Zoning Ordinance
of 1941
(No. 565)

City of Visalia
TULARE COUNTY
CALIFORNIA

Adopted by the City Council of Visalia
May 19, 1941
In Effect August 16, 1941

Price 50 cents
Zoning Ordinance
of 1941
(No. 565)

City of Visalia
TULARE COUNTY
CALIFORNIA

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City Planning Ordinance

Ordinance No. 565

CITY OF VISALIA
CALIFORNIA

ORDINANCE NO. 565

An Ordinance establishing districts within the City of Visalia and establishing classifications of land uses and regulating such land uses in such districts; regulating the height of buildings and open spaces for light and ventilation; adopting a map of said districts; defining the terms used in said ordinance; providing for the adjustment, amendment and enforcement thereof, and prescribing penalties for its violation.

THE COUNCIL OF THE CITY OF VISALIA DOES ORDAIN AS FOLLOWS:

SECTION 1: An official land-use districting plan for the City of Visalia is hereby adopted and established to serve the public health, safety and general welfare and to provide the economic and social advantages resulting from an orderly, planned use of land resources.

SECTION 2: DEFINITIONS.

This ordinance, which defines and makes effective the Land-Use Districting Plan of the City of Visalia, shall be known as the “Use Districting Ordinance”, and for purpose of this ordinance certain words and terms are defined.

Words used in the present tense include the future; words in the singular number include the plural, and words in the plural number include the singular; the word “shall” is mandatory. The term “City Council” means the City Council of the City of Visalia, and the term “Planning Commission” means the Planning Commission of the City of Visalia. The word “City” when used means the City of Visalia, a municipal corporation.

“Alley”: any public thoroughfare for the use of pedestrians or vehicles, not less than ten (10) feet nor more than thirty (30) feet in width, which has been deeded or dedicated to and accepted by the City and shown as such on the official city maps of the City Engineer.

“Accessory”: a building, a part of building or structure or use which is subordinate to, and the use of which is incidental to that of the main building, structure or use on the same lot.

“Apartment”: a room or a suite of two or more rooms in an apartment occupied or suitable for occupancy as a residence for one family.

“Apartment House”: any building, or portion thereof, which is designed, intended, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other in such building.

“Basement”: one or more stories wholly or partly under-ground and having one-half (½) or more of its height measured from its floor to its finished ceiling below the average adjoining grade. A basement shall be considered a story if the vertical distance from the average adjoining grade to its ceiling is over five (5) feet.

“Building”: a permanently located structure having a roof (all forms of vehicles excluded).

“Building Height”: the vertical distance measured from the average level of the highest and lowest point of that portion of the site covered by the building to the ceiling of the uppermost story.

“Building-site”: the ground area of a building or group of buildings together with all open spaces as required by this ordinance.

“Bungalow Court”: a group of three or more detached one-story, one or two-family dwellings located upon a single lot together with all open spaces as required by this ordinance. Two-family dwellings shall mean two units as defined under “Dwellings”.

“Business or Commerce”: the purchase, sale or other transaction involving the handling or disposition of any article, substance or commodity for profit or livelihood, or the ownership or management of office buildings, offices, recreational or amusement enterprises or the maintenance and use of offices by professions and trades rendering services.

“Club”: an association of persons for some common non-profit purpose but not including groups organized primarily to render a service which is customarily carried on as a business.

“ Dwelling (one-family)”: a building containing only one kitchen, designed for or used to house not more than one family, including all necessary employees of such family.

“ Dwelling Group”: two or more dwellings, of any type permitted in R-1 and R-2 districts, when located on one building-site.

“Dwelling, (multiple-family)”: a building or buildings other than a hotel, designed for or used to house more than one family, living independently of each other, including
all necessary employees of each such family.

"Family": one person living alone or two or more persons living to-gether.

"Garage, (private)": an accessory building or an accessory portion of the main building, designed and used only by the owner of the premises, who owns the property on which the premises is located. A "garage" shall not be considered to be an accessory building or an accessory portion of the main building, if owned by the owner of the property on which the premises is located.

