

PLUMAS COUNTY CODE

TITLE 9

PLANNING & ZONING

# PLUMAS COUNTY CODE

## TITLE 9. PLANNING AND ZONING

### CHAPTER 1. GENERAL PLAN

9-1.01-----Adoption

### CHAPTER 2. ZONING

#### Article 1. Purposes and Application

9-2.101-----Purposes

9-2.102-----Application

#### Article 2. Definitions

9-2.201-----Application

9-2.201.2---Additional quarters

9-2.201.5---Administrative offices

9-2.201.6---Administrative offices, limited

9-2.202-----Agricultural auction yard

9-2.203-----Agricultural product sales

9-2.204-----Agriculture

9-2-204.5---Alcohol and drug recovery facility

9-2-204.6---Alcohol and drug recovery facility, limited residential

9-2.205-----Alley

9-2.206-----Alternative housing

9-2.207-----Animal breeding and boarding

9-2.208-----Animal husbandry, commercial

9-2.209-----Animal husbandry, large animals

9-2.210-----Animal husbandry, small animals

9-2.211-----Appurtenance

9-2.212-----Assembly

9-2.213-----Automobile service (repealed)

9-2.213.5---Bed and breakfast inns

9-2.214-----Boat ramp

9-2.215-----Boat service

9-2.216-----Building

9-2.217-----Building coverage

9-2.217.5---Building supply

9-2.218-----Business office

9-2.218.5---California redemption value materials

9-2.219-----Camp ground

9-2.220-----Camping

9-2.221-----Carport

9-2.221.5---Car wash

9-2.222-----Child day care facility

9-2.223-----Child day care home

9-2.223.5---Child day care home, limited

9-2.224-----Commercial animal husbandry

9-2.224.5---Commercial coach  
9-2.225-----Commission  
9-2.225.3---Community care facility  
9-2.225.7---Community care facility, limited residential  
9-2.226-----Construct  
9-2.226.5---Development permit  
9-2.227-----Dock  
9-2.227.5---Driveway  
9-2.228-----Dwelling unit  
9-2.229-----Electric generation  
9-2.230-----Electric generation, limited  
9-2.231-----Employee housing  
9-2.232-----Family  
9-2.233-----Farm supply sales  
9-2.234-----Fence  
9-2.235-----Finished grade  
9-2.235.5---Flood  
9-2.236-----Flood hazard area  
9-2.237-----Garage  
9-2.237.5---Gas station  
9-2.238-----Golf facility  
9-2.239-----Guest (repealed)  
9-2.240-----Guest house  
9-2.241-----Guest room  
9-2.242-----Health service  
9-2.243-----Heavy equipment sales  
9-2.244-----Heavy equipment service  
9-2.245-----Height  
9-2.246-----Home business  
9-2.247-----Home business, limited  
9-2.248-----Home industry  
9-2.249-----Horticulture  
9-2.250-----Household animals  
9-2.251-----Hydroelectric generation  
9-2.252-----Junk yard  
9-2.253-----Kennel  
9-2.254-----Large animal husbandry  
9-2.255-----Laundromat  
9-2.256-----Limited child care service  
9-2.257-----Limited electric generation  
9-2.258-----Limited home business  
9-2.259-----Lodging facility  
9-2.260-----Lot area  
9-2.260.5---Manufactured home  
9-2.261-----Manufacturing  
9-2.262-----Marina  
9-2.263-----Mining  
9-2.264-----Mobile home

9-2.265-----Nonconforming use  
9-2.266-----Park  
9-2.267-----Parking lot  
9-2.267.1---Personal services  
9-2.268-----Place of assembly  
9-2.269-----Planning Commission  
9-2.270-----Planning Director  
9-2.270.5---Porch  
9-2.271-----Postal service  
9-2.272-----Prefabricated building  
9-2.273-----Prefabricated building sales  
9-2.274-----Processing  
9-2.275-----Property line  
9-2.276-----Public service facility  
9-2.277-----Public utility facility  
9-2.278-----Recreation facility  
9-2.279-----Recreation-oriented residential development  
9-2.279.01-Recreational vehicle  
9-2.279.1---Recycling facility  
9-2.279.2---Recycling facility, limited  
9-2.280-----Resort  
9-2.281-----Restaurant  
9-2.282-----Retail store  
9-2.283-----Rooming facility  
9-2.284-----Salvage operation  
9-2.285-----School  
9-2.286-----Self-service facility  
9-2.287-----Shooting range  
9-2.288-----Sign  
9-2.289-----Small animal husbandry  
9-2.290-----Storage  
9-2.290.3---Stoop  
9-2.290.5---Story  
9-2.291-----Street  
9-2.292-----Structure  
9-2.293-----Tavern  
9-2.294-----Timber management  
9-2.295-----Transport station  
9-2.296-----Undertaking  
9-2.297-----Use  
9-2.298-----Used goods sales  
9-2.299-----Vehicle sales  
9-2.299.1---Vehicle service  
9-2.299.2---Veterinary service  
9-2.299.3---Warehousing  
9-2.299.4---Wholesale commercial supply  
9-2.299.5---Wholesaling  
9-2.299.6---Width

- 9-2.299.7---Wildlife management
- 9-2.299.8---Yard
- 9-2.299.9---Zoning Administrator

**Article 3. Establishment of Zones**

- 9-2.301-----Zones enumerated
- 9-2.302-----Zoning Plan Maps
- 9-2.303-----Conformance
- 9-2.304-----Zone boundaries
- 9-2.305-----Territoriality

**Article 4. General Requirements**

- 9-2.401-----Application
- 9-2.402-----General requirements enumerated
- 9-2.403-----Airports
- 9-2.404-----Camp grounds
- 9-2.405-----Camping
- 9-2.405.5---Easements
- 9-2.406-----Eaves and overhangs
- 9-2.407-----Fences
- 9-2.407.5---Flood
- 9-2.408-----Garages and carports
- 9-2.409-----Height
- 9-2.410-----Landscaping
- 9-2.411-----Lighting facilities
- 9-2.412-----Mobile homes
- 9-2.413-----Noise
- 9-2.414-----Parking and loading
- 9-2.414.5---Porches and Stoops
- 9-2.415-----Public utility facilities
- 9-2.416-----Signs
- 9-2.417-----Temporary occupancy
- 9-2.418-----Timber harvesting
- 9-2.419-----Yards

**Article 5. Nonconforming Structures and Uses**

- 9-2.501-----Purpose
- 9-2.502-----General provisions
- 9-2.503-----Nonconforming structures
- 9-2.504-----Nonconforming use of structures
- 9-2.505-----Nonconforming use of land with no structures
- 9-2.506-----Nonconforming use of land with structures
- 9-2.507-----Nonconforming off-street parking and loading
- 9-2.508-----Historical buildings and uses

**Article 6. Special Use Permits**

- 9-2.601-----Purpose
- 9-2.602-----Issuance
- 9-2.603-----Revocation

## **Article 7. Planned Developments**

- 9-2.701-----Purpose
- 9-2.702-----Issuance
- 9-2.703-----Revocation
- 9-2.704-----Amendment

## **Article 8. Variances**

- 9-2.801-----Purpose
- 9-2.802-----Applications
- 9-2.803-----Processing time
- 9-2.804-----Investigations
- 9-2.805-----Hearings

## **Article 9. Amendments**

- 9-2.901-----Authorized
- 9-2.902-----Initiation
- 9-2.903-----Processing time
- 9-2.904-----Resolutions of intention: Conditions, stipulations, or limitations
- 9-2.905-----Planning Commission hearings: Notices
- 9-2.906-----Planning Commission recommendations
- 9-2.907-----Board of Supervisors hearings: Notices
- 9-2.908-----Board of Supervisors decisions

## **Article 10. Appeals**

- 9-2.1001----Authorized
- 9-2.1002----Filing: Fees
- 9-2.1003----Hearings: Notices
- 9-2.1004----Jurisdiction of the Board of Supervisors

## **Article 11. Building Permits**

- 9-2.1101----Issuance
- 9-2.1102----Compliance with provisions

### **Article 11.3. Site Development Review**

- 9-2.1131----Purpose
- 9-2.1132----Site development review
- 9-2.1133----Site development permits

### **Article 11.5. Notices of Public Hearings**

- 9-2.1151----Purpose
- 9-2.1152----Methods of notice
- 9-2.1153----Requests for notice
- 9-2.1154----Failure to receive notice
- 9-2.1155----Continuance of hearings

## **Article 12. Administration and Enforcement**

- 9-2.1201----Administration
- 9-2.1202----Enforcement

- 9-2.1203----Violations: Infractions
- 9-2.1204----Public nuisances: Abatement
- 9-2.1205----California Department of Forestry & Fire Protection

**Article 12.5. Nuisance Claims Against Agricultural and Timber Operations**

- 9-2.1251----Declaration of purpose and intent
- 9-2.1252----Definitions
- 9-2.1253----No Nuisance under County law
- 9-2.1254----Notification

**Article 12.8. Lot Line Adjustments**

- 9-2.1281----Subjection
- 9-2.1282----Applications
- 9-2.1283----Processing
- 9-2.1284----Requirements

**Article 13. Single-Family Residential Zones (2-R, 3-R, 7-R)**

- 9-2.1301----Purpose (2-R, 3-R, 7-R)
- 9-2.1302----Uses (2-R, 3-R, 7-R)
- 9-2.1303----Height (2-R, 3-R, 7-R)
- 9-2.1304----Area, width, and coverage (2-R, 3-R, 7-R)
- 9-2.1305----Yards (2-R, 3-R, 7-R)
- 9-2.1306----Parking and loading (2-R, 3-R, 7-R)
- 9-2.1307----Signs (2-R, 3-R, 7-R)

**Article 14. Multiple-Family Residential Zone (M-R)**

- 9-2.1401----Purpose (M-R)
- 9-2.1402----Uses (M-R)
- 9-2.1403----Height (M-R)
- 9-2.1404----Area, width, and coverage (M-R)
- 9-2.1405----Yards (M-R)
- 9-2.1406----Parking and loading (M-R)
- 9-2.1407----Signs (M-R)

**Article 15. Suburban Zone (S-1)**

- 9-2.1501----Purpose (S-1)
- 9-2.1502----Uses (S-1)
- 9-2.1503----Height (S-1)
- 9-2.1504----Area and width (S-1)
- 9-2.1505----Yards (S-1)
- 9-2.1506----Parking and loading (S-1)
- 9-2.1507----Signs (S-1)

**Article 16. Secondary Suburban Zone (S-3)**

- 9-2.1601----Purpose (S-3)
- 9-2.1602----Uses (S-3)
- 9-2.1603----Height (S-3)
- 9-2.1604----Area and width (S-3)

- 9-2.1605----Yards (S-3)
- 9-2.1606----Parking and loading (S-3)
- 9-2.1607----Signs (S-3)

**Article 17. Rural Zone (R-10)**

- 9-2.1701----Purpose (R-10)
- 9-2.1702----Uses (R-10)
- 9-2.1703----Height (R-10)
- 9-2.1704----Area and width (R-10)
- 9-2.1705----Yards (R-10)
- 9-2.1706----Parking and loading (R-10)
- 9-2.1707----Signs (R-10)

**Article 18. Rural Zone (R-20)**

- 9-2.1801----Purpose (R-20)
- 9-2.1802----Uses (R-20)
- 9-2.1803----Height (R-20)
- 9-2.1804----Area and width (R-20)
- 9-2.1805----Yards (R-20)
- 9-2.1806----Parking and loading (R-20)
- 9-2.1807----Signs (R-20)

**Article 19. Core Commercial Zone (C-1)**

- 9-2.1901----Purpose (C-1)
- 9-2.1902----Uses (C-1)
- 9-2.1903----Height (C-1)
- 9-2.1904----Area (C-1)
- 9-2.1905----Yards (C-1)
- 9-2.1906----Parking and loading (C-1)
- 9-2.1907----Signs (C-1)

**Article 20. Periphery Commercial Zone (C-2)**

- 9-2.2001----Purpose (C-2)
- 9-2.2002----Uses (C-2)
- 9-2.2003----Height (C-2)
- 9-2.2004----Area, width, and coverage (C-2)
- 9-2.2005----Yards (C-2)
- 9-2.2006----Landscaping (C-2)
- 9-2.2006----Parking and loading (C-2)
- 9-2.2007----Signs (C-2)

