

Article 30. Agricultural Preserve Zone (AP)

Sec. 9-2.3001. Purpose (AP).

The purpose of the Agricultural Preserve Zone (AP) is to provide land use regulations consistent with the intent of the Plumas County Williamson Act program for agricultural preserves. (§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3002. Uses (AP).

- (a) The following uses shall be permitted in the Agricultural Preserve Zone (AP):
 - (1) Agriculture, timber management, agricultural product sales, animal breeding and boarding, and employee housing;
 - (2) One dwelling unit; and
 - (3) Child day care homes and limited child day care homes.
- (b) The following uses shall be permitted subject to the issuance of a special use permit:
 - (1) Mining, limited electric generation, public utility facilities, public service facilities, wildlife management, transport stations, agricultural auction yards, outdoor shooting ranges, hunting clubs, and bed and breakfast inns; and
 - (2) Recreational uses, but not limited to walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided for public participation.

(§ 3, Ord. 84-593, eff. Jan. 3, 1985, as amended by § 1, Ord. 85-613, eff. August 15, 1985, and § 23, Ord. 86-623, eff. Feb. 6, 1986, and § 1, Ord. 2004-1018, eff. Dec. 2, 2004)

Sec. 9-2.3003. Height (AP).

No structure in the Agricultural Preserve Zone (AP) shall exceed sixty (60') feet in height, except for dwelling units, which shall not exceed thirty-five (35') feet, and windmills, silos, elevators, and barns, which may be any height. (§ 3, Ord. 84-593, eff. January 3, 1985)

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

- (a) The minimum gross lot area in the Agricultural Preserve Zone (AP) shall be eighty (80) acres, except as provided in subsection (b) of this section.
- (b) The minimum gross lot area shall be ten (10) acres solely where the primary use is an agricultural auction yard with no dwelling unit permitted.
- (c) When a parcel resulting from a lot line adjustment contains an area zoned Agricultural Preserve Zone (AP), that area shall be at least the minimum area required by subsections (a) or (b) of this section, as applicable, or the lot line adjustment shall be denied.

(§ , Ord. 84-593, eff. Jan. 3, 1985, as amended by § 3, Ord. 94-834, eff. June 23, 1994)

Sec. 9-2.3005. Yards (AP).

The minimum yard requirements in the Agricultural Preserve Zone (AP) shall be:

- (a) Front yards: Not less than twenty (20') feet; and
- (b) Side and rear yards: Not less than five (5') feet; except

- (c) The minimum yard requirements shall be increased as provided in Section 9-2-419, Yards, of Article 4, General Requirements, of this Chapter, except as they may be reduced to the requirements of this Section under Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter. (§ 3, Ord. 84-593, eff. Jan. 3, 1985, as amended by § 1, Ord. 91-762, eff. Dec. 13, 1991; and § 17, Ord. 04-998, eff. Feb. 5, 2004)

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

Parking and loading in the Agricultural Preserve Zone (AP) shall be as required by Section 9-2.414 of the Article 4 of this chapter (General Requirements: Parking and loading). (§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3007. Signs (AP).

- (a) Signs in the Agricultural Preserve Zone (AP) shall be as permitted by Section 9-2.416 of Article 4 of this chapter (General Requirements: Signs).
 - (b) Business signs shall not exceed thirty-two (32) square feet.
- (§ 3, Ord. 84-593, eff. January 3, 1985)

Article 31. General Agriculture Zone (GA)

Sec. 9-2.3101. Purpose (GA).

The purpose of the General Agriculture Zone (GA) is to protect and preserve for present and future utilization commercially viable important agriculture resource production areas.

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

Sec. 9-2.3102. Uses (GA).

- (a) The following uses shall be permitted in the General Agriculture Zone (GA):
 - (1) Agriculture, timber management, wildlife management, agricultural product sales, animal breeding and boarding, and employee housing;
 - (2) One dwelling unit and, on any parcel of eighty (80) acres or more, one additional dwelling unit; and
 - (3) Child day care homes, limited child day care homes, and home businesses.
- (b) The following uses shall be permitted subject to the issuance of a special use permit:
 - (1) Mining, limited electric generation, home industry, public utility facilities, public service facilities, agricultural auction yards, transport stations, veterinary services, outdoor shooting ranges, and hunting clubs; and
 - (2) On land of a soil type not suitable for identification as an important agricultural area, non-commercial campgrounds, recreation facilities, and resorts.
- (c) The following uses shall be permitted subject to the issuance of a planned development permit:
 - (1) Dwelling units at the ratio of up to one per each forty (40) acres of lot area.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 24, Ord. 86-623, eff. February 6, 1986; and § 6, Ord. 96-873, eff. October 31, 1996)

Sec. 9-2.3103. Height (GA).

No structure in the General Agriculture Zone (GA) shall exceed sixty (60') feet in height, except for dwelling units, which shall not exceed thirty-five (35') feet, and windmills, silos, elevators, and barns, which may be any height.

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

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

- (a) The minimum gross lot area in the General Agriculture Zone (GA) shall be forty (40) acres.
- (b) The minimum width shall be 300 feet.
- (c) When a parcel resulting from a lot line adjustment contains an area zoned General Agriculture Zone (GA), that area shall be of at least the minimum area required by subsection (a) of this section, or the lot line adjustment shall be denied.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 4, Ord. 94-834, eff. June 23, 1994).

Sec. 9-2.3105. Yards (GA).

The minimum yard requirements in the General Agriculture Zone (GA) shall be:

- (a) Front yards: Not less than twenty (20') feet; and
- (b) Side and rear yards: Not less than five (5') feet; except
- (c) The minimum yard requirements shall be increased as provided in Section 9-2-419, Yards, of Article 4, General Requirements, of this Chapter, except as they may be reduced to the requirements of this Section under Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-762, eff. December 13, 1991; and § 18, Ord. 04-998, eff. Feb. 5, 2004)

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

Parking and loading in the General Agriculture Zone (GA) shall be as required by Section 9-2.414 of Article 4 of this chapter (General Requirements: Parking and loading).

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

Sec. 9-2.3107. Signs (GA).

- (a) Signs in the General Agriculture Zone (GA) shall be as permitted by Section 9-2.416 of Article 4 of this chapter (General Requirements: Signs).

- (b) Business signs shall not exceed thirty-two (32) square feet.

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

Article 32. Timberland Production Zone (TPZ)

Sec. 9-2.3201. Purpose (TPZ).

The purpose of this article is to provide a zoning district consistent with the mandates of the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976 encouraging the protection of immature trees and restricting the use of timberland to the production of timber products and compatible uses.

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

Sec. 9-2.3202. Uses (TPZ).

The following uses shall be permitted in the Timberland Production Zone (TPZ):

- (a) The growing and harvesting of timber, including Christmas trees, and measures to protect such timber;
- (b) The following uses, except in specific instances where such a use would significantly detract from the use of property for the uses set forth in subsection (a) of this section:
 - (1) Management for watershed;
 - (2) Management for fish and wildlife habitat and hunting and fishing;
 - (3) Uses integral to the uses set forth in subsection (a) of this section, including forest management roads, log landings, log storage areas, and temporary portable wood processing equipment;
 - (4) Management for the use of other natural resources where less than three (3) acres of land is converted to non-timberland use and hydroelectric generation subject to site development review as set forth in Article 11.3 of this chapter;
 - (5) Grazing;
 - (6) Public utility facilities as permitted by Section 9-2.415 of Article 4 of this chapter;
 - (7) A residence or other structure necessary for the management of a parcel zoned as timberland production if such parcel is 160 acres or greater in size; child day care homes; and limited child day care homes; and
 - (8) Where a single parcel is partially zoned timberland production and agricultural, structures necessary for the management of agricultural land may be located within the timberland production area; and
- (c) Subject to the issuance of a special use permit:
 - (1) Public service facilities.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 25, Ord. 86-623, eff. February 6, 1986)

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

Lands meeting one of the following criteria shall be zoned Timberland Production Zone (TPZ):

- (a) Parcels shown on Lists A or B and which are found to meet the specifications of the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976; or
- (b) Parcels petitioned for inclusion which satisfy all of the following criteria:
 - (1) A map has been prepared showing the legal description or the Assessor's parcel number of the property desired to be zoned;
 - (2) A forest management plan has been prepared or approved by a registered professional forester providing for timber harvest within a reasonable period of time;
 - (3) Timber stocking standards of the Forest Practices Act and the Forest Practice Rules of the State Board of Forestry are met or will be met within five (5) years as secured by agreement;

- (5) The average timber site is III or higher according to the site rating system of the State Board of Forestry; and
- (6) The currently existing uses on the parcel are permitted uses as set forth in Section 9-2.3202 of this article.

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

Sec. 9-2.3204. Area (TPZ).

Parcels zoned as Timberland Production Zone (TPZ) shall not be divisible into parcels containing less than forty (40) acres, unless:

- (a) Four-fifths (4/5) of the members of the Board find that a proposed division is in the public interest; and
- (b) The original owner prepares a joint timber management plan prepared or approved as to content by a registered professional forester for the parcels to be created. The joint timber management plan shall provide for the management and harvesting of timber by the original owner and any subsequent owners, and shall be recorded with the County Recorder as a deed restriction on all newly-created parcels, and shall be subject to all the other provisions of the Forest Taxation Reform Act of 1976, in addition to the normal requirements of this chapter.

When a parcel resulting from a lot line adjustment contains an area zoned Timberland Production Zone (TPZ), that area shall be of at least the minimum area required by this section, or the lot line adjustment shall be denied.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 5, Ord. 94-834, eff. June 23, 1994).

Sec. 9-2.3205. Rezoning (TPZ).

Any rezoning of land from Timberland Production Zone (TPZ) to another zoning district classification shall be in conformance with the requirements of the Forest Taxation Reform Act of 1976, in addition to the normal requirements of this chapter.

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

Sec. 9-2.3206. Height (TPZ).

No structure in the Timberland Production Zone (TPZ) shall exceed sixty (60') feet in height, except for dwelling units, which shall not exceed thirty-five (35') feet.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-2.3207. Yards (TPZ).

The minimum yard requirements in the Timberland Production Zone (TPZ) shall be:

- (a) Front yards: Not less than twenty (20') feet; and
- (b) Side and rear yards: Not less than five (5') feet; except
- (c) The minimum yard requirements shall be increased as provided in Section 9-2-419, Yards, of Article 4, General Requirements, of this Chapter, except as they may be reduced to the requirements of this Section under Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter.

(§ 1, Ord. 91-762, eff. December 13, 1991; and § 19, Ord. 04-998, eff. Feb. 5, 2004)

Article 33. General Forest Zone (GF)

Sec. 9-2.3301. Purpose (GF).

The purpose of the General Forest Zone (GF) is to protect and preserve for present and future utilization commercially viable important timber resource production areas not in the Timberland Production Zone (TPZ).

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

Sec. 9-2.3302. Uses (GF).

(a) The following uses shall be permitted in the General Forest Zone (GF):

- (1) Timber management, agriculture, wildlife management, and animal breeding and boarding;
- (2) One dwelling unit and, on any parcel of eighty (80) acres or more, one additional dwelling unit; and
- (3) Child day care homes, limited child day care homes, and home businesses.

(b) The following uses shall be permitted subject to the issuance of a special use permit:

- (1) Mining, limited electric generation, home industry, public utility facilities, public service facilities, outdoor shooting ranges, and hunting clubs.

(c) The following uses shall be permitted subject to the issuance of a planned development permit:

- (1) Dwelling units at the ratio of up to one per each forty (40) acres of lot area.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 26, Ord. 86-623, eff. February 6, 1986; and Exh. A, § 7, Ord. 96-873, eff. October 31, 1996)

Sec. 9-2.3303. Height (GF).

No structure in the General Forest (GF) shall exceed sixty (60') feet in height, except for dwelling units, which shall not exceed thirty-five (35') feet.

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

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

(a) The minimum gross lot area in the General Forest Zone (GF) shall be (40) acres.

(b) The minimum width shall be 300 feet.