"Hotel": any building or portion thereof containing six (6) or more guest rooms used or intended to be used, let, rented or leased, for the purpose of renting for hire directly or indirectly in motels, hotels, motor inns, motor lodges, trailer courts or similar establishments.

"Kitchen": any room used or intended or designed to be used for cooking and/or the preparation of food.

"Lot": (1) a parcel of real property as shown as a delineated parcel on the map of the City and a part of the County Recorder of Tularc County, or (2) a parcel of real property not so shown and a parcel of real property not so shown and a parcel of real property not so shown which is located in line of a public street, and the line separating the front yard from the street in the case of a corner lot. (3) a parcel of real property containing a street frontage of at least one public street and a public street abutting at least one public street, and held under separate ownership from the adjacent property prior to the effective date of this Ordinance.

"Lot (front)": the line separating the front of a building from the street in the case of a corner lot, and the line separating the front of a building from the street in the case of a non-corner lot.

"Lot (linear)": the area bounded by the property line of a building and the property line of the building to which it is adjacent. (4) a parcel of real property containing a street frontage of at least one public street and a public street abutting at least one public street, and held under separate ownership from the adjacent property prior to the effective date of this Ordinance.

"Non-conforming Buildings, Improvements or Uses": buildings, improvements or uses which lawfully existed on any lot or premises prior to the effective date of any regulations of this Ordinance, or at any time thereafter under the provisions of any amendment thereto, but which (a) at such effective date did not comply with all of the regulations of this Ordinance, (b) at such effective date did not comply with the regulations of any amendment to this Ordinance, or (c) at such effective date did not comply with any amendment to this Ordinance, thereby acquiring a lawful status which is the result of the provisions of this Ordinance, or (d) at such effective date did not comply with the regulations of the main building nearest said rear line of lot upon which such building is located.

"Site (side)": a yard on each side of the street, the building between the lot and the side line of the lot and extending from the street line if the lot to the rear yard.

SECTION 3: ESTABLISHING DISTRICTS AND LIMITING USES OF LAND THEREIN:

In order to classify, regulate, restrict and control the size, uses and the type of buildings, and to regulate and restrict the height and bulk of buildings and the site area of buildings and yards and other open spaces about buildings, it is hereby declared that the residential districts beginning with the most restricted classification and progressing for the 1st time in an orderly and logical sequence of districts are established to be as follows:

R-1 (Residential District for detached 
Single-Family)
R-2 (Residential District for 
convenience Limited-Multiple)
R-3 (Residential District for 
convenience Multiple-Family)
C-1 (Commercial District for 
convenience Neighborhood)
C-1 Commercial District for 
convenience General)
C-2 (Commercial District for 
convenience Office)
M-1 Manufacturing District for 
convenience Light-Industrial)
M-2 Manufacturing District for 
convenience Heavy-Industrial)

The board of supervisors shall have the power to establish, relocate, enlarge or otherwise change any such district, as may be necessary to promote the health, safety, morals or general welfare of the public. The board shall be authorized to adjust the boundaries of such districts, to the extent necessary to carry out the purposes of this Ordinance.
occupations as provided for in sub-
paragraph 4 herein. No other ad-
tlative commercial enterprises which
shall be permitted in such districts.

4. Home occupations, such as
that of the physician, surgeon, den-
tal, chiropractor, optician, public
talist, attorney, studio artist, or
musician, minister of religion, dress-
maker, seamstress, costumer, and
similar home or professional occu-
pations, provided that such occupa-
tions are not employed in any way
connected with the operation of such
home or professional occupation.

5. Underground storage of pe-
Tond gasoline subject to such condi-
tions and limitations on quantity
and method of storage as are pro-
bated by law.

6. Ponds and hedges not over six
feet in height but not ex-
ceeding forty (4) feet in height,
where such fence or hedge is near
the front lot line than the depth of
required yard.

7. (a) Building Height. Two stories and not to exceed thirty-five (35) feet except as pro-
vided in Sections 12 and 13.

