

F. Any sign that encroaches into any City right-of-way and/or easement, except an
approved pedestrian, canopy, wall sign or projecting sign

G. Any sign that flashes, blinks, moves, changes color, appears to change color,
changes intensity, or contains any part of attachment which does the same except
that standard barber poles, time and temperature signs and approved bulletin
board signs shall be permitted in commercial and industrial zones if otherwise in
compliance with these provisions.

H. Any unofficial sign, signal or device, or any sign, signal or device which purports
to be or is an imitation of, or resembles an official traffic sign or signal, or which
attempts to direct the movement of traffic, or which hides from view any official sign or signal

I. Any lights of any color of such brilliance as to blind or impair the vision of drivers upon any roadway. Further, no light shall be placed in such a position as to prevent the driver of a vehicle from readily recognizing any traffic sign or signal

J. Any sign located so that it interferes with visibility at an intersection, public right-of-way, driveway, or other ingress/egress

K. Any sign located or displayed on or over public property except as expressly permitted by these provisions, unless approved by the City Council

L. Any sign attached to a tree

M. Any rooftop mounted sign

N. Blimps, balloons or other forms of aerial advertising

O. Any sign erected or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the State, or rules and regulations duly promulgated by agencies thereof

P. Off-site signs, advertising structures and billboards

Q. Portable signs, other than approved banners and sandwich board signs, except for temporary signs for community events as provided for in Section 17.69.080 (G)

R. Any sign, which, in the opinion of the Zoning Administrator, is in conflict with the spirit or intent of this Chapter

17.69.08 Exempted Signs

The following signs and devices shall not be subject to the provisions in this chapter:

A. Signs placed by a governmental body or public utility, required to be maintained by law

B. Memorial tablets or plaques placed by recognized historical agencies

C. Flags of the National or State Government
D. Traffic or other signs of government agencies, signs required by law or contract with a governmental agency, railroad crossing signs, legal notices, and such temporary emergency or non-advertising signs as may be authorized by the City Council

E. Decorations or window signs to celebrate nationally recognized holidays and local celebrations

F. Temporary Political Signs that adhere to the following regulations

1. Political signs are permitted on lots or parcels privately owned with permission of the property owner.

2. The combined area of sign by any one candidate on any one parcel shall not exceed 32 square feet.

3. Political signs shall not be attached to trees, fence posts, or utility poles, except on private property where signs may be attached to fence posts with permission of the property owner.

4. Political signs shall not be lighted either directly or indirectly.

5. No political sign or portion thereof shall be placed in any street right-of-way or on any City-owned property.

6. No sign shall be erected in violation of street corner setback requirements that are established to ensure traffic safety, nor shall any such sign interference with pedestrian traffic.

7. Political signs shall be erected no more than 60 days prior to the date of the election.

8. All political signs shall be removed within 14 days following the date of the election. The City may remove signs not removed within this period and the cost of removal assessed against the candidate.

9. Provisions of this subsection shall not apply to political advertising on legally established existing commercial billboard structures.

G. Temporary signs placed by recognized non-profit or other community organizations advertising community events. Such signs shall be limited to 16 square feet in area and no taller than four feet. Only one such sign is permitted per parcel. Said signs shall be erected no more than 14 days before the event and shall be removed no more than seven days after the event.
17.69.09 Murals

It is the intent of the City Council, for purposes of promoting the local economy, tourism, and for further purposes of beautifying Exeter, to adopt standards regarding murals, their location and design.

A. Location

Murals may be located on the sides of buildings and walls on property in any commercial, industrial or public/quasi-public zone district within the City of Exeter.

B. Mural Design Approval

Prior to painting, installation and execution of a mural, an application shall be submitted to the Exeter Mural Committee. The application shall include a detailed drawing or sketch of the mural plus other details as prescribed on the application or deemed by the Committee to be pertinent. In addition, the application shall provide proof that an easement has been secured for the wall on which the mural will be applied.

The Committee shall forward the application with a recommendation to the City Council. The Council shall review and approve, approve with modifications, or deny the application as submitted.

C. Criteria for Design of Murals

1. The subject matter of the mural shall be of historical or community significance regarding the growth and development of the City of Exeter and its surrounding environs or be of such high quality as to be appropriate. A mural shall not contain elements that advertise an existing business or product.

2. The paint to be used shall be appropriate for use in an outdoor locale, for an artistic rendition and shall be of a permanent, long-lasting variety.

3. The mural shall be designed and painted by qualified mural artists with sufficient knowledge in the design and painting of such projects.

4. To the extent feasible, the mural shall be vandal and graffiti resistant.
17.69.10 Non-Conforming Signs

The lawful use of a sign existing on the effective date of this Chapter, although such use does not conform to the provisions of this chapter, may be thus continued; provided, however, a non-confirming sign which has been abandoned, or the use for which it is advertised has ceased to function for a period of 90 days or more, shall be brought into conformity with the provisions of this chapter.

A. No non-conforming sign shall in any manner (except for face changes) be structurally altered, reconstructed, or moved without being made to comply with the provisions of this chapter; however, nothing herein shall prohibit the painting, maintenance, or repairing of such sign, including the face and changing of copy.

B. If, at any time, any sign in existence or maintained on the effective date of this chapter, which does not conform to the provisions of this chapter, is destroyed by fire, accident, explosion or act of nature to the extent of more than 50 percent of the value thereof, such sign shall be subject to all the provisions of this chapter. For the purposes of this chapter, the value of any sign shall be the estimated cost of replacement of the sign in kind as determined by the Chief Building Official.

C. The Planning Director or his/her designee shall immediately cause the removal of any sign which, in the judgment of the Director is found to be within the public right-of-way and/or easements and are found to place citizens in immediate peril, by any or a combination of the following methods using sound judgment under the circumstances:

1. Removal or modification of said sign by City staff with business owner (or property owner if business has ceased operations) to be billed for time and materials.

2. Notification orally or in writing to the business owner causing the removal of said signs within a 24-hour period or lesser period of time, as prescribed by the Planning Director.

3. Immediate citation of the business owner (or property owner if business has ceased operations) or party responsible for said sign.

D. Any business that has ceased operations for at least thirty days shall remove all temporary signs and all window signs.

17.69.11 Administration

Except for where otherwise stated in this chapter, no sign may be placed or erected without written approval issued by the Zoning Administrator in the form of a sign permit.
In addition, building permits shall be required for the erection of signs, except painted, window, or temporary signs, following the issuance of written approval by the Planning Director.

