Siskiyou County
Planning Commission Staff Report
June 3, 2026

New Business Agenda Item No. 1:
Title 10 Zoning Code Update (Presentation and Study Session)

Project Summary: Consultants for the Siskiyou County 2050 General Plan and Title 10 Zoning Code Update will present the Draft Title 10 Zoning Code Update for Planning Commission and public review. Title 10 contains the County's planning, zoning, subdivision, and land use regulations. The draft update is intended to modernize the Zoning Code, improve consistency with the 2050 General Plan Update, simplify permit procedures, update zoning districts and use regulations, and improve overall clarity and usability.

Exhibits: Exhibit A – Draft Text of Title 10

Discussion

Consultants for the Title 10 Zoning Code Update will provide an overview of the draft update and discuss the major proposed revisions with the Planning Commission.

The purpose of this study session is to receive Planning Commission and public feedback before preparation of a final draft ordinance for future public hearing consideration. No final action will be taken at this meeting.

The Draft Title 10 Zoning Code Update includes proposed revisions to zoning districts, allowed uses, permit procedures, development standards, subdivision regulations, and related land use procedures.

Environmental Review

This study session is for discussion of the Draft Title 10 Zoning Code Update only and does not constitute approval or adoption of the ordinance. Environmental review will be completed as part of the future ordinance adoption process.

Planning Staff Recommendations

Staff recommends that the Planning Commission receive the presentation, review the Draft Title 10 Zoning Code Update, receive public input, and provide direction and feedback for incorporation into the next draft of the ordinance.

10 – Planning and Zoning

Part 1 – Purpose, Applicability, Interpretation

ADMINISTRATIVE DRAFT

MAY 2026

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Chapter 10.05

Purpose and Applicability

Chapter 10.05 Purpose and Applicability

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10.05.010 Title

Title 10, of the Siskiyou County Municipal Code shall be known and cited as the "Siskiyou County Zoning Code," "Zoning Code of the County of Siskiyou," "Zoning Code," or "this Code. [Source: NEW]

10.05.020 Purpose and Intent

A. This Zoning Code is adopted pursuant to the County's police power authority under Article XI, Section 7 of the California Constitution and Government Code Section 65800 et seq. The purpose of this Zoning Code is to protect the public health, safety, peace, morals, comfort, convenience, and general welfare of the County. More specifically, this Code is meant to: [Source: 10-6.102, modified]

1. Guide, control, and regulate future growth and development in the County in accordance with the adopted Siskiyou County General Plan; [Source: 10-6.102(a), modified]
2. Designate and regulate the use of lands, buildings, and structures to ensure the orderly development of agricultural, forestry, industrial, business, recreational, and residential uses; [Source: 10-6.102(b)(1), modified]
3. Determine, establish, regulate, and restrict the location, setbacks, yards, height, and size of buildings and other structures; [Source: 10-6.102(d)]
4. Preserve and enhance neighborhoods by eliminating blight and promoting healthy communities that encourage family life, peace and quiet, open space and privacy; [Source: 10-6.102(h); 10-6.102(y), modified]
5. Ensure adequate transportation, utilities, health, educational, recreational, and other public facilities for the use and enjoyment of Siskiyou County's residents, businesses, and visitors; [Source: 10-6.102(j), modified]
6. Establish development and land use standards that promote safety from fire, flooding, panic, and other dangers; [Source: 10-6.102(l), modified]

7. Provide adequate light, air, sanitation and drainage for all development in the county; [Source: 10-6.102(m), modified]

8. Establish performance standards that protect against air and water pollution, unnecessary contamination, noises, vibrations, odors, glare, heat, fire, flooding, radiation, and other hazards and nuisances; [Source: 10-6.102(n), modified]

9. Promote the efficient use of public funds, protect property values and property tax base, and support the economic stability of agriculture, forestry, timber production, industry, business, and recreation; [Source: 10-6.102(q), modified]

10. Prevent and control soil erosion, sedimentation, and water pollution of the surface and subsurface waters; and [Source: 10-6.102(t), modified]

11. Protect and enhance the County's water, soil, wetlands, woodlands, wildlife, and other natural resources and promote a balance between development and natural resources and public spaces that maintains the natural beauty of the county and encourages future development that aligns with the county's character. [Source: 10-6.102(x), 10-6.102(w), modified]

B. It is not the intent of this Zoning Code to supersede other regulations or requirements adopted or imposed by the Board of Supervisors or any State or Federal agency that has jurisdiction by law over uses and development authorized by this Zoning Code. Where conflict occurs between the provisions of the Zoning Code and any other County, State, or Federal ordinance, resolution, guideline, or regulation, the more restrictive provisions shall control, unless otherwise required by law. [Source: NEW]

10.05.030 Authority

This Zoning Code is enacted under the authority of the County of Siskiyou as provided for under State law, including but not limited to the State Constitution, Planning and Zoning Law (California Government Code Section 65000 et seq.), Subdivision Map Act (California Government Code Section 66410 et seq.), California Environmental Quality Act (California Public Resources Code Section 21000 et seq.), the California Health and Safety Code, and other applicable provisions of State law. [Source: 10-6.101, modified]

10.05.040 Applicability of the Title

This Zoning Code shall apply to all uses of land, structures, subdivisions, and development within the County. [Source: NEW]

A. **Compliance Required.** No land shall be used, and no structure shall be constructed, altered, enlarged, demolished, moved, or maintained except in compliance with the provisions of this Title. [Source: NEW]

B. **Subdivision.** A subdivision of land proposed within the County after the effective date of the ordinance adopting this Zoning Code shall comply with the minimum parcel size requirements of Part 5 (Zoning Districts, Uses, and Standards) and Part 6 (Subdivisions). [Source: NEW]

C. **Continuation of Existing Uses.** An existing land use or structure that was lawfully established prior to the effective date of this Title shall not be deemed a violation solely due to adoption of this Title. Such uses and structures shall be regulated in accordance with Chapter 10.270

(Nonconforming Parcels, Structures, and Uses). This provision shall not be construed to waive, terminate, legalize, or otherwise remedy any existing violation, enforcement action, notice of violation, or pending County Code compliance matter initiated prior to or after the effective date of this Title. [Source: NEW]

10.05.050 Relationship to Prior Titles

The provisions of the County's prior Zoning Code are repealed and superseded upon the effective date of Ordinance No. XX adopting this Title. Nothing in this Title shall be deemed to confer legal status upon any use, structure, or subdivision that was unlawful under the regulations in effect at the time it was established, nor shall repeal of prior regulations operate as a waiver of enforcement authority for past violations. Uses and structures that were lawfully established under prior regulations but that do not conform to this Title shall be regulated in accordance with Chapter 10.270 (Nonconforming Parcels, Structures, and Uses). [Source: NEW]

10.05.060 Relationship to the General Plan

This Title is adopted to implement the goals, policies, and land use designations of the Siskiyou County General Plan. Pursuant to Government Code Section 65860, this Title and the Zoning Map shall be consistent with the General Plan. All permits, approvals, and entitlements issued under this Title shall be consistent with the General Plan and any applicable specific plan, area plan, or community plan. If a conflict arises between this Title and the General Plan, the General Plan shall control. No amendment to this Title shall be adopted unless it is found to be consistent with the General Plan. [Source: 10-6.301, modified]

10.05.070 Relationship to Other County Ordinances

Nothing in this Title eliminates the requirement to obtain permits, approvals, or other entitlements required by the County, any special district, or any State or Federal agency having jurisdiction. Compliance with this Title does not relieve any person from compliance with any other applicable County, State, or Federal law. Permits issued in error under this Title may be subject to modification, suspension, or revocation in accordance with Chapter 10.65 (Permit Modification and Revocation) and applicable due process requirements. [Source: NEW]

10.05.080 Severability

If any provision of this Title or its application to any person or circumstance is held invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions or applications of this Title. The Board of Supervisors declares that it would have adopted this Title and each provision thereof irrespective of the invalidity of any one or more provisions. [Source: NEW]

Chapter 10.10

Interpretation and Conflict Procedures

Chapter 10.10 Interpretation and Conflict Procedures

Sections

10.10.010 Purpose
10.10.020 Rules for Interpretation
10.10.030 Procedures for Interpretation
10.10.040 Land Uses Not Classified
10.10.050 Illustrations

10.10.010 Purpose

The purpose of this Chapter is to establish clear rules and procedures to be used by the Planning Director, Planning Commission, Board of Supervisors, and other interested parties to interpret the standards and requirements of this Zoning Code. [Source: NEW]

10.10.020 Rules for Interpretation

A. **Terminology.** The following rules shall apply to all provisions of this Zoning Code: [Source: NEW]

1. **Tense.** Words used in the present tense shall include the future tense. [Source: 10-6.3601, modified]

2. **Plurality.** Words used in the singular shall include the plural. [Source: 10-6.3601, modified]

3. The words "shall," “must,” "will," "is to," and "are to" shall always indicate a mandatory action or provision. "Should" is not mandatory but is strongly recommended and "may" is permissive. [Source: 10-6.3601, modified]

4. **Conjunctions.** When one or more items or provisions are expressed in a list, the following rules shall apply: [Source: NEW]

   a. “And” indicates that all connected items or provisions shall apply. [Source: NEW]

   b. “Or” indicates that the connected items or provisions may apply singly or in any combination. [Source: NEW]

   c. “Either…or” indicates that the connected items and provisions shall apply singly but not in combination. [Source: NEW]

   d. “Includes” and “including” shall mean “including, but not limited to,” and shall be interpreted to include items of similar nature and effect. [Source: NEW]

5. **Local Reference.** “County” as used in this Zoning Code means Siskiyou County. When “County” is capitalized it shall indicate the County of Siskiyou as a public agency and all associated public officials, bodies, and agencies, unless otherwise stated.

When “county” is not capitalized, it shall indicate Siskiyou County as a geographical location. [Source: NEW]

6. **Definitions.** All terms used in this Zoning Code shall be as defined in Part 8 (Definitions). If a term is not defined, it shall be interpreted consistent with its common and ordinary meaning and the purpose and intent of this Title. [Source: NEW]

B. **Numbers.** The following rules shall apply when numerical values are specified in the Zoning Code, unless otherwise provided by another Chapter or Section of this Title or required by State or Federal law. [Source: NEW]

1. **Fractions.** Whenever this Zoning Code requires the calculation of a numerical quantity (e.g., distances, parking spaces, dwelling units) that results in a fraction of a whole number, the results shall be rounded as follows: [Source: NEW]

a. **General Rounding.** Fractions equal to one-half (0.5) or greater shall be rounded up to the nearest whole number and fractions less than one-half (0.5) shall be rounded down to the nearest whole number, except as otherwise provided. [Source: NEW]

b. **Exception for State Affordable Housing Density Bonus.** The calculation of fractions related to allowed bonus density units for projects eligible for bonus density outlined in Government Code Section 65915 or any successor statute, and Chapter 10.150 (Density Bonuses), any fractional number of units shall be rounded up to the next whole number. [Source: NEW]

2. **Number of Days.** Whenever the number of days is specified in this Zoning Code, or in any permit, condition of approval, or notice issued or given as provided in this Zoning Code, the number of days shall be construed as calendar days. When the last of the specified number of days falls on a weekend or County holiday, time limits shall extend to the end of the next weekday (Monday through Friday). [Source: NEW]

C. **State Law Requirements.** Where this Zoning Code refers to provisions of State law (e.g., the California Government Code, Subdivision Map Act, Public Resources Code), the references shall be interpreted to be to the applicable State law provisions as they may be amended from time to time. [Source: NEW]

D. **Minimum Requirements.** When interpreting and applying the regulations of this Zoning Code, all provisions shall be minimum requirements, unless specifically stated otherwise. [Source: NEW]

10.10.030 Procedures for Interpretation

A. **Authority of Planning Director to Interpret; Referral to Planning Commission.** The Planning Director shall have the authority to interpret the meaning and applicability of this Zoning Code and may refer questions to the Planning Commission for determination. All interpretations shall be in writing, shall be consistent with the purpose and intent of this Title and the General Plan, and shall not have the effect of amending or modifying the provisions of this Title or expanding the scope of permitted uses beyond those expressly authorized by this Title. [Source: NEW]

B. **Request for Interpretation.** Any interested party may file a request for an interpretation or determination of any portion of this Zoning Code with the Planning Director. The request shall include the specific provisions in question and any other information necessary to assist the Planning Director in their review and shall be accompanied by an applicable fee as established in the County's Cost Recovery Schedule. [Source: NEW]

C. **Record of Interpretation/Determination.** All interpretations and determinations made by the Planning Director and/or Planning Commission shall be made in writing and kept as a permanent record that is made available to the public. [Source: NEW]

D. **Appeals.** Any interpretation or determination of this Zoning Code by the Planning Director or Planning Commission may be appealed in accordance with Title 1 of the County Code of Ordinances.

10.10.040 Land Uses Not Classified

A. **Permissive Zoning Regulations.** This Zoning Code is permissive, meaning that only those uses which are described as permitted within each zone, as established in Part 5, are allowed within that zone, unless otherwise determined by the Planning Director or deferred to the Planning Commission as established in Section 10.10.040.B (Uses Not Listed), below. [Source: 10-6.303, modified]

B. **Uses Not Listed.** Uses not listed shall not be permitted unless the Planning Director determines that the proposed use is substantially similar in character, intensity, and operational characteristics to a listed permitted or conditionally permitted use. [Source: 10-6.303, modified]

10.10.050 Illustrations

All images, drawings, and diagrams included in this Zoning Code are for illustrative purposes only. In the event of a conflict between the text of this Zoning Code and any diagram, illustration, or image contained, the text shall prevail. [Source: NEW]

Chapter 10.15

Zones and Zoning Map

Chapter 10.15 Zones and Zoning Map

Sections

10.15.010 Purpose and Intent
10.15.020 Establishment of Zones
10.15.030 Effect of Establishment
10.15.040 Zoning Map
10.15.050 Uncertainty of Boundaries

10.15.010 Purpose and Intent

This Chapter establishes the zoning districts applicable to property located within the unincorporated territory of the County. [Source: 10-6.201, modified]

10.15.020 Establishment of Zones

General. The County is divided into zoning districts to allow for the orderly, planned development of the County in compliance with the General Plan. Table 10.15-1 (Zones Implementing the General Plan) identifies the zoning districts applicable to parcels in the unincorporated territory of the County as reflected on the County's Zoning Map. [Source: NEW]

Table 10.15-1: Zones Implementing the General Plan

Zone	Zone Name	Maximum Density/FAR	Corresponding General Plan Land Use Designation
Base Zones			
AG1	Prime Agricultural	No minimum or maximum density established	Agricultural
AG2	Non-Prime Agricultural	No minimum or maximum density established	Agricultural
OS	Open Space	No minimum or maximum density established	Open Space
RR	Rural Residential	0 – 6 du/ac	Rural Residential
RL	Residential Low	0 – 6 du/ac	Low Density Residential
RM	Residential Mixed	6 – 20 du/ac	Mixed Density Residential

Table 10.15-1: Zones Implementing the General Plan

Zone	Zone Name	Maximum Density/FAR	Corresponding General Plan Land Use Designation
C	Commercial	10 – 24 du/ac 0.0 – 1.5 FAR	Commercial
IN	Industrial	0.0 – 1.5 FAR	Industrial
TPZ	Timberland Production	No minimum or maximum density established	Timberland Production
PD	Planned Development	As established in underlying General Plan Land Use Designation	Can be applied in any land use designation
Overlay Zones			
-AC	Airport Compatibility	As established in underlying General Plan Land Use Designation	Can be applied in any land use designation
-FP	Floodplain	As established in underlying General Plan Land Use Designation	Can be applied in any land use designation
-FRZ	Fault Rupture	As established in underlying General Plan Land Use Designation	Can be applied in any land use designation
-HC	Hemp Cultivation	As established in underlying General Plan Land Use Designation	Can be applied in any land use designation
-PL	Public Lands	As established in underlying General Plan Land Use Designation	Can be applied in any land use designation
-TL	Tribal Lands	As established in underlying General Plan Land Use Designation	Can be applied in any land use designation

10.15.030 Effect of Establishment

Except as otherwise provided in this Title:

A. No building shall be erected and no existing building shall be moved, altered, added to, or enlarged, nor shall any land, building, or premises be used or occupied for any purpose or in any manner other than as permitted in the zoning district in which such building, land, or premises are located. [Source: 10-6.203(a)]

B. No building shall be erected, reconstructed, or structurally altered to exceed the maximum height permitted in the zoning district in which it is located. [Source: 10-6.203(b)]

C. No building shall be erected, nor shall any existing building be altered, enlarged, or rebuilt, nor shall any open space be encroached upon or reduced in any manner except in conformity to the yard, building, site area, and building location standards applicable to the zoning district in which such building or open space is located. [Source: 10-6.203(c)]

D. No yard or other open space provided about any building for the purpose of complying with the provisions of this Title shall be considered as providing a yard or open space for any other building, and no yard or other open space on one building site shall be considered as providing a yard or open space for a building on any other building site. [Source: 10-6.203(d)]

The provisions of this Title shall be applicable to any individual, partnership, corporation, cooperative, association, trust, or other legal entity, district, or agency within the unincorporated territory of the County. To the extent permitted by law, State and Federal agencies shall comply with the provisions of this Title.

10.15.040 Zoning Map

The Zoning Map, consisting of the Index Map, Sectional District Maps, and all amendments thereto, is hereby adopted and incorporated by reference as part of this Title.

The Index Map shall serve as an index to the Sectional District Maps that depict the zoning districts within the unincorporated territory of the County. The official Zoning Map and all amendments thereto shall be maintained by the Planning Division of the County and shall be available for public inspection in the office of the County Clerk and the Planning Division of the County.

In the event of any discrepancy between the Zoning Map and any unofficial copy thereof, the official Zoning Map maintained by the Planning Division of the County shall control. [Source: 10-6.204; 10-6.205]

10.15.050 Uncertainty of Boundaries

Where uncertainty exists regarding the location of a district boundary shown on the Zoning Map, the following rules shall apply: [Source: 10-6.302]

A. Where such boundaries are indicated as approximately following street and alley lines, such lines shall be construed to follow the center of the street or alley, or along the lot line if the lot line is not also a street boundary; [Source: 10-6.302(a)]

B. Where a public street or alley is officially vacated or abandoned, the regulations applicable to the property to which it reverts shall apply to such vacated or abandoned street or alley; [Source: 10-6.302(b)]

C. Where a district boundary is not indicated by dimensions on the Zoning Map, the location of such boundary shall be determined by use of the scale appearing on the map; and [Source: 10-6.302(c)]

D. In all other cases where any uncertainty exists, the Planning Director shall determine the location of boundaries. [Source: 10-6.302(d)]

10 – Planning and Zoning

Part 2 – Permit Processing Procedures

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Chapter 10.20

General Provisions

Chapter 10.20 General Provisions

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10.20.060 Filing Fees and Requirements
10.20.070 Application Completeness Review
10.20.080 Environmental Review
10.20.090 Permit Implementation Time Limits and Extensions

10.20.010 Purpose

This Part establishes uniform procedures governing the application, filing, processing, review, decision-making, and implementation of permits, entitlements, and other approvals required by this Title. [Source: NEW]

10.20.020 Applicable Actions, Entitlements, and Permits

Actions under this Title are classified as ministerial, administrative, quasi-judicial, or legislative. Each classification carries distinct procedural requirements regarding notice, public hearing, findings, appeal, and environmental review, as applicable.

Certain approvals, including subdivision maps and building permits, are governed by separate statutory and procedural provisions of this Title and the County Code. Actions taken under those provisions shall be processed in accordance with the requirements of those provisions and may be ministerial, administrative, quasi-judicial, or legislative, as specified therein. The Review Authority for each classification of action is identified below.

A. **Ministerial Actions.** Ministerial actions involve no exercise of discretion and are limited to determining compliance with objective standards of this Title and other applicable laws. Ministerial actions shall not require a public hearing and are not subject to discretionary review unless otherwise required by State law. Except when combined with a higher-level discretionary or legislative action, the Planning Director shall serve as the Review Authority for ministerial actions. Ministerial actions include:

1. Zoning Clearance Permits, in compliance with Chapter 10.30 (Zoning Permit).
2. Sign Permits, incompliance with Chapter 10.90 (Signs).
3. Any other action expressly identified in this Title as ministerial.

B. **Administrative Actions.** Administrative actions require the application of standards and the making of findings based on the record but do not require a public hearing unless expressly

required by this Title. Except when combined with a quasi-judicial or legislative action, the Planning Director shall serve as the Review Authority for administrative actions. The Planning Director may refer any administrative action to the Planning Commission for decision. Administrative actions include:

1. Administrative Use Permits, in compliance with Chapter 10.31 (Administrative Use Permits).
2. Zoning Code Interpretations, in compliance with Section 10.10.030 (Procedures for Interpretation).
3. Minor Deviations, in compliance with Chapter 10.40 (Minor Deviations).
4. Reasonable Accommodations, in compliance with Chapter 10.25 (Reasonable Accommodation).

C. **Quasi-Judicial Actions.** Quasi-judicial actions require the making of findings based on substantial evidence in the record and shall require a duly noticed public hearing in compliance with this Title. Except when combined with a legislative action, the Planning Commission shall serve as the Review Authority for quasi-judicial actions. Quasi-judicial actions include:

1. Use Permits, in compliance with Chapter 10.35 (Use Permit).
2. Planned Development Plans, in compliance with Chapter 10.40 (Planned Development Plan).
3. Variances, in compliance with Chapter 10.45 (Variance).

D. **Legislative Actions.** Legislative actions establish or amend policy or law of general applicability and shall require a duly noticed public hearing. Legislative actions shall be adopted by ordinance or resolution, as required by State law. The Board of Supervisors shall serve as the Review Authority for all legislative actions under this Title. Legislative actions include:

1. Density Bonus for Affordable Housing where legislative action is required under Chapter 10.110 (Density Bonus).
2. Development Agreements and Amendments. An agreement between the County and a party having legal or equitable interest in real property relating to the development of that property.
3. Specific Plans adopted in compliance with State law.
4. Zoning Code Text Amendments and Zoning Map Amendments adopted in compliance with Chapter 10.250 (Amendments).
5. General Plan Text or Map Amendments adopted in compliance with Chapter 10.250 (Amendments).