(b) Building Site Area Required. Except as provided in Sections 12 and 13 the minimum build-
ing site area for each one-family dwell-
ing shall be six thousand (6,000) square feet (see Sub-paragraph 4, Paragraph (c), Section 12), pro-
vided this limit shall not apply to lots of less than fifty (50) feet in
in the office of the County Recorder be-
fore the effective date of the ordi-
nance, or in case of separate own-
ership before such effective date.

Not more than one structure shall be allowed on any one
lot.

(c) Front Yard Required. Except as provided in Sections 12 and 13, no building shall be erected
closer to the front property line than the distance shown upon
the Districting Map, provided, when no distance is shown, no
building shall be erected closer than fifty (50) feet.

(d) Front Yard Required. Except as provided in Sections 12 and 13, no building shall be erected closer
to the front property line than the distance shown upon
the Districting Map, provided, when no distance is shown, no
building shall be erected closer than fifty (50) feet.

(e) Side Yard Required. Except as provided in Sections 12 and 13, each side yard shall be
lots fifty (50) feet wide or less, or not less than four (4) feet wide on
five (5) feet on lots wider than fifty (50) feet.

SECTION 3: R-2 RESIDENCE
DISTRICT (for convenience called
Limited Multiple).

(a) Uses Permitted. All uses permitted in the R-1 District (Section 4) but under the same
restrictions, conditions, and limitations as specified in Section 6.

(b) Building Height. Two stories and not to exceed thirty-five (35) feet, except as provided in Sections 12 and 13.

(c) Building Site Area Required. Except as provided in Sections 12 and 13 the minimum build-
ing site area for each one-family dwell-
ing shall be six thousand (6,000) square feet (see Sub-paragraph 4, Paragraph (c), Section 12), pro-
vided this limit shall not apply to lots of less than fifty (50) feet in
in the office of the County Recorder be-
fore the effective date of the ordi-
nance, or in case of separate own-
ership before such effective date.

Not more than one structure shall be allowed on any one
lot.

(d) Front Yard Required. Except as provided in Sections 12 and 13, no building shall be erected
closer to the front property line than the distance shown upon
the Districting Map, provided, when no distance is shown, no
building shall be erected closer than fifty (50) feet.

(e) Side Yard Required. Except as provided in Sections 12 and 13, each side yard shall be
lots fifty (50) feet wide or less, or not less than four (4) feet wide on
five (5) feet on lots wider than fifty (50) feet.

SECTION 4: R-3 RESIDENCE
DISTRICT (for convenience called
Multiple-Family).

(a) Uses Permitted. All uses permitted in the R-1 and R-2 Districts (Sections 4 and)
but under the same restrictions, conditions, and limitations as speci-
fied in Sections governing same.

(b) Building Height. Four stories and not to exceed seventy (70) feet over entire build-
ing site exclusive of required yard space, provided that two additional stories may be erected thirty-five (35) feet additional may be erected thirty-five (35) feet. Such additional stories are set back from all exterior side and front wall line of the
buildings, dwelling groups and multiple-
family dwellings.

(c) Building Site Area Required. Except as provided in Sections 12 and 13 the minimum building site
area for each multiple family dwell-
ing shall be sufficient to provide the yard and open space required.

(d) Front Yard Required. Except as provided in Sections 12 and 13, no building shall be erected closer
to the front property line than the distance shown upon
the Districting Map, provided, when no distance is shown, no
building shall be erected closer than fifty (50) feet from the center line of the street upon which the building-site fronts.

SECTION 5: C-1 COMMERCIAL
DISTRICT (for convenience called
Commercial ze-. 4

(a) Uses Permitted. 1. All uses permitted in the R-1, R-2, and R-3 Districts (Sections 4, 5, and 6), but under the same
restrictions and limitations as speci-
fied in Sections governing same.

2. The following retail stores, services and services, none of which shall dispense or offer for sale un-
toxicating liquids for consumption, are permitted in such
areas.

(b) Building Height Limit. Two stories and not to exceed thirty-five (35) feet.