**Article 21. Convenience Commercial Zone (C-3)**

- 9-2.2101----Purpose (C-3)
- 9-2.2102----Uses (C-3)
- 9-2.2103----Height (C-3)
- 9-2.2104----Area, width, and coverage (C-3)
- 9-2.2105----Yards (C-3)
- 9-2.2106----Parking and loading (C-3)



9-2.2107----Signs (C-3)

**Article 22. Recreation Commercial Zone (R-C)**

- 9-2.2201----Purpose (R-C)
- 9-2.2202----Uses (R-C)
- 9-2.2203----Height (R-C)
- 9-2.2204----Area, width, and coverage (R-C)
- 9-2.2205----Yards (R-C)
- 9-2.2206----Parking and loading (R-C)
- 9-2.2207----Signs (R-C)

**Article 23. Recreation Zones (Rec-P, Rec-1, Rec-3, Rec-10, Rec-20)**

- 9-2.2301----Purpose (Rec)
- 9-2.2302----Uses (Rec)
- 9-2.2303----Height (Rec)
- 9-2.2304----Area, width, and coverage (Rec)
- 9-2.2305----Yards (Rec)
- 9-2.2306----Parking and loading (Rec)
- 9-2.2307----Signs (Rec)

**Article 24. Recreation-Open Space Zone (Rec-OS)**

- 9-2.2401----Purpose (Rec-OS)
- 9-2.2402----Uses (Rec-OS)
- 9-2.2403----Height (Rec-OS)
- 9-2.2404----Area, width, and coverage (Rec-OS)
- 9-2.2405----Yards (Rec-OS)
- 9-2.2406----Parking and loading (Rec-OS)
- 9-2.2407----Signs (Rec-OS)

**Article 25. Heavy Industrial Zone (I-1)**

- 9-2.2501----Purpose (I-1)
- 9-2.2502----Uses (I-1)
- 9-2.2503----Height (I-1)
- 9-2.2504----Area, width, and coverage (I-1)
- 9-2.2505----Yards (I-1)
- 9-2.2506----Parking and loading (I-1)
- 9-2.2507----Signs (I-1)

**Article 26. Light Industrial Zone (I-2)**

- 9-2.2601----Purpose (I-2)
- 9-2.2602----Uses (I-2)
- 9-2.2603----Height (I-2)
- 9-2.2604----Area, width, and coverage (I-2)
- 9-2.2605----Yards (I-2)
- 9-2.2606----Parking and loading (I-2)
- 9-2.2607----Signs (I-2)

**Article 27. Limited Combining Zone (Ltd)**

9-2.2701----Purpose (Ltd)

9-2.2702----Uses (Ltd)

**Article 28. Open Space Zone (OS)**

9-2.2801----Purpose (OS)

9-2.2802----Uses (OS)

**Article 29. Lake Zone (L)**

9-2.2901----Purpose (L)

9-2.2902----Uses (L)

9-2.2903----Height (L)

9-2.2904----Area and width (L)

9-2.2905----Yards (L)

9-2.2906----Signs (L)

**Article 30. Agricultural Preserve Zone (AP)**

9-2.3001----Purpose (AP)

9-2.3002----Uses (AP)

9-2.3003----Height (AP)

9-2.3004----Area and width (AP)

9-2.3005----Yards (AP)

9-2.3006----Parking and loading (AP)

9-2.3007----Signs (AP)

**Article 31. General Agriculture Zone (GA)**

9-2.3101----Purpose (GA)

9-2.3102----Uses (GA)

9-2.3103----Height (GA)

9-2.3104----Area and width (GA)

9-2.3105----Yards (GA)

9-2.3106----Parking and loading (GA)

9-2.3107----Signs (GA)

**Article 32. Timberland Production Zone (TPZ)**

9-2.3201----Purpose (TPZ)

9-2.3202----Uses (TPZ)

9-2.3203----Qualifications for inclusion (TPZ)

9-2.3204----Area (TPZ)

9-2.3205----Rezoning (TPZ)

9-2.3206----Height (TPZ)

9-2.3207----Yards (TPZ)

**Article 33. General Forest Zone (GF)**

9-2.3301----Purpose (GF)

9-2.3302----Uses (GF)

9-2.3303----Height (GF)

9-2.3304----Area and width (GF)

- 9-2.3305----Yards (GF)
- 9-2.3306----Parking and loading (GF)
- 9-2.3307----Signs (GF)

**Article 34. Mining Zone (M)**

- 9-2.3401----Purpose (M)
- 9-2.3402----Uses (M)
- 9-2.3403----Height (M)
- 9-2.3404----Area and width (M)
- 9-2.3405----Yards (M)
- 9-2.3406----Parking and loading (M)
- 9-2.3407----Signs (M)

**Article 35. Flood Plain Combining Zone (FP)**

- 9-2.3501----Purpose (FP)
- 9-2.3502----Uses (FP)

**Article 36. Repealed**

**Article 37. Special Plan Combining Zone (SP) (DR, ScA, ScR, HA, HB)**

- 9-2.3701----Purpose (SP)
- 9-2.3702----Identification (SP)
- 9-2.3703----Special plan review (SP)
- 9-2.3704----Special Plan Review Committee (SP)

**Article 38. Mobile Home Combining Zone (MH)**

- 9-2.3801----Purpose (MH)
- 9-2.3802----Uses (MH)

**Article 39. Business Exclusion Combining Zone (BX)**

- 9-2.3901----Purpose (BX)
- 9-2.3902----Uses (BX)

**Article 40. Farm Animal Combining Zone (F)**

- 9-2.4001----Purpose (F)
- 9-2.4002----Uses (F)

**CHAPTER 3. SUBDIVISIONS**

**Article 1. General Provisions**

- 9-3.101-----Purpose
- 9-3.102-----Scope
- 9-3.103-----Effect of Map Act provisions
- 9-3.104-----Policy
- 9-3.105-----Definitions

## **Article 2. Administration**

- 9-3.201-----Authority of the Board
- 9-3.202-----Functions of the Commission and County officers
- 9-3.203-----Subdivision Advisory Committee
- 9-3.204-----Departmental subdivision regulations: Adoption: Amendments: Hearings: Notices
- 9-3.205-----Modifications
- 9-3.206-----Fees
- 9-3.207-----Appeals
- 9-3.208-----Processing Time
- 9-3.209-----California Department of Forestry & Fire Protection

## **Article 3. Design**

- 9-3.301-----Scope
- 9-3.302-----Preliminary conferences
- 9-3.303-----Zoning
- 9-3.304-----Lots
- 9-3.305-----Streets, roads, and highways
- 9-3.306-----Conformance with existing streets and highways
- 9-3.307-----Alleys
- 9-3.308-----Easements
- 9-3.309-----Flood hazards: Drainage
- 9-3.310-----Water supply and sewerage
- 9-3.311-----Resubdivisions
- 9-3.312-----Miscellaneous technical requirements
- 9-3.313-----Panhandle lots
- 9-3.314-----Development fees for fire protection services
- 9-3.315-----Greenbelts

## **Article 4. Tentative Maps**

- 9-3.401-----Preparation
- 9-3.402-----Records of survey
- 9-3.403-----Filing
- 9-3.404-----Hearings
- 9-3.405-----Approvals

## **Article 5. Final Maps**

- 9-3.501-----Form and data
- 9-3.502-----Surveys
- 9-3.503-----Certificates
- 9-3.504-----Agreements
- 9-3.505-----Filing
- 9-3.506-----Review
- 9-3.507-----Review: Notices
- 9-3.508-----Recordation and subsequent modifications
- 9-3.509-----Filing: Failure to file within time limits

**Article 6. Parcel Maps**

- 9-3.601-----Policy, procedure, and requirements
- 9-3.602-----Determination of procedure to be used
- 9-3.603-----Tentative parcel maps
- 9-3.604-----Final parcel maps
- 9-3.605-----Filing: Approval
- 9-3.606-----Easements to serve interior parcels
- 9-3.607-----Certificates
- 9-3.608-----Subsequent modifications of recorded maps
- 9-3.609-----Failure to file final parcel maps

**Article 7. Improvements**

- 9-3.701-----Required
- 9-3.702-----Security

**Article 8. Violations**

- 9-3.801-----Unlawful acts
- 9-3.802-----California Department of Forestry & Fire Protection

**Article 9. Additional information**

- 9-3.901-----Requirement
- 9-3.902-----Form
- 9-3.903-----Contents

**Article 10. Merger**

- 9-3.1001----Owner initiated merger

**CHAPTER 4. DEVELOPMENT STANDARDS****Article 1. Purposes and Application**

- 9-4.101-----Purposes
- 9-4.102-----Application
- 9-4.103-----Administration
- 9-4.104-----California Department of Forestry & Fire Protection

**Article 2. Modifications**

- 9-4.201-----Purpose
- 9-4.202-----Application

**Article 3. Definitions**

- 9-4.301-----Application
- 9-4.302-----ADT (average daily traffic)
- 9-4.303-----Agricultural Buffer Area
- 9-4.304-----Base
- 9-4.305-----Basement material
- 9-4.306-----Clearing
- 9-4.307-----Commercial Area
- 9-4.308-----Cul-de-sac

9-4.309-----Culvert  
9-4.310-----Cut  
9-4.311-----Day  
9-4.311.5---Dead-end Road  
9-4.312-----Development  
9-4.312.5---Driveway  
9-4.313-----Engineer  
9-4.314-----Fill  
9-4.314.5---Fire Valve  
9-4.315-----Grading plane  
9-4.315.1---Hammerhead Turnaround  
9-4.315.5---Hydrant  
9-4.316-----Industrial Area  
9-4.317-----Limited Opportunity Area  
9-4.318-----Major thoroughfare  
9-4.319-----Moderate Opportunity Area  
9-4.320-----Multiple-Family Residential Area  
9-4.320.5---One-Way Road  
9-4.321-----Pavement  
9-4.322-----Planned roadway alignment  
9-4.323-----Plans  
9-4.324-----Precise planned road  
9-4.325-----Prime coat  
9-4.326-----Prime Expansion Area  
9-4.327-----Prime Opportunity Area  
9-4.328-----Recreation Area  
9-4.329-----Resource Transportation Route  
9-4.330-----Right-of-way  
9-4.331-----Roadbed  
9-4.332-----Roadway  
9-4.333-----Rural Area  
9-4.334-----Seal coat  
9-4.335-----Secondary Suburban Area  
9-5.336-----Shoulder  
9-4.337-----Side slope  
9-4.338-----Specifications  
9-4.339-----Subbase  
9-4.340-----Subgrade  
9-4.341-----Substructure  
9-4.342-----Suburban Area  
9-4.343-----Superstructure  
9-4.344-----Surfacing  
9-4.345-----Traffic lane  
9-4.346-----Traveled way  
9-4.347-----T turnaround

**Article 4. Classification of Public and Private Roads**

- 9-4.401-----Classification
- 9-4.402-----Service roads
- 9-4.403-----Class 1 Roads
- 9-4.404-----Class 2 Roads
- 9-4.405-----Class 3 Roads
- 9-4.406-----Class 4 Roads
- 9-4.407-----Class 5 Roads
- 9-4.408-----Class 6 Roads
- 9-4.409-----Class 7 Roads
- 9-4.410-----Class 8 Roads
- 9-4.411-----Class 9 Roads
- 9-4.412-----Class 10 Roads
- 9-4.413-----Class 11 Roads

**Article 5. Minimum Design Standards**

- 9-4.501-----Minimum road design standards
- 9-4.502-----Turnouts
- 9-4.503-----Turnarounds

**Article 6. Road Specifications**

- 9-4.601-----Public and private road specifications
- 9-4.602-----Width of rights-of-way
- 9-4.603-----Clearing of the right-of-way
- 9-4.604-----Design standards
- 9-4.605-----Inspections
- 9-4.606-----Construction standards
- 9-4.607-----Improvements to existing roads

**Article 7. Traffic Volume**

- 9-4.701-----Expressing traffic volume
- 9-4.702-----Existing traffic volume
- 9-4.703-----Projected traffic volume