E. **Subdivision Maps and Other Approvals**

1. Subdivision of land shall be governed by Part 6 (Subdivisions) of this Title.
2. Building and construction regulations shall be governed by County Code Title 9 (Building Regulations).

10.20.030 Additional Permits May Be Required

A. Approval of, or exemption from, a permit under this Zoning Code does not relieve an applicant from compliance with any other applicable provision of the County Code or with any other required approval from a public agency.

B. All required permits and approvals shall be obtained prior to commencement of construction, site disturbance, grading, occupancy, or establishment of a use.

C. Nothing in this Zoning Code shall be construed to eliminate, modify, or waive the requirement to obtain:

1. Any permit or approval required by other provisions of the County Code, including but not limited to Building Permits, Grading Permits, Encroachment Permits, Environmental Health approvals, or subdivision approvals required by Part 6 (Subdivisions); or

2. Any permit, license, certification, or approval required by any applicable County, regional, State, or Federal agency.

10.20.040 Eligible Applicants

A. **Who May File.** Any person may apply for a Zoning Code Text Amendment, as such amendments apply Countywide. An application for a permit or Zoning Map Amendment affecting a specific parcel may be filed only by:

1. The owner(s) of record of the subject property;

2. A lessee or contract purchaser having a legally enforceable interest in the subject property; or

3. An authorized agent of the property owner(s) provided written authorization signed by the owner(s) of record is submitted concurrently with the application.

B. **Owner Authorization.** Applications affecting a specific parcel shall be signed by the property owner(s) of record or shall include written authorization from the property owner(s) of record authorizing the applicant to act on their behalf.

C. **Public Agencies**. A public agency may file an application affecting property under its ownership, control, or jurisdiction.

10.20.050 Application Preparation and Filing

A. **Development Review Process.** The following describes the typical phases of review for discretionary development projects under this Title. Not all phases apply to all projects. [Source: NEW]

1. **Pre-Application Conference.** An optional meeting with County staff to identify applicable zoning regulations, required approvals, and submittal materials. [Source: NEW]

2. **Pre-Application Review.** An optional staff-level review and written response identifying preliminary issues and required application components. [Source: NEW]

3. **Application Submittal.** Filing a formal application with required materials and fees. Upon submittal, the application shall be reviewed for completeness in accordance with applicable State law. [Source: NEW]

4. **Application Processing.** Interdepartmental and interagency review, environmental review as required by CEQA, and preparation of staff analysis and recommendations. [Source: NEW]

5. **Application Action.** Approval, conditional approval, or denial by the designated Review Authority. Appeals shall be processed in accordance with this Title. [Source: NEW]

6. **Subsequent Permits.** Where applicable, issuance of Building Permits or other subsequent permits following satisfaction of all applicable conditions of approval. [Source: NEW]

B. **Application Contents.**

1. Applications shall be filed with the Community Development Department on forms provided by the County and shall include required fees, deposits, plans, studies, and supporting materials specified by the Department for the applicable application type.

2. The Planning Director may require additional information reasonably necessary to determine compliance with this Title, CEQA, and other applicable law.

3. The applicant shall certify the accuracy and completeness of the submitted materials. [Source: NEW]

C. **Application Completeness and Acceptance.**

1. **Completeness Review.** Applications shall be reviewed for completeness in accordance with the Permit Streamlining Act (Gov. Code §65920 et seq.). An application shall not be deemed complete until all required materials have been submitted. [Source: NEW]

2. **Applications That Cannot Be Approved as a Matter of Law.** If the Planning Director determines that an application cannot lawfully be approved under the General Plan, this Title, or other applicable law, or constitutes a resubmittal of a previously denied application that is materially unchanged, the Director may reject the application prior to deeming it complete and shall provide written notice stating the reasons for rejection. [Source: NEW]

3. **Outstanding Violations.** The existence of outstanding code violations on the subject property does not preclude application submittal; however, the County may require correction of violations prior to approval, as a condition of approval, or prior to issuance of subsequent permits. [Source: NEW]

4. **Acceptance Does Not Constitute Approval.** Acceptance of an application or fees, or a determination that an application is complete, does not constitute approval of the requested entitlement. [Source: NEW]

10.20.060 Filing Fees and Requirements

A. **Cost Recovery Schedule.**

1. The Board of Supervisors shall establish, by resolution, a schedule of fees for processing applications required or authorized by this Title ("Cost Recovery Schedule"). [Source: NEW]
2. Fees shall be established in the Cost Recovery Schedule to recover the reasonable costs incurred by the County in processing applications, consistent with applicable law. [Source: NEW]
3. The Cost Recovery Schedule may be amended by the Board of Supervisors as deemed necessary. [Source: NEW]

B. **Timing of Payment.**

1. At the time of application submittal, the applicant shall pay the applicable processing fee or required deposit as established by the Cost Recovery Schedule. [Source: NEW]
2. An application shall not be deemed complete until all required fees or deposits have been paid in accordance with the Cost Recovery Schedule.
3. Where environmental review or consultant services are required, including preparation of an Initial Study, Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report, or other technical review, the applicant shall be responsible for all additional costs as provided in the Cost Recovery Schedule. [Source: NEW]
4. For cost-recovery applications, the applicant shall maintain a sufficient deposit balance as specified in the Cost Recovery Schedule. When the deposit balance falls below the minimum required level, the County shall notify the applicant in writing and processing of the application may be suspended until the deposit is replenished. [Source: NEW]
5. Failure to remit required additional fees or deposits within 30 calendar days of written notice may result in suspension of processing and administrative closure of the application without prejudice, which shall not constitute a denial of the application. [Source: NEW]
6. Applications shall not be scheduled for public hearing unless all required fees and deposits are current in accordance with the Cost Recovery Schedule. [Source: NEW]

C. **Refunds and Withdrawals.**

1. Application fees are intended to reimburse the County for the reasonable costs incurred in processing applications, including staff time, consultant services, public noticing, and administrative costs. [Source: NEW]
2. Fees shall not be refunded solely due to denial of an application. [Source: NEW]
3. In the event of application withdrawal, the Planning Director may authorize a refund of any unused portion of a cost-recovery deposit after deduction of incurred costs. [Source: NEW]

10.20.070 Application Completeness Review

A. **General.** Within the time limits prescribed by Government Code Section 65943, the Planning Director or designee shall review each application for completeness. A determination of completeness shall be based on the County's published application requirements and any additional information reasonably necessary to determine compliance with this Title and applicable law. [Source: NEW]

1. **Determination of Completeness.** Within 30 calendar days of application submittal, the applicant shall be notified in writing that:

   a. The application is complete; or

   b. The application is incomplete and identifies the specific additional information required to complete the application.

   If the application is determined to be incomplete, the notice shall identify the specific deficiencies as required by Government Code Section 65943.

   An applicant may appeal a determination of incompleteness in accordance with this Title. [Source: NEW]

2. **Environmental Review.** The County shall determine the appropriate level of environmental review in compliance with CEQA. After an application is determined complete, the Planning Director or designee may require additional information reasonably necessary to conduct environmental review. [Source: NEW]

3. **Resubmittal.** Upon resubmittal of requested information, the Planning Director or designee shall review the application for completeness within the time limits prescribed by Government Code Section 65943. [Source: NEW]

4. **Administrative Closure of Incomplete Application.** If the applicant fails to provide the additional information identified in the notice of incompleteness within 60 calendar days of the date of the notice, or within a longer period approved in writing by the Planning Director, the application may be administratively closed without prejudice and shall not constitute a denial. After administrative closure, further consideration shall require submission of a new application and applicable fees. [Source: NEW]

5. **Processing Schedule.** Applications shall be approved or disapproved within the time limits established by applicable State law. Any extension of time shall be in accordance with applicable statutory provisions and may be granted upon mutual consent of the applicant and the Review Authority. [Source: NEW]

6. **Public Availability of Records.** Applications deemed complete shall be available for public inspection in accordance with the California Public Records Act. [Source: NEW]

B. **Withdrawal of Application.** An applicant may withdraw an application at any time prior to final action. Upon withdrawal, the application shall be deemed closed. [Source: NEW]

C. **Referral of Application.** The Planning Director or designee may refer any application to local, regional, State, or Federal public agencies as required by law or as deemed necessary to ensure coordinated review. [Source: NEW]

10.20.080 Environmental Review

A. **CEQA Review.** After an application is determined complete, the County shall conduct environmental review in compliance with the California Environmental Quality Act (CEQA) to determine whether: [Source: NEW]

1. The proposed project is not a "project" as defined by CEQA;
2. The proposed project is exempt from CEQA;
3. A Negative Declaration is appropriate;
4. A Mitigated Negative Declaration is appropriate; or
5. An Environmental Impact Report (EIR) is required.

B. **Compliance with CEQA.** Environmental review and the preparation of any required environmental documents shall be conducted in accordance with CEQA, the State CEQA Guidelines, and the County's CEQA procedures. [Source: NEW]

C. **Technical Studies and Reports.** The Planning Director or designee may require technical studies or reports reasonably necessary to complete environmental review. The applicant shall be responsible for the costs of such studies in accordance with the County's Cost Recovery Schedule. All studies and reports prepared for CEQA review shall become part of the administrative record and shall be public records to the extent required by the California Public Records Act. [Source: NEW]

10.20.090 Permit Implementation Time Limits and Extensions

A. **Expiration of Approval.**

Unless otherwise specified as a condition of approval, any Zoning Permit, Administrative Use Permit, Use Permit, or Variance granted under this Title shall expire and become void if:

1. The authorized use has not been lawfully established; or
2. Substantial construction necessary to implement the approval has not commenced and been diligently pursued, within 24 months from the date of final approval. The Review Authority may establish a shorter expiration period as part of the approval.

B. **Time Extensions.**

1. The original Review Authority may grant one extension of time not to exceed 24 additional months, provided a written request is submitted prior to expiration of the approval.
2. An extension shall not be granted unless the Review Authority finds that:
    a. The approval remains consistent with the General Plan and this Title; and
    b. No material changes in applicable law or site conditions have occurred that would warrant modification or denial.
3. An extension shall not revive an approval that has expired.

4. The maximum duration of an approval, including extension, shall not exceed 48 months from the date of the original approval.

C. **Tolling.**

The expiration period shall be tolled during any period in which the project is subject to a judicial stay, administrative appeal, or other legal restraint that prevents implementation of the approval. [Source: 10-6.1401(b), modified]

Chapter 10.25

Reasonable Accomodation

Chapter 10.25 Reasonable Accommodation

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10.25.010 Purpose
10.25.020 Review Authority
10.25.030 Request
10.25.040 Application Requirements
10.25.050 Filing, Processing, and Review
10.25.060 Findings and Decision
10.25.070 Appeal

10.25.010 Purpose

It is the County's policy to provide individuals with disabilities reasonable accommodation in regulations and procedures to ensure equal access to housing, and to facilitate the development of housing. The purpose of this Chapter is to provide a procedure under which a person with a disability may request a reasonable accommodation in the application of zoning laws, rules, policies, practices, or procedures established in this Title. [Source: NEW]

This Chapter is based on the requirements of Federal and State fair housing laws and implements the Housing Element of the General Plan. It is distinct from the requirements for a variance established in Government Code Section 65906, Chapter 10.40 (Minor Deviation), and Chapter 10.45 (Variance). [Source: NEW]

10.25.020 Review Authority

The Planning Director has the authority to review and decide upon requests for Reasonable Accommodation, including whether the applicant is eligible for a request within the meaning of this Chapter. The Planning Director may refer the matter to the Planning Commission if the Director determines that a public hearing is necessary to resolve the request. [Source: NEW]

10.25.030 Request

A. **Request.** A request for Reasonable Accommodation may be made by any person with a disability, their representative, or any entity, when the application of a zoning law or other land use regulation, rule, policy, practice or procedure acts as a barrier to fair housing opportunities. A Reasonable Accommodation may include modification of zoning laws, rules, policies, practices, or procedures where necessary to afford a person with a disability equal opportunity to use and enjoy housing. A Reasonable Accommodation shall not result in approval of a use otherwise prohibited by the General Plan or this Title and shall not constitute a fundamental alteration of the County's land use or zoning program. [Source: NEW]

B. **Availability of Information**. Information regarding this reasonable accommodation procedure shall be prominently displayed at the Planning Division's public information counter, advising the public of the availability of the procedure for eligible applicants, and be made available in any other manner as determined by the Planning Director. [Source: NEW]

C. **Assistance.** If an applicant needs assistance in making the request, the Planning Division shall provide the assistance necessary to ensure that the process is available to the applicant. [Source: NEW]

D. **Confidentiality.** The County shall protect confidential medical information consistent with applicable fair housing laws while complying with public notice, recordkeeping, and appeal requirements established in this Title and other applicable law. [Source: NEW]

10.25.040 Application Requirements

A. **Application.** The applicant shall submit a request for Reasonable Accommodation on a form provided by the Planning Division. The application shall include the following information: [Source: NEW]

1. The applicant's name, address, and telephone number; [Source: NEW]
2. Address of the property for which the request is being made; [Source: NEW]
3. The name and address of the property owner, and the owner's written consent to the application; [Source: NEW]
4. The current actual use of the property; [Source: NEW]
5. Documentation verifying that the individual qualifies as a person with a disability under applicable fair housing laws, when the disability is not readily apparent. [Source: NEW]
6. The type of accommodation being requested and the rule, policy, practice, and/or procedure of the Zoning Code to be modified or waived. [Source: NEW]
7. A description for why the accommodation is reasonable and necessary for the needs of the individual(s) with the disability to use and enjoy the housing unit. Where appropriate, include a summary of any potential means and alternatives considered in evaluating the need for the accommodation; [Source: NEW]
8. Copies of memoranda, correspondence, pictures, plans, or background information reasonably necessary to reach a decision regarding the need for the accommodation; and [Source: NEW]
9. Other supportive information reasonably necessary to evaluate the request, consistent with applicable fair housing laws. [Source: NEW]

B. **Review with Other Land Use Applications.** If the project for which the Reasonable Accommodation is being requested also requires some other discretionary approval (e.g., Use Permit, Zoning Map Amendment, Subdivision Map), then the applicant shall submit the Reasonable Accommodation application first or concurrently, so that the accommodation determination may inform review of other required approvals. [Source: NEW]

C. **Cost Recovery Schedule and Fee.** The fee for an application for Reasonable Accommodation shall be established in the County's Cost Recovery Schedule. [Source: NEW]

10.25.050 Filing, Processing, and Review

A. **Notice and Public Hearing.** No advance notice or public hearing is required for consideration of Reasonable Accommodation requests by the Planning Director. Requests for Reasonable Accommodation subject to review by the Planning Commission shall require advance notice and a public hearing in compliance with this Title. [Source: NEW]

B. **Decision Timing and Notice.**

1. Within 30 working days following the submittal of a complete application, the Planning Director shall approve, conditionally approve, deny, or refer the request to the Planning Commission, unless extended with the consent of the applicant. Notice of the decision shall be provided to the applicant. Additional notice may be provided as required by law. [Source: NEW]

2. If the application for Reasonable Accommodation involves another discretionary decision, the review authority for that decision shall accept as final the determination regarding Reasonable Accommodation by the Planning Director, unless the Reasonable Accommodation request has been referred to the Planning Commission for consideration. [Source: NEW]

3. If the application for Reasonable Accommodation is referred to, or reviewed by, the Planning Commission, a decision to approve, conditionally approve, or deny the application shall be rendered within 20 working days after the close of the public hearing. [Source: NEW]

10.25.060 Findings and Decision

The applicable review authority shall approve or conditionally approve an application for Reasonable Accommodation if it can make all the following findings: [Source: NEW]

A. The housing will be used by a qualified person; [Source: NEW]

B. The requested accommodation is necessary to make specific housing available to a qualified person; [Source: NEW]

C. The requested accommodation would not impose an undue financial or administrative burden on the County; and [Source: NEW]

D. The requested accommodation would not require a fundamental alteration in the nature of a County program or law, including land use and zoning. [Source: NEW]

10.25.070 Appeal

A decision by the Planning Director may be appealed to the Planning Commission and a decision of the Planning Commission may be appealed to the Board of Supervisors in accordance with the appeal procedures established in Title 1 (Appeals) of the County Code of Ordinances. [Source: NEW]

Chapter 10.30
Zoning Clearance Permit

Chapter 10.30 Zoning Clearance Permit

Sections

10.30.010 Purpose
10.30.020 Applicability
10.30.030 Review Authority
10.30.040 Application Filing, Processing, and Review
10.30.050 Review Procedures
10.30.060 Appeal

10.30.010 Purpose

The purpose of the Zoning Clearance Permit is to provide a ministerial review process to ensure that proposed development, land use, or activities comply with the provisions of this Zoning Code, the County Code of Ordinances, and applicable state and federal law prior to the issuance of building permits or the commencement of use or development. A Zoning Clearance Permit does not constitute discretionary approval and is not subject to environmental review under CEQA. [Source: 10-6.3602.207, modified]

10.30.020 Applicability

A. A Zoning Clearance Permit shall be required prior to:

1. The issuance of any Building Permit, unless zoning compliance has been previously established through an approved discretionary entitlement or prior zoning clearance;
2. The establishment, expansion, or change of use of land or structures;
3. The commencement of any activity regulated by this Zoning Code, unless expressly exempted. [Source: 10-6.3602.207, modified]

B. A Zoning Clearance Permit shall not be required where this Zoning Code expressly exempts an activity or where zoning compliance is reviewed and determined as part of an approved discretionary entitlement. [Source: NEW]

10.30.030 Review Authority

The Planning Director or designee shall issue a Zoning Clearance Permit upon determining that the proposed land use and/or structure complies with all applicable objective provisions of this Zoning Code and other applicable regulations. [Source: NEW]

10.30.040 Application Filing, Processing, and Review

A. **Application Submittal.** An application for a Zoning Clearance Permit shall be filed with the Community Development Department on forms provided by the County. [Source: NEW]

B. **Required Information.** The application shall include sufficient information to allow the County to determine compliance with applicable regulations, which may include, but is not limited to: [Source: NEW]

1. Property owner name and contact information. [Source: NEW]
2. Applicant name and contact information, if different from the owner. [Source: NEW]
3. Assessor's Parcel Number and site address. [Source: NEW]
4. Description of the proposed use or activity. [Source: NEW]
5. Site plans, floor plans, elevations, or other plans as necessary to demonstrate compliance. [Source: NEW]
6. Any additional information reasonably necessary to determine compliance with applicable zoning requirements. [Source: NEW]

C. **Fees.** The application shall be accompanied by the required fee as established by resolution of the Board of Supervisors. [Source: NEW]

10.30.050 Review Procedures

A. **Completeness Review.** Upon receipt of a Zoning Clearance Permit application, the Planning Director or designee shall review the application for completeness consistent with the requirements of this Chapter. [Source: NEW]

B. **Zoning Permit Compliance Review.** The Planning Director or designee shall review the application for compliance with:

1. This Zoning Code;
2. Applicable provisions of the County Code of Ordinances; and
3. Applicable objective standards contained in adopted plans or regulations. [Source: NEW]

C. **Determination.**

1. If the proposed development or activity complies with all applicable requirements, the Planning Director shall approve the Zoning Clearance Permit. The Planning Director shall not impose discretionary conditions but may require modifications necessary to achieve compliance with applicable objective standards. [Source: NEW]
2. If the proposed development or activity does not comply, the Planning Director shall deny the Zoning Clearance Permit and provide written notice identifying the basis for denial. [Source: NEW]

10.30.060 Appeal

A determination regarding a Zoning Clearance Permit may be appealed solely on the basis that applicable objective standards were incorrectly applied. No new discretionary issues may be raised on appeal. Appeals shall be processed in accordance with Title 1 (Appeals) of the County Code of Ordinances. [Source: NEW]

Chapter 10.35

Administrative Use Permit

Chapter 10.35 Administrative Use Permit

Sections

10.35.010 Purpose and Intent
10.35.020 Applicability
10.35.030 Review Authority
10.35.040 Application Filing, Processing, and Review
10.35.050 Findings and Decision
10.35.060 Conditions of Approval

10.35.010 Purpose and Intent

A. **Purpose.** The purpose of the Administrative Use Permit (AUP) is to provide a discretionary review process for land uses and development that may be appropriate within a zoning district but require case-specific evaluation to ensure compatibility with surrounding uses and compliance with applicable standards. [Source: NEW]

B. **Intent.** The AUP process is intended to provide flexibility in the application of this Zoning Code and to allow the County to impose conditions of approval necessary to mitigate potential site-specific impacts. [Source: NEW]

C. **Discretionary Approval.** An Administrative Use Permit is a discretionary approval required for certain land uses or development that warrant individualized review to ensure compatibility with surrounding uses and compliance with applicable standards of this Title. Approval of an Administrative Use Permit is subject to environmental review in accordance with the California Environmental Quality Act (CEQA). [Source: NEW]

D. **Special Consideration.** Certain land uses may require case-specific evaluation due to their operational characteristics, site conditions, or potential effects on surrounding properties. The Administrative Use Permit process provides a mechanism to evaluate such uses and to impose conditions necessary to ensure consistency with this Title and protection of the public health, safety, and welfare. [Source: NEW]

10.35.020 Applicability

Approval of an Administrative Use Permit is required for any land use identified in Part 5 (Zones, Land Uses, and Development Standards), or elsewhere in this Title, as subject to Administrative Use Permit approval within the applicable zoning district. [Source: NEW]

10.35.030 Review Authority

The Planning Director shall act as the review authority for Administrative Use Permits. The Planning Director may refer an application to the Planning Commission for decision if the Director determines that the project involves substantial public interest or potential impacts warranting Planning Commission review. When referred, the Planning Commission shall act as the review authority for the Administrative Use Permit. [Source: 10-6.1504.3, modified]

10.35.040 Application Filing, Processing, and Review

A. **Preapplication Meeting.** The applicant may request a preapplication meeting with the Planning Director prior to formal submittal of an application, as established in Section 10.__.__ (Application Preparation and Filing).

B. **Application**. Applications for an Administrative Use Permit shall be filed and processed in accordance with Chapter 10.59 (Application Procedures).

C. **Submittal Requirements.** The application shall include plans, studies, and other information reasonably necessary to evaluate compliance with this Title, the General Plan, and other applicable law.