(c) Building Site Area Required. Except as provided in Sections 12 and 13, each building shall be
lots fifty (50) feet wide or less, or not less than four (4) feet wide on
five (5) feet on lots wider than fifty (50) feet.

(d) Front Yard Required. Except as provided in Sections 12 and 13, each side yard shall have a minimum width of forty (40) feet, each additional two (2) stories shall be set back as provided in para-
graph (b), Section 12.

(e) Side Yard Required. Except as provided in Sections 12 and 13, no building shall be erected closer than fifteen (15) feet to the rear property line of the building-
site.

(f) Distance Between Buildings. No dwellings or other main build-
ings shall be closer than fifteen (15) feet to any other dwelling or main building on the same building-site, and no dwelling shall be closer than fifteen (15) feet to any dwelling or building except as pro-
vided in Sections 12 and 13.

(g) Distance Between Buildings on Same Lot. No dwellings or other main build-
ings shall be closer than fifty (50) feet to any other dwelling or main building on the same building-site, and no detached accessory building shall be closer than five (5) feet to any main building, except as pro-
vided in Sections 12 and 13.

SECTION 6: R-1 RESIDENCE
DISTRICT (for convenience called
Multiple-Family).

(a) Uses Permitted. All uses permitted in the R-1 and R-2 Districts (Sections 4 and 5), but under the same restrictions, conditions, and limitations as speci-
fied in Sections governing same.

(b) Building Height. Four stories and not to exceed seventy (70) feet over entire build-
ing site exclusive of required yard space, provided that two additional stories may be erected thirty-five (35) feet additional may be erected thirty-five (35) feet. Such additional stories are set back from all exterior side and front wall line of the
buildings, dwelling groups and multiple-
family dwellings.

(c) Building Site Area Required. Except as provided in Sections 12 and 13 the minimum building site
area for each multiple family dwell-
ing shall be sufficient to provide the yard and open space required.

(d) Front Yard Required. Except as provided in Sections 12 and 13, no building shall be erected closer
to the front property line than the distance shown upon
the Districting Map, provided, when no distance is shown, no
building shall be erected closer than fifty (50) feet from the center line of the street upon which the building-site fronts.

(e) Side Yard Required. Except as provided in Sections 12 and 13, each side yard shall have a minimum width of forty (40) feet, each additional two (2) stories shall be set back as provided in para-
graph (b), Section 12.

(f) Rear Yard Required. Except as provided in Sections 12 and 13, no building shall be erected closer than fifteen (15) feet to the rear property line of the building-
site.

(g) Distance Between Buildings on Same Lot. No dwellings or other main build-
ings shall be closer than fifteen (15) feet to any other dwelling or main building on the same building-site, and no detached accessory building shall be closer than five (5) feet to any main building, except as pro-
vided in Sections 12 and 13.

SECTION 7: C-1 COMMERCIAL
DISTRICT (for convenience called
Commercial ze-. 4

(a) Uses Permitted. All uses permitted in the R-1, R-2, and R-3 Districts (Sections 4, 5, and 6), but under the same
restrictions and limitations as speci-
fied in Sections governing same.

(b) Building Height Limit. Two stories and not to exceed thirty-five (35) feet.

(c) Building Site Area Required. None except those specified in Districts R-1, R-2, and R-3, and any uses permitted in such districts, respectively.

(d) Front Yard Required None except those specified in Districts R-1, R-2, and R-3 and any uses permitted in such districts, respectively.

(e) Side Yards Required. None except those specified in Districts R-1, R-2, and R-3 and any uses permitted in such districts, respectively.

(f) Rear Yard Required. None except those specified in Districts R-1, R-2, and R-3 and any uses permitted in such districts, respectively.
SECTION 8: C-1½ COMMERCIAL DISTRICT (For convenience called off-street business).