**Article 8. Private Roads**

- 9-4.801-----Private roads described
- 9-4.802-----Maintenance
- 9-4.803-----Rights-of-way
- 9-4.804-----Forest Service roads

**Article 9. Access**

- 9-4.901-----Access required
- 9-4.902-----Prime opportunity
- 9-4.903-----Moderate opportunity
- 9-4.904-----Limited opportunity
- 9-4.905-----Forest Service roads
- 9-4.906-----Identification
- 9-4.907-----Bridges

**Article 10. Emergency Water for Fire Protection**

- 10-4.1001--Application
- 10-4.1002--Water
- 10-4.1003--Hydrants
- 10-4.1004--Signing of water sources
- 10-4.1005--Accessibility
- 10-4.1006--Inspection

**CHAPTER 5. SURFACE MINING AND RECLAMATION**

- 9-5.01-----Purposes and intent
- 9-5.02-----Definitions
- 9-5.03-----Incorporation by reference
- 9-5.04-----Scope
- 9-5.05-----Vested Rights
- 9-5.06-----Process
- 9-5.07-----Findings for Approval
- 9-5.08-----Standards for Reclamation
- 9-5.09-----Statement of Responsibility
- 9-5.10-----Financial Assurances
- 9-5.11-----Interim Management Plans
- 9-5.12-----Annual Report Requirements
- 9-5.13-----Inspections
- 9-5.14-----Violations and Penalties

**CHAPTER 6. OPEN RANGES**

- 9-6.01-----Open range areas declared
- 9-6.02-----Lawful fences defined
- 9-6.03-----Liability
- 9-6.04-----Rental fees
- 9-6.05-----Boundaries

**CHAPTER 7. DEVELOPMENT AGREEMENTS**

**Article 1. Authority**

- 9-7.101-----Authority for adoption

**Article 2. Applications**

- 9-7.201-----Filing of applications
- 9-7.202-----Contents of applications
- 9-7.203-----Applications considered as development projects
- 9-7.204-----Determinations of completeness of applications
- 9-7.205-----Environmental review: Transmittal to the Board of Supervisors

**Article 3. Board of Supervisors: Action**

- 9-7.301-----Notice requirements
- 9-7.302-----General Plan and Specific Plan consistency



- 9-7.303-----Action by the Board of Supervisors on applications: Approval by ordinance
- 9-7.304-----Execution of agreements

**Article 4. Recordation**

- 9-7.401-----Recordation by the County Clerk

**Article 5. Annual Reviews**

- 9-7.501-----Reviews by the Planning Director
- 9-7.502-----Purpose of reviews
- 9-7.503-----Determinations by the Planning Director
- 9-7.504-----Referral to the Board of Supervisors
- 9-7.505-----Action by the Board of Supervisors

**Article 6. Bilateral Amendments to Development Agreements**

- 9-7.601-----Termination, cancellation, modification, and amendment of development agreements

**Article 7. Statute of Limitations**

- 9-7.701-----Statute of limitations

**CHAPTER 8. STREET ADDRESS SYSTEM**

**Article 1. Purposes and application**

- 9-8.101-----Purposes
- 9-8.102-----Application

**Article 2. Definitions**

- 9-8.201-----Scope
- 9-8.201.5---Dead-end road
- 9-8.202-----Internal roadway
- 9-8.202.5---Roadway
- 9-8.203-----Street
- 9-8.204-----Street address
- 9-8.205-----Street address system

**Article 3. Street Address System**

- 9-8.301-----Establishment
- 9-8.302-----Establishment by ordinance
- 9-8.303-----Allocation of street addresses
- 9-8.304-----Locality identification

**Article 4. Posting**

- 9-8.401-----Required
- 9-8.402-----Notices
- 9-8.403-----Addresses on buildings
- 9-8.404-----Street address signs
- 9-8.405-----Uniform Fire Code

**Article 5. Ordinances**

- 9-8.501-----Initiation
- 9-8.502-----Preparation
- 9-8.503-----Referral
- 9-8.504-----Hearings: Notices

**Article 6. Road Identification**

- 9-8.601-----Road identification
- 9-8.602-----Road signs
- 9-8.603-----Road names

**Article 7. Administration and Enforcement**

- 9-8.701-----Administration
- 9-8.702-----Enforcement
- 9-8.703-----Violations: Infractions
- 9-8.704-----California Department of Forestry & Fire Protection

**CHAPTER 9. STATE RESPONSIBILITY AREA FIRE SAFE REGULATIONS**

**Article 1. Purposes and Application**

- 9-9.101-----Purposes
- 9-9.102-----Application
- 9-9.103-----Specification

**Article 2. Exceptions**

- 9-9.201-----Purpose
- 9-9.202-----Exceptions

**Article 3. Appeals**

- 9-9.301-----Authorized
- 9-9.302-----Filing: Fees.
- 9-9.303-----Hearings: Notices.
- 9-9.304-----Jurisdiction of the Board of Supervisors
- 9-9.305-----Findings

**Article 4. Definitions**

- 9-9.401-----Application
- 9-9.402-----Defensible space
- 9-9.403-----Dwelling
- 9-9.404-----Same practical effect
- 9-9.405-----SRA Fire Safe Regulations

**Article 5. Nonconforming Uses**

- 9-9.501-----Purpose
- 9-9.502-----Application

## TITLE 9. PLANNING AND ZONING

### CHAPTER 1. GENERAL PLAN

#### Sec. 9-1.01. Adoption.

The General Plan for the future development of the County shall be adopted by the Board in conformance with Sections 65300 *et seq.* of the Government Code of the State. The General Plan shall be periodically reviewed and updated in order to maintain consistency with the prevailing political atmosphere. The General Plan shall be maintained by the Planning Agency and shall be available for public review and purchase.

(§ 3, Ord. 84-593, eff. January 3, 1985)

## CHAPTER 2. ZONING

### Article 1. Purposes and Application

#### Sec. 9-2.101. Purposes.

The provisions of this chapter are adopted to implement the General Plan by providing a precise delineation of permitted land uses, precluding land use conflicts, and by establishing general site development standards. This chapter shall specify the uses of land in a manner which conveys full knowledge of potential uses.

(§ 3, Ord. 84-593, eff. January 3, 1985)

#### Sec. 9-2.102. Application.

The application of the provisions of this chapter shall be held to be only the minimum requirements for the promotion of the public health, safety, and general welfare and to protect property owners' rights to develop consistent with the General Plan. The provisions of this chapter are not intended to repeal or in any way interfere with other existing laws, ordinances, regulations, or permits.

(§ 3, Ord. 84-593, eff. January 3, 1985)

## Article 2. Definitions

### **Sec. 9-2.201. Application.**

Words and phrases used in this chapter shall be defined by common usage, except as specifically defined in this chapter. (§ 3, Ord. 84-593, eff. January 3, 1985)

### **Sec. 9-2.201.2. Additional quarters.**

"Additional quarters" shall mean space in a building for occupancy for living or sleeping purposes and in the same building as a dwelling unit. The floor area of additional quarters shall not exceed thirty (30%) percent of the floor area of the dwelling unit, excluding garages and carports. The occupants of additional quarters need not be members of the family occupying the dwelling unit. (§ 1, Ord. 91-759, eff. August 1, 1991; as amended by Exh. A, § 1, Ord. 96-873, eff. October 31, 1996)

### **Sec. 9-2.201.5. Administrative offices.**

"Administrative offices" shall mean a business office for the administration of business, governmental, executive, or institutional concerns. (§ 1, Ord. 89-713, eff. July 13, 1989)

### **Sec. 9-2.201.6. Administrative offices, limited.**

"Administrative offices, limited" shall mean an administrative office to which ingress and egress is limited to the employees of such office and to which evidence of the use, including but not limited to signage, shall be prohibited. (§ 1, Ord. 89-713, eff. July 13, 1989)

### **Sec. 9-2.202. Agricultural auction yard.**

"Agricultural auction yard" shall mean a place for the auction of crops and livestock. (§ 3, Ord. 84-593, eff. January 3, 1985)

### **Sec. 9-2.203. Agricultural product sales.**

"Agricultural product sales" shall mean sales of crops harvested primarily from the premises, livestock raised and cared for primarily on the premises, and agricultural products processed on the premises. (§ 3, Ord. 84-593, eff. January 3, 1985)

### **Sec. 9-2.204. Agriculture.**

"Agriculture" shall mean any of soil cultivation, crop production, raising and caring for livestock, and the processing and the sale of crops and livestock primarily from the premises and shall include horticulture, commercial animal husbandry, large animal husbandry, and small animal husbandry. (§ 3, Ord. 84-593, eff. January 3, 1985)

### **Sec. 9-2.204.5 Alcohol and drug recovery facility.**

"Alcohol and drug recovery facility" shall mean any premises, place, or building in which twenty-four (24) hour residential non-medical services are provided to adults or adolescents who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services. Programs providing such services may be year-round or on a seasonal or limited-time period basis. Such use is subject to additional requirements of the County and the State. (§ 1 Ord. 07-1061, eff. December 6, 2007)

### **Sec. 9-2.204.6 Alcohol and drug recovery facility, limited residential**

"Limited residential alcohol and drug recovery facility" shall mean an alcohol and drug recovery facility which serves six or fewer persons." Such use is subject to additional requirements of the County and the State. (§ 1 Ord. 07-1061, eff. December 6, 2007)

**Sec. 9-2.205. Alley.**

"Alley" shall mean any County road, State highway, or Forest Service System road right-of-way less than thirty (30') feet in width which affords only a secondary means of access to property. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.206. Alternative housing.**

"Alternative housing" shall be as defined in Title 8 of this Code. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.207. Animal breeding and boarding.**

"Animal breeding and boarding" shall mean a facility for any of breeding, boarding, and training of animals and shall include kennel. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.208. Animal husbandry, commercial.**

"Animal husbandry, commercial" shall mean the care and raising of hooved livestock. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.209. Animal husbandry, large animals.**

"Animal husbandry, large animals" shall mean the care and raising of hooved livestock for the personal use of residents of the property, 4-H market and breeding projects, except horses, cows, and pigs, and the care and raising of horses, cows, and pigs at the ratio of two (2) animals with their young (one year old or less) for the first acre of property and one additional animal for each additional one-half (1/2) acre. Horses, cows, or pigs may not be kept on parcels smaller than one acre. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 85-611, eff. July 18, 1985)

**Sec. 9-2.210. Animal husbandry, small animals.**

"Animal husbandry, small animals" shall mean the care and raising of hoofless livestock for the personal use of residents of the property and 4-H market projects. (§3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 85-611, eff. July 18, 1985)

**Sec. 9-2.211. Appurtenance.**

"Appurtenance" shall mean a use, building, or activity which is a functional part of a use. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 86-623, eff. February 6, 1986)

**Sec. 9-2.212. Assembly.**

"Assembly" shall mean the fitting together of parts to make a whole. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.213 Automobile service.**

(§ 3, Ord. 84-593, eff. January 3, 1985; repealed by Ord. 91-759, eff. August 1, 1991)

**Sec. 9-2.213.5. Bed and breakfast inn.**

"Bed and breakfast inn" shall mean a lodging facility where:

- (a) The maximum number of guest room:
  - (1) Does not exceed five (5); except
  - (2) If the number of dwelling units and additional quarters and the one guest house as would be permitted by the zoning for the property and the size of the property, both as permitted uses and as uses subject to issuance of a planned development permit, less one for the residence of the owner or manager, would be more than five (5), then the maximum number of guest rooms does not exceed that number.

- (b) The owner of manager resides on the property.
- (c) Meals are served to guests of the inn only;
- (d) On-site parking is adequately screened from view from the street;
- (e) The use maintains the architectural integrity of the building and the character of the neighborhood; and
- (f) There is no more than one business sign of no more than six (6) square feet, or no more than one business sign of no more than twenty-four square feet where the use is in the Multiple-Family Residential Zone (M-R).