D. **Notice.** Notice of the proposed Administrative Use Permit shall be provided to all owners of property within 300 feet of the subject property in the manner required by Chapter 10.__ (Public Notices and Hearings).

E. **Hearing.** The Planning Director may conduct a public hearing at their discretion. If the application is referred to the Planning Commission, a public hearing shall be conducted in accordance with Chapter 10.___ (Public Notices and Hearings).. [Source: 10-6.1504.2, modified]

10.35.050 Findings and Decision

The review authority shall approve or conditionally approve an Administrative Use Permit only if all of the following findings can be made:

A. The proposed use is permitted within the applicable zoning district subject to Administrative Use Permit approval and complies with all applicable provisions of this Title and other applicable regulations;

B. The proposed use is consistent with the General Plan and any applicable specific plan;

C. The proposed use will not result in substantial adverse impacts to public health or safety, or to surrounding properties, beyond those reasonably anticipated for uses permitted in the zoning district;

D. The proposed use complies with applicable development and performance standards, unless modified pursuant to this Title;

E. The design, location, size, and operating characteristics of the proposed use are compatible with existing surrounding development; and

F. The site is physically suitable for the proposed use, including adequate access, utilities, and consideration of environmental constraints.

Failure to make any required finding shall result in denial of the application. [Source: 10-6.1504.4, modified]

10.35.060 Conditions of Approval

In approving an Administrative Use Permit, the review authority may impose conditions reasonably necessary to ensure compliance with the required findings and to mitigate project-specific impacts

identified through project review or environmental analysis. Conditions shall be related to the use and supported by the administrative record. [Source: NEW]

Chapter 10.40

Use Permit

Chapter 10.40 Use Permit

Sections

10.40.010 Purpose and Intent
10.40.020 Applicability
10.40.030 Review Authority
10.40.040 Application Filing, Processing, and Review
10.40.050 Findings and Decision
10.40.060 Conditions of Approval
10.40.070 Violation and Revocation of Use Permit

10.40.010 Purpose and Intent

A. **Purpose.** The purpose of the Use Permit (UP) is to provide a discretionary review process for land uses and development that may be appropriate within a zoning district but require case-specific evaluation to ensure compatibility with surrounding uses and compliance with applicable standards. [Source: NEW]

B. **Intent.** Use Permit procedures are intended to provide sufficient flexibility to further the objectives of this Zoning Code and to provide the County with the opportunity to impose project-specific conditions in order to address potential impacts that could result from the proposed use. [Source: NEW]

C. **Discretionary Approval.** Use Permits are discretionary approvals required for certain land uses or development that warrant a higher level of review to evaluate their potential site-specific and operational impacts. Approval of a Use Permit is subject to environmental review in accordance with the California Environmental Quality Act (CEQA). [Source: NEW]

D. **Special Consideration.** Certain land uses may require special conditions due to their operational characteristics, intensity, scale, or location within a particular zone or physical setting. The CUP process provides a mechanism to evaluate such uses and impose conditions necessary to ensure consistency with this Title and protection of the public health, safety, and welfare. [Source: NEW]

10.40.020 Applicability

Approval of a Use Permit is required for any land use identified in Part 5 (Zones, Land Uses, and Development Standards), or elsewhere in this Title, as subject to Use Permit approval within the applicable zoning district. [Source: NEW]

10.40.030 Review Authority

The Planning Commission shall act as the review authority for Use Permits. The Planning Commission shall approve, conditionally approve, or deny a Use Permit based on the findings required by this Chapter and consistency with the General Plan and applicable law. [Source: NEW]

10.40.040 Application Filing, Processing, and Review

A. **Preapplication Meeting.** The applicant may request a preapplication meeting with the Planning Director prior to formal submittal of an application, as established in Section 10.__.__ (Application Preparation and Filing). [Source: NEW]

B. **Application.** An application for a Use Permit shall be filed and processed in accordance with Chapter 10.59 (Application Procedures). The application shall include plans, studies, and other information reasonably necessary to evaluate compliance with this Title, the General Plan, and other applicable law, together with the required fee as established by the County's Cost Recovery Schedule. [Source: 10-6.1201, modified]

C. **Applicant Responsibility.** The applicant shall bear the burden of providing substantial evidence in support of the findings required by Section 10.35.050 (Findings and Decision). [Source: 10-6.1201, modified]

D. **Notice and Public Hearing.** A public hearing and public notice of such meeting shall be conducted by the Planning Commission in accordance with Chapter 10.___ (Public Notices and Hearings). e [Source: 10-6.1201, modified]

E. **Environmental Review.** Environmental review shall be conducted in compliance with the California Environmental Quality Act (CEQA) prior to final action on the application.

F. **Appeal.** The Planning Commission's decision may be appealed to the Board of Supervisors in accordance with Title 1 (Appeals) of the County Code of Ordinances. [Source: 10-6.1204, modified]

10.40.050 Findings and Decision

The review authority shall approve or conditionally approve a Use Permit only if all of the following findings can be made. Failure to make any required finding shall result in denial of the application. [Source: 10-6.1202, modified]

A. The proposed use is permitted within the applicable zoning district subject to Use Permit approval and complies with all applicable provisions of this Title and other applicable regulations;

B. The proposed use is consistent with the General Plan and any applicable specific plan;

C. The proposed use will not result in substantial adverse impacts to public health or safety, or to surrounding properties, that cannot be mitigated through conditions of approval;

D. The proposed use complies with applicable development and performance standards, unless modified pursuant to this Title;

E. The design, location, size, and operating characteristics of the proposed use are compatible with existing and reasonably foreseeable future land uses and circulation in the vicinity; and

F. The site is physically suitable for the proposed use, including adequate access, utilities, and consideration of environmental constraints.

10.40.060 Conditions of Approval

In approving a Use Permit, the review authority may impose conditions reasonably necessary to ensure compliance with the required findings and to mitigate project-specific impacts identified through project review or environmental analysis. Conditions shall be related to the proposed use and supported by the administrative record. [Source: NEW]

10.40.070 Violation and Revocation of Use Permit

A. **Grounds for Revocation.** Violation of this Chapter, any applicable provision of this Title, or any condition of approval of a Use Permit shall constitute grounds for modification or revocation of the permit.

B. **Procedure.** Revocation or modification shall occur only after notice to the permit holder and a public hearing before the Planning Commission in accordance with the procedures of this Title.

C. **Effect of Revocation.** Upon revocation, the authorized use shall cease unless otherwise permitted by law. [Source: 10-6.1203]

Chapter 10.45

Planned Development Plan

Chapter 10.45 Planned Development Plan

Sections

10.45.010 Purpose and Intent
10.45.020 Review Authority
10.45.030 Application Filing, Processing, and Review
10.45.040 Planned Development Schedule
10.45.050 Fees
10.45.060 Findings and Conditions of Approval
10.45.070 Changes to Planned Development Plans

10.45.010 Purpose and Intent

A. **Purpose.** The purpose of this chapter is to provide a process for the review and approval of Planned Development Plans that allow for customized development standards and land use regulations where flexibility from conventional zoning requirements can result in superior design, more efficient use of land, and high-quality living and business environments. [Source: NEW]

B. **Intent.** Furthermore, it is the intent of this Chapter to:

1. Allow creative and innovative site planning through the application of alternative development standards tailored to the unique characteristics of a site. [Source: NEW]
2. Ensure that development approved through a Planned Development Plan is compatible with surrounding land uses and consistent with the County's adopted General Plan. [Source: NEW]
3. Promote high-quality design, efficient infrastructure provision, and the preservation of environmental resources through coordinated and comprehensive site planning. [Source: NEW]
4. Provide a discretionary review process that ensures Planned Development Plans serve the public interest and achieve development outcomes equal to or superior to those that would result from strict application of conventional zoning standards. [Source: NEW]
5. Establish clear procedures and approval authority for Planned Development Plans implemented through the Planned Development (PD) zone. [Source: NEW]

10.45.020 Review Authority

The Planning Commission shall be the review authority for Planned Development Plans. The Planning Commission may approve, approve with modifications, or deny a Planned Development Plan following a public hearing in accordance with the provisions of this Chapter and Chapter 10.XXX (Public Hearings). [Source: NEW]

10.45.030 Application Filing, Processing, and Review

A. **Preapplication Meeting.** The applicant may request a preapplication meeting with the Planning Director prior to formal submittal of an application, as established in Section 10.__.__ (Application Preparation and Filing). [Source: NEW]

B. **General.** Upon determination that a Planned Development Plan is complete, a public hearing shall be scheduled and noticed pursuant to Chapter __ (Public Hearings). Following the public hearing, the Planning Commission may approve, approve with modifications, or deny the Planned Development Plan. Where implementation of the Planned Development Plan requires establishment or amendment of the Planned Development (PD) zoning designation, a rezoning, or a Zoning Code text amendment, the Planning Commission shall forward a recommendation to the Board of Supervisors for final action by ordinance, in accordance with the procedures applicable to zoning amendments. [Source: 10-6.1185, modified]

C. **Public Notices and Hearings**. A public hearing and public notice of such meeting shall be conducted in accordance with Chapter 10.___ (Public Notices and Hearings).

D. **Application Contents.**

1. Development plans shall be prepared at a scale acceptable to the Director that clearly depicts the proposed planned development (generally one inch equals 100 feet) and shall include the following, as applicable: [Source: 10-6.1187(a), modified]

    a. A map showing any street and lot design proposed within the planned development; [Source: 10-6.1187(a)(1), modified]

    b. Any areas proposed to be dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings, and other such uses. Compliance with this requirement shall not be construed to relieve the applicant from compliance with the subdivision regulations or any other applicable regulations of the County; and [Source: 10-6.1187(a)(2)]

    c. When required by the Planning Commission, a map showing the topography of the proposed planned development at contour intervals sufficient to evaluate site constraints and design (one-foot intervals when necessary based on terrain and project type). [Source: 10-6.1187(a)(3), modified]

2. General plot plans shall be prepared for each site in the proposed planned development, or any portion thereof, as required by the Planning Commission. A required plot plan shall show the location of all the proposed buildings, indicating setbacks from adjacent buildings and the property lines. [Source: 10-6.1187(b), modified]

3. An off-street parking and loading plan, including the ratio of off-street parking and loading spaces to building floor area; [Source: 10-6.1187(b)(1), modified]

4. A circulation diagram indicating the proposed movement of vehicles, goods, and pedestrians within the planned development and to and from adjacent public thoroughfares. Any special engineering features and traffic regulation devices needed

to facilitate or ensure the safety of the circulation pattern shall be shown; [Source: 10-6.1187(b)(2), modified]

5. A preliminary grading plan, where grading is proposed or anticipated; [Source: 10-6.1187(b)(3)]

6. A design plan for landscaping, open space areas, and tree planting; [Source: 10-6.1187(b)(4)]

7. Drawings demonstrating typical elevations, design criteria, and general appearance of proposed structures. Such drawings do not need to represent final architectural designs. [Source: 10-6.1187(b)(5), modified]

8. A land use regulation table defining the permitted, conditional, temporary, and accessory uses allowed in the planned development; [Source: 10-6.1187(b)(6), modified]

9. A development regulation table establishing the physical standards for development including, but not limited to, setbacks, building heights, building coverage, and floor area ratios; [Source: NEW]

10. The proposed phasing of development, if applicable; [Source: 10-6.1187(b)(7), modified]

11. A statement explaining the relationship of the proposed planned development to the General Plan; and [Source: NEW]

12. A statement of the population density, employee density, and traffic generation calculations, as applicable to the proposed uses and phasing. [Source: 10-6.1187(b)(8)]

13. Additional information and materials may be required by the Director or Planning Commission as necessary to evaluate consistency with this Title, the General Plan, applicable development standards, infrastructure capacity, and environmental constraints. The Director may determine that one or more items listed above are not applicable based on the nature of the proposed planned development.

10.45.040 Planned Development Schedule

A. An application for a Planned Development Plan shall be accompanied by a development schedule indicating, to the best of the applicant's knowledge, the approximate date on which the construction of the project can be expected to begin; the anticipated rate of development; and the anticipated completion date. The development schedule, if approved as part of the Planned Development Plan, shall become part of the Planned Development Plan and shall be adhered to by the property owner and any successors in interest. [Source: 10-6.1188(a), modified]

B. If, in the opinion of the Planning Commission, the property owners within the PD zone are failing, or have failed, to meet an approved development schedule, the Planning Commission may initiate proceedings pursuant to this Chapter to recommend amendment of the Planned Development Plan or removal of the PD zoning designation from the Zoning Map. Upon recommendation of the Planning Commission and for good cause shown by the property

owners, the Board of Supervisors shall be the review authority for Planned Development Plans that require the a Zoning Map amendment and the Board of Supervisors may extend the limits imposed by the development schedule. [Source: 10-6.1188(b), modified]

10.45.050 Fees

Applications for Planned Development Plans shall be subject to the payment of fees in accordance with the County's adopted Cost Recovery Schedule, as amended from time to time. An application shall not be deemed complete until all required fees have been paid. [Source: NEW]

10.45.060 Findings and Conditions of Approval

The Board of Supervisors may approve a Planned Development Plan and Planned Development (PD) zoning designation if it makes all of the following findings. The Planning Commission shall review the application and may recommend approval of the Planned Development Plan to the Board of Supervisors only if it determines that all of the following findings can be made. [Source: 10-6.1189, modified]

A. The proposed planned development, or the first phase of the development, can be substantially completed within four years after establishment of the Planned Development (PD) zoning designation; [Source: 10-6.1189(a), modified]

B. Each individual development phase can exist as an independent unit capable of creating an environment of sustained desirability and stability, and the uses proposed will not be detrimental to present or potential surrounding uses but will instead provide benefits that could not be achieved through application of conventional zoning standards; [Source: 10-6.1189(b), modified]

C. The streets and thoroughfares proposed are suitable and adequate to accommodate anticipated traffic and will not generate traffic in such amounts as to overload the street network outside the planned development; [Source: 10-6.1189(c), modified]

D. Any residential development will create a residential environment of sustained desirability and stability, will be in harmony with the character of the surrounding neighborhood and community, and will result in densities no higher than those permitted by the General Plan; [Source: 10-6.1189(d)]

E. Any proposed commercial or industrial development conforms to the applicable development standards and will constitute an efficient well-organized development, with adequate provisions for access, circulation, and service areas, and it will not adversely affect adjacent or surrounding development; [Source: 10-6.1189(e)]

F. The area surrounding the planned development can be planned and zoned in coordination and substantial compatibility with the proposed development; [Source: 10-6.1189(f), modified]

G. The planned development is consistent with the General Plan; and [Source: 10-6.1189(g), modified]

H. Adequate utility services can be provided to serve the planned development. [Source: 10-6.1189(h), modified]

10.45.070 Changes to Planned Development Plans

A. **Major Amendments.** Amendments to an approved Planned Development Plan that modify permitted uses, development standards, density, intensity of use, or other provisions of the Planned Development (PD) zoning designation shall be considered an amendment to the PD zoning designation and shall comply with the procedures applicable to zoning amendments as set forth in this Title. Such amendments shall be adopted by ordinance.

B. **Minor Amendments.** Minor amendments to an approved Planned Development Plan that do not modify permitted uses, density, intensity of development, development standards, or other provisions of the Planned Development (PD) zoning designation, and that are consistent with the intent of the approved Planned Development Plan, may be approved by the Planning Commission.

C. **Administrative Modifications.** The Director may approve minor modifications to an approved Planned Development Plan that do not modify permitted uses, density, intensity of development, development standards, or other provisions of the Planned Development (PD) zoning designation, that are consistent with the intent of the approved Planned Development Plan, and that do not substantially alter the overall design, land use relationships, or circulation system approved as part of the Planned Development Plan. [Source: 10-6.1186, modified]

Chapter 10.50

Variance

Chapter 10.50 Variance

Sections

10.50.010 Applicability
10.50.020 Review Authority
10.50.030 Application Filing, Processing, and Review
10.50.040 Findings and Decision
10.50.050 Post-Decision Procedures

10.50.010 Applicability

A. **General.** A Variance may be approved only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the zoning regulations of this Title would deprive the property of privileges enjoyed by other properties in the vicinity and in the same zoning district. [Source: NEW]

B. **Limitation**. This Chapter does not authorize the approval of a Variance to allow a land use not otherwise permitted in the applicable zoning district. Flexibility in allowable land uses is provided through Chapter 10.30 (Administrative Use Permit) and Chapter 10.35 (Use Permit). [Source: 10-6.1301, modified]

10.50.020 Review Authority

The Planning Commission shall serve as the review authority for all Variance applications and shall have the authority to approve, conditionally approve, or deny such applications in accordance with this Chapter and applicable state law. [Source: 10-6.1303, modified]

10.50.030 Application Filing, Processing, and Review

A. **Preapplication Meeting.** The applicant may request a preapplication meeting with the Planning Director prior to formal submittal of an application, as established in Section 10.__.__ (Application Preparation and Filing). [Source: NEW]

B. Applications for Variances shall be submitted in writing by the property owner or the owner's authorized agent on forms prescribed by the Community Development Department. Lessees, purchasers in escrow, optionees, or other persons may act as agents upon submission of written authorization from the property owner. The application shall be accompanied by the required fee established by the Board of Supervisors, a plan showing the details of the Variance requested, and evidence demonstrating: [Source: 10-6.1302, modified]

1. Justification for the Variance in compliance with state law and Section 10.45.040 (Findings and Decision); and [Source: 10-6.1302(a)]

2. That granting the Variance will not be contrary to the intent of this Title or detrimental to the public health, safety, or welfare. [Source: 10-6.1302(b)]

C. Upon receipt of a completed application, the Planning Commission shall conduct a public hearing on the Variance application in accordance with Chapter 10.___ (Public Notices and Hearings) [Source: 10-6.1304, modified]

10.50.040 Findings and Decision

A. The Planning Commission may approve a Variance only if it makes all of the following findings: [Source: 10-6.1301]

1. Because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the zoning regulations of this Title would deprive the property of privileges enjoyed by other properties in the vicinity and in the same zoning district. [Source: 10-6.1301(b)]
2. The granting of the Variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and in the same zoning district. [Source: 10-6.1301(a)]
3. The granting of the Variance would not be detrimental to the public health, safety, or welfare, or injurious to property or improvements in the vicinity. [Source: 10-4.1301(c)]
4. The Variance would be consistent with the intent and purpose of this Title. [Source: 10-4.1301(d)]

B. In approving a Variance, the Planning Commission may impose conditions necessary to ensure compliance with the findings required by this Section and to protect the public health, safety, and welfare. [Source: 10-4.1301, modified]

10.50.050 Post-Decision Procedures

A. A Variance shall not become effective until 10 calendar days have elapsed from the date of approval. If an appeal is filed pursuant to the provisions of this Title, the Variance shall not become effective until a final decision on the appeal has been made. [Source: 10-6.1305, modified]

B. A Variance shall not have any force or effect until the permittee acknowledges receipt of the approval and acceptance of any conditions imposed. [Source: 10-6.1306]

Chapter 10.55

Sign Permit

Chapter 10.55 Sign Permit

Sections

10.55.010 Applicability
10.55.020 Review Authority
10.55.030 Application Filing, Processing, and Review
10.55.040 Findings and Decision
10.55.050 Post-Decision Procedures

10.55.010 Applicability

A Sign Permit shall be obtained by the property owner or authorized agent prior to installation of any sign unless the provisions regulating a particular type of sign expressly provide that a Sign Permit is not required.

Obtaining a Sign Permit, or the fact that a sign may be installed without a Sign Permit, does not eliminate the requirement to obtain any building permit or other permit required by this Code or other applicable law for the construction or installation of a sign. The requirement for a Sign Permit is in addition to all other applicable federal, state, or local permit or approval requirements. [Source: 10-6.5807]

10.55.020 Review Authority

The Planning Director shall serve as the review authority for all Sign Permit applications and shall have the authority to approve or deny such applications in accordance with this Chapter. [Source: NEW]

10.55.030 Application Filing, Processing, and Review

A. **Preapplication Meeting.** The applicant may request a preapplication meeting with the Planning Director prior to formal submittal of an application, as established in Section 10.__.__ (Application Preparation and Filing). [Source: NEW]

B. An application for a Sign Permit shall be filed with the Community Development Department on a form provided by the Department and accompanied by the required fee established by the County's Cost Recovery Schedule. [Source: 10-6.5818(a), modified]

C. In addition to the information requested on the application form, the application shall include a description of the proposed sign, a drawing of the proposed sign showing dimensions, photographs of the property where the sign is proposed, a location sketch, and a plot plan showing the location of the proposed sign on the property. [Source: 10-6.5818(b)]

D. The application shall be signed by the applicant and, if different, by the property owner of the property upon which the sign is proposed to be installed. [Source: 10-6.5818(c)]

E. The Planning Director shall act upon a complete Sign Permit application within 30 calendar days after the application is determined to be complete by either issuing the Sign Permit or issuing written notice of denial. [Source: 10-6.5818(d), modified]

F. If the Planning Director determines that a Sign Permit application is incomplete, written notice specifying the information required to complete the application shall be provided within 15 calendar days of receipt of the application. [Source: 10-6.5818(e)]

10.55.040 Findings and Decision

A. The Planning Director shall issue a Sign Permit if the application demonstrates that the proposed sign complies with the requirements of this Title and all other applicable laws governing the sign at the proposed location. The content of the message displayed on the sign shall not be considered in determining compliance with this Title, except where commercial messages are prohibited or where on-site commercial messages are required by law. [Source: 10-6.5818(f), modified]

B. Issuance of a Sign Permit by the Planning Director does not constitute approval of the sign by any other governmental agency having jurisdiction. [Source: 10-6.5818(g)]

10.55.050 Post-Decision Procedures

A. **Appeal of Sign Permit Decisions.** Any decision or failure to act by the Planning Director on a Sign Permit application may be appealed to the Planning Commission as follows: [Source: 10-6.5819, modified]

1. The appeal shall be in writing and filed with the Secretary of the Planning Commission accompanied by the appeal fee established by the County's Cost Recovery Schedule. [Source: 10-6.5819(a)]
2. The Planning Commission shall hear and act upon the appeal at the next regular meeting at which the matter can be reasonably placed on the agenda in compliance with applicable notice requirements. [Source: 10-6.5819(b)]
3. The Planning Commission shall act upon the appeal by either directing issuance of the Sign Permit or upholding the denial of the permit. [Source: 10-6.5819(d)]
4. If the Planning Commission directs issuance of the Sign Permit, the Planning Director shall issue the permit consistent with the Commission's decision. [Source: 10-6.5819(e)]

B. **Judicial review.** Any final administrative decision regarding a Sign Permit shall be subject to judicial review pursuant to Section 1094.8 of the California Code of Civil Procedure. [Source: 10-6.5821]

C. **Duration of Permit.** A Sign Permit issued pursuant to this Chapter shall expire if the sign authorized by the permit is not installed within 24 months of permit issuance. If the sign is installed and subsequently removed, discontinued, or abandoned for a period of 12 months, the Sign Permit shall automatically expire. [Source: 10-6.5822, modified]

Chapter 10.60

Vacation Rental Activity Permit

Chapter 10.60 Vacation Rental Activity Permit

Sections

10.60.010 Purpose
10.60.020 Applicability
10.60.030 Application Filing Procedures
10.60.040 Review of Applications
10.60.050 Permits Subject to Planning Commission Review
10.60.060 Issuance and Conditions of Permit
10.60.070 Remedies
10.60.080 Expiration and Renewal of Permits

10.60.010 Purpose

The purpose of this Chapter is to establish a Vacation Rental Activity Permit process governing the operation of Vacation Rentals in a manner that promotes compatibility with surrounding properties, protects public health and safety, and ensures compliance with Section 10.95.110. [Source: NEW]

10.60.020 Applicability

This Chapter applies to any person, owner, tenant, or entity that operates, maintains, advertises, or offers a dwelling unit for rent for periods of not more than twenty-nine (29) consecutive calendar days within the unincorporated area of the County.