(c) When a parcel resulting from a lot line adjustment contains an area zoned General Forest Zone (GF), that area shall be of at least the minimum area required by subsection (a) of this section, or the lot line adjustment shall be denied.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 6, Ord. 94-834, eff. June 23, 1994).

Sec. 9-2.3305. Yards (GF).

The minimum yard requirements in the General Forest Zone (GF) shall be:

(a) Front yards: Not less than twenty (20') feet; and

(b) Side and rear yards: Not less than five (5') feet; except

(c) The minimum yard requirements shall be increased as provided in Section 9-2-419, Yards, of Article 4, General Requirements, of this Chapter, except as they may be reduced to the requirements of this Section under Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-762, eff. December 13, 1991; and § 20, Ord. 04-998, eff. Feb. 5, 2004)

Sec. 9-2.3306. Parking and loading (GF).

Parking and loading in the General Forest Zone (GF) shall be as required by Section 9-2.414 of Article 4 of this chapter (General Requirements: Parking and loading).

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

Sec. 9-2.3307. Signs (GF).

(a) Signs in the General Forest Zone (GF) shall be as permitted by Section 9-2.416 of Article 4 of this chapter (General Requirements: Signs).

(b) Business signs shall not exceed thirty-two (32) square feet.

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

Article 34. Mining Zone (M)

Sec. 9-2.3401. Purpose (M).

The purpose of the Mining Zone (M) is to provide for the utilization of commercially viable prime mining resources and to permit no use which will preclude the extraction of materials.

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

Sec. 9-2.3402. Uses (M).

(a) The following uses shall be permitted in the Mining Zone (M):

(1) Mining, agriculture, timber management, hydroelectric generation, water impoundment, public utility facilities, animal breeding and boarding, and limited electric generation;

(2) One dwelling unit; and

(3) Child day care homes and limited child day care homes.

(b) The following uses shall be permitted subject to site development review as set forth in Article 11.3 of this chapter:

(1) Hydroelectric generation.

(c) The following uses shall be permitted subject to the issuance of a special use permit:

(1) Recreation facilities and public service facilities.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 27, Ord. 86-623, eff. February 6, 1986)

Sec. 9-2.3403. Height (M).

No structure in the Mining Zone (M) shall exceed 100 feet in height, except for dwelling units, which shall not exceed thirty-five (35') feet.

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

Sec. 9-2.3404. Area and width (M).

(a) The minimum gross lot area in the Mining Zone (M) shall be ten (10) acres.

(b) The minimum width shall be 300 feet.

(c) When a parcel resulting from a lot line adjustment contains an area zoned Mining Zone (M), that area shall be of at least the minimum area required by subsection (a) of this section, or the lot line adjustment shall be denied.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 6, Ord. 94-834, eff. June 23, 1994).

Sec. 9-2.3405. Yards (M).

The minimum yard requirements in the Mining Zone (M) shall be as required by Section 9-2.419 of Article 4 of this chapter (General Requirements: Yards). If the provisions of Subsection (b) of Section 9-2.419 are applicable the minimum yard requirements shall be:

(a) Front yards: Twenty (20') feet; and

(b) Side and rear yards: Five (5') feet; except

(c) The minimum yard requirements shall be increased as provided in Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter, except as they may be reduced to the requirements of this Section under Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-762, eff. December 13, 1991; and § 21, Ord. 04-998, eff. Feb. 5, 2004)

Sec. 9-2.3406. Parking and loading (M).

Parking and loading in the Mining Zone (M) shall be as required by Section 9-2.414 of Article 4 of this chapter (General Requirements: Parking and loading).
(§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3407. Signs (M).

- (a) Signs in the Mining Zone (M) shall be as permitted by Section 92.416 of Article 4 of this chapter (General Requirements: signs).
 - (b) Business signs shall not exceed thirty-two (32) square feet.
- (§ 3, Ord. 84-593, eff. January 3, 1985)

Article 35. Flood Plain Combining Zone (FP)

Sec. 9-2.3501. Purpose (FP).

The purpose of the Flood Plain Combining Zone (FP) is to regulate development to achieve reasonable safety from flood hazards.

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

Sec. 9-2.3502. Uses (FP).

- (a) The following uses shall be permitted in the primary flood hazard areas of the Flood Plain Combining Zone (FP), subject also to conformance with the provisions of Chapter 17 of Title 8 of this Code:
 - (1) No buildings; and
 - (2) Permit alterations, channelization, diversion, or land filling for the protection of existing uses, subject to the provisions of Chapter 17 of Title 8 of this Code.
- (b) The following uses shall be permitted in the secondary flood hazard areas:
 - (1) No habitable structures; and
 - (2) Permit alterations, channelization, diversion, or land filling where such changes will not adversely alter off-site historical flood patterns where such alterations are necessary to accommodate nonhabitable structures and for the protection of existing uses.
- (c) The following uses shall be permitted in 100-year flood hazard areas that are not a primary flood hazard area nor a secondary flood hazard area:
 - (1) The uses permitted by the zone with which the Flood Plain Combining Zone (FP) is combined.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 2, Ord. 88-700, eff. September 1, 1988, as amended by Exh. A, § 7, eff. September 10, 1998)

Article 36. Potential High Fire Hazard Combining Zone (FH)

(§ 3, Ord. 84-593, eff. January 3, 1985, repealed by § 4, Ord. 91-768, eff. November 8, 1991 and; repealed by § 14, Ord. 96-873, eff. October 31, 1996)

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

Sec. 9-2.3701. Purpose (SP).

The purpose of the Special Plan Combining Zone (SP) is to administer design review areas, scenic areas, special plan-historical areas, and designated historical buildings.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-766, eff. October 31, 1991)

Sec. 9-2.3702. Identification (SP).

Special Plan Areas are specifically identified in the General Plan as to the qualities to be protected or preserved as Design Review Areas (DRA), Scenic Areas (ScA), Scenic Roads (ScR), Historical Areas (HA), and Historical Buildings (HB).

(§ 3, Ord.84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-766, eff. October 31, 1991)

Sec. 9-2.3703. Special plan review (SP).

- (a) No physical aspect of a property regulated by a Special Plan Area shall be altered in any way without special plan review and approval as set forth in subsection (b) of this section.
- (b)
 - (1) Special plan review shall be conducted by the Special Plan-Review Committee. The Planning Department shall conduct the Special Plan-Review for those areas that do not have Special Plan-Review Committees.
 - (2) The requirements of each Special Plan Area shall be adopted into the General Plan. Special plan review shall ensure compliance with the requirements of the applicable Special Plan Area.
 - (3) Special plan reviews for historical buildings shall be the consideration of the value to the public interest prior to the approval of a building permit to demolish a historical building.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-766, eff. October 31, 1991, and § 1, Ord. 92-781, eff. May 14, 1992, and § 1, Ord. 92-789, eff. August 13, 1992, and § 1, Ord. 94-829, eff. May 12, 1994).

Sec. 9-2.3704. Special Plan Review Committee (SP).

- (a) **Designation.** A Special Plan Review Committee shall be appointed by the Board of Supervisors, as needed, for each Special Plan Combining Zone (SP).
- (b) **Membership.** The Committee shall consist of, but not be limited to, individuals having interest or expertise in historical architecture and architectural design. Members of the Committee shall also include, as appropriate, business owners, property owners and residents of the Special Plan Area. In addition, the Committee shall be supported by designated staff from the Planning and Building Departments, and Chamber of Commerce.
- (c) **Terms.** The Committee shall serve at the pleasure of the Board.
- (d) **Meetings.** The Committee shall meet at such times as needs warrant.
- (e) **Functions, duties, and powers.** The Committee shall establish standards for reviewing plans.

- (f) **Guidelines.** The existing guidelines shall be applicable until amended. New guidelines or requirements shall be drafted by the Committee and adopted by the Board.
- (g) **Appeals.** Decisions of the Committee may be appealed as set forth in Article 10 of this chapter.

§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-766, eff. October 31, 1991, and § 2, Ord. 92-789, eff. August 13, 1992)

Article 38. Manufactured Home Combining Zone (MH)

Sec. 9-2.3801. Purpose (MH).

The purpose of the Manufactured Home Combining Zone (MH) is to provide for the installation of manufactured homes and commercial coaches on support systems.

(§ 3, Ord. 84-593, eff. January 3, 1985; as amended by Exh. A, § 12, Ord. 99-924, eff. November 11, 1999)

Sec. 9-2.3802. Uses (MH).

(a) The following uses shall be permitted in the Manufactured Home Combining Zone (MH):

(1) Manufactured homes and commercial coaches may be installed on support systems, subject to the provisions of the zone with which the Manufactured Home Combining Zone (MH) is combined.

(2) The undersides of manufactured homes and commercial coaches shall be paneled or obscured around the periphery with decks or landscape plantings.

(§ 3, Ord. 84-593, eff. January 3, 1985; as amended by Exh. A, § 12, Ord. 99-924, eff. November 11, 1999)

Article 39. Business Exclusion Combining Zone (BX)

Sec. 9-2.3901. Purpose (BX).

The purpose of the Business Exclusion Combining Zone (BX) is to preclude or exclude businesses.

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

Sec. 9-2.3902. Uses (BX).

(a) The following uses shall be permitted in the Business Exclusion Combining Zone (BX):

- (1) The use of land, dwelling units, or appurtenant structures shall be permitted for dwelling and dwelling appurtenant uses only, except for:
- (2) Child day care homes, limited child day care homes, limited home businesses, and limited residential community care facilities.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 28, Ord. 86-623, eff. February 6, 1986, and § 1, Ord. 89-717, eff. October 5, 1989)

Article 40. Farm Animal Combining Zone (F)

Sec. 9-2.4001. Purpose (F).

The purpose of the Farm Animal Combining Zone (F) is to provide for animal husbandry.
(§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.4002. Uses (F).

(a) The following uses shall be permitted in the Farm Animal Combining Zone (F):

- (1) Small animal husbandry; and
- (2) Large animal husbandry.

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

CHAPTER 3. SUBDIVISIONS

Article 1. General Provisions

Sec. 9-3.101. Purpose.

The provisions of this chapter are adopted for the purpose of adopting subdivision regulations in accordance with the provisions of the Subdivision Map Act of the State, set forth in Division 2 of Title 7 of the Government Code of the State.

(§ 61200, P.C.O.C., as amended by Ord. 664, and § 1, Ord. 77-211, eff. August 4, 1977)

Sec. 9-3.102. Scope.

The provisions of this chapter are adopted to regulate the subdivision of land within the County for the purposes of sale, lease, or financing in all instances except those which are exempt under the provisions of Sections 66411, 66412, 66424, and 66428 of the Government Code of the State.

(§ 61200, P.C.O.C., as amended by Ord. 664, and § 1, Ord. 77-211, eff. August 4, 1977)

Sec. 9-3.103. Effect of Map Act provisions.

The provisions of the Map Act shall govern all matters regarding the subdivision of land in the County not otherwise provided for in this chapter.

(§ 61200, P.C.O.C., as amended by Ord. 664)

Sec. 9-3.104. Policy.

The general policy governing the subdivision of land in the County shall be to permit orderly, reasonable, and beneficial growth, to discourage over development and ill-conceived subdivisions, to protect and enhance in every way possible the public health, safety, and general welfare of the citizens, and to conserve the outstanding resources of land, water, air, timber, and scenic beauty.

(§ 61201, P.C.O.C., as amended by Ord. 664)

Sec. 9-3.105. Definitions.

For the purpose of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

- (a) "Board" shall mean the Board of Supervisors of the County and shall have the same meaning as the terms "Legislative Body" or "Governing Body" as used in the Map Act.
- (b) "County Surveyor", "County Engineer", and "Engineer-Surveyor" shall all refer to the registered civil engineer appointed or designated by the Board to act as the Surveyor or Engineer for the County in all matters not under the authority of the Road Commissioner. "County Surveyor", "County Engineer", and "Engineer-Surveyor" shall have the same meaning as the term "County Surveyor" as used in the Map Act.
- (c) "Commission" shall mean the Planning Commission of the County and shall have the same meaning as the term "Advisory Agency" as used in the Map Act, except for matters subject to the administration of the Zoning Administrator.
- (d) "Health Officer" shall mean the person appointed or designated to serve as the Health Officer or to the Director of Environmental Sanitation of the Health Department or other person when authorized to act as agent for the Health Officer.
- (e) "Map Act" shall mean Division 2 of Title 7 of the Government Code of the State.