(§ 1, Ord. 89-716, eff. October 5, 1989, as amended by § 1, Ord. 91-759, eff. August 1, 1991, and § 1, Ord. 92-787, eff. July 16, 1992; as amended by Exh. A, § 1, Ord. 96-873, eff. October 31, 1996, as amended by § 1, Ord. 99-916, eff. June 10, 1999)

**Sec. 9-2.214. Boat Ramp.**

"Boat ramp" shall mean a ramp from land to water for launching boats. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.215. Boat service.**

"Boat service" shall mean the service of boats or accessory commodities. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.216. Building.**

"Building" shall mean a structure having a foundation and a roof. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.217. Building coverage.**

"Building coverage" shall mean that area of a parcel covered by roofs. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.217.5. Building Supply.**

"Building Supply" shall mean a store engaged in the sale of materials used in the construction of buildings or other structures; other than the retail sale of paint, fixtures and hardware. (§ 1, Ord. 94-832, eff. June 9, 1994)

**Sec. 9-2.218. Business office.**

"Business office" shall mean an office used for provision of sales, professional, executive, management, financial or administrative services. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 89-719, eff. November 2, 1989)

**Sec. 9-2.218.5. California redemption value materials.**

"California redemption value materials" shall mean anything bearing the messages "CA Redemption Value," "California Redemption Value," "CA Cash Refund," or "California Cash Refund" under the authority of the California Beverage Container Recycling and Litter Reduction Act [Division 12.1 Public Resources Code, commencing with Section 14500]. (§ 1, Urgency Ord. 91-757 eff. July 18, 1991; Ord. 91-759, eff. August 1, 1991)

**Sec. 9-2.219. Camp ground.**

"Camp ground" shall mean a facility of two (2) or more spaces for temporary habitation in tents, recreational vehicles, or mobile shelters. (§ 3, Ord. 84-593, eff. January 3, 1985; as amended by Exh. A, § 3, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.220. Camping.**

"Camping" shall mean habitation on a property in nonstructural temporary shelters or recreational vehicles. (§ 3, Ord. 84-593, eff. January 3, 1985; as amended by § 1, Ord. 91-759, eff. August 1, 1991; and by Exh. A, § 3, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.221. Carport.**

"Carport" shall mean a garage enclosed or partly enclosed by no more than one side. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.221.5. Car Wash**

"Car wash" shall mean a vehicle service or self-service facility for the cleaning of the exterior, and the passenger and cargo compartments of vehicles. (Exh. A, § 1, Ord. 99-915, eff. June 3, 1999)

**Sec. 9-2.222. Child day care facility.**

"Child day care facility" shall mean a facility which provides nonmedical day care of less than twenty-four (24) hours per day for children under eighteen (18) years of age. Such use is subject to additional requirements of the County and the State. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 85-603, eff. April 4, 1985, and § 1, Ord. 86-623, eff. February 6, 1986)

**Sec. 9-2.223. Child day care home.**

"Child day care home" shall mean a child day care facility in the provider's own home which provides day care for seven (7) to twelve (12) children, inclusive, including children who reside in the home, provided the noise level does not exceed the ambient outside noise level for the area in which the home is located as determined by the General Plan. Such use is subject to additional requirements of the County and the State. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 85-603, eff. April 4, 1985, and § 1, Ord. 86-623, eff. February 6, 1986)

**Sec. 9-2.223.5. Child day care home, limited.**

"Child day care home, limited" shall mean a child day care facility in the provider's own home which provides day care for six (6) or fewer children, including children who reside in the home. Such use is subject to additional requirements of the County and the State. (§ 2, Ord. 86-623, eff. February 6, 1986)

**Sec. 9-2.224. Commercial animal husbandry.**

(See "Animal husbandry, commercial".) (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.224.5. Commercial coach.**

"Commercial coach" shall mean a structure transportable in one or more sections, designed and equipped for human occupancy for industrial, professional, or commercial purposes, which is required to be moved under permit, and shall include a trailer coach as defined in Section 635 of the California Vehicle Code. (Exh. A, § 1, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.225. Commission.**

"Commission" shall mean the Planning Commission of the County. (§ 3, Ord. 84-593, eff. January 3, 1985)



**Sec. 9-2.225.3. Community care facility.**

"Community care facility" shall mean any facility, place, or building which is maintained and operated to provide nonmedical residential care, adult day care, or home-finding agency services for children, adults, or children and adults, including, but not limited to, physically handicapped, mentally impaired, or incompetent persons, and shall not include drug recovery facilities. Such use is subject to additional requirements of the County and the State. (§ 2, Ord. 86-623, eff. February 6, 1986)

**Sec. 9-2.225.7. Community care facility, limited residential.**

"Community care facility, limited residential" shall mean a community care facility which provides twenty-four (24) hour care for six (6) or fewer persons, with the residents and operators being considered a family. "Six (6) or fewer persons" shall not include the provider, or members of the provider's family, or persons employed as facility staff. Such use is subject to additional requirements of the County and the State. (§ 2, Ord. 86-623, eff. February 6, 1986)

**Sec. 9-2.226. Construct.**

"Construct" shall mean to erect, reconstruct, alter, move in, or move upon. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.226.5. Development permit**

"Development permit" shall mean any permit or other grant of approval under the provisions of this Title for any man-made change to improved or unimproved real estate, including walled and roofed buildings, gas storage tanks that are principally above ground, liquid storage tanks that are principally above ground, manufactured homes, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials. (Exh. A, § 3, Ord. 98-902, eff. September 10, 1998)

**Sec. 9-2.227. Dock.**

"Dock" shall mean a structure for the mooring of two (2) or fewer boats. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 86-623, eff. February 6, 1986)

**Sec. 9-2.227.5. Driveway.**

"Driveway" shall mean a vehicular access that serves no more than two buildings, with no more than three dwellings on a single parcel, when no portion of an exterior wall of the first story of any one of those structures is within 150 feet of a road which provides access to the property, and which may serve any number of appurtenant buildings. (§ 1, Ord. 91-762, eff. December 13, 1991, as amended by § 1, Ord. 92-783, eff. July 9, 1992, as amended by Exh. A, § 1, Ord. 96-873, eff. October 31, 1996)

**Sec. 9-2.228. Dwelling unit.**

"Dwelling unit" shall mean a building, or portion of a building, which provides for sleeping, cooking, eating and sanitation for one family and may include one additional quarters and shall include household animals. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-759, eff. August 1, 1991, as amended by § 1, Ord. 92-783, eff. July 9, 1992)

**Sec. 9-2.229. Electric generation.**

"Electric generation" shall mean the conversion of various forms of energy to electricity. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.230. Electric generation, limited.**

"Electric generation, limited" shall mean electric generation by the use of water or of resources immediately available on the premises. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.231. Employee housing.**

"Employee housing" shall mean dwelling units or manufactured homes for employees employed on the premises and their families. (§ 3, Ord. 84-593, eff. January 3, 1985; as amended by Exh. A, § 3, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.232. Family.**

"Family" shall mean a person or persons living as an economic unit. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.233. Farm supply sales.**

"Farm supply sales" shall mean sales of materials, vehicles, heavy equipment, and products essential to agriculture. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.234. Fence.**

"Fence" shall mean a barrier used as a boundary, means of protection, privacy, or confinement. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.235. Finished grade.**

"Finished grade" shall mean the elevation of the finished ground at the exterior of a structure. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.235.5. Flood.**

"Flood" shall mean a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland or tidal waters;
- (b) The unusual and rapid accumulation or runoff of surface waters from any source.

(Exh. A, § 3, Ord. 98-902, eff. September 10, 1998)

**Sec. 9-2.236. Flood hazard area.**

- (a) "Primary flood hazard area" shall mean an area in a design floodway (channel) and any areas with a floodplain depth of three (3') feet or more, or one foot to three (3') feet if the velocity is greater than five (5') feet per second.
- (b) "Secondary flood hazard area" shall mean any area outside the design floodway with a floodplain depth between one foot and three (3') feet.
- (c) "100-year flood hazard areas" shall mean any area identified in the General Plan as a flood hazard area, any area of special flood hazard, and any area susceptible to a flood that has a one percent chance of being equaled or exceeded in any given year.
- (d) "Area of special flood hazard" shall mean an area of special flood hazard identified by the Federal Insurance Administration of the Federal Emergency Management Agency, which area is the land in the flood plain within the County subject to a one percent or greater chance of flooding in any given year.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 88-700, eff. September 1, 1988, and § 1, Ord. 91-759 eff. August 1, 1991, as amended by Exh. A, § 4, Ord. 98-902, eff. September 10, 1998)

**Sec. 9-2.237. Garage.**

"Garage" shall mean a building, or portion of a building, constructed with provisions for the noncommercial sheltering of vehicles. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.237.5 Gas station.**

"Gas station" shall mean a retail store for the sale of any fuels, lubricants, services, and accessory commodities for motor vehicles. (§ 1, Ord. 91-759, eff. August 1, 1991)

**Sec. 9-2.238. Golf facility.**

"Golf facility" shall mean a recreation facility for the playing of golf, including appurtenances, and excluding miniature golf. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.239. Guest**

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 89-719, eff. November 2, 1989, repealed by Ord. 91-759, eff. August 1, 1991)

**Sec. 9-2.240. Guest house.**

"Guest house" shall mean an independent structure of an area of no more than 1,200 square feet, excluding garages and carports. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-759, eff. August 1, 1991; as amended by Exh. A, § 1, Ord. 96-873, eff. October 31, 1996)

**Sec. 9-2.241. Guest room.**

"Guest room" shall mean a unit of lodging facility or a rooming facility for sleeping or living purposes. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 89-719 eff. November 2, 1989, and § 1, Ord. 91-759, eff. August 1, 1991)

**Sec. 9-2.242. Health service.**

"Health service" shall mean a facility for the provision of medical treatment or service to persons. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.243. Heavy equipment sales.**

"Heavy equipment sales" shall mean sales of heavy equipment or accessory commodities. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.244. Heavy equipment service.**

"Heavy equipment service" shall mean the service of heavy equipment or accessory commodities and shall include "farm machine service". (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.245. Height.**

"Height" shall mean a vertical distance measured upward from a surface determined by the structure's exterior finished grade as projected across the construction site. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.246. Home business.**

"Home business" shall mean any nonresidential use which is permitted in a commercial zone (except for lodging facility) provided the use shall be conducted by a resident of a dwelling unit on the parcel; involve no more than (2) additional employees; involve an area of no more than 600 square feet; not be visible as a business, except for a home business sign, from off the premises; not be audible or odorous from off the premises; and not involve the storage or use of toxic, explosive, or flammable materials. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended § 1, Ord. 89-719, eff. November 2, 1989)

**Sec. 9-2.247. Home business, limited.**

"Home business, limited" shall mean any home business, except that there shall be no additional employees and no exterior evidence of business activity. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.248. Home industry.**

"Home industry" shall mean any use permitted in an industrial zone and conducted by a resident of a dwelling unit on the parcel if it can be found that access to transportation routes and facilities, public facilities, and the surrounding land uses and environmental setting will permit the use without major adverse impacts to the rural-residential nature of the neighborhood. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.249. Horticulture.**

"Horticulture" shall mean producing crops for commercial purposes. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.250. Household animals.**

"Household animals" shall mean as many as six (6) domestic dogs and cats, no more than three (3) of which may be dogs or cats, and domestic animals customarily confined within a dwelling unit. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.251. Hydroelectric generation.**

"Hydroelectric generation" shall mean electric generation by the conversion of gravity to electricity by the use of water. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.252. Junk yard.**

"Junk yard" shall mean the storage of more than one vehicle which is unregistered or useless for vehicular purposes, except as provided by Sections 5051 *et seq.* of the Vehicle Code of the State, or the storage of more than 200 used tires, or the use of more than 200 square feet of any parcel or contiguous parcels under the same ownership for the storage or sale of manufactured material which has been abandoned from its original use and which may be used again in its present form or in a new form and shall include salvage operation, recycling facility and limited recycling facility. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Urgency Ord. 91-757, eff. June 18, 1991, § 1, Ord. 91-759, eff. August 1, 1991, and § 1, Ord. 93-813, eff. September 2, 1993)

**Sec. 9-2.253. Kennel.**

"Kennel" shall mean a facility for any of breeding, boarding, and training of four (4) or more of either dogs, cats, or both. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.254. Large animal husbandry.**

(See "Animal husbandry, large animals".) (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.255. Laundromat.**

"Laundromat" shall mean a self-service facility for laundering and may include laundering services. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.256. Limited child care service.**

(See "Child care service, limited".) (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.257. Limited electric generation.**

(See "Electric generation, limited".) (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.258. Limited home business.**

(See "Home business, limited".) (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.259. Lodging facility.**

"Lodging facility" shall mean a group of two (2) or more guest rooms for transient lodging. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.260. Lot area.**

(a) "Gross lot area" shall mean the total area of a parcel within the property lines.