No Vacation Rental shall be established, advertised, or operated unless a valid Vacation Rental Activity Permit has been issued pursuant to this Chapter. [Source: NEW]

10.60.030 Application Filing Procedures

A. **Preapplication Meeting.** The applicant may request a preapplication meeting with the Planning Director prior to formal submittal of an application, as established in Section 10.__.__ (Application Preparation and Filing).

B. Applications for a Vacation Rental Activity Permit shall be submitted to the Planning Division and shall include the following:

1. Full name and contact information for all property owners of record.
2. If the owner is a legal entity, documentation identifying ownership interest and proof of registration with the Secretary of State, if applicable.
3. A site plan of the property and floor plan identifying bedrooms and parking layout.
4. Identification of which dwelling unit on the parcel will operate as the Vacation Rental, if more than one legally established dwelling exists.
5. Certification that the property is not subject to unresolved building or zoning violations.

6. Certification that the applicant does not possess another active Vacation Rental Activity Permit within the unincorporated area of the County.

7. Contact information for any management company or property manager responsible for the rental unit who shall be available on a twenty-four (24) hour basis to address any problems associated with the property. The property manager may be a duly licensed property management company, a licensed California real estate broker or salesperson, or the property owner; provided that the designated property manager resides or maintains a business location within Siskiyou County and is capable of responding in person to the property if necessary. The owner shall immediately notify the Community Development Department of any changes to management contact information.

8. Proof that CalFire has inspected the property and that it complies with Public Resources Code Sections 4290 and 4291.

9. A statement confirming that operation of a Vacation Rental is not prohibited by restrictive covenant.

10. Payment of all required fees.

10.60.040 Review of Applications

A. **Notice.** Upon determination that an application is complete, the Planning Division shall provide mailed notice to property owners of record in accordance with Chapter 10.___ (Public Notices and Hearings). Property owners shall have thirty (30) days from the date of mailing to submit written comments.

B. **Ministerial Approval.** Except as otherwise provided in this Chapter, an application that complies with this Chapter and Section 10.95.110 shall be approved ministerially by the Planning Director unless any of the following conditions exist:

1. The application is incomplete.

2. The applicant has knowingly made a false statement or omitted a material fact.

3. Required fees have not been paid.

4. The applicant is delinquent in payment of County taxes.

5. The property does not comply with this Chapter or Section 10.95.110.

6. More than fifty percent (50%) of the property owners provided notice pursuant to this Section submit written opposition.

7. A previous Vacation Rental Activity Permit issued to the same owner was revoked within the preceding two (2) years.

8. The applicant has been determined by a court or administrative hearing body to have engaged in short-term rental activity in violation of State or local law within the preceding two (2) years.

C. **Denial.** A denial may be appealed within ten (10) calendar days by filing a written notice of appeal with the Planning Director.

10.60.050 Permits Subject to Planning Commission Review

A. A Vacation Rental Activity Permit application shall be scheduled for hearing before the Planning Commission if:

1. More than fifty percent (50%) of noticed property owners submit written opposition; or
2. A Use Permit is required pursuant to Section 10.95.110.

B. The Planning Commission shall approve the application if it finds that the proposed Vacation Rental complies with this Chapter and Section 10.95.110 and that issuance will not:

1. Adversely affect orderly development within the County;
2. Adversely affect preservation of property values or protection of the tax base;
3. Conflict with policies or goals of the General Plan; or
4. Create a nuisance within the local neighborhood or community.

C. The Planning Commission may impose additional reasonable conditions.

10.60.060 Issuance and Conditions of Permit

A. **Requirements Prior to Issuance.**

1. When the application is tentatively approved, either by the Planning Director or the Planning Commission, the applicant shall obtain a business license and Transient Occupancy Tax certificate before issuance of the Vacation Rental Activity Permit.
2. Prior to issuance of a Vacation Rental Activity Permit, the proposed Vacation Rental shall be inspected by the County Building Division and Environmental Health Division to verify compliance with this Chapter and Section 10.95.110. Proof of compliance shall be required prior to issuance of the permit.

B. **Conditions of Permit.**
Upon issuance of a Vacation Rental Activity Permit, the permit shall contain the following conditions, violation of which may constitute grounds for revocation:

1. The permittee shall operate the Vacation Rental in compliance with all required permits, licenses, and regulations.
2. The permittee shall pay and remain current with all required inspection fees, permits, and taxes.
3. The permittee shall designate a property manager responsible for the rental unit who shall be available on a twenty-four (24) hour basis to address any problems associated with the property. The property manager may be a duly licensed property management company, a licensed California real estate broker or salesperson, or the property owner; provided that the designated property manager resides or maintains a business location within Siskiyou County and is capable of responding in person to the property if necessary.

4. Upon any transfer of ownership of the property where the permittee does not remain on title, the permit shall terminate automatically upon transfer.

5. The maximum rental period for each occupancy shall be twenty-nine (29) consecutive calendar days.

6. Pools, spas, saunas, and shared laundry facilities, if provided, are considered public facilities and shall be subject to Environmental Health and Building Division review and inspection for compliance with State and local regulations for public pools and laundries.

7. One non-illuminated sign indicating the property is a Vacation Rental, not exceeding two (2) square feet in area, shall be permitted.

8. With the exception of trash properly deposited in trash collection receptacles, accumulation of trash and debris outside of a Vacation Rental at any time is prohibited. Weekly trash collection shall be provided for each Vacation Rental. Each Vacation Rental shall provide a minimum of one bear-proof trash receptacle.

9. The permittee shall include and reference the Vacation Rental Activity Permit number on any written advertisement for the Vacation Rental, including online advertisements.

10. The following notices shall be prominently posted next to the front door within the Vacation Rental at all times that the property is being used as a Vacation Rental:

    a. A copy of the complete Vacation Rental Activity Permit issued by the County; and

    b. A notice detailing the following information, including but not limited to:

        i. Parking restrictions.

        ii. Prohibition of all outdoor burning.

        iii. Prohibition of the use of firearms or fireworks upon the property at any time by vacation renters.

        iv. Emergency contact information, including the County Environmental Health Division and twenty-four (24) hour contact information for the property manager and plumber.

        v. A list of unacceptable items for disposal in the septic system, including diapers, feminine hygiene products, paper towels, and similar materials.

        vi. Emergency exits and emergency escape diagram.

        vii. Refuse collection regulations and collection times.

        viii. Restrictions on loud noise after 10:00 p.m.

        ix. A site diagram showing the water shutoff valve location, location of shutoff tools if any, and instructions for shutting off the valves.

11. The permittee shall provide, prominently locate, and properly maintain at least one fire extinguisher per floor level in the Vacation Rental.

12. Outdoor amplified sound shall not be allowed at any time in association with a Vacation Rental.

13. At any time while the property is in use as a Vacation Rental, the use of firearms or fireworks upon the property by renters is prohibited.

14. All outdoor burning is prohibited. Cooking fires contained within an enclosed grill, smoker, or similar device are exempt from this prohibition.

15. The permittee shall allow County inspection of the Vacation Rental upon forty-eight (48) hours' notice of the proposed inspection.

10.60.070 Remedies

The Planning Director may revoke a VR Activity Permit by issuing a written notice of revocation, stating the reasons therefor, and serving the notice upon the permittee by both certified mail (return receipt requested) and first-class mail. The revocation shall become effective fifteen (15) days after the date the revocation was mailed unless the permittee files an appeal with the Planning Director within that fifteen-day period. If an appeal is filed, the Planning Director shall place the appeal on the calendar of the Planning Commission for scheduling of a hearing. The revocation shall not become effective until the appeal is decided by the Planning Commission. Nothing shall preclude an immediate suspension of the permit, pending hearing, if the public health and safety are threatened. The County may additionally seek compliance by any remedy allowed under this Code, including, but not limited to, imposition of administrative fines, civil actions, and any other remedy allowed by law.

10.60.080 Expiration and Renewal of Permits

A. A Vacation Rental Activity Permit shall be valid for three (3) years and shall expire on December 31 of the third year following issuance.

B. A renewal application and required fee shall be submitted at least two (2) months prior to expiration. Renewal shall be granted provided the Vacation Rental is in good standing and no unresolved code violations exist.

C. If a permit expires, a new application shall be required.

D. Any Use Permit issued prior to adoption of this Chapter shall remain subject to its original terms and conditions.

Chapter 10.65

Permit Modification and Revocation

Chapter 10.65 Permit Modification and Revocation

Sections

10.65.010 Modification of Approved Permits
10.65.020 Revocation of Approved Permits
10.65.030 Revocation Procedure

10.65.010 Modification of Approved Permits

A. **Authority.** Any land use permit, approval, or entitlement issued pursuant to this Title may be modified upon application by the permittee or property owner, or upon initiation by the Planning Director.

B. **Minor Modifications.** Minor modifications that do not substantially change the nature, intensity, or operational characteristics of the approved use and that do not result in increased impacts on surrounding properties may be approved administratively by the Planning Director.

C. **Major Modifications.** Modifications that materially alter the approved use, increase the scale or intensity of the operation, expand the physical development authorized by the permit, or otherwise affect the findings upon which the permit was originally approved shall require review and approval by the same authority that approved the original permit.

D. **Processing of Modifications.** All permit modification applications shall be processed in accordance with the application, notice, hearing, and appeal procedures applicable to the original permit approval as set forth in this Title, unless otherwise determined by the Planning Director.

E. **Limitation.** Permit modifications shall not be used to authorize a new or substantially different use that would otherwise require approval of a new permit. [Source: New]

10.65.020 Revocation of Approved Permits

A. **Authority.** Any land use permit, approval, or entitlement issued pursuant to this Title may be revoked by the authority that approved the permit, in accordance with the procedures of this Chapter unless otherwise provided in this Title, if any of the conditions or terms of such approval are violated, if compliance is not made with the provisions of this Title, or if the following findings are made: [Source: 10-6.1402]

1. **Use Permits and Other Land Approvals.** The continuance of the use would be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such use or would be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the County. [Source: 10-6.1402(a)]

2. **Variances.** Continued relief from the strict application of the provisions of this Title would be contrary to the public interest, safety, health, and welfare. [Source: 10-6.1402(b)]

B. **Fees.** All persons requesting the revocation of any permit shall pay all fees and/or deposits as provided by the County's Cost Recovery Schedule. [Source: 10-6.1402.1]

10.65.030 Revocation Procedure

A. **Initiation of Revocation.** Revocation proceedings may be initiated by the Planning Director, the Planning Commission, the Board of Supervisors, or any interested person.

B. **Public Hearing.** The approving authority shall hold a public hearing on the proposed revocation and shall duly notice the public hearings in accordance with Chapter 10.___ (Public Notices and Hearings).

C. **Decision.** Following the public hearing, the approving authority may revoke the permit if the findings required in Section 10.65.020 are made.

D. **Appeal.** Any decision to revoke a permit may be appealed in accordance with the appeal provisions applicable to the original permit approval under this Title. [Source: 10-6.1402]

10 – Planning and Zoning

Part 3 – General Development Standards

ADMINISTRATIVE DRAFT

MAY 2026

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Chapter 10.70

General Site and Development Standards

Chapter 10.70 General Site and Development Standards

Sections

10.70.010 Purpose and Applicability
10.70.020 Height Measurements and Exceptions
10.70.030 Setback Measurements and Exceptions

10.70.010 Purpose and Applicability

A. **Purpose.** The purpose of this Chapter is to ensure that development is consistent with the General Plan, complies with the standards of this Chapter, promotes development that is harmonious with existing and future land uses, and protects the use and enjoyment of neighboring properties. [Source: NEW]

B. **Applicability.**

1. The standards in this Chapter apply to all zoning districts. [Source: NEW]

2. These standards shall be applied in combination with the standards for each zoning district in Part 5 (Zones, Land Uses, and Development Standards) and the standards for specific lands uses in Part 4 (Standards for Specific Land Uses).

3. Where a conflict occurs between the standards of this Chapter and the standards applicable to a specific zoning district or land use, the standards applicable to the zoning district or land use shall prevail. [Source: NEW]

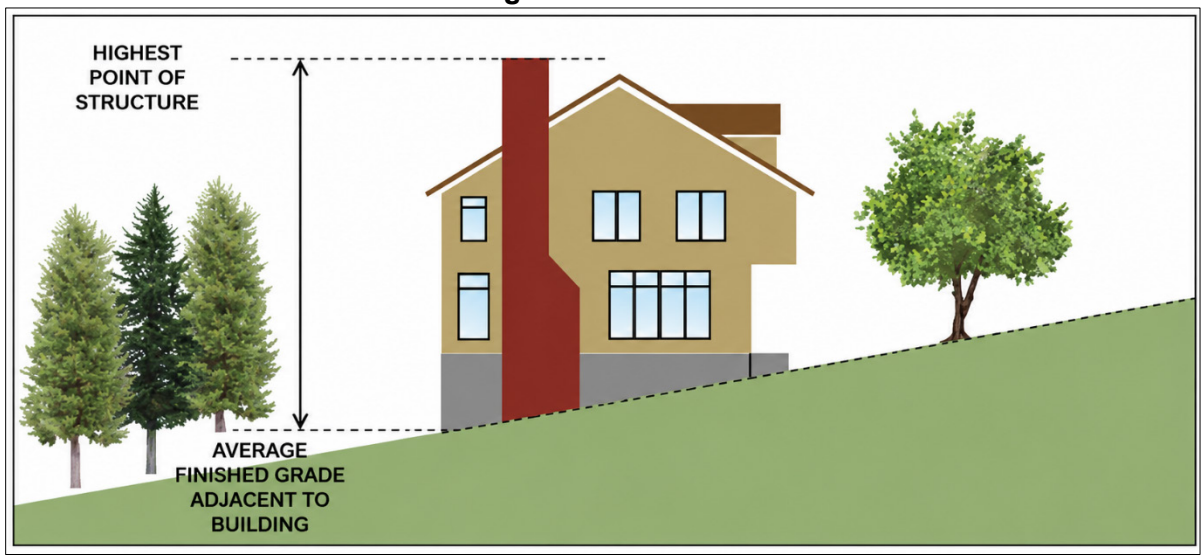
4. All structures, structural additions, and land uses shall conform with the standards of this Chapter. [Source: NEW]

10.70.020 Height Measurements and Exceptions

A. **Maximum Height Allowed.** The height of structures shall not exceed the maximum height established for the applicable zoning district in Part 5 (Zones, Land Uses, and Development Standards), except as otherwise provided in this Section. [Source: 10.6.1504, modified]

B. **Measurement of Height.** Height shall be measured as the vertical distance from the average finished grade adjacent to the building to the highest point of the structure. [Source: 10.6.1504, modified]

Figure X-XX
Height Measurement



C. **Allowable Height Increase Without Permit.** The maximum height of any structure may be increased by up to ten (10) feet without approval of a permit, provided that all required setbacks are increased by one (1) foot for each foot the structure exceeds the maximum height permitted in the applicable zoning district.

D. **Allowable Height Increase With Permit.** Certain structures may be permitted to exceed the height limits established for the zoning district through approval of a permit as provided in this Section. [Source: 10.6.1504, modified]

1. **Use Permit Required.** Commercial silos, monuments, communication towers, transmission towers, radio towers, water towers, water tanks, and similar structures may exceed the height limit of the zoning district upon approval of a Use Permit in accordance with Chapter 10.35 (Use Permit). Poles used for the distribution of utility services shall not require a Use Permit under this subsection. [Source: 10-6.1504.1, modified]

2. **Administrative Use Permit Required.** Chimneys (except residential), silos, windmills, flag poles, gas storage holders, church steeples, mechanical appurtenances, and other similar structures may exceed the height limit of the zoning district upon approval of an Administrative Use Permit in accordance with Chapter 10.31 (Administrative Use Permit). [Source: 10-6.1504.2, modified]

10.70.030 Setback Measurements and Exceptions

A. **Purpose and Applicability.** This Section establishes standards governing the measurement and use of required setbacks in order to ensure adequate open space around structures for visibility and traffic safety, access to structures, fire safety, natural light and ventilation, separation of land uses, and space for privacy, landscaping, and recreation. [Source: NEW]

B. **Measurement of Setbacks.** Required setbacks shall be measured as the horizontal distance between the property line and the nearest point of the structure. [Source: NEW]

C. **Special Measurement Situations.**

1. **Official Plan Line.** Whenever an Official Plan Line has been established for a street, required setbacks shall be measured from that line. No structure shall encroach upon an Official Plan Line.

2. **Irregular Parcels.** In the case of an irregularly shaped parcel where the rear property line is narrower than the front property line, a line drawn within the parcel parallel to the front property line and located ten (10) feet from the most distant point of the rear boundary shall be considered the rear property line for purposes of measuring the required rear setback.

D. **Vision Clearance Areas.** Vision clearance areas at driveways and intersections of public streets or highways shall be kept free of visual obstructions between the heights of three (3) feet and eight (8) feet above the elevation of the center point of the intersection. Necessary traffic control devices, public utility lines, and open fences through which clear vision is maintained are permitted.

E. **Maintenance of Setback Areas.** Required setback areas shall be maintained free of debris, refuse, and outdoor storage except as permitted by this Section.

F. **Encroachments into Required Setbacks.** Required setbacks shall remain open and unobstructed from the ground to the sky except as permitted below or as otherwise allowed in this Title.

1. Architectural projections including eaves, window boxes, chimneys, and bay windows may encroach into a required setback up to thirty-six (36) inches or thirty percent (30%) of the required setback, whichever is less.

2. Yard amenities including uncovered decks, landscaping features, rain barrels, and similar elements less than three (3) feet in height may encroach into required setback areas unless otherwise restricted.

3. Necessary highway and traffic signs, public utility lines, and rural mailboxes may encroach into required setback areas.

4. Ground-mounted photovoltaic panels and associated equipment may encroach into required setback areas subject to applicable development standards.

G. **Average Front Setback Adjustment – Residential Districts.** In any residential zoning district, where four (4) or more lots within a block contain existing principal buildings, the minimum required front setback for a new principal building may be reduced to the average of those established setbacks if the average is less than the setback otherwise required by the zoning district. [Source: 10-6.1507, modified]

H. **Reduced Side Yard Setbacks for Substandard Lots.** For single-family dwellings on legally created parcels of record with an average width of less than fifty (50) feet that were established prior to December 3, 1957 and are under single ownership without adjoining land, interior side

yard setbacks may be reduced to ten percent (10%) of the parcel width, but not less than three (3) feet. [Source: 10-6.1510]

I. **Roadway Building Line Setbacks.** Unless otherwise provided, a building line setback is established along each side of every public road within the County road system and along all State and Federal highways. The setback shall be located fifty (50) feet from the centerline of the roadway or twenty (20) feet from the property line facing the roadway, whichever distance is greater. This requirement shall not apply to properties adjacent to fenced freeways.

Chapter 10.75

Landscaping

Chapter 10.75 Landscaping

Sections

10.75.010 Purpose
10.75.020 Applicability
10.75.030 Model Water Efficient Landscape Ordinance Compliance
10.75.040 Maintenance of Landscaping

10.75.010 Purpose

The purpose of this Chapter is to promote attractive, functional, and water-efficient landscaping associated with development, and to ensure compliance with State requirements for water conservation in landscaping.

10.75.020 Applicability

A. The provisions of this Chapter apply to landscaping installed in connection with development that requires a building permit, discretionary permit, or other approval under this Title.

B. Landscaping required as a condition of approval for any development project shall be installed and maintained in compliance with this Chapter and any applicable conditions of approval.