- (f) "Planning Director" shall mean the person authorized to act as the administrative officer for the Planning Commission and as the professional planner for the County. The duties of this office may be combined with those of the Engineer-Surveyor or other County officer if so authorized by the Board.
- (g) "Road Commissioner" shall mean the registered civil engineer appointed or designated by the Board to have authority over the County Road Department and The County road system.
- (h) "Subdivider" shall mean a person, firm, partnership, association, or corporation who or which proposed to divide, divides, or causes to be divided real property into a subdivision for himself or itself or for others, except that employees and consultants of such persons or entities, acting in such capacity, shall not be subdividers as defined in this subsection.
- (i) "Subdivision" shall mean the division of land as defined in Section 66424 of the Government Code of the State.

Notwithstanding the provisions of Section 66424 of the Government Code of the State, two (2) or more contiguous parcels, or units of land, which have been subdivided under the provisions of the Map Act and this chapter, or any prior law regulating the division of land, shall not merge by virtue of the fact that such contiguous parcels or units are held by the same owner; and no further proceeding under the provisions of this chapter shall be required for the purpose of the sale, lease, or financing of such contiguous parcels or units, or any of them; except that, if such contiguous parcels are not served by both a community water system and a community sewer system, or are not shown on a parcel map, record of survey, or subdivision map which has been approved by the Zoning Administrator, Commission or Board, and if any one of such contiguous parcels or units held by the same owner does not conform to the standards for minimum parcel size to permit its use or development under the zoning and subdivision provisions and the departmental subdivision regulations, and at least one of such contiguous parcels or units is not developed with a building for which a permit has been issued, then such parcels shall be merged for the purposes of this chapter.

- (j) "Tentative map", "final map", "parcel map", "improvement", "design", and all other terms used in this chapter shall have the same meanings as used in the Map Act, except as otherwise provided in this chapter.
- (k) "Zoning Administrator" shall mean the Zoning Administrator of the County and shall have the same meaning as the term "Advisory Agency" as used in the Map Act as it pertains to the processing, review, and approval of tentative parcel maps and plot plans.
- (l) "Remainder", "not a part", and "other lands", as used in the Map Act and this chapter, shall mean that portion of the subdivider's contiguous lands which is not intended for immediate sale, lease, or financing. At the time of an application for a subdivision, the subdivider shall submit a statement of his intention to retain such "remainder", "not a part", or "other lands" for his personal use or for future subdivision pursuant to the provisions of this chapter, together with sufficient information to demonstrate that such lands comply with the normal requirements of this chapter for new parcels. Such lands shall be shown on the parcel map or final map as required by the Map Act, except as such requirement is otherwise waived pursuant to the provisions of Section 93.602 of Article 6 of this chapter.
- (m) "Structure" shall mean anything for the establishment which the Planning and Development Agency requires a building permit.

- (n) "Greenbelts" shall mean a facility or land use designed for a use other than fire protection which will slow or resist the spread of a wildfire (as defined in Public Resources Code Sections 4103 and 4104). Greenbelt may include parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards, or annual crops that do not cure in the field.
- (o) "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.
- (p) "Flood" shall mean a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters;
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source;
- (q) "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.

(§ 61202, P.C.O.C., as amended by Ord. 664, § 2, Ord. 74-64, eff. September 19, 1974, and § 1, Ord. 75-99, eff. May 8, 1975, and § 1, Ord. 77-211, eff. August 4, 1977, and § 1, Ord. 89-714, eff. August 31, 1989, and § 1, Ord. 91-762, eff. December 13, 1991, and Exh. A, § 8, Ord. 98-902, eff. September 10, 1998)

Article 2. Administration

Sec. 9-3.201. Authority of the Board.

The Board shall have the overall legislative and governing authority regarding land subdivisions in the County, and the rulings and decisions of the Board shall be final except as an appeal or recourse to law is provided in the Map Act, or as otherwise provided by law.

(§ 61203, P.C.O.C., as amended by Ord. 664)

Sec. 9-3.202. Functions of the Commission and County Officers.

The Commission and the various County officers designated by the Map Act or by the provisions of Chapter 4 of Title 2 of this Code shall perform such functions and make such recommendations as are provided for in the Map Act or as are more specifically provided for in this chapter and in the various County departmental subdivision regulations approved by the Board.

(§ 61203, P.C.O.C., as amended by Ord. 664, and § 3, Ord. 74-64, eff. September 19, 1974)

Sec. 9-3.203. Subdivision Advisory Committee.

The Commission may appoint an advisory committee, to be known as the Subdivision Advisory Committee, to assist the Commission in periodically reviewing the subdivision provisions set forth in this chapter. Such committee shall convene upon the request of the Commission or may convene from time to time upon its own initiative and transmit its recommendations to the Commission.

(§ 61203, P.C.O.C., as amended by Ord. 664, and § 2, Ord. 77-211, eff. August 4, 1977)

Sec. 9-3.204. Departmental subdivision regulations:

Adoption: Amendments: Hearings: Notices.

Departmental subdivision regulations shall be a part of this chapter and may be adopted by resolution by the Board. Such regulations, and amendments thereto, may only be adopted following a public hearing with two (2) weeks public notice given thereof.

(§ 61203, P.C.O.C., as amended by Ord. 664)

Sec. 9-3.205. Modifications.

Modifications to the provisions of this chapter and the departmental subdivision regulations may be made under a Planned Development Permit, as provided in Article 7 of Chapter 2 of Title 9 of this Code commencing with Section 9-2.701; and may be made under a Modification Permit, if a modification of development standards, as provided in Article 2 of Chapter 2 of Title 9 of this Code commencing with Section 9-4.201; as appropriate except that sections implementing the SRA Fire Safe Regulations shall be modified as provided in Section 9-9.202 of Chapter 9 of Title 9 of this Code.

(§ 61203, P.C.O.C., as amended by Ord. 664, and § 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-3.206. Fees.

Filing fees, inspection fees, and checking fees shall be as set forth in the current subdivision fee schedule.

(§ 61203, P.C.O.C., as amended by Ord. 664)

Sec. 9-3.207. Appeals.

All decisions of the Zoning Administrator or the Commission may be appealed in writing to the Commission or the Board, respectively. The provisions of Article 10 of Chapter 4 of this title relating to appeals in zoning matters shall apply to appeals in subdivision matters.

(§ 3, Ord. 77-211, eff. August 4, 1977)

Sec. 9-3.208. Processing time.

The Planning Director shall determine if an application is complete within thirty (30) days after the receipt of the application.

If an application is determined to not be complete, the applicant shall make the application complete within one year from the date on which the application was determined to not be complete, or the application shall be considered withdrawn.

Upon completion of the appropriate environmental review, an application shall be scheduled for the next regularly scheduled hearing for which the application can be scheduled while meeting all requirements for notice.

(§ 1, Ord. 89-719, eff. November 2, 1989)

Sec. 9-3.209. California Department of Forestry and Fire Protection

The Planning Department shall notify the Director of the California Department of Forestry and Fire Protection of tentative maps for subdivision in State Responsibility Areas.

(§ 1, Ord. 91-762, eff. December 13, 1991)

Article 3. Design

Sec. 9-3.301. Scope.

The general requirements for subdivisions shall be as provided in this article. More detailed requirements shall be as set forth in the current departmental subdivision regulations of the Engineer-Surveyor, the Planning Director, the Road Commissioner, and the Health Officer. (§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.302. Preliminary conferences.

The subdivider, or his authorized agent, shall confer with the Engineer-Surveyor, the Planning Director, the Road Commissioner, and the Director of Environmental Sanitation regarding the contemplated subdivision and shall inform himself as to the applicable provisions of the Map Act, the provisions of this chapter, the current zoning provisions, and the current departmental subdivision regulations of the Engineer-Surveyor, the Planning Director, the Road Commissioner, and the Health Officer. (§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664, and § 4, Ord. 77-211, eff. August 4, 1977)

Sec. 9-3.303. General Plan & Zoning.

Proposed subdivisions shall conform to both the zoning provisions set forth in Chapter 4 of this title and to the County General Plan before the application shall be complete. (§ 61204, P.C.O.C., as amended by Ords. 413, 554, 664, and § 1, Ord. 80-404, eff. October 12, 1980, and § 1, Ord. 01-959, eff. December 6, 2001)

Sec. 9-3.304. General Plan & Zoning.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, 664; and Ord. 96-875, eff. December 30, 1996; repealed by §2, Ord. 01-959, eff. December 6, 2001)

Sec. 9-3.305. Streets, roads, and highways.

Streets, roads, and highways in all land divisions shall conform to the requirements of the departmental subdivision regulations and the approved specifications of the County as to rights-of-way, alignment, gradients, drainage, structural design, and surfacing. When it is determined that safe and adequate access does not exist to a land division, the Advisory Agency may require the dedication of rights-of-way or easements for, and the construction of, off-site improvements to serve the parcels being created, in conformance with the requirements of the departmental subdivision regulations.

If the streets or highways are proposed to be dedicated to the public and added to the County road system, they shall be improved to conform in all respects to the current standards for County roads. If the streets or highways proposed are to be private streets or highways, the requirements as to rights-of-way, alignment, gradients, structural design and surfacing shall be determined in the light of the characteristics of the proposed subdivision, considering the number and size of the lots, the type of terrain, whether for year-round or summer occupancy, and other pertinent considerations. In cases where private roads are approved to be constructed with only drainage provisions and minimum grading, due to the characteristics of the proposed subdivision, it may be required that the rights-of-way, alignment, and gradients conform to the standards for County roads if it appears that such private roads may later be extended to serve other lands.

Where dedications or offers of dedication are made by certificate on a parcel map, the Engineer-Surveyor may accept, subject to improvement, or reject the same for the County. In the event of a disagreement between the Engineer-Surveyor and the subdivider, the matter shall be scheduled for determination by the Board at its next regular meeting.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664, and § 2, Ord. 75-99, eff. May 8, 1975, and § 2, Ord. 78-254, eff. April 7, 1978)

Sec. 9-3.306. Conformance with existing streets and highways.

The alignment of proposed streets and highways shall be such as to best conform to existing adjacent or nearby streets and highways. Reserve strips to deny access to existing or proposed streets and highways, or to break the continuity of existing or proposed streets and highways for the benefit of the subdivider, shall only be permitted for good cause upon the specific approval of the Board and under the terms and conditions approved by the Board. Access to streets, roads, and highways may be limited where it is deemed necessary to protect the public health, safety, and welfare.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.307. Alleys.

Alleys normally shall not be required in residential subdivisions but may be required in commercial or industrial subdivisions.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.308. Easements.

Appropriate and adequate easements shall be provided for existing and future utility and drainage facilities.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.309. Flood hazards: Drainage.

The subdivision of lands subject to inundation shall not be permitted for residential or commercial uses unless the subdivider proposes plans for the elimination of future inundation along with evidence of the approval of such plans by all jurisdictions having authority. Where the danger of inundation does not exist, but drainage facilities, other than those directly connected with the proposed streets and highways, are judged to be necessary by the Engineer-Surveyor or are required under the authority of any County Drainage Plan or Drainage District, it will be required that such facilities be constructed by the subdivider.

Applications for subdivisions shall include base flood elevation data. If structures and pads are proposed, their elevation shall be provided. If a structure or pad site is to be filled above the base flood elevation, the lowest floor and pad elevations shall be certified by a registered professional engineer or surveyor. The data and certification shall be transmitted to the County Engineer.

Applications for subdivisions which include lands in an area of special flood hazard shall include an engineered analysis based on a uniform procedure prescribed by the Federal Emergency Management Agency that 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.

Applications for subdivisions which include lands in a 100-year flood hazard area, as defined in Section 9-2.236 of Article 2 of Chapter 2 of Title 9 of this Code shall include an engineered analysis based on a uniform procedure prescribed by the County Engineer that has been completed, submitted to the County Engineer, reviewed and approved by the County Engineer, and copies thereof provided to the County Engineer, the Planning Director and the Building Official.