(b) "Net lot area" shall mean the area of a lot within the property lines exclusive of streets.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.260.5. Manufactured home.**

"Manufactured home" shall mean a structure, transportable in one or more sections, which, in the travelling mode, is eight body feet or more in width, or forty (40') body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under the Mobilehomes-Manufactured Housing Act of 1980. "Manufactured home" includes a mobilehome subject to the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C., Sec. 5401, et seq.). (Exh. A, § 1, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.261. Manufacturing.**

"Manufacturing" shall mean the making of commodities by hand or machinery. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.262. Marina.**

"Marina" shall mean a facility providing dockage, supplies, and services for boats or dockage for three (3) or more boats. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 86-623, eff. February 6, 1986)

**Sec. 9-2.263. Mining.**

"Mining" shall mean the removal of minerals or geothermal or fossil resources from the ground and may include the processing and sale of resources mined from the premises. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended § 1, Ord. 89-719, eff. November 2, 1989)

**Sec. 9-2.264. Mobile home.**

(§ 3, Ord. 84-593, eff. January 3, 1985; repealed by Exh. A, § 2, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.265. Nonconforming use.**

(a) "Nonconforming use" shall mean a use contrary to the applicable provisions of this chapter.

(b) "Lawful nonconforming use" shall mean a nonconforming use lawfully established prior to the adoption of the applicable provisions of this chapter.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.265.5 Nursery.**

"Nursery shall mean a home business for the retail sale of plants and accessory commodities where:

- (a) the area in which plants are raised and kept is not considered as part of the 600 square foot area which is the limit of the area occupied by the home business,
- (b) accessory commodities may include fertilizers, soil amendments, pesticides, and herbicides for the use of which no special license or other entitlement is required and shall not be considered toxic, explosive or flammable.

(§ 1, Ord. 00-932, eff. June 8, 2000)

**Sec. 9-2.266. Park.**

"Park" shall mean a primarily outdoor recreation facility with no structures other than those appurtenant to the outdoor use. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.267. Parking lot.**

"Parking lot" shall mean a facility for the temporary parking of vehicles. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.267.1. Personal services.**

"Personal services" shall mean a place for the provision of services primarily for the purpose of personal appearance. (§ 1, Ord. 89-719, eff. November 2, 1989)

**Sec. 9-2.268. Place of assembly.**

"Place of assembly" shall mean a place established for a group of people to gather for a purpose. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.269. Planning Commission.**

(See "Commission".) (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.270. Planning Director.**

"Planning Director" shall mean the Planning Director of the County. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.270.5. Porch**

"Porch" shall mean a roofed structure that is enclosed by no more than a guardrail meeting the requirements of Section 509 of the Uniform Building Code, that is attached to a building, with a door in common. (Exh. A, § 11, Ord. 96-873, eff. October 31, 1996)

**Sec. 9-2.271. Postal service.**

"Postal service" shall mean a service for carrying letters or packages. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.272. Prefabricated building.**

"Prefabricated building" shall mean a building made or built in standardized sections for shipment and quick assembly and shall include a manufactured home and a commercial coach. (§ 3, Ord. 84-593, eff. January 3, 1985; as amended by Exh. A, § 3, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.273. Prefabricated building sales.**

"Prefabricated building sales" shall mean sales of prefabricated buildings and accessory commodities. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.274. Processing.**

"Processing" shall mean the preparation of or subjection of resources to a special treatment or systematic series of actions. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.275. Property line.**

- (a) "Front line" shall mean any property line contiguous to a street from which access is permitted.
- (b) "Side line" shall mean any property line which intersects a street.
- (c) "Rear line" shall mean any property line which is not a front line or side line.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.276. Public service facility.**

"Public service facility" shall mean a facility for the provision of services to the public by a public agency; cemeteries; and disposal sites as defined in subsection (n) of Section 6-10.101 of Article 1 of Chapter 10 of Title 6 of this Code but shall not include health services, child day care facilities, or community care facilities. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 86-623, eff. February 6, 1986)

**Sec. 9-2.277. Public utility facility.**

"Public utility facility" shall mean an improvement use necessary for the provision, distribution, or conveyance to the public of utilities or a facility for the maintenance of such facilities. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.278. Recreation facility.**

"Recreation facility" shall mean a facility for athletics, exercise, play, amusement, or relaxation and shall include a park. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 89-719, eff. November 2, 1989)

**Sec. 9-2.279. Recreation-oriented residential development.**

"Recreation-oriented residential development" shall mean a development where recreation facilities are proposed to be constructed as part of the total development or as a benefit of purchase for which an overall development plan is approved which establishes a phasing of amenities and that the operation and maintenance of recreational facilities is provided by the developer, home owners' association, or other preestablished entity so as to preclude County involvement or responsibility. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.279.01 Recreational vehicle.**

"Recreational vehicle shall mean either of the following:

- (a) A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy, which meets all of the following criteria:
  - (1) It contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.
  - (2) It contains 400 square feet or less of gross area measured at maximum horizontal projections.
  - (3) It is built on a single chassis.
  - (4) It is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.

- (b) A park trailer designed for human habitation for recreational or seasonal use only, which meets all of the following criteria:
- (1) It contains 400 square feet or less of gross floor area measured at the maximum horizontal projections. However, it may not exceed 12 feet in width or 40 feet in length in the travelling mode.
  - (2) It is built on a single chassis.
  - (3) It may only be transported upon the public highways with a permit.

(Exh. A, § 1, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.279.1. Recycling facility.**

"Recycling facility" shall mean a junk yard at which California redemption value materials, glass, paper and cardboard, food and drink packaging material, and cloth are collected for shipment to manufacturers or processors. (§ 1, Urgency Ord. 91-757 eff. July 18, 1991; as amended by § 1, Ord. 91-759, eff. August 1, 1991)

**Sec. 9-2.279.2. Recycling facility, limited.**

"Limited recycling facility" shall mean a self-service facility which accepts California redemption value materials and issues a cash refund or a redeemable credit slip. (§ 1, Urgency Ord. 91-757, eff. July 18, 1991; as amended by § 1, Ord. 91-759, eff. August 1, 1991)

**Sec. 9-2.280. Resort.**

"Resort" shall mean a lodging facility or campground with accessory services and recreation facilities. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.281. Restaurant.**

"Restaurant" shall mean a place where food is prepared and sold primarily to be eaten on the premises. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.282. Retail store.**

"Retail store" shall mean a store where commodities are primarily sold directly to the consumer; or where those commodities are repaired or maintained; and may include subordinate on-site manufacturing, processing or repair of those commodities by hand or by equipment which creates no noise, vibration, fumes, dust, smoke or electrical interference detectable to the normal senses from off the premises. (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 89-719, eff. November 2, 1989)

**Sec. 9-2.283. Rooming facility.**

"Rooming facility" shall mean a group of two (2) or more guest rooms for nontransient lodging and may include provisions for board. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.284. Salvage operation.**

"Salvage operation" shall mean "junk yard". (§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Urgency Ord. 91-757, eff. July 18, 1991, and § 1, Ord. 91-759, eff. August 2, 1991)

**Sec. 9-2.285. School.**

"School" shall mean a place for teaching and learning. (§ 3, Ord. 84-593, eff. January 3, 1985)



**Sec. 9-2.286. Self-service facility.**

"Self-service facility" shall mean a facility for the obtainment of services or commodities by financial transaction by machine. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.287. Shooting range.**

"Shooting range" shall mean a place for practicing shooting. § 3, Ord. 84-593, eff. Jan. 3, 1985)

**Sec. 9-2.288. Sign.**

- (a) "Advertising sign" shall mean a business sign.
- (b) "Business sign" shall mean a permanent advertisement of an operator, product, service, or facility.
- (c) "Community identification sign" shall mean a permanent identification of a community, neighborhood, subdivision or of a locality identified pursuant to Section 9-8.304 of this Code.
- (d) "Community organization sign" shall mean a permanent advertisement of any of fraternal, benevolent, social, service, or religious organizations which may set forth the time, place, and location of meetings within the community.
- (e) "Construction sign" shall mean a temporary advertisement identifying a building under construction and any of the involved persons.
- (f) "Home business sign" shall mean a permanent advertisement of a permitted home business or home industry.
- (g) "Nameplate" shall mean an identification of the occupant of a dwelling unit.
- (h) "Promotional sign" shall mean a temporary advertisement of any of political, religious, civic, social, and business special events.
- (i) "Real estate sign" shall mean a temporary advertisement of a property for sale, lease, or rent.
- (j) "Subdivision sign" shall mean a temporary advertisement of a subdivision and the original sales program for the sale of lots within such subdivision.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-759, eff. August 1, 1991)

**Sec. 9-2.289. Small animal husbandry.**

(See "Animal husbandry, small animals".) (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.290. Storage.**

"Storage" shall mean the holding of goods, exclusive of warehousing. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.290.3. Stoop.**

"Stoop" shall mean a roofless structure that is enclosed by no more than a guardrail meeting the requirements of Section 509 of the Uniform Building Code, that is attached to a building, with a door in common. (Exh. A, § 11, Ord. 96-873, eff. October 31, 1996)

**Sec. 9-2.290.5. Story.**

"Story" shall mean that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost finished floor of a useable space, and the ceiling or roof above, where that ceiling or roof height is not less than five (5') feet. Where a useable space between a finished floor and a sloping ceiling or roof is five (5') feet or more, that space shall be a story. If the finished floor level directly above a usable or unused underfloor space is more than six (6') feet above the finished grade for more than fifty (50%) percent of the total perimeter or is more than twelve (12') feet above the finished grade at any point, such usable or unused underfloor space shall be

considered a story. (§ 2, Ord. 86-623, eff. February 6, 1986; as amended by § 1, Ord. 00-931, eff. June 8, 2000)

**Sec. 9-2.291. Street.**

"Street" shall mean any legally established access easement which provides a primary means of access to property and the right-of-way or traveled way, with any improvements, of any County road, State highway, or Forest Service System road, except an alley. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.292. Structure.**

"Structure" shall mean anything for the establishment of which the Planning and Development Agency requires a building permit. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.293. Tavern.**

"Tavern" shall mean a place where alcoholic beverages are sold to be consumed on the premises. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.294. Timber management.**

"Timber management" shall mean the growing and harvesting of trees and the processing of trees harvested from the premises. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.295. Transport station.**

"Transport station" shall mean a facility for the loading and unloading of persons or commodities from a means of transport. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.296. Undertaking.**

"Undertaking" shall mean the preparation of the dead for burial and the management of funerals. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.297. Use.**

"Use" shall mean the employment of property or a structure for a purpose and shall include all appurtenances. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.298. Used goods sales.**

"Used goods sales" shall mean sales of goods, a license for which is required by Section 5.1.301 of Article 3 of Chapter 1 of Title 5 of this Code. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.299. Vehicle sales.**

"Vehicle sales" shall mean sales of means of transport or accessory commodities. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.299.1. Vehicle service.**

"Vehicle service" shall mean service of means of transport or accessory commodities and shall include boat service. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.299.2. Veterinary service.**

"Veterinary service" shall mean a facility for the provision of medical treatment or service to animals. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.299.3. Warehousing.**

"Warehousing" shall mean the holding of commodities before distribution to retailers or to intermediaries between manufacture and sale to wholesalers or retailers. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.299.4. Wholesale commercial supply.**

"Wholesale commercial supply" shall mean a service for stocking and supplying materials, machines, and products essential to businesses or services in the vicinity. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.299.5. Wholesaling.**

"Wholesaling" shall mean the selling of commodities in large quantities, especially to retailers. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.299.6. Width.**

"Width" shall mean the average distance between the side lines of a lot. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.299.7. Wildlife management.**

"Wildlife management" shall mean the management of wildlife and its ecosystem to provide for the maintenance of desirable populations. (§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.299.8. Yard.**

"Yard" shall mean an area extending from a property line into a property, which area shall be free of buildings and any aboveground structures, except as otherwise provided by this chapter.