(a) Uses Permitted.
1. All uses permitted in the R-1, R-2, R-3 and C-1 Districts sections 5, 6, and 7, and under the same limitations as specified in Sections governing same.
2. The following retail stores, trades and services, none of which shall dispense or offer for sale intoxicating liquor for consumption on premises:
   (a) Automotive parking lot,
   (b) Automobile service station,
   (c) Motor fuels and oils, lubrication pit or hoist. No auto repair, washing, steam cleaning, tire rebuilding and/or battery manufacturing.
   (d) Bakery, invited to sell same on premises.
   (e) Bank,
   (f) Barber Shop,
   (g) Battery charging and repair,
   (h) Beauty Parlor,
   (i) Cafe—Cafeteria,
   (j) Cigar—tobacco stand,
   (k) Cleaning and Dryguting office (washing and pressing only),
   (l) Confectionery Store (no manufacturing),
   (m) Deli (no bottle),
   (n) Delicatessen,
   (o) Dining Room (public),
   (p) Dressmaking shop (no factory),
   (q) Drug Store,
   (r) Embroidery Shop,
   (s) Fire Station,
   (t) Flower Shop,
   (u) Fruit Stores,
   (v) Grocery Store,
   (w) Hairdressing Parlor,
   (x) Hardware Store,
   (y) Health Food Store,
   (z) Hosiery Store,
   (AA) Ice cream Parlor.
   (BB) Library, rental,
   (CC) Loan Office,
   (DD) Magazine, periodicals, news,
   (EE) Manicure Parlor,
   (FF) Meat Market,
   (GG) News Stand,
   (HH) Notions, Sales,
   (II) Police Station,
   (JJ) Poultry, dressed,
   (KK) Postal offices,
   (LL) Real Estate offices,
   (MM) Refreshment Stand,
   (NN) Service Station (see automobile service strk'n),
   (OO) Shoo Supply Stand,
   (PP) Sod Fountain.

   Soft Drink Fountain,
   Sponging and Pressing (no dry cleaning or laundering),
   (QQ) Tea Room,
   Vegetable Store.

3. Any other retail business or retail commercial enterprise within a similar in its character of rendering neighborhood commercial service and is not more determined to the welfare of the neighborhood in which located than any use listed above.
   (b) Building Height Limit.
   (1) Two stories and not to exceed thirty-five (35) feet except as provided in Sections 12 and 13.
   (2) Two buildings-site Area Required.
   None except those specified in Districts R-1, R-2, R-3 and C-1, and applied only to such uses permitted in such district, respectively.
   (3) Front Yard Required.
   As provided in paragraph (g) of this section, otherwise none except those specified in Districts R-1, R-2, R-3 and C-1 and applied only to such uses permitted in such districts, respectively.
   (e) Side Yard Required.
   As provided in paragraph (g) of this section, otherwise none except those specified in Districts R-1, R-2, R-3 and C-1 and applied only to such uses permitted in such districts, respectively.
   (f) Rear Yard Required.
   As provided in paragraph (g) of this section and, except as provided in Sections 12 and 13, the depth of the rear yard shall be not less than ten (10) feet.
   (g) Automobile parking area required.
   Whenever properly located in District C-1½ is to be occupied by uses defined in Section 8 hereof, the certificate of use and occupancy provided in Section 16 hereof shall, in addition to all the provisions of said Section 16, contain conditions requiring specific provisions for space and the arrangement thereof to accommodate a stipulated minimum capacity of parked automobiles, provided that unless and until the Planning Commission with the approval of the Council shall by ordinance or other legal means provide and adopt an uniform policy with reference to off-street parking in commercial and other areas, that
   the conditions to be included in each certificate of use and occupancy within a C-1½ District shall be defined by the City Planning Commission in every respect in the manner governing the building of variances (Section 13) except that no plan the Planning Commission shall be automatically made by the Building Inspector without the payment of any additional fee other than as may be charged for a building permit or as provided by Section 16 herein and, provided further, that the time allowed the Planning Commission to make its findings and report as defined in Section 16 hereof shall be in addition to the time allowed the Building Inspector as set forth in Section 16 herein.

SECTION 9: C-2 COMMERCIAL DISTRICT (For convenience called General).