A. Applications: Applications for sign approval shall be made upon forms provided by the Planning Department. Three sets of sign plans shall be submitted to the Planning Department for review. Sign plans shall include the following:

1. Address of sign location.
2. Name and phone number of owner and/or applicant.
3. Name, address, and phone number of contractor or erector.
4. A site plan shown location of proposed sign(s) on the subject site.
5. Elevation drawing(s) showing location on building or other structure, including height of sign and any projection from building.
6. Elevation of sign showing dimensions and materials.
7. Construction details of typical sections for all proposed signs. In some cases, the building inspector will require that the details are accompanied by the signature of a California licensed engineer or architect.
8. Sign valuation, and for electric signs, the number of transformers.
9. Additional information may be required as deemed necessary by the Zoning Administrator, including engineered footing and foundation details for freestanding signs.

B. Review of Sign Applications. The Planning Director, or designee, who shall approve, disapprove, or conditionally-approve the sign application on the basis that it conforms to the purpose and the standards of this chapter, shall issue permission for installation of a sign only after review.

C. Appeals. Appeals to this chapter shall be processed consistent with the process for appeals established in Chapter 17.06 Appeals.

D. Violations. Violations shall be processed consistent with Chapter 17.70 Enforcement.

E. Maintenance. All signs and supporting structures shall be kept in good repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted and clean. The immediate surrounding premises shall be
maintained free of weeds and rubbish. The Zoning Administrator is authorized to order the painting, cleaning or repair of signs which become dilapidated and the cleaning of the immediate premises. Such maintenance shall be completed within thirty days of receiving written notice.

17.69.12 Minor Deviations

A minor deviation allowing an increase of up to twenty percent in permitted sign area standards may be granted by the Planning Director upon written request, subject to such conditions as it may impose without any notice, if the Director finds that to do so would not be detrimental to the public welfare or injurious to property and improvements in the area in which the property is located.

A. Minor Deviation may be granted upon making the following findings:

1. There are exceptional or extraordinary circumstances or conditions which apply to the property involved or the existing or intended use of the property which do not apply generally to other properties in the same zoning district.

2. Granting of a minor deviation will not negatively impact surrounding properties.

B. Appeals. Any decision of the Planning Director regarding a minor deviation may be appealed to the Planning Commission consistent with Chapter 17.06 Appeals.
CHAPTER 70  Enforcement

Sections

17.70.01  Purpose
17.70.02  General Requirements
17.70.03  Number of Parking Spaces Required
17.70.04  Parking Lot Design Standards and Location Criteria
17.70.05  Abatement
17.70.06  Penalties

17.70.01  Purpose

The purpose of this chapter is to provide a mechanism for enforcing the provisions of this Ordinance. Further, to ensure that Exeter’s planning efforts are achieved and that the public health, safety and welfare are protected.

17.70.02  Administration

All department heads, officials or other employees of the City that are vested with the authority to issue a permit, license or certificate shall comply with the provisions of this Ordinance and shall not issue any permits, licenses or certificates for uses, buildings or structures that are in conflict with this Ordinance. Any permit, license or certificate issued in conflict with this Ordinance, intentionally or otherwise, shall be null and void.

17.70.03  Code Enforcement

The Planning Director and Code Enforcement Officer, or other person authorized by the City Manager, shall be authorized to enforce provisions of this Ordinance and to issue citations and make arrests pursuant to Section 836.5 of the California Penal Code.
17.70.03 Violation

Any structure or use which is established, operated, erected, moved, altered, enlarged, or maintained contrary to the provisions of this Ordinance, is hereby declared to be unlawful and a public nuisance and shall be subject to the remedies and penalties set forth in this chapter and/or revocation procedures contained in other chapters of this Ordinance.

17.70.04 Right of Entry

In the discharge of enforcement duties authorized persons shall have the right to enter any site, building or structure for the purpose of investigation and inspection. Such right of entry shall be exercised only at reasonable hours and only with the consent of the owner or tenant unless a written order from the Court has been issued.

17.70.05 Abatement

Any person violating any provisions of this Ordinance shall be guilty of an infraction pursuant to Section 19 (c) of the California Penal Code and upon conviction thereof shall be subject to the general penalty provisions of this chapter. A person shall be deemed guilty of a separate offense each day during any portion of which a violation of this Ordinance is committed, continued or permitted by the person and shall be punishable as herein provided.

Any structure erected, moved, altered, enlarged or maintained and any use of a site contrary to the provisions of this Ordinance is hereby declared to be unlawful and a public nuisance, and the City Attorney shall immediately institute necessary legal proceedings for the abatement, removal or enjoinder thereof in the manner provided by law and shall take such other steps as may be necessary to accomplish these ends, and shall apply to a court of competent jurisdiction to grant such relief as will remove or abate the structure or use and restrain or enjoin the person from erecting, moving, altering, or enlarging the structure or using the site contrary to the provisions of this Ordinance. The remedies provided herein shall be cumulative and not exclusive.

17.70.06 Penalties

Any person, partnership, organization, firm or corporation, whether as principal, agent, employee or otherwise, violating any provisions of this Ordinance or any condition imposed on an entitlement, permit or license, or violating or failing to comply with any order made hereunder, shall be guilty of an infraction or a misdemeanor as initially determined by the designated City official with the concurrence of the City Attorney. Upon conviction of an infraction the party shall be punished by (1) a fine not exceeding fifty dollars for the first violation; (2) a fine not exceeding one hundred dollars for each violation of the same provision of this Ordinance within one year; or (3) a fine not exceeding
exceeding two hundred fifty dollars for each violation of the same provision of this Ordinance within one year. Upon conviction of a misdemeanor, a fine of not more than five hundred dollars, or by imprisonment not to exceed six months, or by both such fine and imprisonment shall punish the party. The phrase “violation of the same Ordinance” as used in this section means and refers to a violation of the same numbered section of the Exeter Zoning Ordinance. In addition, each day such violation continues shall be regarded as a new and separate offense.

The City may impose fees on applicants to cover the full costs incurred by the City for the monitoring and enforcement of the requirements of this Ordinance as well as those conditions and mitigation measures imposed on an approved permit or license.
Definitions

Sections

17.72.01 Purpose
17.70.02 Objectives
17.70.03 Definitions

17.72.01 Purpose

Unless the text of this ordinance states otherwise, the following definitions shall be used in the interpretation and construction of this Ordinance. Words and phrases used in this ordinance shall be defined in Section 17.72.03 of this chapter.