- (a) "Front yard" shall mean a yard measured from the front line or, if the front line is in a street, from the edge of the street.
- (b) "Rear yard" shall mean a yard measured from the rear line.
- (c) "Side yard" shall mean a yard measured from the side line.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.299.9. Zoning Administrator.**

"Zoning Administrator" shall mean the Zoning Administrator of the County.  
(§ 3, Ord. 84-593, eff. January 3, 1985)

## Article 3. Establishment of Zones

### Sec. 9-2.301. Zones enumerated.

The County is hereby divided into the following zones:

- (a) Single-Family Residential (2-R, 3-R, 7-R);
- (b) Multiple-Family Residential (M-R);
- (c) Suburban (S-1);
- (d) Secondary Suburban (S-3);
- (e) Rural (R-10);
- (f) Rural (R-20);
- (g) Core Commercial (C-1);
- (h) Periphery Commercial (C-2);
- (i) Convenience Commercial (C-3);
- (j) Recreation Commercial (R-C);
- (k) Recreation (Rec-P, Rec-1, Rec-3, Rec-10, Rec-20);
- (l) Recreation-Open Space (Rec-OS);
- (m) Heavy Industrial (I-1);
- (n) Light Industrial (I-2);
- (o) Limited Combining (Ltd);
- (p) Open Space (OS);
- (q) Lake (L);
- (r) Agricultural Preserve (AP);
- (s) General Agriculture (GA);
- (t) Timberland Production (TPZ);
- (u) General Forest (GF);
- (v) Mining (M);
- (w) Flood Plain Combining (FP);
- (x) Special Plan Combining (SP) (ScA, ScR, HA, HB);
- (y) Manufactured Home Combining (MH);
- (z) Business Exclusion Combining (BX); and
- (aa) Farm Animal Combining (F).

(§ 3, Ord. 84-593, eff. January 3, 1985; as amended by Exh. A, § 13, Ord. 99-924, eff. November 11, 1999)

### Sec. 9-2.302. Zoning Plan Maps.

- (a) The Planning and Development Agency shall maintain a County-wide set of Zoning Plan Maps which shall show the zones which apply to all property in the County.
- (b) Any change in the zones shown on the Zoning Plan Maps shall be made pursuant to the provisions of Sections 65500 *et seq.* and 65853 of the Government Code of the State.
- (c) The Planning and Development Agency shall establish and show on the Zoning Plan Maps street addresses for parcels or buildings, as necessary, and shall maintain a file of street addresses.

(§ 3, Ord. 84-593, eff. January 3, 1985)

### Sec. 9-2.303. Conformance.

No use shall be established or continued except in conformance with the provisions of this chapter.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.304. Zone boundaries.**

- (a) Boundaries of zones on the Zoning Plan Maps may be established by metes and bounds descriptions.
- (b) Boundaries of zones on the Zoning Plan Maps shown as following, approximately following, paralleling, or approximately paralleling property lines, section lines, fractional section lines, streets, railroads, the maximum inundation level of reservoirs, the mean high water lines of lakes, and elevations shall follow or parallel at the distance shown those property lines, section lines, fractional section lines, street center lines, railroad center lines, maximum inundation levels of reservoirs, mean highwater lines of lakes, and elevations.
- (c) (1) Boundaries of zones shown on the Zoning Plan Maps as following, approximately following, paralleling, or approximately paralleling the center lines of perennial streams, which center lines have been established by recorded survey, parcel map, or subdivision map, shall follow or parallel at the distance shown the established center lines.  
(2) Boundaries of zones on the Zoning Plan Maps shown as following, approximately following, paralleling, or approximately paralleling the center lines of perennial streams, which center lines have not been established by recorded survey, parcel map, or subdivision map, shall follow or parallel at the distance shown the channel center lines of the perennial streams.
- (d) (1) Boundaries of zones not described in subsection (a), (b) or (c) of this section shall be uncertain.  
(2) Upon an application for a permit, the issuance of which would be affected by an uncertain zone boundary, the Planning and Development Agency shall determine the exact location of the zone boundary, which determination may be appealed to the Board.  
(3) The Board shall determine, upon a written application, an appeal of a Planning and Development Agency determination, or on its own motion, the exact location of uncertain zone boundaries.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.305. Territoriality**

The provisions of each zone shall apply within the boundaries of that zone and shall not apply outside the boundaries of that zone.

(§ 2, Ord. 94-834, eff. June 23, 1994)

## Article 4. General Requirements

### Sec. 9-2.401. Application.

- (a) (1) The provisions of this article shall apply in all zones, except as specifically provided otherwise by this article.
- (2) Where the provisions of this article differ from those of a zone, the provisions of this article shall apply.
- (b) (1) A use defined by this chapter shall include all uses defined in terms of those uses.
- (2) The uses defined in this chapter shall include all uses which are functionally equivalent.
- (3) The Commission shall determine, upon an application, if a use is functionally equivalent to a defined use.
- (c) The express enumeration in this chapter of a use in any zone shall prohibit such use in any zone in which it is not expressly enumerated.
- (d) Any zone may establish conditions for the employment of a use.
- (e) (1) The provisions of combining zones shall apply in all zones with which combining zones are combined.
- (2) Where the provisions of a combining zone differ from those of a zone with which it is combined, the provisions of the combining zone shall apply.
- (3) Where more than one combining zone is applied, the provisions of all the combining zones shall apply, except that where the provisions of one combining zone prohibit or restrict a use permitted by another combining zone, the prohibition or restriction shall apply.

(§ 3, Ord. 84-593, eff. January 3, 1985)

### Sec. 9-2.402. General requirements enumerated.

The following general requirements are addressed in this article:

- (a) Airports;
- (b) Camp grounds;
- (c) Camping;
- (d) Easements;
- (e) Eaves and overhangs;
- (f) Fences;
- (g) Flood;
- (h) Garages and carports;
- (i) Height;
- (j) Landscaping;
- (k) Lighting facilities;
- (l) Manufactured homes and commercial coaches;
- (m) Noise;
- (n) Parking and loading;
- (o) Porches and stoops;
- (p) Public utility facilities;
- (q) Signs;
- (r) Temporary occupancy;
- (s) Timber harvesting; and
- (t) Yards.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 89-719, eff. November 2, 1989; and § 1, Ord 91-762, eff. December 13, 1991; and Exh. A, § 2, Ord. 96-873, eff. October 31, 1996; and Exh. A, § 5, Ord. 98-902, eff. September 10, 1998; and Exh. A, § 4, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.403. Airports.**

Airport surfaces, as identified in the General Plan, shall be free of man-made obstructions. Within airport zones of influence, as identified in the General Plan, only those uses which are not subject to the California Environmental Quality Act, or which are exempt from the California Environmental Quality Act, either ministerially or categorically, shall be permitted, except that dwelling units shall not be permitted.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.404. Camp grounds.**

The design of camp grounds shall conform to the following:

- (a) Maximum parcel density, 14 units per gross acre;
- (b) Minimum average site area, 1,400 square feet; and
- (c) Minimum individual site area, 1,000 square feet.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.405. Camping.**

- (a) Camping shall be prohibited within Prime Opportunity areas as designated by the General Plan, except within camp grounds.
- (b) Camping shall be permitted on all private lands not within the Prime Opportunity Areas as designated by the General Plan if all aspects of the County health regulations are met, subject to the concurrence of the property owner for no more than 120 days in a calendar year. The number of nonstructural temporary shelters and recreational vehicles used for camping on a property may be at least one and otherwise shall not exceed the number of dwelling units and additional quarters and the guest house permitted on the property by the zoning, less the number thereof on the property. Camping conducted under the provisions of this subsection shall not be a camp ground use for the purposes of this Chapter.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 3, Ord. 86-623, eff. February 6, 1986; and § 1, Ord. 91-759, eff. August 1, 1991; and Exh. A, § 2, Ord. 96-873, eff. October 31, 1996; and Exh. A, § 4, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.405.5. Easements.**

- (a) Structures shall not be constructed within easements of any kind, except,
- (b) Structures may be constructed within an easement with written permission from all parties with right of use of the easement.
- (c) It shall be the responsibility of every applicant for a building permit, at the time of making application to:
  - (1) Inform the Planning and Development Agency of the location of all easements within the building site area; and
  - (2) Submit to the Planning and Development Agency any written permission to construct within an easement from all parties with the right of use of the easement;

- (3) Inform the Planning and Development Agency of the location of all existing and proposed improvements on the property.
  - (d) The Planning and Development Agency shall have the authority to:
    - (1) Determine the manner in which the provision of information and submittal required by subsection (c) of this section shall be made; and
    - (2) Reject any provision of information and submittal made pursuant to subsection (c) of this section which it finds unacceptable.
  - (e) The accuracy of the information and submittal required by subsection (c) of this section shall be solely the responsibility of the applicant.
- (§ 1, Ord. 89-719, eff. November 2, 1989)

**Sec. 9-2.406. Eaves and overhangs.**

Eaves may extend into any required yard by not more than fifty (50%) percent.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 89-719, eff. November 2, 1989; as amended by Exh. A, § 2, Ord. 96-873, eff. October 31, 1996)

**Sec. 9-2.407. Fences.**

- (a) Fences not over six (6') feet in height may be built anywhere on a property.
- (b) Fences within ten (10') feet of a front line shall be no more than four (4') feet high on parcels zoned 2-R, 3-R, 7-R, or M-R.
- (c) Fences not over eight (8') feet in height may be built anywhere on a property zoned industrial.
- (d) Fences not over eight (8') feet in height not in an individual zone may be built subject to the yard requirements.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.407.5. Flood.**

No development permit shall be granted for any man-made change to real estate within an area of special flood hazard except in conformance with the provisions of Chapter 17 of Title 8 of this Code. No development permit for any man-made change to real estate within an area of special flood hazard shall be granted until all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law. Development permit applications shall be reviewed to determine whether proposed building sites will be reasonably safe from flooding. Building permits shall be reviewed to identify any proposed work in an area of special flood hazard and that identification shall be transmitted to the Building Official. Applications for development permits for any man-made change to real estate that is greater than fifty (50) lots or five (5) acres, whichever is the lesser, shall include base flood elevation data.

Areas of special flood hazard shall be administered as primary flood hazard areas until an engineered analysis based on a uniform procedure prescribed by the Federal Emergency Management Agency has been completed, submitted to the Federal Emergency Management Agency, reviewed and approved by the Federal Emergency Management Agency, and the appropriate amendment or revision to the Flood Insurance Rate Maps, as required by the Federal Emergency Management Agency, and copies thereof provided to the County Engineer, the Planning Director and the Building Official.



100-year flood hazard areas shall be administered as primary flood hazard areas until an engineered analysis based on a uniform procedure prescribed by the County Engineer has been completed, submitted to the County Engineer, reviewed and approved by the County Engineer, and copies provided to the County Engineer, the Planning Director and the Building Official. (Exh. A, § 6, Ord. 98-902, eff. September 10, 1998)

**Sec. 9-2.408. Garages and carports.**

- (a) **Garage and carport conversion.** Garages and carports may be converted to other uses only if they meet the yard requirements of the zone in which the garage or carport is located.
- (b) **Garages.**
  - (1) Garages shall be located no closer than forty (40') feet from the center line of the street or ten (10') feet from the front line, whichever is greater, except as set forth below.
  - (2) Garages need not be setback further than the minimum front yard for the zone in which they are located.
  - (3) Where the front yard adjoins a Class 7 road, garages shall be no closer than thirty-five (35') feet from the center line of the street or ten (10') feet from the front line, whichever is greater.
  - (4) Where the front yard adjoins a Class 8 road, garages shall be no closer than thirty (30') feet from the center line of the street or ten (10') feet from the front line, whichever is greater.
  - (5) Where the front yard adjoins a Class 9 or 10 road with a projected traffic volume of 400 ADT or less, determined as set forth in 9-4.703 of Article 7 of Chapter 4 of this Title, garages shall be no closer than thirty (30') feet from the center line of the street or ten (10') feet from the front line, whichever is greater.
- (c) **Carports.**
  - (1) Carports shall be located not closer than thirty (30') feet from the center line of the street, except as set forth below.
  - (2) Carports need not be setback further than the minimum front yard for the zone in which they are located.
  - (3) Where the front yard adjoins a Class 7 road, carports shall be no closer than twenty-five (25') feet from the center line of the street.
  - (4) Where the front yard adjoins a Class 8 road, carports shall be no closer than twenty (20') feet from the center line of the street.
  - (5) Where the front yard adjoins a Class 9 or 10 road with a projected traffic volume of 400 ADT or less, determined as set forth in 9-4.703 of Article 7 of Chapter 4 of this Title, carports shall be no closer than twenty (20') feet from the center line of the street.
  - (6) In no case shall a carport extend beyond the front line.
- (d) **Roof shedding.** In no case shall the roof of a garage or carport shed onto the road right-of-way.