The subdivision of lands in an area of special flood hazard shall be reviewed to assure:

- (a) that the subdivision is consistent with the need to minimize flood damage within the area of special flood hazard;
- (b) that all public utilities and facilities are located and constructed to minimize or eliminate flood damage;
- (c) that adequate drainage is provided to reduce exposure to flood hazards;
- (d) that new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (e) that new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters;
- (f) that onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding;
- (g) that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law;
- (h) that proposed building sites will be reasonably safe from flooding; and
- (i) that encroachment in areas where base flood elevations have been determined but a floodway has not been designated shall not result in a cumulative effect when combined with all other existing and anticipated man-made changes to real estate that will increase the water surface elevation of the base flood more than one foot at any point.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664, as amended by Exh. A, § 9, Ord. 98-902, eff. September 10, 1998)

Sec. 9-3.310. Water supply and sewerage.

The proposed provisions for water supply and sewerage shall conform to all the applicable requirements of State and local laws, rules, and regulations and shall be such as to in no way jeopardize the public health and safety. Such proposals, to obtain approval, shall conform to the current departmental subdivision regulations. Septic tanks and individual wells may be approved in instances where the proposed lot areas, percolation tests, ground water conditions, and other criteria all indicate that no threat to the public health and safety will result therefrom. Where public facilities exist in reasonable proximity to the proposed subdivision, the extension of such facilities shall be required under the laws, rules, and regulations applying to such extension. In relatively large proposed subdivisions, particularly where all or a portion of the lots proposed are relatively small, the provision of community or public water supplies or sewerage systems, or both, may be required. (§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.311. Resubdivisions.

As a condition of approval of a proposed subdivision, the Board may require a stipulation or agreement precluding future resubdivisions of the lots, or prescribing conditions under which such resubdivisions will be permitted, in instances where it is the judgment of the Board that such a condition is necessary to protect the public health, safety, and welfare.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.312. Miscellaneous technical requirements.

Miscellaneous technical requirements for subdivisions, such as soil tests, provisions for fire protection, and similar requirements, shall be as set forth in the appropriate departmental subdivision regulations.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.313. Panhandle lots.

The required width of not more than twenty-five (25%) percent of the lots in a subdivision may be reduced by the Commission at the time of the approval of the tentative map to provide for panhandle lots, with the driveway portion of the lot not less than twenty (20') feet wide. The buildable portion of all panhandle lots shall conform to the normal required width.

(§ 61604, P.C.O.C., as added by Ord. 752, as renumbered by § 2, Ord. 84-593, eff. January 3, 1985)

Sec. 9-3.314. Development fees for fire protection services.

Prior to development, as defined in the General Plan, a fee established by resolution of the governing fire protection district shall be deposited in the respective fire protection district's account for the purpose of mitigating the impact of such development on the capacity of the fire district to serve existing development within the district, thereby maintaining the health, safety, and welfare of County residents.

(§ 1, Ord. 86-642, eff. October 23, 1986)

Sec. 9-3.315. Greenbelts.

When greenbelts are proposed they shall be located strategically as a separation between wildland fuels and structures.

(§1, Ord. 91-762, eff. December 13, 1991)

Article 4. Tentative Maps

Sec. 9-3.401. Preparation.

The subdivider shall cause to be prepared by a land surveyor or civil engineer licensed by the State, or by a planner or other qualified and experienced person, a tentative map showing, in general, the following:

- (a) The names and address of the owner of the property;
- (b) The names of the subdividers;
- (c) The name of the subdivider's engineer;
- (d) The names of the owners of adjoining properties;
- (e) The general topography and drainage of the area;
- (f) The location and widths of all adjacent or nearby streets and roads;
- (g) The characteristics of the land proposed to be subdivided;
- (h) The approximate size and location of all proposed lots;
- (i) The approximate location of all proposed streets and highways;
- (j) The proposed improvements of all proposed streets and highways;
- (k) The proposed provisions for water supply, sewerage, and drainage;
- (l) All pertinent data necessary or desirable for the proper evaluation of the proposed subdivision; and
- (m) All information required by the departmental subdivision regulations of the Engineer-Surveyor, the Planning Director, the Road Commissioner, and the Health Officer.

The tentative map shall be accompanied by acceptable evidence as to the record ownership of the lands involved and of the proposed restrictions, if any, which are to apply to the subdivision.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.402. Records of survey.

Where the boundaries of a proposed subdivision cannot be readily and conclusively established from record data and from existing survey monuments, the Engineer-Surveyor may require that a record of survey, as defined and provided for by the Land Surveyor's Act of the State, be first filed to resolve and establish a firm boundary for the proposed subdivision.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.403. Filing.

Such number of copies of the tentative map as the Planning Director may require shall be filed with the Planning Director, along with any accompanying data, for distribution to the various County departments concerned and for presentation to the Commission or Zoning Administrator. The Planning Director shall notify the subdivider, or his authorized agent, of the time and place set for the consideration of the tentative map by the Commission, at which time the owner, or his authorized agent, shall be present.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, 664, and § 5, Ord. 77-211, eff. August 4, 1977, and § 2, Ord. 89-714, eff. August 31, 1989)

Sec. 9-3.404. Hearings.

The Commission or Zoning Administrator may set a time and place for a special public hearing to consider a tentative map and accompanying proposals, when the Commission or Zoning Administrator deems such a hearing to be desirable, and may publicize such hearing by appropriate means.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664, and § 2, Ord. 89-714, eff. August 31, 1989)

Sec. 9-3.405. Approvals.

The Commission or Zoning Administrator, upon the completion of its consideration, shall approve, deny, or conditionally approve the tentative map.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664, and § 2, Ord. 89-714, eff. August 31, 1989)

Sec. 9-3.406. Zoning approval.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, 664, and § 5, Ord. 77-211, eff. August 4, 1977; repealed by § 2, Ord. 80-404, eff. October 12, 1980)

Article 5. Final Maps

Sec. 9-3.501. Form and data.

The final map of the subdivision shall be of such form and shall contain such data as prescribed by the Map Act and by the various departmental subdivision regulations.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.502. Surveys.

The survey, and the monumentation thereof, for the final map shall be as prescribed by the Map Act and the various departmental subdivision regulations.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.503. Certificates.

The certificates on the final map, and the execution thereof, shall be as prescribed by the Map Act. Such additional certificates as may be prescribed by the departmental subdivision regulations concerning water supply, streets and highways, drainage, and other matters shall be required where applicable.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.504. Agreements.

Such agreements accompanying the final map as are prescribed by the Map Act, or by the departmental subdivision regulations, or as set forth in Section 9-3.702 of Article 7 of this chapter concerning the improvement of streets and highways, the construction of sewerage or drainage facilities, the reduction of fire hazards, flood protection, and other matters shall be required.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.505. Filing.

The subdivider, or his authorized agent, shall keep himself informed as to the approval procedure for final maps and any agreements accompanying final maps and shall deliver to the Planning Director the original of the final map, with all certificates executed, other than the certificate of acceptance of the Board, along with the required number of copies of the final map, the improvement plans, and all accompanying agreements, in sufficient time to permit the approval, acceptance, and recordation of the final map, improvement plans, and all accompanying agreements within thirty (30) months or as otherwise required by the Map Act.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, 664, and § 6, Ord. 77-211, eff. August 4, 1977)

Sec. 9-3.506. Review.

The Planning Director shall ascertain whether or not the Commission desires to review the final map and accompanying data and, if so, shall cause the final map and data to be placed on the agenda of the Commission for review and transmittal to the Board. Otherwise, the Planning Director shall cause the review and consideration of the final map to be placed on the agenda of the Board for the earliest meeting permissible under the rules of the Board.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.507. Review: Notices.

In all cases the Planning Director shall notify the Commission and the subdivider, or his authorized agent, of the time and place set for the review by the Board of the final map and accompanying data and agreements.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664)

Sec. 9-3.508. Recordation and subsequent modifications.

The Planning Director, or Engineer-Surveyor if so designated by the Board, shall be responsible for the recordation of the final map upon its approval and for the distribution of copies of the final map to the various County departments and to others designated by law or regulation.

A recorded final map may be modified by a certificate of correction or by an amending map, following the same procedures applicable to the approval of a tentative map, upon a finding by the Zoning Administrator that:

- (a) There are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary;
- (b) The modifications proposed do not impose any additional burden in the present fee owner of the property;
- (c) The modifications proposed do not alter any right, title, or interest in the real property reflected on the recorded map; and
- (d) The map as modified conforms with the provisions of Section 66474 of the Government Code of the State.

The modification shall be set for a public hearing as required by Section 66472.1 of the Government Code of the State.

(§ 61204, P.C.O.C., as amended by Ords. 413, 554, and 664, and § 1, Ord. 84-555, eff. February 16, 1984)

Sec. 9-3.509. Filing: Failure to file within time limits.

Failure to file a final map as provided for in this article within twenty-four (24) months in accordance with the provisions of the Map Act, or within a maximum three (3) year extension of such period granted by the County, shall terminate all proceedings and necessitate the filing and approval of a new tentative map.

(§ 61206, P.C.O.C., as amended by Ord. 664, and § 3, Ord. 75-99, eff. May 8, 1975, and § 1, Ord. 83-552, eff. January 5, 1984)

Article 6. Parcel Maps

Sec. 9-3.601. Policy, procedure, and requirements.

Except as otherwise provided in this article, or in the Map Act, or in the departmental subdivision regulations, the general policy, the procedure, and the requirements for subdividing by means of parcel maps shall be the same as for conventional subdivisions.

(§ 61205, P.C.O.C., as amended by Ords. 413, 435, 444, 664, and 725)

Sec. 9-3.602. Determination of procedure to be used.

The subdivision of property, or a portion thereof, into four (4) or fewer parcels or, in some specific instances, into a greater number of parcels, may be accomplished by means of parcel maps as set forth in the Map Act.

- (a) The County may waive the required submission of a parcel map where:
 - (1) The land before division contains less than five (5) acres, each parcel created by the division abuts upon a maintained public street or highway and no dedications or improvements are required by the County; or
 - (2) Each parcel created by the division has a gross area of twenty (20) acres or more and has an approved access to a maintained public street or highway; or
 - (3) The land consists of a parcel or parcels of land having approved access to a public street or highway which comprises part of a tract of land zoned for industrial or commercial development, and which has the approval of the Board as to street alignments and widths; or
 - (4) Each parcel created by the division has a gross area of not less than forty (40) acres or is not less than a quarter of a quarter section; and
 - (5) The resultant parcels conform with the County General Plan, Specific Plans and zoning.
- (b) Any person seeking waiver of the requirement for a parcel map shall file an application with the Planning Director. The application shall include:
 - (1) A plot plan showing the information required by Section 9-3.401 of Article 4 of this Chapter;
 - (2) Complete legal descriptions of the parcels and easements proposed to be conveyed;
 - (3) A signed statement of all owners of record consenting to the proposed division.
 - (4) Information sufficient for the Zoning Administrator to find that the proposed division of land complies with requirements as to area, improvements, and design, flood and water drainage control, appropriate improved roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Map Act, the provisions of this chapter, and resolutions pertaining thereto.
- (c) If information sufficient for the Zoning Administrator to find that the proposed division of land complies with the requirements as to area, improvements, and design, flood and water drainage control, appropriate improved roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Map Act, the provisions of this chapter, and resolutions pertaining thereto is not provided with the application, the application for waiver shall be denied or may be conditionally approved as a parcel map.
- (d) The findings of the Zoning Administrator shall be kept on file in the Planning and Development Agency records.

- (e) The County Engineer shall have the authority to waive the filing of a final map and to require the filing of a tentative map only in cases where the subdivision is for the purpose of creating access to other property.
- (f) The waiver of the parcel map requirements shall become effective upon the recording by the Engineer-Surveyor of the Zoning Administrator's resolution approving the waiver and containing the legal description of the division which has been approved.