17.72.02 Objectives

The objectives of this chapter are as follows:

A. Provide coherent and consistent explanation of the terms used in the Ordinance.

B. Avoid misinterpretation of the regulations, procedures, and standards as put forth in the Ordinance.

C. Introduce a common vocabulary to facilitate communication regarding the Ordinance.

17.72.03 Definitions

ABUTTING: Two or more parcels sharing a common boundary of a least one point.

ABANDONED: To cease or suspend from developing or maintaining a building or use for a stated period of time.
ACCESS: Safe, adequate, and usable ingress or egress to a property or use.

ACRE: A measure of land area containing 43,560 square feet.

ACCESSORY STRUCTURE: A structure containing no kitchen or bathroom and located upon the same lot or parcel as the principal use or structure to which it is an accessory. The structure is customary, incidental, and subordinate to the use of the principal building, or the principal use of the land. All accessory structures shall be constructed with, or subsequent to, the construction of the principal structure or activation of the principal use.

ADMINISTRATIVE AGREEMENT: An agreement duly executed and legally binding between the City of Exeter, prepared and signed by the Planning Director, and the applicant for a minor planning request. The agreement will delineate the terms and conditions agreed upon by the two parties.

ADJACENT TO: Properties, which are next to, each other sharing a common property line.

ADULT DAY PROGRAM: Any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals on less than a 24-hour basis.

AGRICULTURAL ACCESSORY STRUCTURES: Those uses and structures customarily incidental and subordinate to the agricultural use of the land, including: barns, storage sheds, corrals, pens, fences, windmills, watering and feed troughs; the storage and use of farm implements, irrigation, and crop-protection equipment; the storage and use of fuels for heating buildings and operating farm equipment or appliances; water and waste water treatment facilities and systems for private uses and structures which are determined by the Planning Director to be necessary, customary, and incidental to the agricultural use of the lot or parcel. Agricultural accessory uses shall not include construction equipment storage yards.

AGRICULTURAL OPERATIONS: The cultivation and tillage of soil, dairying, the production, irrigation frost protection, cultivation, growing, harvesting, and processing of any agricultural commodity, including timber, viticulture, agriculture, horticulture, the raising of livestock, fur-bearing animals, fish, or poultry, and any commercial practices incidental to, or in conjunction with, such agricultural operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market.

ALLEY: A public way permanently reserved as a secondary means of vehicular access to abutting property.
ALTER: To make any change in the supporting or load bearing members of a building, such as bearing walls, columns, beams, girders or floor joists, which will prolong the life of the structure.

AMUSEMENT MACHINE: Any mechanical or electronic machine, apparatus, contrivance, appliance, or device which may be operated or played upon the placing or depositing therein of any coin, check, slug, ball, or any other article or device, or by paying therefore either in advance of or after use, involving in its use either skill or chance, including but not limited to a tape machine, card machine, pinball machine, bowling game machine, shuffleboard machine, marble game machine, horse racing machine, basketball game machine, baseball game machine, football game machine, an electronic video game, or any other similar machine or device except for a billiard or pool table, music machine, or a merchandise vending machine.

ANCILLARY USE A use incidental to and customarily associated with a specific principal use, located on the same lot or parcel.

ANIMAL HOSPITAL: A facility where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment; the ancillary use of the premises as a kennel or a place where animals or pets are boarded for remuneration.

ANNEXATION: The incorporation of a land area into an exiting community with a resulting change in the boundaries of that community.

ANTENNA: Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or receiving of electromagnetic radio frequency waves, including antennas or towers used for transmitting or receiving television, radio, citizen’s band or cellular phone communication. An antenna can be affixed to or supported by a roof or exterior wall of a building or other structure or an antenna can be ground mounted, which is supported by a platform, framework, pole, or other structural system that is affixed to or placed directly on or in the ground.

ANTI-DRAIN VALVE (CHECK VALVE): A valve located under a sprinkler head to hold water in the system so it minimizes drainage from the low elevation sprinkler heads.

APPLICATION RATE: The depth of water applied to a given area, usually measured in inches per hour.

ARBORS AND TRELLISES: Ornamental landscape features designed to display and support landscape plantings. They typically consist of an open, latticework design constructed of wood, metal, or other lightweight material.

ARCADE: A place of business having four (4) more amusement machines.
AREA OF SHALLOW FLOODING: A designated AO or VO AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one foot to three feet; a clearly defined channel doesn’t exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AUTOMATIC CONTROLLER: A mechanical or solid timer, capable of operating valve stations to set the days and length of time of a water application.

AUTOMATED TELLER MACHINE (ATM): A computerized, self-service machine used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel. These machines may be located at or within banks, or in other locations.

AWNING: A roof-like cover that is temporary in nature and those projects from the wall of a building for the purpose of shielding a door or window from the elements.

BACKFLOW PREVENTION DEVICE: A safety device used to prevent pollution or contaminations of the water supply due to the reverse flow of water from the irrigation system.

BAR/TAVERN: A business where alcoholic beverages are sold for on-site consumption, which is not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a microbrewery, and other beverage tasting facilities. Does not include adult entertainment businesses.

BASE FLOOD: A flood having a one percent chance of being equaled or exceeded in any given year (also called the “100-Year Flood”). Base flood is the term used throughout this ordinance.

BASEMENT: any area of the building having its floor sub graded - i.e., below ground level on all sides.

BED AND BREAKFAST INN (B&B): A building or group of buildings providing fifteen or fewer bedrooms or suites that are rented for overnight lodging, with a common eating area for guests.

BLOCK: The properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land or water course.

BUILDABLE AREA: The area of a lot remaining after the minimum yard and open space requirements of the zone district have been met.
BUILDING: Any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or chattels or property of any kind.

BUILDING FACE: The exterior surface of any building, regardless of frontage.

BUILDING FRONTAGE: The building elevations facing a street, plaza or mall. Where the building contains multiple uses, it shall be linear frontage of those portions of the building between the occupancy separation walls.

BUILDING PERMIT: Written permission from the City of Exeter for the construction, repair, alteration, or addition to a structure.

BULLETIN BOARD: A permanently constructed sign containing a surface area that may have interchangeable letters, words, or numerals displaying the name of the institution, events conducted upon and/or services offered upon such premises.

CARPORT: A roofed structure providing space for the parking of vehicles and enclosed on not more than three sides.

CHURCH: A building, together with its accessory buildings and uses, where persons regularly assemble for worship and which building, together with its accessory buildings, and uses, is maintained and controlled by a religious body organized to sustain public worship.

CLUB, LODGE, OR PRIVATE MEETING HALL: A permanent, headquarters-type and meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, including facilities for: Business associations; civic, social and fraternal organizations; labor unions and similar organizations; political organizations; professional membership organizations; and other membership organizations.