10.75.030 Model Water Efficient Landscape Ordinance Compliance

The design, installation, and maintenance of landscaped areas shall comply with the California Model Water Efficient Landscape Ordinance (MWELO) contained in Title 23 of the California Code of Regulations. Compliance with the MWELO shall be verified during the applicable permit review process. [Source: NEW]

10.75.040 Maintenance of Landscaping

All required landscaping shall be permanently maintained by the property owner or responsible party in a healthy and orderly condition. Dead, diseased, or damaged plant materials shall be replaced, and irrigation systems shall be maintained in proper working order. [Source: NEW]

Chapter 10.80

Parking

Chapter 10.80 Parking

Sections

10.80.010 Purpose and Intent
10.80.020 Applicability
10.80.030 General Parking Requirements
10.80.040 Number of Parking Spaces Required
10.80.050 ADA Accessible Parking Spaces Required
10.80.060 Location and Design.
10.80.070 Parking Space and Drive Aisle Dimensions
10.80.080 Loading Spaces
10.80.090 Reduction of Parking Requirements
10.80.100 Location of Required Parking

10.80.010 Purpose and Intent

The purpose of this Chapter is to establish standard parking and loading requirements to ensure that all land uses provide adequate parking and loading facilities and that such facilities are designed and maintained so as not to impede the flow of traffic or create hazards for pedestrians. [Source: NEW]

10.80.020 Applicability

The requirements of this Chapter apply to the establishment, alteration, expansion, or change of any land use or structure within the unincorporated areas of the County, except as otherwise provided in this Title. [Source: NEW]

10.80.030 General Parking Requirements

A. **Existing Parking and Loading to be Maintained.** No existing parking and/or loading serving any use may be reduced in amount or changed in design, location or maintenance below the requirements for the use established by this Chapter, unless equivalent substitute facilities are provided. [Source: NEW]

B. **Nonconforming Parking or Loading.** An existing use or structure shall not be deemed to be nonconforming solely because of a lack of parking and/or loading facilities required by this Chapter, provided that any parking and/or loading facilities in existence on the effective date of this Code are not reduced below the number of spaces required by this Chapter. [Source: NEW]

C. **Accessibility.** Required parking and loading areas shall be kept available and accessible for their intended purpose during the hours of operation of the use they serve. [Source: NEW]

D. **Director Adjustment.** The Planning Director may approve minor adjustments to parking and loading requirements where strict application of the standards of this Chapter would result in practical difficulties due to site constraints, provided that the adjustment will not result in inadequate parking or loading for the proposed use. [Source: 10-6.5610(e)(3), modified]

10.80.040 Number of Parking Spaces Required

A. All land uses shall provide the minimum parking spaces established in Table X-XX (Minimum Number of Parking Spaces Required), except as provided in this Code. For any use not specifically listed in Table X-XX, the Planning Director shall determine the amount of parking required based on the parking demand of the proposed used and the requirements of similar uses listed in the Table. All required parking shall be located on-site unless otherwise permitted by this Chapter. The Planning Director may refer the determination to the Planning Commission. A determination by the Planning Director may be appealed to the Planning Commission in compliance with appeals procedures for Planning Commission or Planning Director established in Title 1 of the County's Code of Ordinances. [Source: NEW]

B. **Calculating Required Parking.**

1. **Gross Floor Area.** When parking requirements established in Table 10.80-1 (Minimum Number of Parking Spaces Required) are based on square footage, the minimum number of spaces shall be based on the gross floor area of the structure or structures served by the parking. [Source: NEW]

2. **Fractional Spaces.** Where the calculation of required parking spaces results in a fractional parking space, fractions of one-half (0.5) or greater shall be rounded up to the next whole parking space. Fractions less than one-half shall be rounded down. [Source: NEW]

3. **Sites with Multiple Uses.** A site containing multiple uses shall provide the total number of parking spaces required for each individual use, except where a reduction in parking requirements is allowed in compliance with this Code and where the parking arrangement complies with the requirements of the underlying zoning district. [Source: NEW]

Table 10.80-1: Minimum Number of Parking Spaces Required

Land Use	Number of Spaces Required
Residential Uses	
Accessory Dwelling Unit	1 space per ADU, unless exempt
Bed and Breakfast Establishment	2 spaces per dwelling unit, plus 1 space per bedroom available for rent
Caretaker's unit	1 space per unit
Mobile Home	2 spaces per unit, or 1 space per unit in a senior mobile home park (62 years or older), plus 1 guest space for every 5 units; spaces may be tandem
Multi-family	1.5 spaces per unit with 1 bedroom; 2 spaces per unit with 2–4 bedrooms; 3 spaces per unit with 5 or more bedrooms or rooms that could reasonably function as bedrooms; plus 1 guest space for every 5 units
Rooming or Boarding House	1 space per 2 guests
Single-Family Dwelling, Duplex, and Triplex	2 spaces per dwelling unit with up to 4 bedrooms; 3 spaces per dwelling unit with 5 or more bedrooms
Single Room Occupancy (SRO)	0.5 spaces per unit, plus 1 space for an on-site manager, if applicable
Vacation Rental	1 space per bedroom
Recreation, Education, and Places of Assembly Uses	
Residential Care Facility, more than six	0.5 space per residential unit, plus 1 space per shift employee
Residential Care Facility, six or fewer	See “Single-Family Dwelling, Duplex, and Triplex”
Day Care Facility	1 space per employee, plus 2 spaces, plus 1 loading/unloading space for every 5 children
Family Day Care Home	See “Single-Family Dwelling, Duplex, and Triplex”
Emergency Shelter	1 space per 6 beds, plus 1 space per staff member
Hospital	2 spaces per bed
Library	1 space per 350 square feet of gross floor area
Place of Assembly (including community centers and special event center)	1 space per 4 fixed seats or 1 space per 50 square feet of net assembly area, whichever is greater
Recreation/Entertainment Establishment	1 space per 4 persons of the maximum permitted occupancy
Schools	
Primary	1 space per classroom and 1 space per 4 fixed seats or 50 square feet of area in the auditorium or gymnasium
Secondary	6 spaces per classroom and 1 space per 4 fixed seats or per 50 square feet of area in the auditorium or gymnasium
Trade and Vocational	1 space per employee plus 1 space per 20 students at planned capacity
College/University	1 space per employee plus 1 space per 20 students at planned capacity
Retail, Service, and Office Uses	
Animal Hospital and Pounds/Kennels	1 space per 300 square feet of gross floor area

Table 10.80-1: Minimum Number of Parking Spaces Required

Land Use	Number of Spaces Required
Auto Body Shop	1 space per 400 square feet of gross floor area
Banks/Financial Institution	1 space per 300 square feet of gross floor area plus 2 additional spaces per automated teller machine if there are outside automated teller machines
Campground (including glamping or similar uses)	1 space per 300 square feet of gross floor area of the office and/or general store, plus 1 space per designated campsite or glamping cabin
Cemetery	1 space per 100 square feet of mortuary assembly space
Distillery, Brewery, or Winery	1 space per 250 square feet of non-production gross floor area
Gas Station	1 space per 300 square feet of gross floor area
Golf Course	2 spaces per hole on the course plus 1 space per shift employee
Health/Fitness Club	1 space per 300 square feet of gross floor area
Health Services/Community Clinic	1 space per 300 square feet of gross floor area plus 1 space per physician on shift
Hotels/Motel/Resort	1 space per guestroom, plus an additional 6 spaces
Personal Service	1 space per employee on the maximum shift plus 1.5 spaces per chair or service station
Professional Office	1 space per 250 square feet of gross floor area
Restaurant	
Restaurant, fast food	1 space per 100 square feet of gross floor area
Restaurant. dine-in	1 space per 150 square feet of gross floor area or 1 space per 3 persons of permitted occupancy, whichever is greater
Retail	1 space per 300 square feet plus 1 space per employee
Repair Garage	1 space per 400 square feet of gross floor area
Theaters	1 space per 4 fixed seats
Wholesale and Storage Sales and Bulk/Storage and Warehousing	1 space per 1,000 square feet plus 1 space per employee
Industrial, Manufacturing, and Processing Uses	
Industrial Uses	1 space per 1,000 square feet of gross floor area plus 1 space per facility vehicle
Public facility (e.g., communication equipment structure or electrical substation)	Public Facility (e.g., communication equipment structure or electrical substation) 1 space per shift employee
Storage, Large and Mini	Minimum of 3 customer parking spaces plus 1 space per employee on the maximum shift
Agricultural Uses	
Agricultural Enterprise	Parking shall be determined through the Use Permit process. No minimum parking requirement applies when a Use Permit is not required.

10.80.050 ADA Accessible Parking Spaces Required

All parking areas shall include accessible parking spaces. The required number of spaces, as well as their size, location, and design, shall conform to the provisions of the Americans with Disabilities Act (ADA) and all applicable State and Federal laws. Accessible parking spaces shall be counted towards the total number of required parking spaces for the project. [Source: NEW]

10.80.060 Location and Design.

Parking areas shall be designed and developed in accordance with the standards of this Section and any applicable County engineering standards. [Source: NEW]

A. **Parking Access.** Parking areas shall be designed to provide safe vehicular access and circulation, as determined by the Public Works Director. [Source: NEW]

1. Parking facilities shall be designed so that vehicles maneuvering out of parking spaces do not back into or across a street right-of-way. [Source: NEW]

2. Parking facilities shall be designed so that every space is accessible without leaving the facility and reentering from the public street right-of-way. Public alleys are exempt from this requirement. [Source: NEW]

3. Where development in any zone abuts a public or private street, vehicular access onto the street shall occur only through forward movement of the vehicle. This requirement does not apply to single-family residential uses. [Source: NEW]

B. **Striping and Pavement Marking.** Parking facilities that are paved shall be striped in a manner so that individual parking spaces and traffic patterns are clearly delineated. [Source: NEW]

C. **Surfacing.** Parking and maneuvering areas shall be surfaced with asphalt, concrete, gravel, or other materials approved by the Planning Director sufficient to prevent excessive dust, mud, or loose material. Surfacing requirements may be modified for agricultural uses or single-family residential uses where gravel or similar materials are appropriate. Source: NEW]

D. **Drainage.** Parking and loading facilities shall be graded and maintained to prevent runoff onto adjacent properties or public rights-of-way and to prevent standing water within the parking facility. [Source: NEW]

E. **Lighting.** Lighting used to illuminate off-street parking or loading areas shall be directed away from adjoining lots, residential areas, and public streets so as to minimize glare. [Source: NEW]

F. **Maintenance.** Parking facilities, driveways, and loading areas shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair.[Source: NEW]

10.80.070 Parking Space and Drive Aisle Dimensions

A. **Size and Dimensions of Parking Spaces.** Parking spaces shall meet the minimum size and dimensions stated in this Section. Screening walls, roof support posts, columns, or other structural members shall not intrude into the required dimensions for parking spaces. [Source: NEW]

1. **Standard Parking Space.** A standard parking space shall be a minimum of nine feet in width and 20 feet in length. [Source: NEW]

2. **Space Requirements.** Parking spaces located along property lines shall include a minimum six-inch by six -inch raised curb or equivalent barrier to prevent vehicle encroachment onto adjacent property or streets not used for maneuvering. [Source: 10-6.5610(e)(2)]

3. **ADA Compliant Parking Spaces.** Accessible parking spaces shall be provided in accordance with the Americans with Disabilities Act (ADA) and all applicable State and Federal laws. [Source: NEW]

B. **Parking Angles and Aisle Widths.** Minimum aisle widths shall be calculated according to the angle of the parking stall. The following minimum dimensions shall apply: [Source: NEW]

Table 10.80-2: Parking Stall and Lot Dimensions

Angle	Width	Depth	Aisle	One-Way	Clearance
90°	9'	20'	24'	15'	N/A
45°	9'	20'	22'	15'	N/A
Parallel	9'	22'	22'	15'	N/A
Loading	12'	30'	N/A	N/A	15'

10.80.080 Loading Spaces

Commercial and industrial uses shall provide off-street loading spaces as required by this Section. [Source: NEW]

A. **Structures Less Than 10,000 Square Feet.** Commercial or industrial uses occupying structures of less than 10,000 square feet shall provide at least one loading area adequate for delivery vehicles, unless the Planning Director determines that the nature of the proposed use does not require a designated loading space. The loading area shall not interfere with required parking or circulation. [Source: NEW]

B. **Structures 10,000 Square Feet and Larger.** Commercial or industrial uses occupying structures of 10,000 square feet or more shall provide at least one designated loading space. Additional loading spaces may be required based on the anticipated frequency of deliveries and the operational characteristics of the use. Loading spaces shall be located to avoid conflicts with required parking and internal circulation areas. [Source: NEW]

C. **Adjustments to Loading Space Requirements**. [Source: NEW]

1. **Reduction.** The Planning Director may waive or reduce the required number of loading spaces upon a finding that, based on substantial evidence in the record, the operational characteristics of the proposed use will not generate regular truck deliveries or loading activities requiring a designated loading space. [Source: NEW]

2. **Increase**. The Planning Director may require additional loading spaces where substantial evidence demonstrates that the minimum required loading spaces would be insufficient to accommodate the anticipated frequency and type of deliveries, and

where additional loading space is necessary to prevent loading, unloading, or storage of vehicles on public streets or in required parking or circulation areas. [Source: NEW]

D. **Size and Dimensions of Loading Spaces.** Loading spaces shall meet the minimum size and dimensions stated in this Section. Required loading spaces shall be maintained free of obstructions and shall provide adequate access and maneuvering area for the vehicles they are intended to serve. [Source: NEW]

1. **Small Truck Loading Space.** A small truck loading space shall be a minimum of 10 feet in width and 25 feet in length. [Source: NEW]

2. **Large Truck Loading Space.** A large truck loading space shall be a minimum of 12 feet in width and 55 feet in length. [Source: NEW]

10.80.090 Reduction of Parking Requirements

A. **Authority.** The number of parking spaces established in Section 10.80.040 (Number of Parking Spaces Required) may be reduced in accordance with this Section upon approval by the Planning Director or through a Zoning Clearance Permit, as applicable. [Source: NEW]

1. **Commercial Centers.** Where multiple commercial establishments totaling more than 35,000 square feet are located on a common site and are planned and managed as a unified development with shared off-street parking, the required number of parking spaces may be calculated at a ratio of one space per 400 square feet of gross floor area. [Source: NEW]

2. **Shared Parking.** Where two or more uses share a common parking facility, the total number of required parking spaces may be reduced by up to 20 percent with approval of a Zoning Clearance Permit issued by the Planning Director, and up to 50 percent reduction with approval of a Use Permit, if the Planning Director or Planning Commission finds that: [Source: NEW]

   a. The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces; [Source: NEW]

   b. The proposed number of parking spaces to be provided will be adequate to serve each use; and [Source: NEW]

   c. In the case of a shared parking facility that serves more than one parcel, a recorded parking agreement ensuring long term availability of parking is provided in accordance with Section 10.80.110.A.1 (Allowance for Off-Site Parking). [Source: NEW]

B. **Other Parking Reductions.** Required parking for any use may be reduced through approval of a Zoning Clearance Permit as follows. [Source: NEW]

1. **Criteria for Approval.** The Planning Director may approve a Zoning Clearance Permit for reduced parking up to a maximum of a 20 percent reduction in required parking spaces if it finds that: [Source: NEW]

a. Special conditions exist that will reduce parking demand at the site, including, but not limited to, the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or the applicant has undertaken a transportation demand management program; and [Source: NEW]

b. The use will be adequately served by the proposed parking. [Source: NEW]

2. **Reductions Greater than 20 Percent.** Any request to reduce the required number of parking spaces by more than 20 percent shall require approval of a Use Permit by the Planning Commission and shall not be eligible for approval through a Zoning Clearance Permit by the Planning Director. The applicant shall submit a complete Use Permit application and a formal request identifying and justifying the proposed parking reduction.

3. **Parking Demand Study.** In evaluating a request for parking reduction, the Planning Director may require submission of a parking demand study prepared by a qualified professional demonstrating that the proposed parking supply will be sufficient to meet anticipated demand. [Source: NEW]

10.80.100 Location of Required Parking

Required parking shall be located on the same parcel as the use it serves, except that off-site parking may be approved by the Planning Director where the parking facility is located within 500 feet of the principal entrance of the use, measured along a safe and accessible pedestrian route.

Any off-site parking arrangement shall be secured by a recorded parking agreement guaranteeing the long-term availability of the parking spaces for the use served. The agreement shall be recorded with the County Clerk-Recorder in a form approved by County Counsel and shall specify the duration of the agreement. If the off-site parking agreement is terminated, the use shall provide replacement parking in compliance with this Chapter.

Chapter 10.85

Fences and Walls

Chapter 10.85 Fences and Walls

Sections

10.85.010 Purpose
10.85.020 Applicability
10.85.030 Permits Required
10.85.040 Height Limitations
10.85.050 Fence and Wall Standards

10.85.010 Purpose

The purpose of this Chapter is to establish standards for the location, materials, and height of fences and walls within the County. Nothing in this Chapter is intended to supersede or conflict with any applicable Federal, State, or local law or regulation relating to security fencing or safety requirements. [Source: NEW]

10.85.020 Applicability

The standards established in this Chapter shall apply to the installation, construction, replacement, or modification of fences and walls in all zoning districts, unless otherwise required by Federal, State, or other public agency regulations. [Source: NEW]

10.85.030 Permits Required

A. **No Permit Required.** Fences and walls not exceeding seven (7) feet in height and that comply with the standards of this Chapter and any other applicable provisions of this Title, do not require a permit. [Source: NEW]

B. **Building Permit Required.** Fences and walls exceeding seven (7) feet in height require a Building Permit in accordance with the California Building Code. [Source: NEW]

10.85.040 Height Limitations

A. **General.** Fence and wall heights shall be measured from the lowest finished grade adjacent to the fence or wall.

B. **Permit Threshold.** Fences and walls exceeding seven (7) feet in height require a Building Permit in accordance with the California Building Code.[Source: NEW]

C. **Maximum Height Limits.** The following maximum heights apply by zoning district. Fences and walls exceeding these limits require approval of an Administrative Use Permit in addition to any required Building Permit.

1. **Non-Residential Zones.**

a. Fences and walls shall not exceed eight (8) in height.

b. Where a non-residential use abuts a residential zoning district, school, or public park, a solid fence or wall at least six (6) in height shall be installed and maintained along the shared property line.

2. **Residential Zones.**

a. Fences and walls located within required side or rear setbacks shall not exceed seven (7) feet in height. [Source: NEW]

b. Fences and walls located within any required setback adjacent to a public street shall not exceed three (3) feet in height. [Source: NEW]

10.85.050 Fence and Wall Standards

A. **Prohibited Materials.** The following materials are prohibited for use in fences or walls.

1. Tarps;

2. Roofing materials;

3. Pallets;

4. Barbed wire, razor wire, electrified fencing, or other hazardous fencing materials, except as permitted in Subsection B, below; and/or] [Source: NEW]

5. Any other unconventional materials determined to be prohibited by the Planning Director. [Source: NEW]

B. **Security and Electrified Fencing.** Barbed wire, razor wire, electrified fencing, or other security fencing materials may be permitted under the following circumstances: [Source: NEW]

1. The fencing is associated with an allowed agricultural use or animal husbandry land uses and is necessary for livestock or ranch operations; [Source: NEW]

2. The fencing is required by applicable law or regulation of the County, State, Federal government, or other public agency. [Source: NEW]

3. The Planning Director determines that such fencing is necessary for the security of a lawful commercial or industrial use and that the fencing will not create a safety hazard for adjacent properties or the public. [Source: NEW]

Chapter 10.90

Signs

Chapter 10.90 Signs

Sections

10.90.010 Purpose
10.90.020 Applicability
10.90.030 Permit Required
10.90.040 Exempt Signs
10.90.050 Prohibited Signs
10.90.060 General Regulations and Standards
10.90.070 Billboard Standards
10.90.080 On-Site Sign Standards
10.90.090 Temporary Signs
10.90.100 Maintenance
10.90.110 Nonconforming Signs
10.90.120 Abatement and Removal
10.90.130 Violation of Chapter and Appeals

10.90.010 Purpose

The purpose of this Chapter is to establish content-neutral standards regulating the size, height, location, number, and physical characteristics of signs within the County. These regulations are intended to protect public health and safety, promote traffic safety, preserve community character, and prevent visual clutter while respecting constitution protections for freedom of speech. [Source: NEW]

10.90.020 Applicability

This Chapter applies to all signs within the unincorporated area of the County, except as otherwise provided in Section 10.90.040 (Exempt Signs).

10.90.030 Permit Required

A. **Sign Permit Required.**

1. Except as provided in Section 10.90.040 (Exempt Signs), no sign shall be erected, constructed, installed, enlarged, relocated, replaced, or reconstructed without first obtaining a Sign Permit in compliance with this Chapter. [Source: NEW]

2. A Sign permit may be reviewed concurrently with a Building Permit when required. Approval of a Sign Permit shall be limited to compliance with the objective standards of this Chapter. [Source: NEW]

B. **Judicial Review.** Judicial review of decisions made pursuant to this Chapter shall be governed by applicable provisions of State law. [Source: NEW]

C. **Content-Neutral Review.** Review and approval of sign permits shall be conducted in a content-neutral manner. No permit decision shall be based upon the message, viewpoint, or

subject matter of a sign, except to the extent necessary to determine the sign's classification under this Chapter. [Source: NEW]

10.90.040 Exempt Signs

A. The following signs are exempt from Sign Permit requirements and do not count toward maximum sign area limitations, provided they comply with applicable safety, location, and building regulations:

1. **Address Identification Signs.** Address numbers required for emergency identification. [Source: NEW]
2. **Government and Utility Signs.** Signs installed or maintained by a governmental entity or utility provider in the performance of official duties, including traffic control, safety, regulatory, or infrastructure signage. [Source: NEW]
3. **Interior Signs.** Signs located entirely within a building and not visible from a public right-of-way. [Source: NEW]
4. **Vehicle Signs.** Signs or graphics displayed on legally registered vehicles, provided the vehicle is not parked or placed primarily for the purpose of advertising. [Source: NEW]
5. **Murals.** Wall graphics or artwork painted directly on a structure. [Source: NEW]
6. **Mobile Vendor Signs.** Signs fixed to licensed mobile vending vehicles identifying the vendor or services provided. Total sign area shall not exceed eight (8) square feet per vehicle.
7. **Window Signs (Temporary).** Any temporary sign taped or otherwise affixed to a window in such a manner as to be easily removed, provided that the total area of such sign in any one window does not exceed 25 percent of the area of each window.
8. **Flags.** Flags mounted on a flagpole subject to the following: [Source: NEW]
    a. **Maximum flag area:** thirty-two (32) square feet per flag.
    b. **Maximum flagpole height:** thirty (30) feet.
    c. **Flag location.** Flagpoles shall not be located within any required setback.
    d. **Maximum Number:** two (2) flags per parcel in all residential zoning districts and three (3) flags per parcel in all other zoning districts.
9. **Incidental Signs.** On-site signs not exceeding two (2) square feet per sign and attached flush to a building, conveying operational or safety information.
10. **Nameplates.** One nameplate per occupancy not exceeding two (2) square feet. [Source: NEW]
11. **Temporary Yard Signs.** One temporary yard sign per parcel not exceeding eight (8) square feet in residential zones. Temporary yard signs shall not be displayed for more than ninety (90) consecutive days. [Source: NEW]

12. **Property Control or Safety Signs.** Signs identifying property control, safety warnings, or similar notices not exceeding one (1) square foot per sign. [Source: NEW]

13. **Holiday Displays.** Seasonal decorative displays that do not create traffic hazards. [Source: NEW]

14. **Copy Changes.** Copy changes to lawfully permitted changeable copy signs. [Source: NEW]

15. **Signs Required by Law.** Signs required to be posted pursuant to State or Federal law.