(a) Uses Permitted.
1. All uses permitted in the R-1, R-2, R-3, C-1 and C-1½ and applied only to such uses permitted in such districts, respectively.
   (b) Building Height Limit.
   (1) Four stories and not to exceed sixty-five (65) feet in height and four (4) stories, except, however, that towers or pinnacles, dome, or other structures may exceed the above maximum height limit provided the total building height of the buildings not exceed that of a structure occupying the entire building site and of that maximum allowable height.
   (c) Building-site Area Required.
   None except those specified in Districts R-1, R-2, R-3, C-1 and C-1½ and applied only to such uses permitted in such districts, respectively.
   (d) Side Yard Required.
   None except those specified in Districts R-1, R-2, R-3, C-1 and C-1½ and applied only to such uses permitted in such districts, respectively.
   (e) Rear Yard Required.
   None except those specified in Districts R-1, R-2, R-3, C-1 and C-1½ and applied only to such uses permitted in such districts, respectively.

SECTION 10: M-1 MANUFACTURING DISTRICT (For convenience called Light-Industrial).

(a) Uses Permitted.
1. All uses permitted in R-1, R-2, R-3, C-1, C-1½ and C-2 Districts, Sections 4, 5, 6, 7, 8, and 9 but under the same limitations and restrictions as specified in Sections governing same.
2. Any business of a retail, wholesale or service type, but not including the following uses:
   (a) Automotive Wrecking,
   (b) Beverage Manufacturing or Bottling,
   (c) Canneries,
   (d) Carpet cleaning plants,
   (e) Furnace and body repair shops,
   (f) Cleaning and dying plants,
   (g) Dressmaking Manufacturing,
   (h) Launderies,
   (i) Milk-bottling plants,
   (j) Warehouse yards,
   (k) Sheet-metal shops,
   (l) Street-cleaning galleries, except indoor.

   (m) Stable of gasoline or petroleum products except under such limitations of quantities, and manner of storage, as are provided by law.
   (n) Undertaking establishments (mortician, funeral parlors) are only permitted in C-2 or R-3 Districts when located in the following described area: upon both sides of Center Street between Center Street and Eleven street.
   (o) Building Height Limit.
   Except as provided in Sections 12 and 13, the maximum building height shall not exceed sixty-five (65) feet.
3. Repairs and alterations which do not enlarge or increase the size of a non-conforming building or buildings used for non-conforming uses, may be made to any such building and the chief building inspector shall, on receipt of a notice of the intended repair or alteration and of the cost of same, authorize the same. Provided, however, that repairs, alteration or additions to any building used for a non-conforming use or any non-conforming use shall not, so far as any such building is concerned, be considered as a form of repair or alteration and the chief building inspector shall, on receipt of a notice of the intended repair or alteration and of the cost of same, authorize the same.

4. No non-conforming building or improvement used for a non-conforming use shall be added to or enlarged or structurally altered in any manner, unless such building or improvement, additions or alterations are consistent with the general plan of the area in which it is located and in the general plan of the area in which it is located. Provided, however, that repairs, alteration or additions to any building used for a non-conforming use or any non-conforming use shall not, so far as any such building is concerned, be considered as a form of repair or alteration and the chief building inspector shall, on receipt of a notice of the intended repair or alteration and of the cost of same, authorize the same. Provided, however, that repairs, alteration or additions to any building used for a non-conforming use or any non-conforming use shall not, so far as any such building is concerned, be considered as a form of repair or alteration and the chief building inspector shall, on receipt of a notice of the intended repair or alteration and of the cost of same, authorize the same.

5. A non-conforming use of any premises or portion thereof occupying a conforming building or portion thereof occupying a conforming building or portion thereof shall cease on the occurrence of any of the following events: (a) When the premises or portion thereof shall become subject to any order or decree of the City or County Court for the sale or abandonment of any premises or portion thereof occupying a conforming building or portion thereof, or (b) When the premises or portion thereof shall become subject to the provisions of any statute or ordinance of the City or County, or (c) When the premises or portion thereof shall become subject to the provisions of any statute or ordinance of the City or County, or (d) When the premises or portion thereof shall become subject to the provisions of any statute or ordinance of the City or County, or (e) When the premises or portion thereof shall become subject to the provisions of any statute or ordinance of the City or County. Provided, however, that repairs, alteration or additions to any building used for a non-conforming use or any non-conforming use shall not, so far as any such building is concerned, be considered as a form of repair or alteration and the chief building inspector shall, on receipt of a notice of the intended repair or alteration and of the cost of same, authorize the same.