CO-LOCATION: The location of two or more wireless communication facilities on a single support structure. Co-location shall also include the location of wireless communication facilities with other facilities, including water tanks, light standards, and buildings.

COMBINING DISTRICTS (OVERLAY DISTRICTS): Zones or geographical areas in Exeter that may require special regulations or treatment due to unique features, resources or hazards. These districts may be combined with any district identified in this Ordinance. For purposes of overlay district.

COMMERCIAL ACCESSORY STRUCTURES: Those uses and structures incidental and subordinate to the commercial use of the land including: trash storage areas and bins; vending machines; required loading and unloading facilities; outdoor tables, benches, umbrellas, fountains, ponds, statues, sculptures, paintings, and other works of
art; radio and television antennas, private satellite dish antennas; the storage and use of fuels for fleet vehicles, heating buildings or for the operation of appliances or equipment used within a building; sales offices, showrooms and administrative offices; permitted signs; the storage and use of commercial fleet vehicles as part of the principal use; and other accessory uses and structures which are determined by the Planning and Building Director to be necessary, customary and incidental to the commercial use of the land.

COMMERCIAL RECREATION FACILITY – OUTDOOR: Facilities for various outdoor recreational activities, where a fee is charged for use. Examples include: amusement and theme parks; fairgrounds; go-cart tracks; golf driving ranges; miniature golf courses; roller skating, hockey, skateboarding; and water slides. May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, video game arcades, etc.

COMMUNICATIONS EQUIPMENT BUILDING: A building housing electrical and mechanical equipment necessary for the conduct of a public communication business with or without personnel.

COMMUNICATION TOWER: Any structure, which is used to transmit or receive electromagnetic radio frequency waves or that, supports such a device.

CONDITIONAL USE: A use permitted in a particular zoning district only upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified in the Ordinance and authorized by the Planning Commission.

CONVALESCENT HOSPITAL OR NURSING HOME: Any place, structure, or institution providing for skilled nursing and allied professional health care, or for chronic or convalescent care for one or more persons, exclusive of relatives, in which nursing, dietary or other personal services are rendered to convalescents, invalids, or aged persons, who, by reason of advanced age, chronic illness, or physical infirmity are unable to properly care for themselves, but not including persons suffering from contagious or mental diseases, alcoholism, or drug addiction, and in which surgery is not performed and primary treatment, such as customarily is given in hospitals or sanitariums, is not provided.

CONVENIENCE STORE: A retail establishment with not more than four thousand five hundred square feet of gross floor area, offering for sale prepackaged food products, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption.

DAY CARE: Facilities that provide nonmedical care and supervision of adults or minor children for periods of less than twenty-four hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services:
1. “Child day care center” means a commercial or nonprofit child day care facility designed and approved to accommodate fifteen or more children. Includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.

2. “Large family day care home” means as provided by Health and Safety Code Section 1596.78, a home that regularly provides care, protection, and supervision for seven to fourteen children, inclusive, including children under the age of ten years who reside in the home, for periods of less than twenty-four hours per day, while the parents or guardians are away.

3. “Small family day care home” means as provided by Health and Safety Code Section 1596.78, a home that provides family day care for eight or fewer children, including children under the age of ten years who reside in the home.

4. “Adult day care facility” means a day care facility providing care and supervision for adult clients.

DEDICATION: Setting aside land for a particular purpose, including roadway, park, or bike path improvements; utility easements; or access routes for the public.

DENSITY: The number of families, individuals, dwelling units, or housing structures per unit of land.

DENSITY BONUS: An increase in units of at least 25 percent over the otherwise maximum allowable residential density under the Ordinance or Exeter’s Land Use Element of the General Plan (see Government Code Section 65915).

DEVELOPER INCENTIVES:

1. Reduce or eliminate standards contained in the Subdivision Ordinance or the City of Exeter Standards and Specifications Manual

2. Reduce or eliminate Ordinance requirements, including open space, lot size, setback, or parking standards.

3. Reduce or eliminate any design requirements exceeding Uniform Building Code specifications.

DEVELOPMENT: Any man-made changes to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
DEVELOPMENT AGREEMENT: A contract duly executed and legally binding between the City of Exeter and a developer that delineates the terms and conditions agreed upon by the two parties.

DISABILITY: An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.

DRIVE-THROUGH FACILITY: A facility where vehicles line up for service at definite spots and where customers are served without leaving their vehicles.

DUPLEX: A structure on a single lot containing two dwelling units, each of which is totally separated from the other by a common wall that extends from ground to roof.

DWELLING: A structure or portion thereof designed for or occupied for residential purposes whether for one family, several families, roomers or boarders, but for purposes of this definition specifically not to include automobile trailers, hotels, motels, labor camps, tents, railroad cars, converted, transit vehicles, mobile homes or any type of temporary structure.

DWELLING, MULTIPLE-FAMILY: A structure containing more than one dwelling unit, designed for occupancy or occupied by more than one family.

DWELLING, SINGLE-FAMILY: A building containing one dwelling unit.

ELECTRIC DISTRIBUTION SUBSTATION: An assembly of equipment which is part of a system for the distribution of electric power where electric energy is received at a sub transmission voltage and transformed to a lower voltage for distribution for general consumer use.

ELECTRIC TRANSMISSION SUBSTATION: An assembly of equipment which is part of a system for the transmission of electric power where electric energy is received at very high voltage from its source of generation by means of a network of high voltage lines, and where, by a means of transformers, said high voltage is transformed to a lower sub transmission voltage for purposes of supplying electric power to large individual consumers, interchange connections with other power producing agencies or electric distribution substations for transformation to still lower voltages for distribution to smaller individual users.

EXCEPTIONAL STRUCTURE: Any structure or building having pre-eminent historical/cultural, architectural, archaeological, or aesthetic significance. Exceptional structures should be considered for nomination to the National Register of Historic Places.
EXTREMELY LOW INCOME HOUSEHOLD: Those units targeted for this category of household that shall be affordable at a rent that does not exceed 30 percent of 60 percent of the Exeter County median income.

FACADE: The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

FAMILY: An individual or two or more persons related by blood, marriage or adoption or a group of not more than five (5) persons, not including servants, who need not be related by blood, marriage or adoption, living as a single housekeeping unit.

FARM EMPLOYEE HOUSING (LABOR CAMP): Living quarters, including dwellings, sleeping accommodations and dining facilities, maintained for occupancy by persons employed principally in farming and related pursuits on land owned, leased or rented by the owner, lessee or tenant of the site on which the farm employee housing is located; excepting a labor camp and trailer park.