(§ 61205, P.C.O.C., as amended by Ords. 413, 435, 444, 664, 725, and § 1, Ord. 73-19, eff. October 11, 1973, and § 4, Ord. 74-64, eff. September 19, 1974, and § 7, Ord. 77-211, eff. August 4, 1977, and § 3, Ord. 78-254, eff. April 7, 1978, and § 1, Ord. 79-307, eff. May 3, 1979, and § 1, Ord. 86-629, eff. April 10, 1986, and § 1, Ord. 86-634, eff. June 19, 1986, and §§ 1 and 2, Ord. 86-641, eff. October 16, 1986, and § 2, Ord. 87-683, eff. January 14, 1988, and § 8, Ord. 94-834, eff. June 23, 1994)

Sec. 9-3.603. Tentative parcel maps.

Tentative parcel maps for parcel map subdivisions shall be essentially the same as provided in Article 4 of this chapter for subdivisions, except as modified by the departmental subdivision regulations.

(§ 61205, P.C.O.C., as amended by Ords. 413, 435, 444, 664, and 725)

Sec. 9-3.604. Final parcel maps.

Final parcel maps for parcel map subdivisions shall be as set forth in the Map Act, with such additions and modifications as may be provided in this chapter and in the departmental subdivision regulations.

(§ 61205, P.C.O.C., as amended by Ords. 413, 435, 444, 664, 725, and § 4, Ord. 75-99, eff. May 8, 1975)

Sec. 9-3.605. Filing: Approval.

Tentative parcel maps shall be presented to the Zoning Administrator or the Commission, but not normally to the Board, for consideration and approval in a manner similar to that for tentative subdivision maps as set forth in Article 4 of this chapter. Final parcel maps normally shall not be presented to the Commission nor to the Board but may be filed after the completion of checking and approval by the Engineer. In unusual circumstances, or in cases where differences exist between the Engineer and the subdivider, or his authorized agent, regarding the tentative parcel map or the final parcel map, either party shall have the right to a hearing before the Board to obtain a final determination in regard to such differences.

(§ 61205, P.C.O.C., as amended by Ords. 413, 435, 444, 664, 725, and § 4, Ord. 74-64, eff. September 19, 1974)

Sec. 9-3.606. Easements to serve interior parcels.

Any interior lot or parcel created by a parcel map shall be served by an easement to provide ingress and egress. Such easements may also be for utilities, drainage, and other appropriate purposes. The minimum width for such easements shall be twenty (20') feet to serve one parcel, with an additional five (5') feet for each additional parcel served, but not to exceed sixty (60') feet.

(§ 61205, P.C.O.C., as amended by Ords. 413, 435, 444, 664, and 725)

Sec. 9-3.607. Certificates.

Prior to the filing of the final parcel map with the County Recorder, the subdivider shall obtain a certificate on such map from the Tax Collector in the same manner and form as the Tax Collector certificate which is required before the filing of maps pursuant to the provisions of Sections 66492, *et seq.*, of the Government Code of the State. The subdivider shall also deposit any amount shown to be a lien on the certificate with the County Clerk, and the County Clerk shall hold the money so deposited in trust to secure the payment of taxes.

The final parcel map shall have a certificate signed and acknowledged by all owners of record in the real property subdivided consenting to the preparation and recordation of the parcel map.

An owner's certificate shall appear on the face of the map or shall be recorded concurrently with the map and shall be in substantially the following form: "I (we) hereby certify that I am (we are) the owner(s) of the real property within the limits of the map being recorded concurrently with the document and found in Book ___ of Parcel Maps at page ___, Plumas County Records. I (we) hereby consent to the preparation and recording of this map and am (are) the only person(s) whose consent is required to pass title to said lands.

"The access shown within said map which purports to be easements and appurtenant to said property will be conveyed to all grantees of the affected property as shown thereon and for the purposes noted. (Acknowledgment) (Signatures)".

(§ 61205, P.C.O.C., as amended by Ords. 413, 435, 444, 664, 725, 74-60, eff. August 22, 1974, and § 4, Ord. 75-99, eff. May 8, 1975, and § 8, Ord. 77-211, eff. August 4, 1977, and § 1, Ord. 80-399, eff. September 18, 1980)

Sec. 9-3.608. Subsequent modifications of recorded maps.

A recorded parcel map may be modified by a certificate of correction or by an amending map, following the same procedures applicable to the approval of a tentative map, upon a finding by the Zoning Administrator that:

- (a) There are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary;
- (b) The modifications proposed do not impose any additional burden on the present fee owner of the property;
- (c) The modifications proposed do not alter any right, title, or interest in the real property reflected on the recorded map; and
- (d) The map as modified conforms with the provisions of Section 66474 of the Government Code of the State.

(§ 61205, P.C.O.C., as amended by Ords. 413, 435, 444, 664, 725, and § 8, Ord. 77-211, eff. August 4, 1977; repealed by § 2, Ord. 80-404, eff. October 12, 1980; reenacted by § 2, Ord. 84-555, eff. February 16, 1984)

Sec. 9-3.609. Failure to file final parcel maps.

Failure to file a final parcel map as provided for in this article within twenty-four (24) months in accordance with the provisions of the Map Act, or within a maximum three (3) year extension of such period granted by the County, shall terminate all proceedings and necessitate the filing and approval of a new tentative parcel map.

(§ 61206, P.C.O.C., as amended by Ord. 664, and § 4, Ord. 75-99, eff. May 8, 1975, and § 2, Ord. 83-552, eff. January 5, 1984)

Article 7. Improvements

Sec. 9-3.701. Required.

Prior to the approval of any final subdivision map, the subdivider shall improve, or agree to improve, the streets, roads, utilities, and other facilities offered for public use, and no final subdivision map shall be approved and no road or utility shall be accepted for public use until and unless such improvements have been constructed in a manner satisfactory to the Board, or a valid warranty, agreement, or contract guaranteeing such improvements has been filed with and accepted by the Board.

The subdivider or owner of the land embraced by every subdivision map and every map of dedication, before presenting any final map to the Board, shall make, execute, acknowledge, and deliver to the Board, in consideration of the acceptance of dedication, a valid warranty, agreement, and contract to improve all streets, roads, and facilities offered for public use, designating the streets, roads, and facilities offered for public use by name and an appropriate description thereof. Actual work on the streets, roads, and facilities offered for public use shall be commenced not later than ninety (90) days after the date the subdivision map is recorded, and all work shall be fully completed on or before one year after the date of such recordation unless such time is extended for good and sufficient reasons by the Board, and the approval of an extension in the time for the completion of the work shall include an appropriate increase in the security.

Where improvements are required for a division of land which is not a subdivision of five (5) or more lots, such requirements shall be noticed by certificate on the parcel map, on the instrument evidencing the waiver of such parcel map, or by separate instrument and shall be recorded on, concurrently with, or prior to the parcel map or instrument of waiver of a parcel map being filed for record. The fulfillment of such construction requirements shall not be required until such time as a permit or other grant of approval for the development of the parcel is issued by the County, or until such time as the construction of such improvements is required pursuant to an agreement between the subdivider and the County, whichever is earlier, except that, in the absence of such an agreement, the Commission or Zoning Administrator may require the fulfillment of such construction requirements within a reasonable time following the approval of the parcel map and prior to the issuance of a permit or other grant of approval for the development of a parcel upon a finding that the fulfillment of the construction requirements is necessary for the following reasons:

- (a) The public health and safety; or
- (b) Because the required construction is a necessary prerequisite to the orderly development of the surrounding area.

Where the required improvements for a division of land which is not a subdivision of five (5) or more lots are not completed prior to the filing of the parcel map, the subdivider shall execute a valid warranty, agreement, or contract to complete such improvements, in the same form and under the same conditions required above for subdivision map, except that such agreement shall be executed by the Engineer-Surveyor as contracting officer for the County. In the event of a disagreement between the Engineer-Surveyor and the subdivider regarding the terms and content of the agreement, or the security therefor, the matter shall be scheduled for determination by the Board at its next regular meeting.

(§ 61207, P.C.O.C., as amended by Ords. 413, 435, 457, 486, 554, and 664, and § 9, Ord. 77-211, eff. August 4, 1977, and § 4, Ord. 78-254, eff. April 7, 1978)

Sec. 9-3.702. Security.

There shall be attached to the warranty, agreement, and contract and accompanying them as an integral part thereof, security for the performance thereof, which security shall be submitted to the Board. Such security or bond shall not be released until the Engineer-Surveyor or the Road Commissioner has inspected the work and improvements required by the warranty and agreement and has filed a certificate, as to his respective responsibility, certifying to the satisfactory completion of such work and improvements. However, the security for performance accompanying an agreement for improvements for a division of land which is not a subdivision of five (5) or more lots shall be submitted to the Engineer-Surveyor, and he shall have the authority to approve the construction of the respective improvements and release the security. In the event of a disagreement between the Engineer-Surveyor and the subdivider as to the approval of the construction and the release of the security, the matter shall be scheduled for determination by the Board at its next regular meeting.

(§ 61207, P.C.O.C., as amended by Ords. 413, 435, 457, 486, 554, 664, and § 9, Ord. 77-211, eff. August 4, 1977, and § 4, Ord. 78-254, eff. April 7, 1978)

Article 8. Violations

Sec. 9-3.801. Unlawful acts.

It shall be unlawful for any person to do any of the acts prohibited by Section 66499.30 of the Government Code of the State.

(§ 61209, P.C.O.C., as amended by Ords. 428, 664, and § 10, Ord. 77-211, eff. August 4, 1977)

Sec. 9-3.802. California Department of Forestry and Fire Protection.

The Headquarters of the Ranger Units of the California Department of Forestry and Fire Protection which administer State Responsibility Area fire protection in Plumas County shall be given reports of violations of those sections of this chapter which implement the SRA Fire Safe Regulations. Those sections are enumerated in Section 9-9.103 of Chapter 9 of Title 9 of this Code.

(§1, Ord. 91-762, eff. October 13, 1991)

Article 9. Additional Information

Sec. 9-3.901. Requirement.

The County may require additional information to be filed or recorded simultaneously with a final or parcel map.

(§ 1, Ord. 87-653, eff. March 5, 1987)

Sec. 9-3.902. Form.

The additional information shall be provided in either:

- (a) An Additional Information Document; or
- (b) An Additional Information Map.

(§ 1, Ord. 87-653, eff. March 5, 1987)

Sec. 9-3.903. Contents.

- (a) Any Additional Information Document or Additional Information Map:
 - (1) Shall indicate its relationship to the final or parcel map; and
 - (2) Shall obtain a statement that the additional information is for informational purposes, describing conditions as of the date of filing, and is not intended to affect record title interest; and
 - (3) May contain a notation that the additional information is derived from public records or reports, and does not imply the correctness or sufficiency of those records or reports by the prepared.
- (b) The additional information may include, but need not be limited to:
 - (1) Additional survey information; and
 - (2) Building setback lines, flood hazard zones, seismic lines and setbacks, geologic mapping, archaeological sites, waste disposal requirements, water supply provisions, and road and access status.
- (c) The additional information shall include conditions of approval which affect the future use of property, when so specified in the conditions at the time of tentative map approval.

(§ 1, Ord. 87-653, eff. March 5, 1987)

Article 10. Merger

Sec. 9-3.1001. Owner initiated merger.

Contiguous parcels under common ownership may be merged by the owner for purposes of the Subdivision Map Act, pursuant to Section 66499.20-3/4 thereof, by recordation of an instrument evidencing the merger if approved by the Planning Director.