16. **Construction Sign.** One on-site construction sign per project not exceeding six (6) square feet in residential zones or thirty-two (32) square feet in all other zones. Construction signs shall not be illuminated and shall be removed within thirty (30) days of final inspection or issuance of a certificate of occupancy. [Source: NEW]

B. **Routine Maintenance.** Painting, repainting, cleaning, or non-structural repair of a lawfully installed sign shall not require a Sign Permit. [Source: NEW]

C. **Building Permit Requirement.** Exemption from a Sign Permit does not exempt a sign from any required Building or Electrical Permit. [Source: NEW]

10.90.050 Prohibited Signs

A. **Prohibited Signs.** The following signs are prohibited in all zoning districts: [Source: NEW]

1. Signs exceeding 150 square feet in sign area. [Source: 10-6.5804, modified]

2. Signs that have been abandoned for a period of 90 consecutive days.

3. Signs advertising or pertaining to a use, event, activity, or business that no longer exists or has ceased operations.

4. Signs emitting audible sounds, odors, smoke, vapor, or visible matter.

5. Signs that rotate, move, flash, blink, oscillate, or are otherwise animated, except for electronic message centers permitted in accordance with this Chapter.

6. Signs projecting over or into the public right-of-way, except as expressly authorized by this Chapter or approved through an encroachment permit or other lawful authorization.

7. Off-site signs, except as otherwise expressly permitted in this Chapter.

8. Vehicle signs and mobile billboards, including signs mounted on or attached to vehicles or trailers where the primary purpose of the vehicle or trailer is advertising display rather than transportation.

9. Signs attached to utility poles, light standards, traffic control devices, public benches, public structures, or other public property, except as authorized by the property owner or public agency having jurisdiction.

10. Snipe signs, defined as temporary signs affixed to poles, fences, trees, or other structures without required authorization or permit.

11. Signs installed in a manner that interferes with required ingress or egress from a door, window, exit, stairway, or fire escape.

12. Signs placed in a manner that obstructs traffic visibility or safety, including any sign that imitates or resembles an official traffic control device or that interferes with the safe and efficient flow of traffic.

13. Neon or LED lighting installed so as to outline or border window openings, except where expressly permitted in a commercial or industrial zoning district in compliance with this Chapter.

14. Tethered balloons, inflatable devices, or other temporary or continuously inflated objects used for the purpose of attracting attention to a use, business, or event, except where specifically permitted.

15. Signs located on a roof, parapet, or wall above the eave line.

16. Signs affixed to natural features, including rocks, trees, mounds, hills, or mountains.

17. Nonconforming sign structures reconstructed, enlarged, relocated, or structurally altered beyond the limitations established in Section 10.90.110 (Nonconforming Signs).

10.90.060 General Regulations and Standards

A. **Measurement of Sign Height.** Sign height shall be measured from the uppermost part of the sign used in determining the area of the sign to the lowest elevation at the base of the sign. [Source: NEW]

B. **Maximum Sign Height Countywide.** Except as otherwise expressly provided in this Chapter, no sign shall exceed 30 feet in height. [Source: 10-6.5805, modified]

C. **Maximum Sign Area.** The maximum sign area permitted for each sign type shall be calculated based on the linear frontage of the parcel or building, as specified in the standards applicable to that sign type.

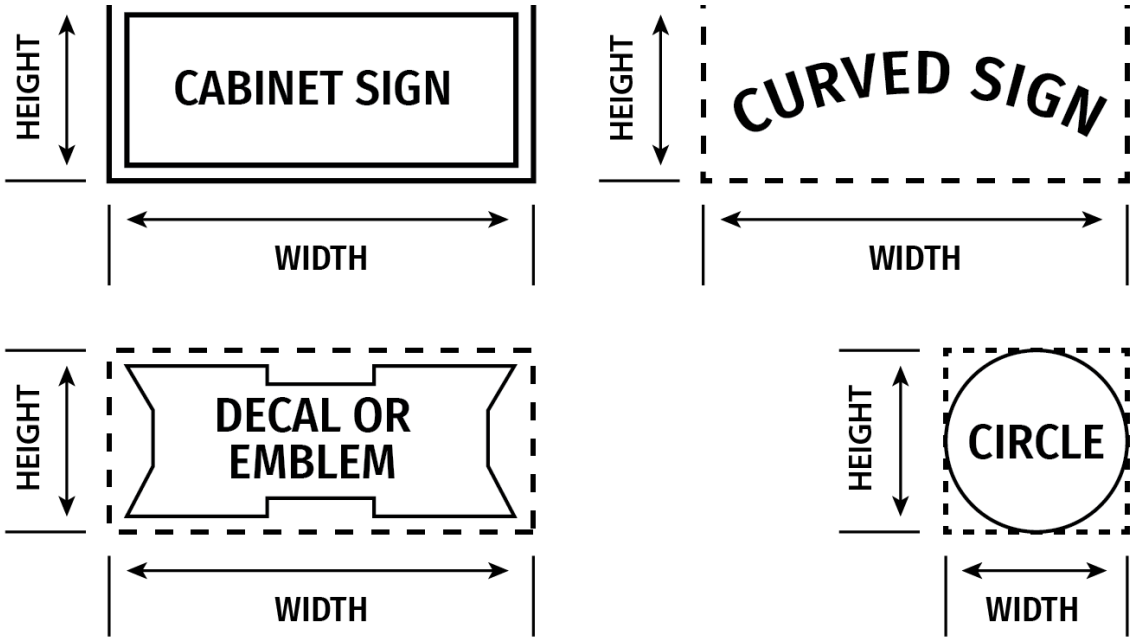
D. **Quality of Materials and Workmanship.** All signs shall be constructed of durable materials and maintained in good repair to ensure structural stability, public safety, and legibility. Signs shall be installed in a safe and workmanlike manner.

The Planning Director may require preparation, design, or installation by a properly licensed contractor where necessary to ensure compliance with applicable structural or safety standards.

E. **Sign Area Calculation.** Sign area shall be calculated as the area enclosed within the smallest geometric shape that encompasses the entire sign face / sign surface area, including all text, graphics, symbols, background, and integral framing elements. For multi-faced signs, each face shall be counted separately unless otherwise provided in this Chapter. See Figure X-XX (Sign Area Measurement).

Figure X-XX

Sign Area Measurement



F. **Interstate 5 Signs**. Commercial and industrial signs located on commercially or industrial zoned parcels within 1,500 feet of interchanges along Interstate 5, as measured from the intersection of the interstate and highway off ramp, may exceed the maximum height allowed by Subsection 10.90.070 and Section10.90.080 upon approval of a Use Permit, provided the following findings are made: [Source: 10-6.5805, modified]

1. The proposed sign is not within an area designated as a scenic freeway in the General Plan; [Source: 10-6.5805(1). modified]
2. The proposed sign would advertise highway traveler services, unique local tourist attractions, or businesses whose primary clientele are the motoring public. [Source: 10-6.5805(2)]
3. The requested height is the minimum necessary to provide visibility from Interstate 5 and shall not exceed the maximum structural height permitted for the zoning district. [Source: 10-6.5805(3), modified]
4. The sign is designed by a California-licensed professional engineer and complies with all structural safety standards. [Source: 10-6.5805(4)]
5. The proposed sign will not obscure an existing legally established sign. [Source: 10-6.5805(5)]

G. **Illumination of Signs.** Illuminated signs, whether internally or externally lit, shall comply with the following standards: [Source: NEW]

1. External light sources shall be shielded and directed to prevent glare onto adjacent properties or public rights-of-way.

2. Illumination shall not produce glare or light trespass that materially interferes with the reasonable use and enjoyment of adjacent properties.

3. Signs shall not utilize blinking, flashing, or rapidly changing light patterns, except for electronic message centers expressly permitted by this Chapter.

4. Lighting shall not be configured in a manner that could reasonably be confused with official traffic control devices.

5. Exposed bulbs facing a public right-of-way or adjacent property are prohibited.

6. Illuminated freestanding signs shall be located at least 50 feet from a residential zoning district boundary, unless otherwise approved through a Use Permit.

7. Temporary signs shall not be illuminated. [Source: NEW]

H. **Building Code Compliance.** All signs shall comply with the applicable provisions of Title 9 (Building Regulations) of this Code. [Source: 10-6.5825, modified]

I. **Content Neutrality.** The regulations of this Chapter are intended to be content-neutral and viewpoint-neutral. Signs shall not be regulated based on the message conveyed, except as necessary to determine sign classification consistent with constitutional requirements. [Source: NEW]

J. **Substitution of Messages.** Any sign authorized by this Chapter may display a noncommercial message in lieu of any commercial or other noncommercial message. This provision shall control over any conflicting provision of this Chapter. [Source: NEW]

K. **Owner's Consent.** No sign shall be erected or maintained without the consent of the property owner or person with lawful authority to possess and control the property. [Source: NEW]

10.90.070 Billboard Standards

Billboards shall be permitted only in the C (Commercial) and IN (Industrial) zoning districts, subject to approval of a Use Permit and issuance of a Sign Permit prior to construction, and compliance with the following standards:

A. **Setbacks.** Billboards shall comply with all applicable yard setbacks for the zoning district in which they are located. [Source 10-6.5813(a)]

B. **Maximum Number.** No more than one billboard shall be permitted per parcel. [Source 10-6.5813(d), modified]

C. **Spacing.** No billboard shall be located within 1,000 feet of another billboard, measured in a straight line along the same side of the roadway between the nearest points of the billboard structures.

D. **Maximum Height.** A billboard shall not exceed 35 feet in height unless otherwise authorized pursuant to Section 10.90.060(F).

E. **Maximum Area.** A billboard shall not exceed 300 square feet per sign face.

F. **Digital Displays.** Digital billboards or electronic message centers are prohibited unless expressly authorized by this Chapter.

G. **Scenic Corridor Limitation.** Billboards shall not be permitted within areas designated as scenic corridors or scenic freeways in the General Plan.

H. **State Compliance.** All billboards shall comply with the California Outdoor Advertising Act (Business and Professions Code §5200 et seq.) and all Caltrans permitting requirements, where applicable. County approval shall not be effective until required State permits are obtained. [Source 10-6.5813(e)]

10.90.080 On-Site Sign Standards

The following standards apply to on-site signs unless otherwise regulated by this Chapter.

A. **Identification Signs.**

1. **Residential Identification Signs.** One wall sign not exceeding two (2) square feet in area shall be permitted on a residential structure without a Sign Permit. The sign shall be located below the roofline or on a mailbox. [Source: 10-6.5808 and 5808(a), modified]

2. **Nonresidential Identification Signs.** One wall sign and/or one freestanding sign per parcel shall be permitted without a Sign Permit, subject to the following: [Source: 10-6.5809]

   a. Maximum area: Four (4) square feet per sign. [Source: 10-6.5809(a)]

   b. Freestanding signs shall not exceed four (4) feet in height and shall be located outside required setback areas. [Source: 10-6.5809(b)]

   c. The sign may display any lawful message. [Source: 10-6.5809(c)]

B. **Agricultural Produce Sales Signs**. Agricultural produce sales signs are permitted in all zoning districts without a Sign Permit, subject to the following standards: [Source: 10-6.5810, modified]

1. No more than two (2) signs per street frontage of the parcel. [Source: 10-6.5810(a)]

2. Each permitted sign structure may contain up to two sign faces. Each face shall not exceed twenty (20) square feet in area. [Source: 10-6.5810(c)]

3. Signs shall be wall, freestanding (monument or ground-mounted), or window signs.

4. Freestanding signs shall not exceed six (6) feet in height, as measured pursuant to Section 10.85.060(A).

5. Signs shall not be internally illuminated.

C. **Commercial and Industrial Signs.** Signs for lawfully established commercial and industrial uses shall be permitted subject to issuance of a Sign Permit and compliance with the applicable standards of this Chapter. [Source: 10-6.5811, modified]

1. Signs located within 1,500 feet of an Interstate 5 interchange may qualify for height modification pursuant to Section 10.85.060(F).

2. **Canopy Signs shall:** [Source: NEW]

a. Be mounted only on the front or sides of a canopy or suspended below a canopy. [Source: NEW]

b. Not project more than six (6) inches from the face of the canopy. [Source: NEW]

c. Not extend above the uppermost height of the canopy. [Source: NEW]

d. Maintain a minimum clearance of ten (10) feet from the lowest part of the sign to finished grade.

3. **Projecting, Overhead, or Suspended Signs shall:** [Source: 10-6.5811(c), modified]

a. Have a maximum display area of one hundred (100) square feet. [Source: 10-6.5811(c)(1), modified]

b. Not project more than six (6) feet from the wall supporting the sign. [Source: 10-6.5811(c)(2)]

c. Be set back at least ten (10) feet from any property line. [Source: 10-6.5811(c)(3)]

d. Maintain a minimum clearance of ten (10) feet above grade and fifteen (15) feet above driveways. [Source: 10-6.5811(c)(5), modified]

4. **Wall Signs shall:** [Source: 10-6.5811(d), modified]

a. Not exceed twenty (20) percent of the wall area on which the sign is located or one hundred (100) square feet, whichever is less. [Source: 10-6.5811(d)(1)]

b. Not project more than twelve (12) inches from the wall surface. [Source: NEW]

c. Not extend above the roofline. [Source: NEW]

d. Not obstruct windows. [Source: NEW]

5. **Awning Signs shall:** [Source: NEW]

a. Be located only on building frontages, including those fronting a street, parking lot, or pedestrian pathway. [Source: NEW]

b. Be limited to ground-level uses. [Source: NEW]

c. Not be internally illuminated. Downward-directed lighting that does not illuminate the awning surface is permitted. [Source: NEW]

6. **Freestanding Signs shall:** [Source: NEW]

a. Be located along roadway frontage. [Source: NEW]

b. Be set back at least five (5) feet from any property line. [Source: NEW]

c. Not exceed six (6) feet in height.

d. Not exceed thirty-two (32) square feet in area per sign face. [Source: NEW]

e. Maintain a minimum spacing of seventy-five (75) feet between freestanding signs on the same parcel. [Source: NEW]

f. Provide landscaping at the base of the sign structure equal to twice the area of one sign face. Existing landscaped areas may count toward this requirement. The Planning Director may approve a reduction where site constraints such as limited frontage width, driveway spacing, utilities, or existing development make full compliance impractical. [Source: NEW]

7. **Drive-Through and Drive-In Facility Signs**. Drive-through or drive-in facilities may have up to two additional signs subject to the following: [Source: NEW]

   a. Maximum area: Thirty-two (32) square feet per sign. [Source: NEW]

   b. Maximum height: Seven (7) feet.

   c. Minimum setback: Five (5) feet from the public right-of-way. [Source: NEW]

   d. Signs shall not be located so as to obstruct clear visibility for vehicles entering or exiting a driveway or approaching an intersection. [Source: NEW]

   e. Signs shall be located within a landscaped planter area equal to three times the size of the sign face.

8. **Directional signs.** Directional signs not exceeding four (4) square feet in area and four (4) feet in height are permitted without a Sign Permit. Directional signs shall contain only directional information and shall not include commercial advertising. [Source: NEW]

9. **Window signs.** Permanent window signs shall not exceed twenty-five (25) percent of the area of each window. [Source: NEW]

10. **Commercial Murals.** Murals associated with commercial uses are permitted provided: [Source: NEW]

    a. Murals shall not exceed seventy (70) percent of the wall surface on which they are installed. [Source: NEW]

    b. Murals shall not be illuminated, animated, or digital.

    c. Murals shall comply with all applicable building and safety codes. [Source: NEW]

11. **Real estate signs.** [Source: NEW]

    a. **Residential Units.** One sign advertising the sale, lease, or rental of a dwelling unit is permitted without a Sign Permit, subject to the following: [Source: NEW]

       i. Only one sign per property.

       ii. Not illuminated.

       iii. Maximum area: Four (4) square feet.

       iv. Maximum height: Six (6) feet.

       v. The sign shall be removed within fourteen (14) days after closing of sale or execution of lease.

b. **Nonresidential Uses.** Signs advertising the sale or lease of property or tenant space are permitted without a Sign Permit, subject to the following: [Source: NEW]

i. No more than one sign per street frontage.

ii. Not illuminated.

iii. Maximum area: Thirty-two (32) square feet.

iv. Maximum height: Twelve (12) feet.

v. The sign shall be removed within fourteen (14) days after closing of sale or execution of lease.

c. **New developments.** One sign advertising the initial sale or lease of units in a newly developed or redeveloped site may be installed subject to a Sign Permit for a period not to exceed one (1) year, subject to the following: [Source: NEW]

i. Not illuminated.

ii. Maximum area: Eighty (80) square feet.

iii. Maximum height: Sixteen (16) feet.

iv. Removed within fifteen (15) days of full occupancy.

12. **Portable Signs.** Portable signs are permitted without a Sign Permit, subject to the following: [Source: NEW]

a. One portable sign per business. [Source: NEW]

b. Maximum height: Four (4) feet. [Source: NEW]

c. Maximum width: Two (2) feet. [Source: NEW]

d. Located on private property within twenty (20) feet of the primary public entrance. [Source: NEW]

e. Shall not be placed within the public right-of-way or obstruct accessible paths of travel. [Source: NEW]

f. Shall be removed when the business is closed. [Source: NEW]

g. Portable signs shall not be illuminated.

13. **Maximum Aggregate Sign Area.** The total combined area of all permanent on-site wall and freestanding signs on a parcel shall not exceed one hundred fifty (150) square feet per street frontage, excluding directional, portable, and real estate signs.

10.90.090 Temporary Signs

A. **Permit Requirement.** Temporary signs exceeding thirty-two (32) square feet in area shall require issuance of a Sign Permit. Temporary signs not exceeding thirty-two (32) square feet in area do not require a Sign Permit. [Source: NEW]

B. **Duration.** A temporary sign may be displayed for a period not to exceed sixty (60) consecutive days. [Source: NEW]

C. **Removal.** Temporary signs shall be removed immediately upon expiration of the approved display period.

D. **Reinstallation.** A temporary sign shall not be reinstalled on the same parcel within thirty (30) days following its removal.

E. **Condition.** Temporary signs shall be maintained in good condition. Torn, faded, dilapidated, or damaged temporary signs shall be removed or replaced promptly.

F. **Placement.** Temporary signs shall be located on-site and shall not be placed within the public right-of-way.

10.90.100 Maintenance

A. All signs and their structural components shall be maintained in good repair and in a safe and neat condition at all times.

B. No sign shall be erected or maintained in a condition that is unsafe, structurally unsound, or hazardous to persons or property.

C. Signs that are torn, faded, peeling, rusted, broken, missing components, or otherwise visibly deteriorated shall be repaired or removed promptly.

D. All signs containing electrical components shall be installed and maintained in compliance with applicable building and electrical codes.

E. Any sign that is abandoned, no longer identifies a current use, or remains after cessation of the use it advertises shall be removed within ninety (90) days.

10.90.110 Nonconforming Signs

A. **General.** Any sign lawfully established prior to the effective date of this Chapter that does not conform to the current standards of this Chapter shall be deemed a nonconforming sign and may remain subject to the provisions of this Section.

B. **Continuation.** A nonconforming sign may continue to be maintained, repaired, and the copy changed, provided that no structural alteration, enlargement, or relocation of the sign occurs except in compliance with this Chapter. [Source: NEW]

C. **Loss of Nonconforming Status.** A nonconforming sign shall lose its legal nonconforming status if any of the following occur:

1. The sign is structurally altered, enlarged, or relocated in a manner that increases its nonconformity.
2. The sign is destroyed or damaged to an extent exceeding fifty (50) percent of its replacement value.
3. The sign is abandoned as defined in this Chapter.
4. The sign is removed.

D. **Illegal Sign**. A sign shall be considered an illegal sign if it meets one or more of the following criteria: [Source: NEW]

1. The sign did not comply with all applicable ordinances and regulations in effect at the time of its installation.

2. The sign is abandoned as defined in this Chapter.

3. The sign is a prohibited sign pursuant to Section 10.90.050.

4. The sign is subject to a written agreement requiring removal by a specified date.

10.90.120 Abatement and Removal

A. **Abandoned Signs.** Any sign that is abandoned or that no longer advertises or identifies a lawful use conducted on the premises for a period of one hundred eighty (180) consecutive days shall be removed. The sign owner and the owner or lessee of the parcel upon which the sign is located shall be jointly responsible for removal. [Source: NEW]

B. **Illegal Signs.** Any sign erected or maintained in violation of this Chapter constitutes a public nuisance and shall be removed at the expense of the sign owner and the owner or lessee of the parcel upon which the sign is located. [Source: NEW]

C. **Enforcement.** Any sign in violation of this Section may be abated and the costs of abatement recovered in accordance with Chapter 10.260 (Enforcement Provisions). The remedies provided in this Section are cumulative and in addition to any other remedy provided by law. [Source: NEW]

D. **Summary Abatement.** The County may summarily abate, including removal without prior notice and hearing, any sign that poses an immediate threat to the health or safety of persons or property. Within ten (10) days following summary abatement, the County shall provide written notice to the sign owner and the owner or lessee of the parcel upon which the sign was located. The owner shall have the right to a hearing pursuant to Chapter 10.260 to contest the existence of the threat and the appropriateness of the abatement action, including assessment of abatement costs. [Source: NEW]

10.90.130 Violation of Chapter and Appeals

A. **Violation.** Any violation of this Chapter shall constitute a public nuisance and shall be subject to the enforcement provisions of Title 1 (General Provisions) of the County's Code of Ordinances. [Source: 9.62.130]

B. **Appeals.** Any decision or determination made pursuant to this Chapter may be appealed in accordance with the provisions of Title 1 (General Provisions) of the Couty's Code of Ordinances. [Source: NEW]

Chapter 10.95
Performance Standards

Chapter 10.95 Performance Standards

Sections

10.95.010 Purpose and Applicability
10.95.020 Compliance
10.95.030 Outdoor Light and Glare
10.95.040 Noise and Vibration
10.95.050 Air Quality and Emissions
10.95.060 Sewage Systems
10.95.070 Water System
10.95.080 Storm Drainage and Erosion Control
10.95.090 Streets
10.95.100 Easements
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10.95.010 Purpose and Applicability

A. **Purpose.** The purpose of these performance standards is to promote compatibility among land uses by establishing limits on dust, heat, glare, electrical interference, fumes, vapors, odors, noise, lighting, and vibration. [Source: NEW]

B. **Applicability.** The standards of this Chapter apply to all new uses, changes of use, and new development in all zones unless specifically exempted. [Source: NEW]

10.95.020 Compliance

The Planning Director may require documentation reasonably necessary to demonstrate compliance with the performance standards of this Chapter as part of review of any application subject to this Title.