FARMING: see AGRICULTURAL OPERATIONS

FLOODING: A general and temporary condition or partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD BOUNDARY AND FLOODWAY MAP: The official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administrative has delineated both the areas of special flood hazards and the floodway.

FLOOD HAZARD BOUNDARY MAP: The official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administrative has delineated the areas of flood hazards.

FLOOD INSURANCE RATES MAP: The official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administrative has delineated both the areas of special flood hazards and the risk of premium zones applicable to the community.

FLOODPLAIN OR FLOOD-PRONE AREA: Any land area susceptible to being inundated by water from any source.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
FLOOR AREA, GROSS: A sum of the gross horizontal areas, in square feet, of the several floors of a building, including interior balconies and mezzanines, but not including the horizontal area occupied by any wall, inner court or shaft enclosure.

FOCUS STRUCTURE: Any structure or building having significant historical/cultural, architectural, archaeological, or aesthetic significance. Focus structures are of good to excellent quality and should be considered for local recognition and protection to encourage wide management of this resource.

FOSTER FAMILY HOME: Any residential facility providing 24-hour care for six or fewer foster children that is owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian.

GARAGE, PRIVATE: An accessory structure or a portion of a main structure used only for the storage of self-propelled passenger vehicles or trailers by families residing upon the premises; provided that not more than one-half of the space may be rented for the private passenger vehicles of persons not residing on the premises, except that all of the space in a garage of one or two car capacity may be so rented.

GARAGE, REPAIR: A structure or part thereof other than a private garage where motor vehicles are repaired or painted.

GARAGE, STORAGE: A structure or part thereof used for the storage, parking or servicing of motor vehicles, but not for the repair thereof.

GRADE: The degree of rise or fall of a sloping surface.

GRADING: Any stripping, cutting, filling of stockpiling of soil.

GUEST HOUSE: Living quarters within an accessory structure for use by temporary guests of the occupants of the premises, having no kitchen or cooking facilities and not rented or otherwise used as a separate dwelling.

HISTORIC PRESERVATION: The protection, rehabilitation, and restoration of districts, sites, structures, buildings and artifacts significant in American history, architecture, archaeology or culture.

HISTORICAL STRUCTURE: Any structure or building having pre-eminent historical/cultural, architectural, archaeological, or aesthetic significance.

HOME OCCUPATION: Any use conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof or adversely
affect the uses permitted in the residential district of which it is a part; which creates no additional vehicular or pedestrian traffic, requires no additional parking space, generates no noises audible beyond the site, causes no radio or television interference; where no persons are employed other than domestic help, and no mechanical equipment is used other than that necessary for domestic purposes; no materials, equipment and/or supplies are stored outdoors other than such storage normally associated with the residential use of the property. For purposes of this definition, the storage of not more than one (1) ton capacity shall be deemed as normally associated with residential use the property.

HOMELESS SHELTER: A church, public building, or quasi-public facility that provides emergency or temporary shelter to homeless individuals and/or groups. These accommodations may include temporary lodging, meals, laundry facilities, bathing, counseling, and other basic support services.

HOUSEHOLD PETS: means animals or birds ordinarily permitted in a dwelling and kept only for the company or pleasure provided to the occupants. Household pets shall not include horses, cows, goats, sheep, other equine, bovine, ovine or ruminant animals, pigs, predatory wild animals, chickens, ducks, geese, turkeys, game birds, fowl which normally constitute an agricultural use, poisonous reptiles, and bees. Rodents and rabbits shall not exceed four per property.

HOTEL: A structure or portion thereof in which there are individual guest rooms or suites, usually occupied on a transient basis, where lodging with or without meals is provided for compensation.

HOUSING DEVELOPMENT: One or more groups of residential projects that each has more than five units.

IMMEDIATE FAMILY: Immediate family shall include spouse, parent or stepparent, brother or stepbrother or half-brother, sister or stepsister or half-sister, child or stepchild, or grandparents.

INDUSTRIAL ACCESSORY STRUCTURES: Those uses and structures incidental and subordinate to the industrial use of the land including: loading and unloading facilities and equipment, parking areas and shipping terminals; water and waste water treatment facilities and systems; incidental services swishes cafeterias; storage facilities and garages, sales office, showrooms, and administrative offices; radio and television antennas, private satellite dish antennas; the storage and use of fuels for fleet vehicles, heating buildings or for the operation of appliances or equipment used within a building; the storage of fully operative fleet vehicles, heavy equipment or trucks as part of the principal use; permitted signs; and other accessory uses and structures which are determined by the Planning and Building Director to be necessary, customary and incidental to the industrial use of the land.
INFRASTRUCTURE: Facilities and services needed to sustain urban development and activities. Infrastructure includes water and sewer lines, streets and roads, communications, storm drainage improvements, water wells and waste water treatment facilities.

INSTITUTION: shall mean all governmental, religious, and charitable organizations.

JUNK YARD: A site or portion of a site which waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including used furniture and household equipment yards, house wrecking yards, used lumber yards and the like; excepting a site which such uses are conducted with a completely enclosed structure and excepting a motor vehicle wrecking yard as defined in this section. An establishment for the sale, purchase or storage of used cars of salvaged machinery in operable condition and the processing of used or salvage materials as part of a manufacturing operation shall not be deemed a junk yard.

LABOR CAMP: Living quarters including dwellings, tents, bunkhouses, maintenance of way cars, trailer coaches or other housing accommodations, maintained in connection with any work or place where work is being performed and the site on which they are located, and/or a site set aside and provided for camping of five (5) or more employees by a labor contractor; excepting farm employee housing as defined in this chapter Section.

LANDSCAPING: The addition of lawns, trees, plants, and other natural and decorative features to land.

LODGE OR CLUB: An association of persons, whether incorporated or unincorporated, for some common purpose, but not including groups organized to render a service carried on as a business.

LOT, CORNER (see Exhibit 72-1 for illustration of lot types): A site bounded by two (2) or more adjacent street lines which have an angle of intersection of not more than one hundred thirty five degrees (135°).

LOT, COVERAGE: The portion of the lot covered by buildings and structures.

LOT, INTERIOR: A lot other than a corner lot.

LOT, THROUGH: A lot that fronts onto two parallel streets.

LOT, KEY: The first lot to the rear of a reversed corner lot whether or not separated by an alley.
LOT, FLAG: A lot that does not front onto a public street but whose access to a public street is provided by a narrow strip of land upon which an easement for vehicular movement is provided.

LOT, REVERSED CORNER: A corner lots whose side street line is substantially a continuation of the front lot line of the first lot to its rear.