- (a) Applications for such mergers shall be made to the Planning Department and shall include:
 - (1) Identification of the property by Assessor's parcel number and street address;
 - (2) Written concurrence of all owners of the property with their complete names and mailing addresses;
 - (3) Application fees;
 - (4) A legal description for the resultant property, suitable for recording, typed on plain white paper, 8 1/2" by 11", with at least one inch margins at the top, sides, and bottom; and
 - (5) A lot book guarantee that shows the current owners of the property and any instruments of sale, lease or finance which affect the property.
- (b) No instrument evidencing an owner initiated merger shall be valid for purposes of the Subdivision Map Act unless the merger is approved by the Planning Director. The Planning Director shall investigate each application for an owner initiated merger. If an owner initiated merger meets the following requirements, the Planning Director shall approve the merger.
 - (1) The properties to be merged are under common ownership;
 - (2) The properties to be merged are contiguous;
 - (3) All instruments of sale, lease or finance are redone to encompass all the properties to be merged.
 - (4) The Tax Collector certifies as to any liens against any of the affected parcels or any part thereof for unpaid State, County, municipal, or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable; the applicant shall deposit any amount certified to be a lien with the County Clerk, and the County Clerk shall hold the money so deposited in trust to secure payment of taxes.
- (c) After approval by the Planning Director, the instrument evidencing the merger may be recorded. The instrument shall include:
 - (1) Identification of the owners as title is held;
 - (2) The legal description of the resultant property;
 - (3) The Assessor's parcel numbers, and the street addresses of the properties being merged.
 - (4) A notarized statement signed by all the owners of the property saying: "We, the undersigned, hereby certify that we are all of the parties having record title interest in the herein described real property and do hereby merge the herein described parcels for purposes of sale, lease and finance under the Subdivision Map Act pursuant to Section 66499.20-3/4 of the Government Code of the State of California and Section 9-3.1001 of the Plumas County Code."
 - (5) A statement of approval by the Planning Director.

(§ 5, Ord. 93-817, eff. November 11, 1993)

CHAPTER 4. DEVELOPMENT STANDARDS*

Article 1. Purposes and Application

Sec. 9-4.101. Purposes.

The provisions of this chapter are adopted to implement the General Plan by providing a precise delineation of its development standards, and to provide for control and design of improvements for development in accord with the Subdivision Map Act and Chapters 2 and 3 of this title.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.102. 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 owners' rights to develop consistent with the General Plan, the Subdivision Map Act and Chapters 2 and 3 of this title.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.103. Administration.

It shall be the duty of the Planning and Development Agency and the Department of Public Works to administer the provisions of this chapter.

(§1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-4.104. California Department of Forestry and Fire Protection.

The Headquarters of the Ranger Units of the California Department of Forestry and Fire Protection which administer State Responsibility Area fire protection in Plumas County shall be given reports of violations of those sections of this chapter which implement the SRA Fire Safe Regulations. Those sections are enumerated in Section 9-9.103 of Chapter 9 of Title 9 of this Code.

(§ 1, Ord. 91-762, eff. December 13, 1991)

*Chapter 4 entitled "Zoning", consisting of Article 1 entitled "Adoption, Purposes, and Interpretation", consisting of Sections 9-4.101 through 9-4.103, Article 2 entitled "Definitions", consisting of Sections 9-4.201 through 9-4.279, Article 3 entitled "Establishment of Districts", consisting of Sections 9-4.301 through 9-4.306, Article 4 entitled "General Requirements", consisting of Sections 9-4.401 through 9-4.424, Article 5 entitled "Nonconforming Land, Buildings, and Uses", consisting of Sections 9-4.501 through 9-4.507, Article 6 entitled "Special Use Permits", consisting of Sections 9-4.601 through 9-4.607, Article 7 entitled "Planned Developments", consisting of Sections 9-4.701 through 9-4.705, Article 8 entitled "Variances", consisting of Sections 9-4.801 through 9-4.808, Article 9 entitled "Amendments", consisting of Sections 9-4.901 through 9-4.907, Article 10 entitled "Appeals", consisting of Sections 9-4.1001 through 9-4.1004, Article 11 entitled "Building Permits", consisting of Sections 9-4.1101 and 9-4.1102, Article 13 entitled "Administration: Enforcement: Violations: Penalties", consisting of Sections 9-4.1301 through 9-4.1304, Article 14 entitled "Single Family District (R-1a)", consisting of Sections 9-4.1401 through 9-4.1405, Article 14.5 entitled "Single Family District (R-1)", consisting of Sections 9-4.1451 through 9-4.1455, Article 15 entitled "Single Family District (R-1b)", consisting of Sections 9-4.1501 through 9-4.1505, Article 16 entitled "Multi-Family District (R-2)", consisting of Sections 9-4.1601 through 9-4.1605, Article 17 entitled "General Multiple District (R-3)", consisting of Sections 9-4.1701 through 9-4.1706, Article 18 entitled

"Commercial Shops District (C-1)", consisting of Sections 9-4.1801 through 9-4.1806, Article 19 entitled "General Commercial District (C-2)", consisting of Sections 9-4.1901 through 9-4.1906, Article 20 entitled "Commercial-Recreation District (CR)", consisting of Sections 9-4.2001 through 9-4.2006, Article 21 entitled "Limited Industrial District (LD)", consisting of Sections 9-4.2101 through 9-4.2105, Article 22 entitled "Industrial District (I)", consisting of Sections 9-4.2201 through 9-4.2205, Article 23 entitled "Rural Environment District (RE-1)", consisting of Sections 9-4.2301 through 9-4.2305, Article 24 entitled "Rural Environment District (RE-2.5)", consisting of Sections 9-4.2401 through 9-4.2405, Article 25 entitled "Rural Environment District (RE-5)", consisting of Sections 9-4.2501 through 9-4.2505, Article 26 entitled "Rural Environment District (RE-10)", consisting of Sections 9-4.2601 through 9-4.2605, Article 27 entitled "General Forest District (GF)", consisting of Sections 9-4.2701 through 9-4.2705, Article 28 entitled "Timberland Production Zone (TPZ)", consisting of Sections 9-4.2801 through 9-4.2806, Article 29 entitled "Reservoir Flood Plain District (RFP)", consisting of Sections 9-4.2901 through 9-4.2906, Article 30 entitled "Green Belt District (GB)", consisting of Sections 9-4.3001 and 9-4.3002, Article 31 entitled "Unclassified District (U)", consisting of Sections 9-4.3101 through 9-4.3104, Article 32 entitled "Exclusive Agriculture District (A)", consisting of Sections 9-4.3201 through 9-4.3205, Article 32.5 entitled "General Agriculture District (GA)", consisting of Sections 9-4.325.01 through 9-4.32.507, Article 33 entitled "Airport Combining District (AR)", consisting of Sections 9-4.3301 through 9-4.3303, Article 33.5 entitled "Planned Development Combining District (PD)", consisting of Sections 9-4.33.501 and 9-4.33.502, Article 34 entitled "Primary Flood Plain Combining District (FP-1)", consisting of Sections 9-4.3401 and 9-4.3402, Article 35 entitled "Secondary Flood Plain Combining District (FP-2)", consisting of Sections 9-4.3501 and 9-4.3502, Article 36 entitled "Special Plan Combining District (SP)", consisting of Sections 9-4.3601 through 9-4.3606, Article 37 entitled "Mobile Home Combining Districts (MO)", consisting of Sections 9-4.3701 and 9-4.3702, Article 38 entitled "Quiet Combining District (Q)", consisting of Sections 9-4.3801 and 9-4.3802, Article 39 entitled "Farm Animal Combining District (F)", consisting of Sections 9-4.3901 and 9-4.3902, Article 39.5 entitled "Hydroelectric General District (HG)", consisting of Sections 9-4.3951 through 9-4.3953, and Article 40 entitled "Continuance of Certain Provisions", consisting of Section 9-4.4001, recodified from Sections 61300 through 61317 and 61600 through 61615, Plumas County Ordinance Code, as added by Ordinance No. 752, as amended by Ordinance Nos. 74-64, effective September 19, 1974, 74-67, effective September 3, 1974, 74-82, effective December 26, 1974, 75-89, effective February 28, 1975, 75-96, effective April 10, 1975, 75-100, effective May 8, 1975, 75-119 and 75-120, effective September 12, 1975, 76-137 and 76-138, effective March 4, 1976, 76-141, effective May 13, 1976, 76-148, effective July 15, 1976, 76-150, effective August 12, 1976, 76-157, effective September 9, 1976, 76-176, effective December 23, 1976, 76-180, effective January 6, 1977, 76-183, effective January 20, 1977, 77-187, effective February 10, 1977, 77-190, effective March 17, 1977, 77-206, effective July 7, 1977, 77-243 and 77-244, effective January 12, 1978, 78-250, effective February 23, 1978, 78-261, effective June 1, 1978, 78-279 and 78-280, effective September 14, 1978, 78-287, effective November 2, 1978, 78-289, effective December 14, 1978, 79-305, effective April 19, 1979, 79-311, effective May 10, 1979, 79-321, effective July 12, 1979, 79-329, effective August 9, 1979, 79-331, effective August 16, 1979, 79-335, effective September 13, 1979, 80-376, effective June 5, 1980, 80-394, effective September 4, 1980, 81-437, effective May 21, 1981, 81-469, effective September 19, 1981, 82-513, effective August 19, 1982, 82-515, effective September 16, 1982, 82-516, effective October 7, 1982, 82-524, effective December 23, 1982, and 83-545, effective September 1, 1983, repealed by Ordinance No. 84-593, effective January 3, 1985; see Chapter 2 of this title.

Article 2. Modifications

Sec. 9-4.201. Purpose.

The purpose of modification of development standards is to provide for opportunity to modify those standards in order to achieve unique design objectives, to enhance density transfers, to optimize environmental features of a site or to preclude adverse economic, social or environmental effects.

(§ 1, Ord. 87-662, eff. June 4, 1984)

Sec. 9-4.202. Application.

(a) *Planned developments.*

(1) The modification of development standards may be permitted pursuant to a planned development permit, as provided for in Article 7 of Chapter 2 of this title, if justified to achieve an integrated plan which:

- (i) Accomplishes a common interest development, or
- (ii) Reduces adverse social or environmental impacts.

(2) In granting a modification of development standards, the grantor shall make the following findings:

- (i) That the modification is consistent with the General Plan.
- (ii) That the modification is justified to achieve an integrated plan which precludes adverse social or environmental effects; and
- (iii) That the modification is not socially, economically or environmentally incompatible with the surrounding area.
- (iv) If any exceptions from the provisions of this Code which implement the SRA Fire Safe Regulations are requested, that the requirements of Section 9-9.202 of Article 2 of Chapter 9 of Title 9 of this Code will be met.

(b) *Modification Permits.*

(1) *Use of.* The modification of development standards may be permitted for developments which are not subject to issuance of a planned development permit under a modification permit.

(2) *Applications.* Any person seeking the issuance of a modification permit shall file a request with the Planning and Development Agency and shall appear before the Zoning Administrator presenting evidence of the following:

- (i) That the modification is consistent with the General Plan;
- (ii) That the modification is justified to achieve an integrated plan which precludes adverse economic, social or environmental effects;
- (iii) That the modification is not socially, economically or environmentally incompatible with the surrounding area; and
- (iv) That the owner of the property concurs in the request, if the applicant is other than the owner, and that the owner will be a party, with ultimate responsibility for modification, if granted.
- (v) If any exceptions from the provisions of this Code which implement the SRA Fire Safe Regulations are requested, that the requirements of Section 9-9.202 of Article 2 of Chapter 9 of Title 9 of this Code will be met.

- (3) **Processing time.**
- (i) The Planning Director shall determine if an application is complete within thirty (30) days after the receipt of the application.
 - (ii) If an application is determined to not be complete, the applicant shall make the application complete within one year from the date on which the application was determined to not be complete, or the application shall be considered withdrawn.
 - (iii) Upon completion of the appropriate environmental review, an application shall be scheduled for the next regularly scheduled hearing for which the application can be scheduled while meeting all requirements for notice.
- (4) **Investigations.** The Zoning Administrator shall investigate each application for a modification permit to assure that the proposal in each application is consistent with the intent and purposes of the provisions of this chapter.
- (5) **Hearings.**
- (i) **Scheduling.** The Zoning Administrator shall hold a public hearing on each application for a modification permit and shall give notice of hearing as set forth in Article 11.5 of Chapter 2 of this Title.
 - (ii) **Findings.** The Zoning Administrator shall issue findings and file them with the Planning Director. The applicant shall be notified of such findings not later than five (5) days after their issuance.
 - (iii) **Conditions.** The Zoning Administrator, in approving a modification permit, may require certain conditions under which the modification shall be allowed, which conditions shall prevent material damages to adjacent properties and shall provide suitable safeguards to ensure that the modification shall be consistent with the General Plan; ensure that the modification achieves an integrated plan which precludes adverse economic, social or environmental effects; and that the modification is socially, economically and environmentally compatible with the surrounding area.
- (6) **Revocation.**
- (i) **Institution.** Failure to comply with any condition imposed or misrepresentation by the applicant in the issuance of a modification permit shall result in the institution of revocation procedures by the Planning Director.
 - (ii) **Hearings.**
 - (aa) **Notices.** The Planning Director shall schedule a public hearing before the Board with notice given as set forth in Article 11.5 of Chapter 2 of this Title and given by certified mail to the person to whom the modification permit was issued.
 - (bb) **Revocation.** The Board may revoke such permit or modify the original conditions for failure to comply with any of the conditions imposed or upon evidence of misrepresentation in the issuance of the modification permit. The abatement and removal of facilities, if required by such revocation, shall be at the expense of the permittee.