(§ 3, Ord. 84-593, eff. January 3, 1985; as amended by § 3, Ord. 86-623, eff. February 6, 1986; § 1, Ord. 89-719, eff. November 2, 1989; § 1, Ord. 90-730, eff. July 19, 1990; Exh. A, § 2, Ord. 96-873, eff. October 31, 1996; and Exh. A, § 3, Ord. 99-915, eff. June 3, 1999 )

**Sec. 9-2.409. Height.**

Chimneys or flues which are part of a dwelling unit may exceed the zoning height limit by no more than five (5') feet.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.410. Landscaping.**

When parking lots of five (5) or more spaces are required, an area equal to a minimum of ten (10%) percent of the required parking lot area shall be landscaped. Landscaping requirements may be modified as necessary by the Planning Director.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.411. Lighting facilities.**

All lighting facilities shall be so installed as to focus away from adjoining properties.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.412. Mobile homes.**

Manufactured homes certified under the National Mobile Home Construction and Safety Standards of 1974 (42 U.S.C. Section 5401, *et seq.*) and commercial coaches may be installed on a foundation system pursuant to Section 18551 of the Health and Safety Code, in all zones, subject to the requirements of the zones and subject to meeting snow load requirements in themselves.

When manufactured homes are a permitted use or permitted subject to issuance of a planned development permit, they may be installed on a support system. Manufactured homes and commercial coaches that are placed or substantially improved within an area of special flood hazard shall be elevated on a foundation system pursuant to Section 18551 of the Health and Safety Code such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and shall be securely anchored to an adequately anchored foundation system to resist flotation collapse and lateral movement.

A manufactured home or commercial coach kept on a property shall be installed as provided under Title 8 of this Code, or shall be a unit of a mobile home park licensed by the State or shall be part of a storage use or prefabricated building sales use.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 89-719, eff. November 2, 1989; and by Exh. A, § 6, Ord. 98-902, eff. September 10, 1998; and Exh. A, § 4, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.413. Noise.**

(a) New uses shall not increase off-site noise to a level which exceeds the ambient noise level for the specific land use area.

(b) The establishment of noise sensitive uses, as identified within the General Plan, shall be prohibited within industrial protection zones, as established by the General Plan.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.414. Parking and loading.**

(a) **Application.** Listed in this section are the minimum off-street parking requirements. Uses involving the receipt and distribution of materials shall be subject to the minimum loading space requirements. Where parking and loading requirements cannot be based

solely upon the uses listed, the Planning Director shall determine the requirements or the additional requirements. Any parking and loading requirements may be modified, as necessary, by the Planning Director.

- (b) **Number of spaces.** Off-street parking spaces shall be provided at the rates set forth below:

<u>Basis</u>	<u>Parking Spaces</u>
Dwelling units	Two
Additional quarters	One
Guest houses	One
Employees	One for each of the employees working at one time
Seating	One for every four seats, or fraction thereof
Sales and service floor areas	One for each 500 square feet, or fraction thereof
Boat ramps	Twenty

Loading Spaces

Any of floor, storage or merchandise areas or combinations thereof	One for each 5,000 square feet, or fraction thereof
--	---

- (c) **Design.**

- (1) **Parking lots.** The following shall be the minimum parking lot design standards:

Angle of Space	Parking Space Dimensions		Maneuvering Aisle Width	
	Depth	Width Perpendicular to Depth	One-Way	Two-Way
0o (Parallel)	8'	20'	12'	22'
45o	16'	12'	15'	22'
60o	18'	10'	20'	22'
90o (Perpendicular)	18'	9'	27'	27'

All maneuvering aisles shall be off-street. When five (5) or more spaces are required, maneuvering aisles and all required parking spaces shall be provided off-street and on-site. When four (4) or fewer spaces are required, the requirement for off-street parking shall be waived if the property has sufficient street frontage to provide for the number of waived spaces; except that off-street parking required for dwelling units, additional quarters and guest houses shall not be waived. When off-street parking of four (4) or fewer spaces is provided, maneuvering aisles shall be provided. Maneuvering aisles shall not be required for off-street parking required for dwelling units, additional quarters and guest houses when four (4) or fewer spaces are required. Maneuvering aisles shall be required for off-street parking required for dwelling units, guest houses and additional quarters when five (5) or more spaces are required. All spaces shall have unimpeded access. Where parking rows opposite each other are of different angles and share the same maneuvering aisle, the greater of two (2) required widths shall be used.

All spaces along property lines shall have a minimum six (6") inch by six (6") inch raised curb or equivalent barrier precluding entry from other property or from streets not used for maneuvering.

- (2) **Loading spaces.** The following shall be the minimum loading space design standards:

Use	Width	Depth	Clearance Height
Commercial	10'	35'	14'
Industrial	10'	50'	14'

Exits from loading spaces onto streets shall not be made by backing, and entries to loading spaces shall not be made by maneuvering in the traveled way of the street.

- (3) **Boat ramps.** Boat ramp parking spaces shall be thirty-five (35') feet long.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-759, eff. August 1, 1991)

**Sec. 9-2.414.5 Porches and stoops.**

- (a) **Porch and stoop conversion.** Porches and stoops may be converted to other uses only if they meet the yard requirements of the zone in which the porch or stoop is located.

- (b) **Porch and stoop yards.**

- (1) Porches and stoops shall be located not closer than forty (40') feet from the center line of the street or ten (10') feet from the front line, whichever is greater, except as set forth below.
- (2) Porches and stoops need not be setback further than the minimum front yard for the zone in which they are located.
- (3) Where the front yard adjoins a Class 7 road, porches and stoops shall be no closer than thirty-five (35') feet from the center line of the street or ten (10') feet from the front line, whichever is greater.
- (4) Where the front yard adjoins a Class 8 road, porches and stoops shall be no closer than thirty (30') feet from the center line of the street or ten (10') feet from the front line, whichever is greater.
- (5) Where the front yard adjoins a Class 9 or 10 road with a projected traffic volume of 400 ADT or less, determined as set forth in 9-4.703 of Article 7 of Chapter 4 of this Title, porches and stoops shall be no closer than thirty (30') feet from the center line of the street or ten (10') feet from the front line, whichever is greater.

- (c) In no case shall the roof of a porch shed onto the road right-of-way.

(Exh. A, § 12, Ord. 96-873, eff. October 31, 1996; as amended by Exh. A, § 4 of Ord. 99-915, eff. June 3, 1999)

**Sec. 9-2.415. Public utility facilities.**

Underground public utility facilities shall be permitted in all zones except the Open Space Zone (OS).

The provisions of this chapter shall not apply to public utility transmission and distribution lines, towers, and poles, except that the routes of all proposed overhead transmission lines shall be submitted to the Commission for recommendation and approval prior to the acquisition of rights-of-way therefore.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.416. Signs.**

(a) **General applications.**

(1) **Area.**

- (i) The face area of a sign attached flush to a building or fence shall be that area within the boundary of a simple plane which encompasses all characters and intervening voids.
- (ii) The face area of a freestanding sign or a sign projecting at an angle from a building shall be the total area of the sign structure.
- (iii) The total face area of a sign with two (2) parallel faces shall be that of one face.

(2) **Height.** A sign shall not exceed the maximum building height for the zone in which it is located.

(3) **Maintenance.** All signs shall be maintained in a safe and readable condition and shall advertise a valid operating activity, which shall include seasonal activities. A sign shall be considered unreadable when twenty (20%) percent or more of the face is removed or indistinguishable. Any sign for which the owner receives a notice from the Planning Director that such sign is in an unsafe or unreadable condition or is advertising a nonfunctioning activity shall be brought into conformity with the provisions of this chapter and the terms of such notice within thirty (30) days after the receipt of such notice or shall be removed.

(4) **Exemptions.** The following signs shall not be subject to the provisions of this chapter:

- (i) Signs which are not visible from off the property;
- (ii) Window displays;
- (iii) Official notices issued by a court, public body, or officer;
- (iv) Directional, warning, or information signs or structures required or authorized by law or by Federal, State, County, or City authority; and
- (v) Support structures for nameplates.

(5) **Prohibitions.** No moving or noise-making device, flag, or any moving or flashing light, except time and temperature signs, shall be used for advertising, attracting attention to a sign or business, or as a promotional sign, except that flags may be used as promotional signs. Off-premises business or advertising signs shall not be permitted in any zone.

(b) **Specific applications.**

(1) **Business signs:**

- (i) Shall be subject to the requirements of the zones in which they are permitted;

- (ii) The building front by which the permitted sign area is determined shall be the area encompassed by the visual perimeter of that plane parallel to the street onto which the visible surface of the building can be projected;
  - (iii) The permitted signage may be attached to the building, freestanding or both, and shall be located on the building frontage from which the sign area was calculated or in the yard of such street; and
  - (iv) Shall require the approval of the Planning Director or his representative.
- (2) **Community identification signs:**
- (i) Shall be permitted subject to the issuance of a special use permit in all zones except the Open Space Zone (OS) and Timberland Production Zone (TPZ); and
  - (ii) Shall not exceed 200 square feet; and
  - (iii) May include identification of services provided in a generic manner or by name. Such identification shall not exceed 33% of the total sign area; and
  - (iv) Shall be consistent with the character and aesthetics of the area in which located.
- (3) **Community organization signs:**
- (i) Shall be permitted subject to the issuance of a special use permit in all zones except the Open Space Zone (OS) and Timberland Production Zone (TPZ); and
  - (ii) Shall be limited in number to no more than four (4) per town or community.
- (4) **Construction signs:**
- (i) One shall be permitted on any property for which a building permit has been issued;
  - (ii) Shall not exceed an area of thirty-two (32) square feet;
  - (iii) Shall be removed upon the issuance of a certificate of occupancy by the Building Official; and
  - (iv) Shall require the approval of the Planning Director or his representative.
- (5) **Home business and industry signs:**
- (i) One shall be permitted for each permitted home business or home industry; and
  - (ii) Shall not exceed an area of six (6) square feet.
- (6) **Nameplates:**
- (i) One shall be permitted for each permitted dwelling unit; and
  - (ii) Shall not exceed an area of six (6) square feet.
- (7) **Promotional signs:**
- (i) Shall be permitted on the site of the special event; off-site, except for business special events; on or in windows; and on permanent bulletin boards;
  - (ii) Shall be in place for no more than thirty (30) days; and
  - (iii) The use of flags for business special events shall be limited to thirty (30) days in any one season of the year, the seasons being spring (March, April and May), summer (June, July and August), fall (September, October and November), and winter (December, January and February); provided, however, a minimum of one week shall transpire between seasonal use.
- (8) **Real Estate signs:**
- (i) Shall be permitted on a property for sale, lease, or rent; and
  - (ii) Each shall not exceed an area of six (6) square feet.