6. Subject to the limitations contained in this section, the building inspector shall, in determining whether a building or portion thereof is in a non-conforming use, shall be subject to the provisions of any statute or ordinance of the City or County. Provided, however, that repairs, alteration or additions to any building used for a non-conforming use or any non-conforming use shall not, so far as any such building is concerned, be considered as a form of repair or alteration and the chief building inspector shall, on receipt of a notice of the intended repair or alteration and of the cost of same, authorize the same. 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ing Commission is deprived of privilige and possessed of ordinaryчитыва in the same district and vicinity, and that the granting of the same or of a similar privilege to another would be the same as the granting of a substantially similar privilege in the same district and vicinity.

3. That granting the variance will not result in material damage or injury to the property in the same district and vicinity.

(d) Application for a variance shall be in a form which satisfies the Commission in all respects and shall be accompanied by all necessary information to be provided in the application by the applicant. No petition shall be received for a variance unless it complies with such requirements. If an application is subject to the requirements of other acts, it must be submitted in accordance with the provisions of those acts under which the application is submitted.

All acts of the Planning Commission under the provisions of this section shall be construed as administrative acts performed for the purpose of assuring that the intent and purposes of this ordinance shall apply in those cases as defined in this section, and shall not be construed as amendments of the provisions of this ordinance or of the map which is a part hereof.

SECTION 14: REQUESTS FOR AMENDMENTS.

Wherever the owner of any land or building desires a reclassification of his property, he shall present to the City Council or the Planning Commission a written application therefor. The application must be signed and acknowledged by the applicant, requesting an amendment, supplement, or change of the regulations as required for such property. The Planning Commission shall provide for such hearings as may be required by law for amendments, extensions or additions to the district planning, for recommendations upon the boundaries of the district to be reclassified, or to any other matters as may be related to said petition and said City Planning Commission shall take final action thereon as set forth in Section thirty-six (36) of this article. If such petition is presented to the City Council, it shall be filed with the City Clerk of the City of Visalia, and a copy of said petition shall be served upon the applicant.

Petitions. The Planning Commission shall provide for such hearings as may be required by law for amendments, extensions or additions to the district planning, for recommendations upon the boundaries of the district to be reclassified, or to any other matters as may be related to said petition and said City Planning Commission shall take final action thereon as set forth in Section thirty-six (36) of this article. If such petition is presented to the City Council, it shall be filed with the City Clerk of the City of Visalia, and a copy of said petition shall be served upon the applicant.

Notice. All proposals for amendment of district boundaries or classification of property within such districts shall be made in writing and all such written notice shall be served by the Planning Commission or the City Clerk of the City of Visalia by certified mail to the owners or members of said property, or to any person having legal title to said property.

Hearings. Public hearings as provided in this section shall be conducted before the City Planning Commission, or before any member thereof designated by the whole Commission to so serve. The Commission may establish its own rules for conducting such hearings, and a notice of the date and time of such hearing shall be mailed to the applicant and any person appearing at such hearing who shall be given notice of the date and time of such hearing at least five (5) days prior to the date of such hearing.

Summary of all pertinent testimony offered at a public hearing and the names of persons so testifying shall be provided as a public notice of record. In the event that a public notice of record is not available, the hearing shall be recorded and a transcript of the hearing shall be provided to the City Clerk of the City of Visalia.

If, for any reason, testimony on any case set forth for public hearing cannot be completed on the day set for such hearing, the Commission shall provide, at such time and place as may be arranged, a statement in six or eight point lettering, or if necessary to effectuate the plan, a statement in the nature of the proposed change, and the time and place at which a public hearing on the matter will be held. If there shall be more than one parcel of property affected by such ordinance, the Commission shall provide, at such time and place as may be arranged, a statement in six or eight point lettering, or if necessary to effectuate the plan, a statement in the nature of the proposed change, and the time and place at which a public hearing on the matter will be held.