(§ 1, Ord. 87-662, eff. June 4, 1987; as amended by § 1, Ord. 89-719, eff. November 2, 1989, and § 1, Ord. 91-762, eff. December 13, 1991; and § 8, Ord. 96-873, eff. October 31, 1996)

Article 3. Definitions

Sec. 9-4.301. Application.

The words and phrases set forth in this article and used in this chapter shall be defined as set forth in this article and by common usage and context, except as specifically defined in this title.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.302. ADT (average daily traffic).

"ADT" (average daily traffic) shall mean the number of vehicle trips on a road per twenty-four (24) hours averaged over a period of days. Unless otherwise stated, the period shall be the peak month.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.303. Agricultural Buffer Area.

"Agricultural Buffer Area" shall mean an area identified in the General Plan as an Agricultural Buffer Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.304. Base.

"Base" shall mean a layer of specified material of required thickness placed immediately above the subbase, upon which the pavement or surfacing is to be placed.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.305. Basement material.

"Basement material" shall mean the material in excavation or embankment upon which the lowest layer of subbase, base, pavement, surfacing or other specified layer is to be placed.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.306. Clearing.

"Clearing" shall mean the removal of objectionable materials from that portion of the right-of-way to be used for construction.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.307. Commercial Area.

"Commercial Area" shall mean an area identified in the General Plan as a Core Commercial, Periphery Commercial or Convenience Commercial Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.308. Cul-de-sac.

"Cul-de-sac" shall mean a road open at one end only, with provisions for turning around at the unopen end.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.309. Culvert.

"Culvert" shall mean any structure, other than a bridge, which provides an opening under a roadway for drainage or other purposes.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.310. Cut.

"Cut" shall mean an excavation of soil or rock required in order that the roadbed meet the required or desired standards of width, location, grade and curvature.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.311. Day.

"Day" shall mean, unless otherwise designated, calendar day.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.311.5. Dead-end road.

"Dead-end-road" shall mean a road that has only one point of vehicular access to a State highway or major thoroughfare; and shall include looped roads which have only one point of access, immediately or ultimately, to a State highway or major thoroughfare.

(§ 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-4.312. Development.

"Development" shall mean lot creation. In instances where lots are not created due to alternative methods of subdivision, such activity shall be development. Where other than single family residential land uses are permitted in Prime Opportunity Areas, utilization of the parcel for such purpose shall be development.

(§ 1, Ord. 87-662, eff. June 4, 1987; as amended by Exh. A, § 9, Ord. 96-873, eff. October 31, 1996)

Sec. 9-4.312.5. 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 on 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, amended by § 1, Ord.92-783, eff. July 9, 1992; and Exh. A, § 9, Ord. 96-873, eff. October 31, 1996)

Sec. 9-4.313. Engineer.

"Engineer" shall mean the Public Works Director acting either directly or through properly authorized agents, such agents acting within the scope of the particular duties delegated to them.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.314. Fill.

"Fill" shall mean rock, soil or gravel, or a mixture, placed so as to raise the roadbed above the natural land surface in order that the roadbed may be secure, or to meet the required or desired standards of width, location, grade or curvature.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.314.5. Fire valve.

"Fire valve" shall mean hydrant.

(§ 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-4.315. Grading plane.

"Grading plane" shall mean the surface of the basement material upon which the lowest layer of subbase, base, pavement, surfacing, or other specified layer, is placed. "Grading plane" shall be interchangeable with subgrade.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.315.1. Hammerhead turnaround.

"Hammerhead turnaround" shall mean a "T" shaped three (3) point turnaround space.

(§ 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-4.315.5. Hydrant.

"Hydrant" shall mean a valved connection on a water supply or storage system having at least one two and one-half (2-1/2") inch outlet with male American National Fire Hose Screw Threads used to supply fire apparatus and hoses with water.

(§ 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-4.316. Industrial Area.

"Industrial Area" shall mean an area identified in the General Plan as a Prime Industrial Area or a Limited Industrial Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.317. Limited Opportunity Area.

"Limited Opportunity Area" shall mean an area identified in the General Plan as a Limited Opportunity Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.318. Major thoroughfare.

"Major thoroughfare" shall mean a County road which is identified in Appendix II of the General Plan as a principal arterial, minor arterial, major collector or minor collector.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.319. Moderate Opportunity Area.

"Moderate Opportunity Area" shall mean an area identified in the General Plan as a Moderate Opportunity Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.320. Multiple-Family Residential Area.

"Multiple-Family Residential Area" shall mean an area identified in the General Plan as a Multiple-Family Residential Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.320.5. One-way road.

"One-way road" shall mean a roadway designed for traffic flow in one direction only.

(§ 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-4.321. Pavement.

"Pavement" shall mean asphalt surfacing placed on the traveled way or shoulders.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.322. Planned roadway alignment.

"Planned roadway alignment" shall mean an approximate location of future roadways or improvements, or both, including widening of existing roadways, as they are specifically designated in Appendix II of the General Plan. (§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.323. Plans.

"Plans" shall mean the official maps, project plans, and standard plans, profiles, typical cross sections, general cross sections, working drawings, and supplemental drawings, or reproductions thereof, approved by the Engineer, which show the location, character, dimensions and details of the work to be performed. (§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.324. Precise planned road.

"Precise planned road" shall mean a County Road other than a major thoroughfare. (§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.325. Prime coat.

"Prime coat" shall mean an even application of liquid asphalt applied to the base material prior to placement of asphalt surfacing. (§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.326. Prime Expansion Area.

"Prime Expansion Area" shall mean an area identified in the General Plan as a Prime Expansion Area. (§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.327. Prime Opportunity Area.

"Prime Opportunity Area" shall mean an area identified in the General Plan as a Prime Opportunity Area. (§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.328. Recreation Area.

"Recreation Area" shall mean an area identified in the General Plan as a Prime Recreation Site. (§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.329. Resource Transportation Route.

"Resource Transportation Route" shall mean a road identified in the General Plan as a Resource Transportation Route. (§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.330. Right-of-way.

"Right-of-way" shall mean the whole right-of-way or area which is reserved for and secured for use in constructing the roadway and its appurtenances. "Right-of-way" shall be interchangeable with road. (§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.331. Roadbed.

"Roadbed" shall mean that portion of the roadway which is graded, upon which the pavement or surface and shoulders are to be constructed. Its outer limits are the inner faces of curbs or the intersection of the graded surface with the side slopes. A divided road is considered to consist of two (2) roadbeds if there is a median area of undisturbed land between them. (§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.332. Roadway.

"Roadway" shall mean any surface designed, improved, or ordinarily used for vehicle travel including appurtenant structures.

(§ 1, Ord. 87-662, eff. June 4, 1987, as amended by § 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-4.333. Rural Area.

"Rural Area" shall mean an area identified in the General Plan as a Rural Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.334. Seal Coat.

"Seal coat" shall mean an application of bituminous binder sprayed on the surface of the paving course.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.335. Secondary Suburban Area.

"Secondary Suburban Area" shall mean an area identified in the General Plan as a Secondary Suburban Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.336. Shoulder.

"Shoulder" shall mean that portion of the completed roadbed between the edge of the traveled way and the side slopes.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.337. Side slope.

"Side slope" shall mean the inclined surfaces of both cuts and fills required to meet the approved specifications for construction of the roadbed.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.338. Specifications.

"Specifications" shall mean the directions, provisions and requirements contained in this chapter.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.339. Subbase.

"Subbase" shall mean a layer of specified material of required thickness between a base and the basement material.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.340. Subgrade.

"Subgrade" shall mean that portion of the roadbed on which the pavement, surfacing, base, subbase, or a layer of any other material is placed. "Subgrade" shall be interchangeable with grading plane.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.341. Substructure.

"Substructure" shall mean all that part of the bridge below the bridge seats, tops of piers, or haunches of rigid frames or below the spring lines of arches. Back walls and parapets of abutments and wing walls of bridges shall be considered as parts of the substructure.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.342. Suburban Area.

"Suburban Area" shall mean an area identified in the General Plan as a Suburban Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.343. Superstructure.

"Superstructure" shall mean all that part of the bridge above the bridge seats, tops of piers, haunches of rigid frames, or above the spring lines of arches.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.344. Surfacing.

"Surfacing" shall mean the uppermost layer of material placed on the traveled way or shoulders. "Surfacing" shall include pavement and rock.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.345. Traffic Lane.

"Traffic lane" shall mean that portion of a traveled way for the movement of a single line of vehicles.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.346. Traveled Way.

"Traveled way" shall mean that portion of the roadbed for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.347. T Turnaround.

"T turnaround" shall mean a "T" shaped three (3) point turnaround space.

(§ 1, Ord. 91-762, eff. December 13, 1991)

Article 4. Classification of Public and Private Roads

Sec. 9-4.401. Classification.

County roads and private roads shall be designated with a classification based upon the planned density of development and projected traffic volumes as determined by the General Plan designation of areas to be served as set forth in this article.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.402. Service roads.

- (a) Roads which are within a Commercial, Industrial, Recreation or Multiple-Family Residential Area on one or both sides serve such areas.
- (b) Roads which are within a Prime Opportunity Area and roads which provide access to a Prime Opportunity Area from a State highway or a major thoroughfare serve a Prime Opportunity Area.
- (c) Roads which are within a Prime Expansion Area and roads which provide access to a Prime Expansion Area from a State highway or a major thoroughfare serve a Prime Expansion Area.
- (d) Roads which are within a Suburban Area and roads which provide access to a Suburban Area from a State highway or a major thoroughfare serve a Suburban Area.
- (e) Roads which are within an Agricultural Buffer Area and roads which provide access to an Agricultural Buffer Area from a State highway or a major thoroughfare serve an Agricultural Buffer Area.
- (f) Roads which are within a Secondary Suburban Area and roads which provide access to a Secondary Suburban Area from a State highway or a major thoroughfare serve a Secondary Suburban Area.
- (g) Roads which are within a Rural Area and roads which provide access to a Rural Area from a State highway or a major thoroughfare serve a Rural Area.
- (h) Roads which are within a Limited Opportunity Area and roads which provide access to a Limited Opportunity Area from a State highway or a major thoroughfare serve a Limited Opportunity Area.
- (i) Roads which are within a Resource Production Area serve a Resource Production Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.403. Class 1 Roads.

Class 1 Roads shall be:

- (a) County roads with a projected traffic volume of more than 7500 ADT and which serve Commercial, Industrial, Recreation, or Multiple-Family Residential Areas, or any combination thereof.
- (b) Private roads in Prime Opportunity or Suburban Areas with a projected traffic volume of more than 7500 ADT and which serve Commercial, Industrial, or Recreation Areas or any combination thereof; and
- (c) Private roads in Moderate Opportunity Areas other than Suburban with a projected traffic volume of more than 7500 ADT and which serve Commercial or Industrial Areas, or both.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.404. Class 2 Roads.

Class 2 Roads shall be:

- (a) County roads with a projected traffic volume of 5000 to 7500 ADT and which serve Commercial, Industrial, Recreation, or Multiple-Family Residential Areas, or any combination thereof.
- (b) Private roads in Prime Opportunity or Suburban Areas with a projected traffic volume of 5000 to 7500 ADT and which serve Commercial, Industrial, Recreation, or Multiple-Family Residential Areas, or any combination thereof; and
- (c) Private roads in Moderate Opportunity Areas other than Suburban with a projected traffic volume of 5000 to 7500 ADT and which serve Commercial or Industrial Areas, or both.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.405. Class 3 Roads.