LOT LINE, FRONT: The property line dividing a lot from a street. On a corner lot the shorter street frontage shall be considered the front lot line.

Exhibit 72-1: Lot Types

LOT LINE, REAR: The property line opposite the front lot line.

LOT LINE, SIDE: Any lot lines other than front lot lines or rear lot lines.
MANUFACTURING: A process that involves and/or produces basic metals, building materials, chemicals, fabricated metals, paper products, machinery, textiles, and/or transportation equipment, where the intensity and/or scale of operations may cause impacts on surrounding land uses or the community. Also manufacturing processes involving and/or producing: apparel; food and beverage products; electronic, optical, and instrumentation products; ice; jewelry; and musical instruments. Light manufacturing also includes other establishments engaged in the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community.

MASSAGE ESTABLISHMENTS: Any establishments wherein massage is given engaged in or carried on or permitted to be given, where the body is rubbed or there is any manipulation of the body or similar procedure given.

MEAN SEA LEVEL: means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Map are referenced.

MEDIAN ISLAND: A barrier placed between lanes of traffic flowing in opposite directions.

MEDICAL BUILDINGS: Clinics or offices for doctors, dentists, oculists, chiropractors, osteopaths, chiropodists, or similar practitioners of the healing arts; including accessory laboratories and a prescription pharmacy but not including offices for veterinarians.

MILE: A linear measurement equal to 5,280 feet, or 1.6 kilometers.

MINOR PLANNING REQUEST: The temporary use of a structure or land, a deviation from a development standard of a district, addition of uses to a conditional use list, site plans for existing land uses, where the existing building is being expanded by less than 25 percent of the area of the building or use, or other minor planning requests that might be added to this chapter by the Planning Commission.

MIXED USE PROJECT: A project that combines both nonresidential and residential uses, where the residential component is typically located above or behind the commercial.

MOBILE HOME: A structure, transportable in one or more sections, that is built on a permanent chassis and is designed to be used as a single family dwelling unit with or without a foundation. Mobilehome does not include a recreational vehicle, commercial coach, or factory-built home.

MOBILEHOME PARK: An area or parcel of land where three or more mobilehomes or mobilehome sites are rented or leased or held out for rent or lease for human habitation.
Mobilehome parks may contain accessory facilities: including recreation facilities; meeting rooms; parking lots for boats, recreational vehicles, and other vehicles; administrative offices and other accessory structures associated with mobilehome parks.

MOTEL: A structure or portion thereof or a group of attached or detached structures containing individual guest rooms, suites or dwelling units, usually occupied on a transient basis and usually with garage attached or parking space located in proximity to each unit, where lodging is provided for compensation.

MOTOR VEHICLE WRECKING YARD: A site or portion of a site on which the dismantling or wrecking of used vehicles, whether self-propelled or not, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts is conducted. The presence on a site of two (2) or more motor vehicles which have not been capable of operating under their own power for thirty days or more or, in the case of vehicles not self-propelled, which have not been towable or from which parts have been removed for reuse or sale, shall constitute prima facie evidence of a motor vehicle wrecking yard.

MURAL: A permanent picture painted directly on an exterior wall or on panels to exterior walls.

MURAL PROJECT PERMIT: A permit issued by the City of Exeter to a private party authorizing the painting of a mural within the City of Exeter.

NEIGHBORHOOD: an area of a community with characteristics that distinguish it from other community areas and which may include distinct ethic or economic characteristics, schools or boundaries defined by physical barriers such as major highways, railroads, or natural features such as rivers.

NOISE: Any undesired audible sound.

NON-CONFORMING, USE: A non-conforming use is a use of a structure or land that was lawfully established and maintained prior to the adoption of the Exeter Zoning Ordinance (Ordinance 246, 1965) but which, does not conform with the use regulations for the district in which it is located.

NON-CONFORMING, STRUCTURE: A non-conforming structure is a structure that was lawfully erected prior to the adoption of the Exeter Zoning Ordinance (Ordinance 246, 1965) but which does not conform with the standards of coverage, setbacks, height or distance between structures prescribed in the regulations for the district in which the structure is located.

NUISANCE: An interference with the enjoyment and use of property.
NURSERY SCHOOL: The use of a site or portion of a site for an organized program devoted to the education or day care of five (5) or more pre-elementary school age children other than those residing of the site.

NURSING HOME: A structure operated as a lodging house in which nursing, dietary and other personal services are rendered to convalescent, invalids, or aged persons not including persons suffering from contagious or mental diseases, alcoholism or drug addiction and in which surgery is not performed and primary treatment, such as customarily is given in hospitals and sanitariums, is not provided. A convalescent home or a rest home shall be deemed a nursing home.

OPEN SPACE: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designed pr reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

OUTDOOR ADVERTISING STRUCTURE: A structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, located on a site other than the site on which the advertised use is located or on which the advertised product is produced.

OVERLAY ZONE: A zone applied in combination with other zone districts in order to impose additional restrictions or to allow greater variety than is possible with the underlying zone.

PARCEL MAP: The division of a lot, tract or parcel of land into four or fewer lots or parcels of land for sale, lease or financing.

PERMITTED USE: Any use or activity allowed in a zoning district and subject to the development standards applicable to that zoning district.

PERSON: Any individual, firm, co-partnership, corporation, company, association, joint stock association, city, county, or district, and includes any trustee, receiver, assignee, or other similar representative thereof.

PITCH: (or peak) shall mean the highest point as in the highest point of a roof.

PLAT: A map representing a tract of land, showing the boundaries and location of individual properties and streets; a map of a subdivision or site plan.

PORCH: A roofed open area, which may be glazed.

PRE-ZONING: Delineate the zoning of an unincorporated territory prior to annexation by the City.
PUBLIC HEARING: A meeting announced and advertised in advance and opens to the public, with the public given an opportunity to testify, talk and participate.

RAILROAD RIGHT-OF-WAY: A strip of land of a maximum width of one hundred feet (100') only for the accommodation of main line or branch line railroad tracks, switching equipment and signals, but not including lands on which stations, offices, storage buildings, spur tracks, sidings, section gang and other employee housing, yards or other uses are located.

RAIN SENSING DEVICE: A system, which automatically shuts off the irrigation system during periods of rain.

RECORD DRAWINGS: A set of reproducible drawings, which show significant changes in the work, made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.

RECREATIONAL AREA: An active play area, including sport fields, schoolyards, picnic grounds or other areas where sport, outdoors or recreational activities take place.