Within fifteen (15) days after the date of filing of an application for permit and written notice of such application, the Planning Commission shall make a decision thereon by the whole Commission of whether the application should be approved or disapproved. The Planning Commission shall provide, at such time and place as may be arranged, a statement in six or eight point lettering, or if necessary to effectuate the plan, a statement in the nature of the proposed change, and the time and place at which a public hearing on the matter will be held. If there shall be more than one parcel of property affected by such ordinance, the Commission shall provide, at such time and place as may be arranged, a statement in six or eight point lettering, or if necessary to effectuate the plan, a statement in the nature of the proposed change, and the time and place at which a public hearing on the matter will be held.

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Amendments. The Planning Commission shall provide, at such time and place as may be arranged, a statement in six or eight point lettering, or if necessary to effectuate the plan, a statement in the nature of the proposed change, and the time and place at which a public hearing on the matter will be held.

No action shall be taken upon any certificate of non-conforming use until there shall be issued and outstanding a certificate of use and occupancy, and such certificate shall be classified for use for the proposed use under the provisions of this ordinance and the City of Visalia.

Any proposed use shall be classified for use for the proposed use under the provisions of this ordinance and the City of Visalia.

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use of a single-family residence, only employing such persons as reside in such residence for home occupations, utilizing offices and studios only, and application for such non-conforming certificate of use and occupancy made within ninety (90) days after the adoption of this ordinance, then such non-conforming certificate of use and occupancy shall be sufficient.

No permit for excavation for any building shall be issued before application has been made for a certificate of use and occupancy.

Any building set up, erected, built, altered, moved or maintained and/or any use of any premises contrary to the provisions of this ordinance shall be and the same is hereby declared to be unlawful and a public nuisance, and the City Attorney shall upon order of the City Council, immediately commence an action or actions for the abatement, removal and/or mandating thereof in the manner provided by law. All remedies provided for herein shall be cumulative and not exclusive.

Before commencing any work pertaining to the erection, construction, reconstruction, moving, conversion, alteration or addition to any building or structure, a permit for each separate building and/or structure shall be secured from the Building Inspector of the City of Visalia, and it shall be unlawful to commence said work unless said permit shall have been obtained. The issuance of a building permit under this or any other ordinance of the City shall not be deemed or construed to permit or authorize any violation of any of the provisions of this ordinance or any amendments thereto, or of any other ordinance or law.

SECTION 17. PENALTY

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than Three Hundred ($300.00) Dollars, or by imprisonment in the City or County Jail for a period of not more than Ninety (90) days, or both such fine and imprisonment. Each such person, firm or corporation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this ordinance is committed, continued or permitted by such person, firm or corporation, and shall be punishable therefor as provided for in this ordinance, and any use, occupation or building or structure maintained contrary to the provisions hereof shall constitute a public nuisance.

SECTION 18. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Visalia hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 19. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 20. The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published in one issue of the Visalia Times-Delta, a daily newspaper, printed, published, and circulated in the City of Visalia, and hereby designate, for that purpose, and thirty (30) days thereafter shall take effect and be in force.

PASSED AND ADOPTED by the Council of the City of Visalia at its regular meeting held on the 19th day of May, 1941.

J. P. GANNON,
Mayor of the City of Visalia.

STATE OF CALIFORNIA
COUNTY OF TULARE

I, Beatrice Thut, do hereby certify that I am the City Clerk of the City of Visalia; that the foregoing ordinance was regularly introduced at an adjourned regular meeting of the Council of the City of Visalia held on the 8th day of March, 1941 and was thereafter at a regular meeting of said Council held on the 19th day of May, 1941, regularly passed and adopted by the said Council by the following vote, to wit:

Ayes: Councilmen Burnett, Gannon, Hammer, Lally, Putz.

Noes: Councilmen None.

Absent: Councilmen None.

BEATRICE THUT,
(SEAL) City Clerk.