Class 3 Roads shall be:

- (a) County roads with a projected traffic volume of 5000 ADT or less and which serve Commercial, Industrial, Recreation, or Multiple-Family Residential Areas, or any combination thereof.
- (b) Private roads in Prime Opportunity or Suburban Areas with a projected traffic volume of 5000 ADT or less and which serve Commercial, Industrial, Recreation, or Multiple-Family Residential Areas, or any combination thereof.
- (c) Private roads in Moderate Opportunity Areas other than Suburban with a projected traffic volume of 5000 ADT or less and which serve Commercial or Industrial Areas, or both.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.406. Class 4 Roads.

Class 4 Roads shall be:

- (a) County roads which are Resource Transportation Routes with a projected traffic volume of more than 1000 ADT and which do not qualify for any of Road Classifications 1, 2, or 3; which shall be Class 4A;
- (b) Private roads in Prime Opportunity or Suburban Areas which are Resource Transportation Routes with a projected traffic volume of more than 1000 ADT and which do not qualify for any of Road Classifications 1, 2, or 3; which shall be Class 4A;
- (c) County roads which are Resource Transportation Routes with a projected traffic volume of 400 to 1000 ADT and which do not qualify for any of Road Classifications 1, 2, or 3; which shall be Class 4B;
- (d) Private roads in Prime Opportunity or Suburban Areas which are Resource Transportation Routes with a projected traffic volume of 1000 ADT or less and which do not qualify for any of Road Classifications 1, 2, or 3; which shall be Class 4B;
- (e) County roads which are Resource Transportation Routes with a projected traffic volume of 400 ADT or less and which do not qualify for any of Road Classifications 1, 2, 3, 5, 6, or 7; which shall be Class 4C; and
- (f) Private Roads outside Prime Opportunity and Suburban Areas which are Resource Transportation Routes and which do not serve any Commercial or Industrial Area; which shall be Class 4C.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.407. Class 5 Roads.

Class 5 Roads shall be:

- (a) County roads with a projected traffic volume of more than 1000 ADT and which do not serve any Commercial, Industrial, Recreation, or Multiple-Family Residential Area and which are not Resource Transportation Routes; and
- (b) Private roads in Prime Opportunity or Suburban Areas with a projected traffic volume of 1000 ADT or more and which do not serve any Commercial, Industrial, Recreation, or Multiple-Family Residential Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.408. Class 6 Roads.

Class 6 Roads shall be:

- (a) County roads with a projected traffic volume of 400 to 1000 ADT and which do not serve any Commercial, Industrial, Recreation, or Multiple-Family Residential Area and which are not Resource Transportation Routes; and
- (b) Private roads in Prime Opportunity or Suburban Areas with a projected traffic volume of from more than 400 to 1000 ADT and which do not serve any Commercial, Industrial, Recreation, or Multiple-Family Residential Area.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.409. Class 7 Roads.

Class 7 Roads shall be:

- (a) County roads in Prime Opportunity or Suburban Areas with a projected traffic volume of 400 ADT or less and which do not serve any Commercial, Industrial, Recreation, or Multiple-Family Residential Area and which are not Resource Transportation Routes;
- (b) County roads outside Prime Opportunity and Suburban Areas with a projected traffic volume of 400 ADT or less and which do not serve any Commercial, Industrial or Recreation Area;
- (c) Private roads in Prime Opportunity or Suburban Areas with a projected traffic volume of 400 ADT or less and which do not serve any Commercial, Industrial, Recreation, or Multiple-Family Residential Area; and
- (d) Roads which have no feasible possibility of future extension or connection which could result in an ADT of more than 400. Where such a possibility exists, a road which would otherwise be Class 7 shall be Class 6.

(§ 1, Ord. 87-662, eff. June 4, 1987)

Sec. 9-4.410. Class 8 Roads.

Class 8 Roads shall be:

- (a) One-way County roads which provide access to an area zoned for no more than ten (10) dwellings; and
- (b) One-way private roads in Prime Opportunity or Suburban Areas which provide access to an area zoned for no more than ten (10) dwellings.

(§ 1, Ord. 87-662, eff. June 4, 1987, as amended by § 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-4.411. Class 9 Roads.

Class 9 Roads shall be private roads in Moderate Opportunity Areas other than Suburban which do not serve any Commercial or Industrial Area.

(§ 1, Ord. 87-662, eff. June 4, 1987, as amended by Ord. 87-668, eff. July 9, 1987, and § 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-4.412. Class 10 Roads.

Class 10 Roads shall be roads which serve only Limited Opportunity Areas and Resource Production Areas, and which are not Resource Transportation Routes.

(§ 1, Ord. 87-662, eff. June 4, 1987, as amended by Ord. 87-668, eff. July 9, 1987, and § 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-4.413. Class 11 Driveways.

Class 11 Driveways shall be driveways which provide access to 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.87-662, eff. June 4, 1987, as amended by § 1, Ord. 91-762, eff. December 13, 1991, and §1, Ord. 92-783, eff. July 9, 1992; and Exh. A, § 10, Ord. 96-873, eff. October 31, 1996, and § 1, Ord. 02-975, eff. October 2, 2002)

**Article 5. Minimum Design Standards
(Amended by Ord. 93-802)**

Sec. 9-4.501. Minimum Road Design Standards.

- (a) For purposes of this section, these terms are designed as follows:
- (1) "Surfaced" means pavement unless otherwise specified.
 - (2) "Shoulder" means rocked (class 2 aggregate base) shoulder unless otherwise specified.
 - (3) "Total shoulder width" means the sum of the widths of the shoulders on both sides of the road.
 - (4) "Clearing limit" means clearing limit measured from the outer limit of construction; or in flat land from the bottom of the ditch.
- (b) Minimum road design standards for each class of public and private road defined in Article 4 of this chapter shall be as follows:

CLASS 1: Projected Traffic + 7,500 ADT

Surfaced traveled way 48 ft. (4 lanes); total paved shoulder width-16 ft., with 4' (total) rocked shoulders. Curb and gutter can substitute for rocked shoulder; roadbed 68 ft.; right-of-way 80 ft. for parallel parking, 98 ft. for diagonal parking; no clearing limit. An additional nine (9) feet of paved shoulder is required for each side where diagonal parking will be placed.

CLASS 2: Projected Traffic + 5,000 - 7,500 ADT

Surfaced traveled way 36 ft. (3 lanes with center lane to be either a passing lane, a left turn lane, or a combination of the two); total paved shoulder width 16 ft.; width 4' (total) rocked shoulder. Curb and gutter can substitute for rocked shoulder; roadbed 56 ft.; right-of-way 80 ft. for parallel parking, 98 ft. for diagonal parking; no clearing limit. An additional nine (9) feet of paved shoulder is required for each side where diagonal parking will be placed.

CLASS 3: Projected Traffic - 5,000 ADT

Surfaced traveled way 22 ft.; total paved shoulder width 16 ft., with 4' (total) rocked shoulders. Total shoulder width may be reduced to 6 ft. where no on-street parking is permitted and where no special maneuvering areas are necessary for traffic safety and ADT is less than 1,000. Curb and gutter can substitute for rocked shoulder; roadbed 42 ft.; right-of-way 60 ft. for parallel parking, 78 ft. for diagonal parking; no clearing limit. An additional nine (9) feet of paved shoulder is required for each side where diagonal parking will be placed.

CLASS 4A: Projected Traffic + 1,000 ADT

Surfaced traveled way 24 ft.; total shoulder width 16 ft.; roadbed 40 ft.; right-of-way 60 ft.; clearing limit 4 ft.

CLASS 4B: Projected Traffic 400 - 1,000 ADT

Surfaced traveled way 24 ft.; total shoulder width 8 ft.; roadbed 32 ft.; right-of-way 60 ft.; clearing limit 4 ft.

CLASS 4C: Projected Traffic - 400 ADT

Surfaced traveled way 20 ft. (rocked); total shoulder width 4 ft.; roadbed 24 ft.; right-of-way 60 ft.; clearing limit 2 ft.

CLASS 5: Projected Traffic + 1,000 ADT

Surfaced traveled way 22 ft.; total shoulder width 18 ft.; roadbed 40 ft.; right-of-way 60 ft.; clearing limit 4 ft.

CLASS 6: Projected Traffic + 400 - 1,000 ADT

Surfaced traveled way 22 ft.; total shoulder width 8 ft.; roadbed 30 ft.; right-of-way 60 ft.; clearing limit 4 ft.

CLASS 7: Projected Traffic - 400 ADT

Surfaced traveled way 22 ft.; total shoulder width 4 ft.; roadbed 26 ft.; right-of-way 50 ft.; clearing limit 2 ft.

CLASS 8

Surfaced traveled way 12 ft. (one way); total shoulder width 8 ft.; roadbed 20 ft.; right-of-way 40 ft. clearing limit 2 ft.

CLASS 9

Surfaced traveled way 18 ft. (rocked); total shoulder width 4 ft., but 0 ft. if exception is granted under Section 9-9.202 of this Code; roadbed 22 ft., right-of-way 40 ft.; clearing limit 2 ft.

CLASS 10

Surfaced traveled way 18 ft. (graded); total shoulder width 4 ft., but 0 ft. if exception is granted under Section 9-9.202 of this Code; roadbed 22 ft.; right-of-way 40 ft.; clearing limit 2 ft.

CLASS 11

Surfaced traveled way 10 ft. (graded); total shoulder width 0 ft.; roadbed 10 ft.; right-of-way 20 ft., where right-of-way is needed; clearing limit 0 ft.

- (c) Roadway surfaces on all classes of public and private roads and driveways shall be capable of supporting a minimum of 40,000 pound load. Bridges, culverts, and other appurtenant structures which supplement the roadway bed or shoulders shall support a minimum load of 80,000 pounds.
- (d) All roadways shall provide a minimum vertical clearance of 15 ft.

(§ 1, Ord. 87-662, eff. June 4, 1987, as amended by Ord. 87-668, eff. July 9, 1987, and § 1, Ord. 91-762, eff. December 13, 1991, and § 1, Ord. 92-783, eff. July 9, 1992, and § 1, Ord. 93-802, eff. March 4, 1993, and § 3, Ord. 02-975, eff. October 2, 2002)

Sec. 9-4.502. Turnouts.

Turnouts shall be a minimum of ten (10') feet wide and thirty (30') feet long with a minimum twenty-five (25') foot taper on each end.

(§ 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-4.503. Turnarounds.

- (a) The turnaround area at the end of dead-end roads shall be improved with subbase and base as required by the road classification for a diameter of eighty (80') feet and shall be provided with shoulders as required for the class of road served. The turnaround area at the end of dead-end paved roads shall be paved for a diameter of sixty (60') feet. Right-of-way for turnarounds shall be a minimum diameter of twenty (20') feet more than the diameter of the required surfaced area and shoulder.
- (b) T turnarounds
 - (1) T turnarounds shall be permitted at the end of driveways.
 - (2) T turnarounds may be permitted through an exception granted as provided in Section 9-9.202 of Article 2 of Chapter 9 of Title 9 of this Code.
 - (3) The top of the "T" of a T turnaround shall be at least sixty (60') feet long.
 - (4) The components of a T turnaround shall be no narrower than the roadway which serves it and shall be constructed to the same standards.
 - (5) The top of the "T" of a T turnaround at the end of a driveway shall be no narrower than twenty (20') feet and shall be constructed to the same standard as the driveway.
- (c) Provisions shall be made for adequate snow storage areas at cul-de-sacs or turnarounds. These areas shall be free of above ground utility equipment and driveways. The areas shall be a minimum of thirty (30') feet wide by twenty (20') feet deep and be located behind surface drainage improvements.

(§ 1, Ord. 91-762, eff. December 13, 1991, as amended by § 1, Ord. 92-783, eff. July 9, 1992, and § 2, Ord. 93-802, eff. March 4, 1993)