10.95.030 Outdoor Light and Glare

A. **Applicability.** The standards of this Section apply to all new development, changes of use, and new or modified exterior lighting associated with a land use application. [Source: NEW]

B. **Lighting Plan Required.** A lighting plan shall be submitted as part of site plan review or any discretionary application involving exterior lighting. The lighting plan shall include the following: [Source: NEW]

1. Location of all exterior light fixtures;
2. Height of fixtures;
3. Manufacturer's name and model;
4. Fixture type and mounting method; and
5. Fixture specifications, including wattage and lumens.

C. **Exceptions.** The following are exempt from the standards of this Section: [Source: NEW]

1. Temporary holiday lighting; [Source: NEW]
2. Temporary lighting for construction or special events; [Source: NEW]
3. Lighting required by the Building Code, including exit signs, stair lighting, and ADA-required illumination; and [Source: NEW]
4. Public street lighting installed or maintained by a public agency.

D. **Shielding and Glare Control.** All exterior lighting shall be shielded and directed downward to prevent light trespass onto adjacent properties and to minimize glare visible from public rights-of-way.

E. **Exterior Floodlights.** Exterior floodlights shall not be aimed higher than twenty (20) degrees below the horizontal plane. [Source: NEW]

F. **Outdoor Display Lighting.** Lighting of outdoor display areas shall be turned off within thirty (30) minutes after the close of business. [Source: NEW]

G. **Security Lighting.** Security lighting shall utilize full cutoff fixtures with the light source fully shielded. Security lighting may remain illuminated after business hours. [Source: NEW]

H. **Structure-Mounted Lighting.** [Source: NEW]

1. Structure-mounted lighting shall be attached only to walls. [Source: NEW]
2. The top of structure-mounted light fixtures shall not exceed the height of the parapet or roof, whichever is greater. [Source: NEW]
3. Fixtures shall be full cutoff and shall not direct light into the sky, adjacent properties, public easements, or rights-of-way. [Source: NEW]

I. **Prohibited Lighting.** The use of blinking or flashing lights is prohibited except where required for emergency or public safety purposes.[Source: NEW]

J. **Traffic Safety.** Exterior lighting shall not be installed or maintained in a manner that creates a hazard to vehicular or pedestrian traffic [Source: NEW]

10.95.040 Noise and Vibration

A. **Noise Generated by Mechanical Equipment.** Noise from mechanical equipment, buzzers, bells, loudspeakers, or other noise-generating devices shall not exceed the following limits at any property line of the parcel, except fire protection devices and burglar alarms. Emergency generators used during power outages, Public Safety Power Shutoff (PSPS) events, or other utility disruptions are exempt from this Section. [Source: NEW]

1. Sixty (60) dBA between the hours of 7:00 a.m. and 10:00 p.m. [Source: NEW]
2. Fifty (50) dBA between the hours of 10:00 p.m. and 7:00 a.m.

All mechanical equipment and noise-generating devices shall be properly maintained at all times. [Source: NEW]

B. **Consistency with General Plan.** Noise standards shall be consistent with the applicable goals and policies of the General Plan. [Source: NEW]

C. **Construction Noise.** During construction activities, noise levels may be temporarily elevated. Construction activities shall comply with the following: [Source: NEW]

1. Construction hours shall be limited to between 7:00 a.m. and 6:00 p.m., Monday through Saturday. [Source: NEW]
2. Operation of construction equipment between 6:00 p.m. and 7:00 a.m., or on Sundays and legal holidays, is prohibited except for emergency work. [Source: NEW]
3. All construction equipment and on-site generators shall be properly muffled and maintained. [Source: NEW]

D. **Vibration and Electrical Interference.** No use shall generate vibration that is perceptible without instruments at the property line. No use shall cause electromagnetic interference with normal radio, television, or electronic equipment reception beyond the property line. [Source: NEW]

10.95.050 Air Quality and Emissions

No use shall operate in a manner that emits excessive dust, fumes, smoke, or particulate matter except as authorized under applicable federal, State, or local law. Sources of air emissions shall comply with all applicable regulations of the United States Environmental Protection Agency (40 CFR), the California Air Resources Board, and the Siskiyou County Air Pollution Control District. [Source: NEW]

10.95.060 Sewage Systems

No use shall be permitted without approval from the County Environmental Health Division and, where applicable, the appropriate Regional Water Quality Control Board. [Source: 10-6.5604, modified]

10.95.070 Water System

No use shall be permitted without approval from the County Environmental Health Division and, where applicable, the State Water Resources Control Board, Division of Drinking Water, confirming compliance with all applicable requirements. [Source: 10-6.5605]

10.95.080 Storm Drainage and Erosion Control

The property owner shall provide for proper grading, stormwater drainage, and erosion control in compliance with applicable State and County requirements, including prevention of sedimentation, erosion, or damage to adjacent or downstream properties. [Source: 10-6.5606]

10.95.090 Streets

Streets providing primary access, circulation, parking, and loading shall be designed and constructed in accordance with applicable County standards and any other adopted public improvement requirements. [Source: 10-6.5607]

10.95.100 Easements

Easements shall be provided where necessary to ensure continuity of utilities, access, and adequate drainage. [Source: 10-6.568]

10.95.110 Odor

No use shall emit odors detectable beyond the property line that create a nuisance, except for normal odors associated with agricultural operations protected under applicable Right-to-Farm provisions. The Environmental Health Division shall determine whether an off-site odor constitutes a nuisance. [Source: NEW]

10 – Planning and Zoning

Part 4 – Standards for Specific Land Uses

ADMINISTRATIVE DRAFT

MAY 2026

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Chapter 10.100

Standards for Specific Land Uses

Chapter 10.100 Standards for Specific Land Uses

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10.100.070 Hemp Cultivation
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10.100.100 Temporary Uses
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10.100.010 Purpose and Intent

A. The purpose of this Chapter is to establish supplemental site planning, operational, and development standards for specific land uses and activities identified in Part 5 (Zones, Land Uses, and Development Standards) that require additional regulation to ensure compatibility with surrounding properties and protection of public health, safety, and welfare.

B. The standards in this Chapter are intended to supplement the development regulations applicable to each zoning district and shall apply in addition to all other applicable provisions of this Code, the General Plan, and other County regulations. [Source: NEW]

10.100.020 Accessory Buildings on Residential Parcels

A. Where permitted by the applicable zoning district in Part 5 (Zones, Land Uses, and Development Standards), one accessory storage building incidental to a future residential use may be constructed on a parcel prior to construction of a primary dwelling, provided it complies with the standards of this Section and all applicable development regulations. No discretionary permit shall be required. A building permit shall be required except where exempt under the adopted Building Code. [Source: 10-6.1516, modified]

1. The parcel has been determined by the County to be a legally created lot of record. [Source: 10-6.1516(a), modified]

2. The accessory structure shall comply with all applicable zoning development standards, including setbacks, height limits, and lot coverage requirements, and its placement shall not prevent compliance with required setbacks, access, environmental health requirements, or other development standards applicable to a future dwelling on the parcel. [Source: 10-6.1516(b), modified]

3. The structure shall not be designed, constructed, equipped, maintained, represented, or used for residential occupancy or human habitation at any time, and no approval under this Section authorizes residential use of the structure. [Source: 10-6.1516(c), modified]

4. The structure shall not be connected to utilities intended to support residential occupancy, including but not limited to water, sewer, or gas service. Electrical service may be permitted for non-habitable accessory use purposes, provided that such service does not include plumbing, septic connection, kitchen facilities, bathroom facilities, or any improvements that would facilitate residential occupancy. [Source: 10-6.1516(d), modified]

B. Construction of an accessory storage structure pursuant to this Section does not establish, imply, or guarantee approval of any future dwelling, land use, subdivision, or other development on the parcel. Any future development shall require compliance with all zoning, environmental health, building, and other County regulations in effect at the time a complete application is submitted. [Source: 10-6.1516(e)] [Source: 10-6.1516(f), modified]

10.100.030 Commercial Cannabis Activity Prohibited

A. **Purpose and Findings.**

The County finds and declares as follows:

1. Pursuant to its police powers under Article XI, Section 7 of the California Constitution, the County may regulate or prohibit commercial cannabis activities within its jurisdiction.

2. State law, including Division 10 of the California Business and Professions Code (Medicinal and Adult-Use Cannabis Regulation and Safety Act), expressly preserves local authority to regulate or prohibit commercial cannabis activities.

3. Commercial cannabis operations have the potential to result in significant environmental impacts, including but not limited to water diversion, unlawful grading, vegetation removal, waste discharge, use of pesticides and fertilizers, and degradation of watersheds and wildlife habitat.

4. Commercial cannabis activities may generate adverse public safety and community impacts, including increased traffic, noise, security concerns, and enforcement burdens on local government.

5. The County has determined that prohibition of Commercial Cannabis Activity in the unincorporated area is necessary to protect the public health, safety, and welfare; preserve neighborhood character; prevent environmental degradation; and minimize adverse impacts on communities.

Accordingly, Commercial Cannabis Activity is prohibited within the unincorporated area of the County to the fullest extent permitted by State law. [Source: 10-15.010, modified]

B. **Prohibited Commercial Cannabis Activities.**

1. Commercial Cannabis Activity, whether for profit or not for profit, is expressly prohibited in all zoning districts within the unincorporated area of the County. This prohibition

applies to all activities for which a State license is required pursuant to Division 10 of the California Business and Professions Code (Medicinal and Adult-Use Cannabis Regulation and Safety Act), as it may be amended from time to time. [Source: 10-15.020]

2. No person shall establish, operate, maintain, conduct, or allow Commercial Cannabis Activity in the unincorporated area of the County. [Source: 10-15.020]

C. **Commercial Cannabis Permits and Entitlements.** No permit, license, land use entitlement, building permit, or other approval authorizing Commercial Cannabis Activity shall be issued or approved by the County. [Source: 10-15.030]

D. **Exception to Prohibitions.** The following activities are not subject to the prohibitions in Subsections B and C:

1. The transportation of cannabis or cannabis products on public roads through the unincorporated area of the County by a State licensee acting in compliance with State law.

2. Any Commercial Cannabis Activity for which the County is expressly preempted by State or Federal law from enacting a prohibition. This Section shall not be applied in a manner that conflicts with State or Federal law. [Source: 10-15.040, modified]

E. **Violations and Enforcement.** A violation of this Section shall constitute a violation of this Code and shall be subject to all enforcement remedies available to the County under State law and this Code, including administrative enforcement, civil actions, injunctive relief, and cost recovery.

Nothing in this Section shall be construed to criminalize conduct that is expressly protected from criminal liability under State law, including but not limited to the Compassionate Use Act (Health and Safety Code Section 11362.5), the Medical Marijuana Program Act (Health and Safety Code Sections 11362.7–11362.83), or Division 10 of the California Business and Professions Code. [Source: 10-15.050]

10.100.040 Personal Cannabis Cultivation

A. **Authority and Purpose.** Pursuant to Article XI, Section 7 of the California Constitution and Division 10 of the California Business and Professions Code, the County may regulate personal cannabis cultivation within its jurisdiction.

The purpose of this Section is to establish reasonable regulations governing personal, noncommercial cannabis cultivation in the unincorporated area of the County in a manner consistent with State law, while protecting the public health, safety, welfare, and environment. [Source: 10-14.010]

B. **No Local License Required.** Personal cultivation conducted in strict compliance with this Section and State law does not require a County cannabis license or discretionary land use entitlement. Nothing herein shall be construed to exempt any person from compliance with applicable building, electrical, fire, wastewater, or other regulatory requirements.

C. **Public Nuisance.** Cannabis cultivation conducted in violation of this Section is declared to be unlawful and a public nuisance subject to abatement and enforcement pursuant to this Code.

D. **Other Nuisance.** Nothing in this Section shall be construed as a limitation on the County's authority to abate any nuisance which may otherwise exist from the planting, growing, harvesting, drying, processing or storage of cannabis plants or any part thereof from any location, indoor or outdoor, including from within a fully enclosed and secure building. [Source: 10-14.080]

E. **Personal Cultivation Standards.**

1. Cultivation is prohibited on any parcel unless there is an occupied, legally established residence on the premises connected to an approved sewer system or to a County-inspected and approved wastewater disposal system.

2. Outdoor cultivation is prohibited in all areas of the unincorporated County.

3. Cultivation within a residence or any other structure used or intended for human occupancy is prohibited, except that medicinal and personal use cultivation of six (6) living cannabis plants or fewer may occur within a private residence, provided that:

   a. Cultivation is limited to a single cultivation area no larger than 100 square feet;

   b. The cultivation area is located in a locked space inaccessible to minors; and

   c. Cannabis cultivation is not visible from a public right-of-way.

4. Except as provided in Subsection E.3, medicinal and personal use cultivation may occur only within a detached residential accessory structure to a single-family dwelling unit.

5. Accessory structures used for cultivation shall meet all of the following criteria:

   a. The accessory structure shall be legally constructed with all required permits and approvals.

   b. The accessory structure shall be secured against unauthorized entry.

   c. If the accessory structure is a greenhouse, it shall be screened on all sides by a secure, solid fence at least six feet in height located within 10 feet of the greenhouse and equipped with a lockable gate.

   d. Cultivation within an accessory structure shall not exceed 12 cannabis plants on any premises, inclusive of plants cultivated in the associated single-family residence.

6. Cultivation of cannabis in an accessory structure is prohibited on any premises located:

   a. Within 1,000 feet of a school, public park, public library, church, or youth-oriented facility. Distance shall be measured in a straight line from the nearest exterior wall of the cultivation structure, or from the nearest fence surrounding a greenhouse cultivation structure, whichever is closer, to the nearest property line of the applicable school, park, library, church, or youth-oriented facility; or

b. In any location where cannabis plants are visible from a public right-of-way or a publicly traveled private road at any stage of growth.

7. All persons and entities engaging in the cultivation of cannabis shall:

   a. Have a legal water source on the premises;

   b. Not engage in unlawful or unpermitted surface drawing of water for cultivation; and

   c. Not permit illegal discharges of water or contaminated water from the premises.

8. Cannabis cultivation shall not adversely affect the environment or the public health, safety, or general welfare by creating dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or hazardous conditions, including through the use or storage of poisons, hazardous materials, processes, products, or wastes.

9. No person owning, leasing, occupying, or having charge or possession of any parcel or premises within the County shall cause, allow, suffer, or permit such premises to be used for cannabis cultivation in violation of this Code.

F. **Environmental Protection.**

1. All chemicals used in the cultivation, harvest, drying, or processing of cannabis shall be used, stored, and disposed of in compliance with applicable laws and regulations.

2. All power sources, electrical fixtures, and electrical conveyances used in the cultivation, harvest, drying, or processing of cannabis shall be installed, connected, and maintained in compliance with applicable laws and regulations.

3. If a generator is used for any purpose related to the cultivation, harvest, drying, or processing of cannabis, it shall be located at least 100 feet from all property lines and shall not generate noise levels exceeding 45 dB at the nearest property line.

G. **Abatement by Responsible Party or Property Owner.**

1. Any Responsible Party or Property Owner may abate unlawful cannabis cultivation, or cause it to be abated, at any time before commencement of County abatement. The Responsible Party or Property Owner shall notify the enforcing officer upon completion of abatement and shall provide evidence that the unlawful cultivation has been lawfully disposed of or lawfully relocated to another premises in compliance with this Section or outside the County. Evidence of abatement may include leaving cut plants in place as directed by the enforcing officer to allow inspection before disposal or relocation. Abatement shall not be deemed complete until verified by the enforcing officer.

2. Failure of a Responsible Party or Property Owner to provide evidence of abatement in the manner directed by the enforcing officer may be subject to administrative penalties as provided by this Code.

H. **Enforcement.** Notwithstanding any other provision of this Code, this Section may be used to enforce the provisions of this Section. [Source: 10-14.090]

1. **Abatement—Initiation of Proceedings.** The Board of Supervisors on its own motion, or an enforcing officer, may invoke the provisions of this Section in lieu of or in addition to instituting civil enforcement proceedings or a criminal prosecution as to any violation of this Section that has occurred or is occurring, or as to any related nuisance. [Source: 10-14.090(a)]

2. **Notice.** Any and all notices, findings, and orders required by this Section may be served by any of the following methods:

   a. **Personal Service.** By personal service on the Responsible Party.

   b. **Service by Mail.** By first-class mail and certified mail, postage prepaid, return receipt requested, addressed to the Responsible Party at:

      (1) The address shown on the last available equalized secured property tax assessment roll for the property on which the violation occurred or exists; or

      (2) Any other address of the Responsible Party or Property Owner otherwise known to the enforcing officer.

   c. **Posting.** By posting in a prominent and conspicuous place:

      (1) On the property at which the violation occurred or exists; or

      (2) On the abutting public right-of-way.

      If access to the property is denied because a common entrance is restricted by a locked gate or similar impediment, the notice may be posted at that locked gate or similar impediment.

   d. **Completion of Service.** Where service is accomplished by certified mail and posting, service shall be deemed complete on the date the notice, finding, or order has been both mailed and posted as provided herein.

   e. **Failure to Receive Notice**. The failure of any person to receive a notice given pursuant to this Section shall not constitute grounds for any court to invalidate any subsequent action by the County or any of its officers, agents, or employees to abate the nuisance.

3. **Required Contents of Notice.** Every notice of abatement issued under this Section shall include the following:

   a. A description of the act or condition constituting the nuisance or violation;

   b. The provision of this Section or other applicable provision of the County Code deemed to have been violated;

   c. The minimum voluntary abatement period provided pursuant to Subsection 4;

   d. The name, address, and telephone number of the person issuing the notice;

   e. The amount and basis for any administrative fine or penalty that may be imposed;

f. For a second or subsequent notice identifying the same ongoing violation, the total number of days of continuing violation and the per-day penalty amount;

g. A statement that the County may recover its costs of investigation, enforcement, and abatement;

h. An order prohibiting continuation or recurrence of the violation; and

i. A statement of the right to request a hearing and the deadline for doing so.

4. **Minimum Voluntary Abatement Period.**

A notice of abatement issued under this Section shall provide the owner or possessor of the site upon which the nuisance exists with a minimum of five (5) calendar days to voluntarily abate the nuisance.

5. **Exceptions to Minimum Voluntary Abatement Period.**

The five (5) calendar day voluntary abatement period shall not apply where:

a. The act or condition constitutes an immediate threat to public health or safety; or

b. Immediate administrative civil penalties are authorized pursuant to Subsection 10.B of this Section.

6. **Demand for Hearing.**

a. **Right to Request Hearing.** Any Responsible Party or Property Owner who receives a notice of abatement issued pursuant to this Section may request a hearing to contest the factual or legal grounds of the notice.

b. **Time to Request Hearing.** A written request for hearing shall be submitted to the Director of the Department that issued the notice within ten (10) calendar days from the date the notice was served.

c. **Form of Request.** The request for hearing shall be in writing and shall identify the property, the notice being contested, and the grounds upon which the notice is challenged.

d. **Failure to Request Hearing — Waiver.** Failure of a Responsible Party or Property Owner to submit a timely written request for hearing shall constitute:

(1) A waiver of the right to administrative review of the notice of abatement;

(2) A waiver of the right to contest the existence of the violation; and

(3) A waiver of the right to contest the amount of any administrative fine or penalty identified in the notice.

If no timely request for hearing is submitted, the notice of abatement shall become a final administrative order of the County.

7. **Hearing Procedures.**

a. **Setting of Hearing.** Upon receipt of a timely request for hearing, the Board of Supervisors or the person or body authorized to act on its behalf shall set the matter for hearing.

b. **Order of Presentation.** The enforcing officer with jurisdiction to cause the abatement of the alleged nuisance shall first describe the acts or conditions constituting the alleged nuisance and the basis for any administrative fine or penalty to be imposed and shall then present evidence specifically addressing the grounds set out in the notice of abatement. Thereafter, the Responsible Party or objector may present evidence to refute the enforcing officer's allegations.

c. **Conduct of Hearing.** A hearing held pursuant to this Section shall be conducted in accordance with rules of procedure adopted or approved by the Board of Supervisors. Formal rules of evidence or procedure applicable in judicial actions and proceedings shall not apply except to the extent the Board of Supervisors otherwise provides by rule. Any relevant evidence may be admitted if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs.

d. **Required Determinations**. At the conclusion of the hearing, the Board of Supervisors or the person or body authorized to act on its behalf shall determine, based upon the evidence before it:

(1) Whether the acts or conditions specified in the notice of abatement exist;

(2) Whether those acts or conditions constitute a violation of this Section and a public nuisance;

(3) If a nuisance is determined to exist, whether it should be abated by the County;

(4) If a nuisance is determined to exist, or to have existed when the notice of violation was given, whether a fine or penalty shall be imposed and the amount thereof; and

(5) If a nuisance is determined to exist, whether any civil administrative penalty authorized by this Section shall be assessed.

e. **Order of Abatement.** If the Board of Supervisors or the person or body authorized to act on its behalf finds that the alleged nuisance exists and should be abated, an order of abatement shall be issued. An order to abate a nuisance shall be final immediately upon issuance unless the order or a provision of this Code expressly provides otherwise.