RECREATIONAL VEHICLE: A motor home, travel trailer, truck camper or camping trailer, with or without motor power, designed for human habitation for recreational purposes with a living area less than 220 square feet.

RECYCLABLE MATERIAL: Reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous materials. Recyclable material may include used motor oil collected and transported in accordance with Section 25250.11 and 25143.2(b) (4) of the California Health and Safety Code.

RECYCLING COLLECTION FACILITY: A center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. Such facility shall not complete any processing except limited bailing, batching and the sorting of recyclable material and shall be classified as either a “small collection” or “large collection” facility.

RECYCLING FACILITY: A center for the collection and/or processing of recyclable materials. A certified recycling facility or certified processor means a recycling facility certified by the Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial or manufacturing use and used solely for the recycling of material generated by that residential property, business or manufacturer. Recycling facilities are either collection facilities or processing facilities.
RECYCLING LARGE COLLECTION FACILITY: A collection facility which occupies an area of more than 200 square feet and may include a mobile unit, bulk reverse vending machine or a grouping of reverse vending machines, a kiosk type unit which may include a permanent structure, or an unattended container placed for the donation of recyclable materials.

RECYCLING PROCESSING FACILITY: A building or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user’s specifications, by such means as baling, briquetting, impacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning and remanufacturing.

RECYCLING SMALL COLLECTION FACILITY: A collection facility which occupies an area of not more than 200 square feet, and may include a mobile unit, bulk reverse vending machine or a grouping of reverse vending machines, a kiosk type unit which may include a permanent structure, or an unattended container placed for the donation of recyclable materials.

RESIDENTIAL FACILITY: Any family home, group care facility, or similar facility determined by the director, for 24-hour non medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

REST HOME: A residential facility for six or more elderly or infirm persons, all of whom are independently mobile and do not require confinement or regular nursing or medical care on the premises. Rest home differs from a “convalescent hospital” in that it is expected to provide comfort, safety, social participation, and the maintenance of health and activity, but does not provide skilled nursing care for the ill.

REZONE: To change the zoning classification on a parcel of land from one zone district to another.

REVOCATION: To rescind a planning decision made by the Planning Director, Planning Commission or City Council based on findings that supported non-compliance of certain conditions of approval.

RIGHT-OF-WAY: A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses.

SATELLITE DISH ANTENNA: A satellite earth station consisting of a receiving component of a disc or similar configuration whose purpose is to receive television signals from orbiting satellites or other sources and a low-noise amplifier whose purpose is to magnify television signals.
SECOND RESIDENTIAL UNIT: A second residential unit, or granny flat is either a detached or attached dwelling unit that which provides complete, independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary residence. It shall not exceed 640 square feet in floor area.

SERVICE STATION: A facility which supplies gasoline and diesel fuel to motor vehicles, and including grease racks or elevators, wash racks or pits, tire repairs, battery servicing and repairing, ignition service, sales of motor vehicle accessories and other customary services for automobiles, but excluding painting and body work.

SENIOR HOUSEHOLD: Those units that have at least one person occupying the residential unit that is at least 55 years of age or older.

SETBACK LINE: That line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be erected or placed.

SETBACK: See “Yard, Front”, “Yard, Rear”, or “Yard, Side”.

SEWER: Any pipe or conduit used to collect and carry away sewage from the generating source to the wastewater treatment facility.

SIGN: Any medium, including its structure and component parts, which is used, or intended to be used, to attract attention to the subject matter for advertising purposes and shall include any announcement, declaration, demonstration, display, illustration, insignia, surface, or space when erected, painted, or maintained in view of the general public for identification, advertisement, or the promotion of the interests of any person.

SIGN, ACCESSORY: A sign that serve a directional or information need.

SIGN, CANOPY: A sign mounted or painted on a canopy.

SIGN, DIRECTIONAL: A sign directing pedestrians or vehicles to specific on-site locations, such as parking spaces, special drive-up or walk-up services, public restrooms, and the like.

SIGN, DIRECTORY: A sign erected to display the names of occupants engaged in professions or businesses residing within such premises.

SIGN, FREESTANDING: A sign not attached to a building that is constructed upon, or affixed to, the ground by means of columns, poles, or similar structural components.
SIGN, ILLUMINATED: A sign in which a source of light is used in order to make the message readable. This shall include internally and externally lighted signs and reflectorized, glowing, or radiating signs.

SIGN, MEMORIAL OR TABLET: Signs or tablets displaying the names of buildings and dates of erection when cut into masonry surfaces or constructed of bronze or other incombustible materials mounted on a solid base or one or more uprights.

SIGN, MONUMENT: A sign generally located flush with the ground or upon a base but otherwise having a clearance from the ground of not more than 2 feet and supported by a solid base or one or more uprights.

SIGN, OFF-PREMISE: A sign located on a site other than the same site as the business or entity being advertised.

SIGN, LEGAL, NON-CONFORMING: A sign that which existed as a legal sign prior to the effective date of this ordinance (Ordinance 246, 1965) that which is in conflict with the provisions of this chapter and continues to advertise a bona fide business.

SIGN, PRIMARY: A sign that carries the identification of the business name, a primary product, or service.

SIGN, PROHIBITED, NON-CONFORMING: A sign which existed as a legal sign prior to the effective date of this ordinance which is in conflict with the provisions of this chapter but no longer advertises a bona fide business which is in conflict with the provisions of the Zoning Ordinance.

SIGN, PROJECTING: A sign attached to, and projecting from, the face of, or above, or upon, the roof of a building, structure, canopy, or marquee.

SIGN, ROOF: A sign erected upon a roof, or parapet wall of a building, and which is wholly or partially supported by said building.

SIGN, TEMPORARY: A sign constructed of expandable material such as paper, plastic, cloth, or wood intended to be displayed for a short period of time. Pennants, banners, and similar devices are also included in this category.

SIGN, TIME AND TEMPERATURE: A sign which displays the current time or outdoor temperature, or both, and which does not display any commercial advertising or identification.

SIGN, UNDER-CANOPY: An identification sign attached to the underside of a canopy or marquee, protruding over public or private sidewalks or rights-of-way.
SIGN, WALL: A sign which is attached directly to, and parallel with, the building face or painted upon the wall, awning or marquee of a building or structural part thereof.

SIGN, WINDOW: A sign painted, printed, attached, glued, or otherwise affixed to a window.

SIGN AREA: The total surface space within a single continuous rectilinear perimeter containing words, letters, figures, or symbols, together with any frame, material, or color forming an integral part of the display, but excluding support structures, the face of a building, and incidental parts not drawing attention to the subject matter.