(9) **Subdivision signs:**

- (i) Two (2) shall be permitted within any subdivision;
- (ii) The aggregate area of the signs shall not exceed 200 square feet;
- (iii) Shall be removed when the original sales program has resulted in the sale of ninety (90%) percent of the lots within the subdivision; and
- (iv) Shall require the approval of the Planning Director or his representative.
- (v) Shall be permitted, subject to issuance of a special use permit, outside the subdivision if the subdivision does not contain or abut a County road or State highway. The signs shall be permitted where the road which provides access to the subdivision from a County road or State highway by the shortest surface distance intersects with the County road or State highway, shall be within the easement for that road and outside the right-of-way of the County road or State highway, and shall be consistent with character and aesthetics of the area in which located.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 93-817, eff. November 11, 1993, as amended by § 1, Ord. 02-969, eff. June 13, 2002)

**Sec. 9-2.417. Temporary occupancy.**

- (a) **Construction.** A manufactured home, recreational vehicle, or appurtenant building may be used in lieu of a building in any zone for a period not to exceed (18) months while a permitted building is being constructed or for a period of six (6) months while a permitted mobile home is being installed, commencing with issuance of a building permit or a manufactured home installation permit.
- (b) **Construction offices and equipment storage.** Temporary structures, recreational vehicles, commercial coaches or manufactured homes may be used for construction offices and equipment storage for the duration of the construction.
- (c) **Emergency services.** Temporary occupancies, recreational vehicles, commercial coaches or manufactured homes may be used for the provision of emergency services for the duration of the emergency.
- (d) **Real estate offices.** Temporary occupancies, commercial coaches, manufactured homes, garages, or model homes may be used as real estate offices within a subdivision in any residential land use zone for the purpose of selling the lots of such subdivision provided such use is discontinued when the original sales program has resulted in the sale of ninety (90%) percent of the lots in the subdivision and that no more than one temporary real estate office is allowed per subdivision.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended § 1, Ord. 89-719, eff. November 2, 1989; and § 1, Ord. 91-750, eff. April 4, 1991; and Exh. A, § 4, Ord. 99-924, eff. November 11, 1999)

**Sec. 9-2.418. Timber harvesting.**

Commercial timber harvesting shall be permitted in all zones except the Open Space Zone (OS) subject to the requirements of the Forest Practices Act and any ordinance adopted by the County for the protection of the public health, safety, and general welfare of the community.

(§ 3, Ord. 84-593, eff. January 3, 1985)

**Sec. 9-2.419. Yards.**

- (a) Yard requirements for parcels of one acre or more shall be:
  - (1) The minimum front yard requirement shall be not less than required in the applicable zone and Section 9-2-408, Garages and carports, and Section 9-2-414.5, Porches and stoops, of this Article; but in no case shall the minimum front yard requirement be less than thirty (30') feet from the center line of the street; and
  - (2) The minimum side and rear yard requirements shall be at least thirty (30') feet, or, if any of the following are met, that provided by the applicable zone:
    - (i) If the property is served by a community water system which provides a 2-hour fireflow plus 8-hour average domestic needs and if the 2-hour fireflow provided is 750 gallons per minute when the property is zoned for a density of 2 dwelling units per acre or less, or if the 2-hour fireflow provided is 1,000 gallons per minute when the property is zoned for a density greater than 2 dwelling units per acre or for commercial, industrial, or recreational use; and if the property is within a district which provides fire protection and which has an ISO class of 9 or better.
    - (ii) If, for all construction within 30 feet of the side or rear property line, roofs are Class A, exclusive of wood, as defined by the Uniform Building Code or if roofs are metal, tile, or concrete; and if construction conforms with the Uniform Fire Code; and if all exterior surfaces, excluding doors and windows, are made of materials which provide not less than one hour of fire resistance (conforming to Table 43-B of the Uniform Building Code); or,
    - (iii) Where the property owner has the right, through easement or similar entitlement, to meet on adjoining property the minimum 30 foot clearance standards of Public Resources Code Section 4291; or
    - (iv) Where a side or rear property line is contiguous to a street the improvements of which provide an area which meets the minimum 30 foot clearance standards of Public Resources Code Section 4291; or
    - (v) Where a side or rear property line is contiguous to a stream, lake, other body of water or wetland which provides an area which meets the minimum 30 foot clearance standards of Public Resources Code Section 4291.
- (b) Yard requirements for parcels of less than one acre shall be:
  - (1) The minimum front yard requirement shall be not less than required in the applicable zone and Section 9-2.408, Garages and carports, and Section 9-2.414.5, Porches and stoops, of this Article; but in no case shall the minimum front yard requirement be less than thirty (30') feet from the center line of the street; and
  - (2) The minimum side and rear yard shall be thirty (30') feet, or, if any of the following are met, that provided by the applicable zone:
    - (i) If the property is served by a community water system which provides a 2-hour fireflow plus 8-hour average domestic needs and if the 2-hour fireflow provided is 750 gallons per minute when the property is zoned for a density of 2 dwelling units per acre or less, or if the 2-hour fireflow provided is 1,000 gallons per minute when the property is zoned for a density greater than 2 dwelling units per acre or for commercial, industrial, or recreational use; or,



- (ii) If, for all construction within 30 feet of the side or rear property line, roofs are Class A, exclusive of wood, as defined by the Uniform Building Code or if roofs are metal, tile or concrete. If construction conforms with the Uniform Fire Code; and if all exterior surfaces, excluding doors and windows, are made of materials which provide not less than one hour of fire resistance (conforming to Table 43-B of the Uniform Building Code); or,
- (iii) If 2,500 gallons of water are provided for each dwelling unit with provisions for fire engine filling approved by the entity responsible for fire protection; or,
- (iv) If the property is within a district which provides fire protection and which has an ISO Class of 9 or better.
  
- (v) Where the property owner has the right, through easement or similar entitlement, to meet on adjoining property the minimum 30 foot clearance standards of Public Resources Code Section 4291; or
- (vi) Where a side or rear property line is contiguous to a street the improvements of which provide an area which meets the minimum 30 foot clearance standards of Public Resources Code Section 4291; or
- (vii) Where a side or rear property line is contiguous to a stream, lake, other body of water or wetland which provides an area which meets the minimum 30 foot clearance standards of Public Resources Code Section 4291.

(§ 1, Ord. 91-762, eff. December 13, 1991, as amended by § 1, Ord. 94-833, eff. June 23, 1994; as amended by § 1, Ord. 04-998, eff. Feb. 5, 2004.)

## Article 5. Nonconforming Structures and Uses

### Sec. 9-2.501. Purpose.

The purpose of this article is to regulate the use of structures and land which were lawfully established prior to the adoption of the applicable provisions of this chapter but which would be prohibited, regulated, or restricted under the terms of this chapter or a future amendment to this chapter. (§ 4, Ord. 86-623, eff. February 6, 1986)

### Sec. 9-2.502. General provisions.

- (a) **Issuance of building permits.** Nothing in this chapter shall be deemed to require a change in the plans, construction, or designated use of any building for which a valid, unrevoked building permit has been issued by the Planning and Development Agency.
- (b) **Lawful nonconforming uses.** A use shall be a lawful nonconforming use if:
  - (1) It was established in a manner conforming with any zoning of the County in effect at the time of establishment; and
  - (2) The use existed at the time of adoption of any subsequent zoning law of the County which made it nonconforming.
  - (3) It shall be the responsibility of the owner or user to provide evidence of lawful nonconformance.
- (c) **Effect of zoning regulations.** The passage and adoption of this article shall not be construed to make conforming a use of land or structure which was nonconforming as determined by the regulations of the zoning regulations in effect at the time of the establishment of such use of land or structure.
- (d) **Continuance.**
  - (1) The unlawful nonconforming use of land or structures shall be discontinued or brought into conformity, and unlawful nonconforming structures shall be removed or brought into conformity.
  - (2) Lawful nonconforming structures and the lawful nonconforming use of land or structures may be continued, unless otherwise restricted.
  - (3) The lawful nonconforming use of land or structures, if discontinued, for a period of one year, may be resumed only upon the issuance of a special use permit.

(§ 4, Ord. 86-623, eff. February 6, 1986, as amended by § 1, Ord. 89-719, eff. November 2, 1989, and § 1, Ord. 92-800, eff. January 21, 1993)

### Sec. 9-2.503. Nonconforming structures.

- (a) **Repair, maintenance, and internal alterations.** A lawful nonconforming structure may be repaired, maintained, or altered internally, unless otherwise restricted.
- (b) **Restoration.** A lawful nonconforming structure which is damaged to an extent which does not permit use for the intended purpose may be restored either within one year after the occurrence of the damage or upon the issuance of a special use permit.
- (c) **Enlargement.**
  - (1) A structure, lawfully nonconforming as to yard requirements, height, or lot coverage, may not be added to or enlarged unless the additions and enlargements are made in conformance with the regulations of the applicable zone or upon the issuance of a variance.
  - (2) A structure, lawfully nonconforming for reasons other than those set forth in subsection (1) of this subsection, may be added to or enlarged upon the issuance of a special use permit.

- (d) **Relocation.** A lawful nonconforming structure shall not be moved to any other lot or to any other portion of the lot on which it is presently located unless, as a result of the move, the structure shall conform with the regulations of the zone in which the structure will be located after the move. (§ 4, Ord. 86-623, eff. February 6, 1986)

**Sec. 9-2.504. Nonconforming use of structures.**

(a) **Expansion**

- (1) A lawful nonconforming use may be expanded within the structure upon the issuance of a special use permit.
- (2) A structure containing a lawful nonconforming use may be added onto or enlarged to expand the lawful nonconforming use upon issuance of a special use permit.

- (b) **Change in use.** The lawful nonconforming use of a structure may be changed to another use which is functionally equivalent upon issuance of a special use permit.

(§ 4, Ord. 86-623, eff. February 6, 1986, as amended by Ord. 86-643, eff. November 6, 1986)

**Sec. 9-2.505. Nonconforming use of land with no structures.**

- (a) **Expansion.** A lawful nonconforming use of land with no structures shall not be expanded or increased to occupy a greater land area either on the same or adjoining property nor shall the intensity of the existing use be increased, except that occupation of a greater land area or an increase in intensity may be permitted upon issuance of a special use permit.

- (b) **Changes in use.** The lawful nonconforming use of land with no structures may be changed to another use which is functionally equivalent upon issuance of a special use permit.

(§ 4, Ord. 86-623, eff. February 6, 1986, as amended by Ord. 86-643, eff. November 6, 1986)

**Sec. 9-2.506. Nonconforming use of land with structures.**

- (a) **Uses involving both land and structures.** A use involving both land and structure shall be considered as one use.

(b) **Expansion.**

- (1) That portion of a lawful nonconforming use outside of a structure shall not be expanded or increased to occupy a greater land area, either on the same or adjoining property, nor shall the intensity of the existing use be increased, except upon the issuance of a special use permit.
- (2) A structure within the land area of the lawful nonconforming use may be added to or enlarged under any of three circumstances. Under any other circumstances, a structure within the land area of a lawful nonconforming use shall not be added to or enlarged. The three circumstances are:
  - (i) If the addition or enlargement would not result in the occupation of a greater land area.
  - (ii) If the addition or enlargement would not result in an increase in the intensity of the use.
  - (iii) If a special use permit is issued for the addition or enlargement.

(§ 4, Ord. 86-623, eff. February 6, 1986; as amended by Exh. A, § 7, Ord. 99-915, eff. June 3, 1999)

**Sec. 9-2.507. Nonconforming off-street parking and loading.**

Where off-street parking and loading in connection with use at the time this chapter became effective is insufficient to meet the requirements of Section 9-2.414 of Article 4 of this chapter, either:

- (a) The use shall not be altered or enlarged unless the required additional parking and loading spaces are provided to meet such requirements, notwithstanding the other provisions of this article and chapter; or
- (b) The use may be altered or enlarged upon issuance of a special use permit if it can be found that the alteration or enlargement:
  - (1) Will not result in a greater intensity of use; and
  - (2) Will not create a need for additional off-street parking and loading; and
  - (3) Will not lessen the existing off-street parking and loading.

(§ 4, Ord. 86-623, eff. February 6, 1986, as amended by Ord. 86-643, eff. November 6, 1986)

**Sec. 9-2.508. Historical Buildings and uses**

A use, or functional equivalent of a use, previously conducted in a building identified in the General Plan as a historical building, may be resumed in that building upon the issuance of a special use permit:

- (a) If it was established in a manner conforming with any zoning of the County in effect at the time of establishment; and
- (b) Even if the use did not exist at the time of adoption of any subsequent zoning law of the County which would have made it nonconforming.

(§ 2, Ord. 92-800, eff. January 21, 1993).