SIGN HEIGHT: The distance from the curb grade at the base of the sign to the top of its highest element.

SIGN STRUCTURE: A structure that supports a sign.

SITE: A parcel of land, subdivided or unsubdivided, occupied or to be occupied by a use or structure.

SITE AREA: The total horizontal area included within the property lines of a site.

SITE DEPTH (see Exhibit 72-2 for illustration of Site Width and Depth): The horizontal distance between the front and rear property lines of a site measured along a line midway between the front side property line.

SITE WIDTH: The horizontal distance between the side property lines of a site measured at right angles to the depth at a point midway between the front and rear property lines.

Exhibit 72-2: Site Width and Depth
SLIMLINE MONOPOLE: A single, slim antenna pole not exceeding 1.5 feet in diameter at the base of the antenna or pole and one foot in diameter at the top of the antenna or pole.

SMALL FAMILY DAY CARE HOME: Any residential facility, in the licensee's family residence, which provides 24-hour care for six or fewer foster children who have mental disorders or developmental or physical disabilities and who require special care and supervision as a result of their disabilities.

SOCIAL REHABILITATION FACILITY: Any residential facility that provides social rehabilitation services for no longer than 18 months in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling.

SPECIFIC PLAN: A plan for a designated area within the city, based on the general plan, but containing more detailed regulations and programs as provided in Section 65450 and following of the California Government Code.

STABLE: A detached accessory structure including but not limited to a corral or paddock for the keeping of one (1) or more horses owned by the occupants of the premises, and which are not kept for remuneration, hire or sale.

STOCK YARD: An enclosed area where animals are temporarily held for concentrated feeding or display preliminary to slaughtering, shipping or resale.

STORM WATER RUNOFF: Water flowing from impervious surfaces and entering Exeter’s storm water drainage system, which is a series of curbs and gutter, drop inlets, storm drainage pipes basins and waterways.
STREET: A thoroughfare, dedicated as such or acquired for public use as such, other than an alley, which affords the principal means of access to abutting land.

STREET, ARTERIAL: A street with signals at important intersections and stop signs on side streets, and which collects and distributes traffic to and from collector streets.

STREET, COLLECTOR: A street that collects traffic from local streets and connects with minor and major arterials.

STREET, CUL-DE-SAC: A street with a single common ingress and egress and with a turnaround at the end; non-through streets that serve local neighborhoods.

STREET, DEAD END: A street with a single common ingress and egress.

STREET, LOCAL: A street designed to provide vehicular access to abutting property and to discourage through traffic; narrow streets that serve local neighborhoods.

STRUCTURE: Any object constructed, installed, or placed on real property by man including, but not limited to buildings, towers, smokestacks, and overhead lines.

STRUCTURE, ACCESSORY: A detached subordinate structure located on the same site with the main structure or main use, the use of which is customarily incidental to that of the main structure or the main use of the land.

STRUCTURE, MAIN: A structure housing the principal use of site or functioning as the principal use.

SUBDIVISION: The division of a lot, tract or parcel of land into five or more lots or parcels of land for sale, lease or financing.

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or;

2. Any alteration of a “historic structure” provided that the alteration would not preclude the structure’s continued designation as a “historic structure”.
TARGET HOUSEHOLDS: Very low income, low income, or senior citizen households.

TENT REVIVAL: A religious meeting or series of meetings, which are often evangelistic in nature and are conducted within a non-permanent structure such as, but not limited to, a collapsible shelter of canvas or other material stretched and sustained by poles.

TRAFFIC SAFETY SIGHT AREA (see Exhibit 72-3 for illustration): That portion of both public and private property located at any corner and bounded by the curb line or edge of roadway of the intersecting streets and a line joining points on the curb or edge of roadway 45 feet from the point of intersection of the extended curb lines or edges of roadway.

Exhibit 72-3: *Traffic Safety Sight Area*
TRAVEL TRAILER: A vehicle other than a motor vehicle, which is designed or used for human habitation and which may be moved upon a public highway without a permit or chauffer’s license or both, without violating any provision of the California Vehicle Code.

TRIP: A single or one-way vehicle movement either to or from a subject property or study area.

TRIP GENERATION: The total number of trip ends produced by a specific land use or activity.

URBANIZATION: The development of land for non-agricultural purposes, including but not limited to, residential, commercial, industrial, and institutional land uses.

USE: The word "use" shall mean the purpose for which land or structures thereon is designed, arranged or intended to be occupied or used or for which it is occupied, maintained, rented or leased.

UTILITY INFRASTRUCTURE: Means pipelines for water, natural gas, and sewage collection and disposal; and facilities for the transmission of electrical energy for sale, including transmission lines for a public utility company. Also includes telephone, telegraph, cable television and other communications transmission facilities utilizing direct physical conduits.
VACANCY RATE: The number of uninhabited dwelling units that are available and suitable for occupancy expressed as a ratio to the total number of housing units.

VARIANCE: Permission to deviate from the literal requirements of the development standards of a zone district.

VERY LOW INCOME HOUSEHOLD: Those units targeted for this category of household that shall be affordable at a rent that does not exceed 30 percent of 50 percent of the Tulare Exeter County median income.

VETERINARY CLINICS, ANIMAL HOSPITALS, AND KENNELS: means office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. Kennels and boarding operations are commercial facilities for the keeping, boarding or maintaining of four or more dogs four months of age or older, or four or more cats, except for dogs or cats in pet shops.

WATERCOURSE: A lake, river, creek, stream, wash, arroyo, channel, or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

WIRELESS COMMUNICATION FACILITY: A facility containing communication towers and/or antennas and any related equipment for the purpose of transmitting or receiving electromagnetic radio frequency waves.

YARD: An open space on the same site as a structure other than a court unoccupied and unobstructed from the ground upward, except as otherwise provided in this chapter Title.

YARD, FRONT (see Exhibit 72-4 for illustration of yard types): A yard extending across the full width of the site or lot between the front lot line and the nearest line or point of the main structure.

YARD, REAR: A yard extending across the full width of the side of lot between the rear lot line and the nearest line or point of the main structure.

YARD, SIDE: A yard extending from the front yard to the rear yard between the side lot line and the nearest line or point of the main structure.

Exhibit 72-4: Yard Types
ZONING: The division of a municipality into districts, and the regulation within those districts of the height, appearance, and bulk of buildings and structures; the area of a lot which may be occupied and the size of required open spaces; the density of population; and the use or buildings and land for commercial, agricultural, industrial, residential or other purposes. The term “zoning” shall be synonymous with the term “classification” and the term “zone” shall be synonymous with the term “district”.