8. **Findings of Abatement; Compliance; Cost Recovery.**

a. **Service of Findings and Order.** A copy of the written findings of fact and order of abatement shall be served in accordance with Subsection 2 (Notice) upon all persons upon whom the notice of abatement was served.

b. **Immediate Cessation Authority.** The order may direct that any occupancy, use, or activity cease immediately if its existence or continuation is found to constitute an immediate threat to public health or safety.

c. **Time to Comply Following Order.** Unless immediate cessation is ordered, abatement shall be commenced by the owner or Responsible Party within five (5) calendar days of service of the findings and order of abatement, or within any longer period expressly provided in the order, and shall continue with reasonable diligence until complete.

d. **County Abatement.** If the work of abatement is not commenced and completed in the manner ordered, the enforcing officer or other designated County officer or employee may proceed to abate the nuisance.

e. **Cost of Abatement.** The cost of abatement, including but not limited to inspection costs, administrative costs, actual work performed, and the costs of abatement proceedings, shall constitute costs within the meaning of Government Code section 25845 and may be specially assessed against the parcel of land upon which the abatement occurs as provided by law.

f. **Civil Recovery.** In addition to, and not in lieu of, the special assessment authority provided in Subsection E, the County may recover abatement costs in a civil action brought to abate any existing nuisance, to enjoin any pending or threatened violation of this Code, or to recover such costs. The remedies provided in this Section are cumulative and may be pursued separately, successively, or concurrently.

9. **Nonexclusive Remedy.** The remedies provided in this Section are cumulative and shall not be deemed exclusive. Nothing in this Section shall be construed to limit or supersede any other remedy available to the County under this Code, State law, or equity, including but not limited to administrative enforcement, civil actions, injunctive relief, criminal prosecution, or recovery of costs.

10. **Administrative Civil Penalties.**

a. **Imposition of Civil Penalties.** In addition to any other remedies provided by this Code or State law, there is hereby imposed an administrative civil penalty for each violation of this Section and/or each violation of building, plumbing, electrical, structural, health and safety, or zoning requirements that results from or facilitates unlicensed cultivation, manufacturing, processing, distribution, or retail sale of cannabis for which a license is required.

(1) **Standard Penalty.** Where a reasonable period of time to correct or remedy the violation prior to imposition of the penalty has been provided, a civil penalty of up to Five Thousand Dollars ($5,000.00)

per day per violation may be imposed for each day that the violation continues.

(2) **Discretion; Written Policy Required.** The enforcing officer shall have the sole and exclusive discretion to impose the civil penalties authorized by this Section. No penalty shall be imposed unless the enforcing department has established a written policy setting forth how civil penalties are determined. Such policy may consider, without limitation:

a. Whether the violation poses a threat to human health, safety, or the environment;

b. The seriousness or gravity of the violation;

c. The duration of the violation;

d. The culpability or willfulness of the responsible party;

e. The sophistication of the persons creating or causing the violation;

f. The extent of the violation and its effect on adjoining properties;

g. Efforts, if any, to comply with applicable ordinances; and

h. Any other relevant information.

b. **Immediate Administrative Penalties — Unlicensed Commercial Cannabis Activity.**

(1) **Authority.** Pursuant to Government Code section 53069.4(a)(2)(D) (or any successor provision), unlicensed commercial cannabis activity undertaken without a license as required by Division 10 (commencing with Section 26000) of the Business and Professions Code is declared to be a public nuisance. The enforcing officer may immediately impose a civil penalty for violations involving unlicensed commercial cannabis activity, including related building, plumbing, electrical, structural, health and safety, or zoning violations that result from or facilitate such activity.

(2) **Penalty Amount.** When civil penalties are immediately imposed under this subsection, the penalty shall not exceed One Thousand Dollars ($1,000.00) per day per violation, not to exceed Ten Thousand Dollars ($10,000.00) per day, for each day the violation continues.

(3) **Joint and Several Liability.** A civil penalty imposed under this subsection may be imposed upon the Property Owner and, if applicable, upon each owner of the occupant business entity engaging in unlicensed commercial cannabis activity. Such persons shall be jointly and severally liable.

(4) **Cancellation Upon Voluntary Abatement.** If the Responsible Party abates the nuisance or violation within the voluntary abatement period

provided in the notice to abate, the Director of the enforcing Department may, in his or her sole discretion, cancel the civil penalty.

c. **Tenant Safe Harbor – Limited Exception to Immediate Penalties.**

Before the imposition of immediate administrative penalties under Subsection B, the enforcing officer shall provide a reasonable period of time, not to exceed five (5) calendar days from the date of notice, to correct the violation if all of the following are established:

(1) A tenant is in possession of the property that is the subject of the enforcement action;

(2) The rental Property Owner or agent provides evidence that the rental or lease agreement prohibits commercial cannabis activity; and

(3) The rental Property Owner or agent did not know, and had no actual notice, that the tenant was engaging in unlicensed commercial cannabis activity.

d. **Interest.** Any administrative civil penalty shall accrue interest at the same annual rate as a civil judgment. Interest shall begin to accrue on the thirtieth (30th) calendar day after the penalty becomes a final administrative order.

e. **Judicial Review.** Pursuant to Government Code section 53069.4, a person contesting a final administrative order or decision imposing a civil penalty may seek judicial review by filing an appeal with the Superior Court within twenty (20) calendar days after service of the final order.

f. **Collection of Fines.** The County may collect any past-due administrative civil penalty, late payment charge, interest, and collection costs by any lawful means, including but not limited to:

(1) Referral for collection;

(2) Filing a civil action in Superior Court or Small Claims Court;

(3) Recovery through money judgment;

(4) Foreclosure or other lawful remedies.

Failure to pay a civil penalty by the due date shall constitute a debt to the County.

10.100.050 Caretaker's Unit

A. **Purpose and Intent.** The purpose of this Section is to establish standards for caretaker units that provide on-site supervision and support for a primary use. These standards are intended to ensure that caretaker units remain incidental and subordinate to the primary use of the property and are compatible with the surrounding area. [Source: NEW]

B. **Operational and Site Standards.** A caretaker's unit shall comply with the following:

1. **Number Allowed.** One caretaker unit is allowed per parcel. The unit may be attached to or detached from the primary structure. [Source: NEW]

2. **Application.** The property owner shall demonstrate the need for continuous on-site supervision related to the primary use of the parcel. [Source: NEW]

3. **Accessory Use.** The caretaker unit shall be accessory to a permitted primary use. [Source: NEW]

4. **Size and Location.** The unit shall not exceed 1,000 square feet and shall comply with the setback requirements of the underlying zone. [Source: NEW]

10.100.060 Emergency Shelters

A. **Purpose and Intent.** This Section establishes objective standards for emergency shelters in compliance with applicable State housing law requiring that emergency shelters be permitted by right in at least one zoning district. [Source: NEW]

B. **Compliance with Regulations.** Emergency shelters shall comply with all Federal, State, and local building, fire, health, and safety regulations. Nothing in this Section shall be construed to require a Use Permit or other discretionary land use approval where emergency shelters are required by State law to be permitted by right. [Source: NEW]

C. **Written, Objective Standards.** Emergency shelters shall be subject only to the following written, objective standards:

1. **Maximum Beds.** The number of beds or persons served nightly shall not exceed the maximum occupancy permitted under applicable building and fire codes for the structure and site, as determined by the enforcing authority.

2. **Parking.** Off-street parking shall be provided at a ratio of one (1) space per employee on the largest shift. No parking shall be required for shelter residents. Parking requirements shall not exceed those required for other residential or commercial uses within the same zoning district.

3. **Waiting and Intake Areas.** Exterior and interior onsite waiting and client intake areas shall be located and sized to avoid obstruction of public rights-of-way and to comply with applicable building and fire codes.

4. **On-Site Management.** Emergency shelters shall provide on-site management during all hours of operation.

5. **Proximity.** No emergency shelter shall be located within three hundred (300) feet of another emergency shelter.

6. **Lighting.** Exterior lighting shall be shielded and directed so as not to cast glare beyond the property boundary.

7. **Security.** Emergency shelters shall provide security during hours that the emergency shelter is in operation.

8. **Length of Stay.** The County does not regulate the length of stay for emergency shelter occupants. Length of stay shall be determined by the shelter operator in compliance with applicable State and Federal law.

D. **Permitted Use.**

1. **C (Commercial) Zoning District.** Emergency shelters shall be permitted by right in the C (Commercial) zoning district. Approval shall be ministerial and limited to review for compliance with the written, objective standards set forth in this Section and applicable building, fire, and health and safety codes. No Use Permit or other discretionary land use approval shall be required in the C (Commercial) zoning district.

2. **RM and IN Zoning Districts.** In the RM (Residential Mixed) and IN (Industrial) zoning districts, emergency shelters may be permitted subject to approval of a Use Permit pursuant to Chapter 10.35.

3. **All Other Zoning Districts**. Emergency shelters are prohibited in all other zoning districts.

10.100.070 Hemp Cultivation

A. **Purpose and Authority.**

1. Pursuant to Article XI, Section 7 of the California Constitution, the County may adopt and enforce ordinances not in conflict with general law to protect the public health, safety, and welfare. The purpose of this Section is to establish land use regulations governing hemp cultivation within the unincorporated area of the County. [Source: 10-16.10]

2. This Section is intended to operate in a manner consistent with applicable Federal and State law governing hemp cultivation. [Source: 10-16.10]

B. **Required Authorizations.**

1. No person shall cultivate hemp within the unincorporated area of the County without first obtaining and maintaining a valid hemp registration issued by the County Agricultural Commissioner pursuant to applicable State law.

2. Compliance with this Section does not relieve any person from obtaining any other permits, registrations, or approvals required under Federal, State, or local law.

C. **Public Nuisance**. The cultivation of hemp in violation of this Section or applicable Federal or State law is unlawful and declared to be a public nuisance subject to abatement and enforcement under this Code. [Source: 10-16.30]

D. **Administration.**

1. The County Agricultural Commissioner shall administer State hemp registration, inspection, sampling, and compliance oversight. [Source: 10-16.30]
2. The Director of Community Development shall administer and enforce zoning, land use, and development standards under this Section.

Each official may act through authorized designees.

E. **Registration Status.** [Source: 10-16.40]

1. Registration issued pursuant to State law is required prior to cultivation. [Source: 10-16.40, modified]
2. Registration does not create a vested right or entitlement and does not run with the land.
3. Registration is non-transferable and automatically terminates upon transfer of property ownership unless a new registration is issued in accordance with State law.
4. Issuance of registration does not authorize cultivation on property that does not comply with this Section.

F. **Registration and Operational Requirements.** Hemp cultivation shall be permitted only upon satisfaction of all of the following: [Source: 10-16.50]

1. The registrant shall be the deed holder of the parcel(s) or provide written authorization from the deed holder. [Source: 10-16.50(B)]
2. The parcel shall comply with applicable zoning and minimum parcel size requirements. [Source: 10-16.50(C)]
3. The registrant shall obtain an Operator Identification Number and any Restricted Materials Permit required by law. [Source: 10-16.50(E)]
4. Cultivation of transplants shall require possession of a valid nursery license as required by State law. [Source: 10-16.50(H)]
5. Registration shall be valid for the term provided under applicable State law and must be renewed accordingly. [Source: 10-16.50(I)]
6. Failure to maintain active registration constitutes a violation of this Section. [Source: 10-16.50(J)]

G. **Cultivation Standards.**

1. **Location**.
    a. Hemp cultivation is permitted in AG-1 and AG-2 zoning districts subject to a minimum parcel size of 40 acres, and in the Hemp (H) Cultivation Overlay Zone subject to a minimum parcel size of 80 acres. [Source: 10-16.60(A)]
    b. Hemp cultivation is prohibited in all other zoning districts. [Source: NEW]
    c. Contiguous parcels under common ownership may be treated as a single parcel for purposes of minimum acreage.

2. **Site Design.** Cultivation areas shall be designed and operated in a manner that minimizes impacts to surrounding properties, including potential pollen drift. [Source: 10-16.60(B)]

3. **Outdoor Cultivation Setbacks.** Outdoor cultivation shall maintain:

   a. 100 feet from parcel boundaries, unless adjacent parcel is under common ownership or control; [Source: 10-16.60(C)(1), modified]

   b. 1,000 feet from parcels containing sensitive receptors; [Source: 10-16.60(C)(2), modified]

   c. 200 feet from on-site residential uses; and [Source: 10-16.60(C)(3), modified]

   d. 1,000 feet from off-site residential uses unless a written waiver is obtained. [Source: 10-16.60(C)(4), modified]

4. **Hemp Processing.** Structures used for processing hemp shall obtain all required permits under State law and County Code. [Source: 10-16.60(D)]

5. **Indoor Cultivation.** Indoor cultivation of hemp is limited to the production of transplants or seed within a structure dedicated solely to nursery stock production. All other indoor cultivation is prohibited.

   a. **Building Compliance.** All structures used for indoor hemp cultivation shall comply with applicable Building Codes and shall obtain all required permits prior to operation. [Source: 10-16.60(E)]

   b. **Lighting.** Where indoor cultivation occurs within a structure utilizing transparent or translucent walls or roofing materials, artificial lighting shall be shielded or extinguished between the hours of 10:00 p.m. and 6:00 a.m. so that light spill or glare is not visible beyond the property boundary.

   c. **Setbacks.** Structures used for indoor hemp cultivation shall comply with the following minimum setbacks: [Source: 10-16.60(E)(1)]

      (1) 50 feet from parcel boundaries adjacent to property under separate ownership;

      (2) 1,000 feet from parcels containing sensitive receptors;

      (3) 100 feet from on-site residential uses; and

      (4) 1,000 feet from off-site residential uses unless a written waiver is obtained. [Source: 10-16.60(E)(1)(d), modified]

6. **Signage**. All parcels used for hemp cultivation shall display County-issued signage as determined by the Agricultural Commissioner. The number, size, and placement of signage shall be established administratively. [Source: 10-16.60(F)]

7. **Inspection Authority.** The Agricultural Commissioner and authorized designees may enter premises subject to hemp cultivation at reasonable times to conduct inspections

and sampling for purposes of enforcing this Section and applicable State law. Proper credentials shall be presented prior to entry. [Source: 10-16.60(G), modified]

H. **Destruction of Non-Compliant Hemp.** [Source: 10-16.80]

1. Any hemp crop determined to be non-compliant by the Agricultural Commissioner pursuant to applicable State or Federal law, including failure to meet lawful tetrahydrocannabinol (THC) concentration limits, shall be destroyed in accordance with State and Federal requirements.

2. Destruction shall occur under the supervision or direction of the Agricultural Commissioner as required by State law. The person responsible for the cultivation shall submit a destruction plan for review and approval prior to destruction.

3. All costs associated with sampling, testing, inspection, destruction, and enforcement shall be borne by the responsible party and may be recovered by the County as provided by law.

I. **Fees.**

1. **Authority.** The Board of Supervisors may, by resolution, establish fees sufficient to recover the reasonable costs incurred by the County in administering and enforcing this Section and applicable State hemp regulations, including but not limited to costs required to administer the State hemp program.

2. **Cost Recovery Limitation.** Fees adopted under this Section shall not exceed the reasonable costs of registration administration, inspections, sampling, compliance monitoring, reporting, enforcement, and related program activities required by law.

3. **Payment Required.** Failure to pay required fees may result in enforcement action under this Code and may preclude issuance or renewal of hemp registration until all outstanding fees are paid.

4. **Outstanding Balances.** No registration shall be issued or renewed while fees or cost recovery amounts attributable to the responsible party remain unpaid.

J. **Enforcement**. Violations of this Section shall be enforced in accordance with Title 1, Chapter 5 of this Code. Each day a violation exists constitutes a separate violation unless otherwise provided by law. [Source: 10-16.130, modified]

K. **Remedies Cumulative.** The remedies provided in this Section are cumulative and not exclusive. The County may pursue any and all remedies available at law or in equity. [Source: 10-16.150]

L. **Limitation of Liability.** To the fullest extent permitted by law, issuance of a hemp registration, inspection, sampling, testing, enforcement, failure to act, or any other action taken pursuant to this Section shall not create any duty or liability on the part of the County, its officers, employees, or agents for damages arising from hemp cultivation, regulatory compliance determinations, or crop destruction. [Source: 10-16.160, modified]

10.100.080 Home Occupation

A. **Purpose.** To allow residents to conduct limited business activities within a dwelling that are incidental and subordinate to the residential use of the property while preserving the residential character of the surrounding neighborhood. [Source: 10-6.1513(a), modified]

B. **Permit Requirement.** Home occupations are permitted by right, subject to compliance with the standards of this Section. No Administrative Use Permit shall be required.

C. **Other Required Approvals.** Approval or allowance of a home occupation under this Section does not exempt the operator from obtaining any permit, license, registration, or approval required by Federal, State, or local law, including but not limited to building, fire, health, or professional licensing requirements.

D. **Personal Services.** Licensed personal services conducted by a resident of the dwelling, including but not limited to massage therapy, hair cutting, tutoring, and mental health counseling, may be permitted as a Home Occupation, subject to the customer visitation limits and all other standards of this Section.

E. **Operational Requirements.** Home occupations shall comply with the following operational requirements:

1. **Allowed Area of Operations.** The home occupation, including areas used for business operations and storage of materials or merchandise, shall be conducted within a lawfully established dwelling unit and/or an attached or detached garage. The total floor area devoted to business operations and storage of materials or merchandise shall not exceed twenty-five (25) percent of the gross floor area of the primary dwelling. Storage of commercial vehicles or equipment within a garage shall not be counted toward this limitation.

2. **Structure Appearance.** The exterior appearance of the structure shall not be altered in a manner that makes the use appear nonresidential or conflicts with the residential character of surrounding properties. No signage shall identify or advertise the home occupation. [Source: 10-6.1513(a)(1), modified]

3. **Employees.** No person other than a resident of the dwelling shall be employed by the home occupation. [Source: 10-6.1513(a)(2), modified]

4. **Storage.** No outdoor storage of materials, merchandise, or equipment associated with the home occupation shall be permitted. Any commercial vehicles or heavy equipment associated with the operation of the home occupation shall be stored in a garage or similar enclosed structure when not in use. [Source: 10-6.1513(a)(3), modified]

5. **Outdoor Display of Artwork.** Outdoor display of artwork or handcrafted items produced on-site may be permitted, provided that:

    a. The items are produced by a resident of the dwelling;

    b. The display remains incidental and subordinate to the residential use of the property;

    c. The total display area does not exceed one hundred (100) square feet;

d. The display shall not increase customer traffic beyond that permitted under this Section.

6. **Hours of Operation.** Business activities, deliveries, and customer visits shall occur only between the hours of 8:00 a.m. and 6:00 p.m.

7. **Customer Visits.** No more than one non-resident customer shall be present on the premises at any one time. [Source: NEW]

8. **Impacts.** The home occupation shall comply with all applicable County noise regulations. The home occupation shall not generate noise, vibration, odor, pedestrian traffic, or vehicular traffic beyond that normally associated with a residential use in the zoning district in which it is located. [Source: NEW]

F. **Prohibited Uses.** The following uses are prohibited as home occupations:

1. Retail businesses operated as storefronts or open to the general public for regular walk-in trade, including grocery stores, clothing stores, convenience stores, and similar establishments. [Source: 10-6.1513(a)(7), modified]

2. Storage for a fee. The storage of vehicles, equipment, materials, or other property for compensation, rental, or as part of a commercial storage activity shall be prohibited as a Home Occupation or Home Enterprise. However, the temporary parking of work-related vehicles at a residence during non-working hours, including overnight or weekend periods, shall not be considered a Home Occupation, Home Enterprise, or commercial use, provided no business activity, customer visits, loading or unloading, equipment staging, dispatch operations, on-site services, or other business operations occur at the residence. [Source: NEW]

3. Outdoor vehicle, machinery, equipment, or appliance repair conducted as part of a home occupation, or outdoor storage of inoperable vehicles, machinery, equipment, appliances, parts, or fluids in connection with a home occupation. [Source: NEW]

4. Medical and Dental Offices providing physical examination, diagnosis, treatment, rehabilitation, or procedures involving medical equipment, patient tables, or specialized apparatus.

5. Medical and Dental Laboratories.

6. Beauty or barber shops operated as commercial salons with non-resident employees or serving more than one customer at a time. [Source: NEW]

10.100.090 Home Enterprise

A. **Purpose.** To allow residents to conduct business activities within a dwelling that are incidental and subordinate to the residential use of the property but involve greater operational intensity than a Home Occupation, while ensuring compatibility with the surrounding residential neighborhood. (see Section 10.100.080 (Home Occupations)). [Source: NEW]

B. **Permit Requirement.** A Home Enterprise shall require approval of an Administrative Use Permit pursuant to Chapter XX (Permit Procedures).

C. **Other Required Approvals.** Approval of a Home Enterprise through an Administrative Use Permit does not exempt the operator from obtaining any permit, license, registration, or approval otherwise required by Federal, State, or local law.

D. **Operational Requirements.** Home enterprises shall comply with the following operational requirements:

1. **Allowed Area of Operations.** The home enterprise, including areas used for business operations and storage of materials or merchandise, shall be conducted within a lawfully established dwelling unit and/or an attached or detached garage. The total floor area devoted to business operations and storage of materials or merchandise shall not exceed fifty (50) percent of the gross floor area of the primary dwelling. Storage of commercial vehicles or equipment within a garage shall not be counted toward this limitation.

2. **Structure Appearance.** The exterior appearance of the structure shall not be altered in a manner that makes the use appear nonresidential or conflicts with the residential character of surrounding properties. No signage shall identify or advertise the home enterprise. [Source: 10-6.1513(a)(1), modified]

3. **Employees.** Home enterprises may employ up to three (3) individuals. At least one employee shall be a resident of the dwelling. [Source: NEW]

4. **Storage.** No outdoor storage of materials, merchandise, or equipment associated with the home enterprise shall be permitted. Any commercial vehicles or heavy equipment associated with the operation of the home enterprise shall be stored in a garage or similar enclosed structure when not in use. [Source: NEW]

5. **Outdoor Display of Artwork.** Outdoor display of artwork or handcrafted items produced on-site may be permitted, provided that:

    a. The items are produced on-site by a resident of the dwelling or an employee of the home enterprise;

    b. The display remains incidental and subordinate to the residential use of the property;

    c. The total outdoor display area does not exceed two hundred (200) square feet; and

    d. The display shall not increase customer traffic beyond that permitted under this Section.

6. **Hours of Operation.** Business activities, deliveries, and customer visits shall occur only between the hours of 8:00 a.m. and 6:00 p.m.

7. **Customer Visits.** No more than three (3) non-resident customers shall be present on the premises at any one time. [Source: NEW]

8. **Impacts.** The home enterprise shall comply with all applicable County noise regulations. The home enterprise shall not generate noise, vibration, odor, pedestrian

traffic, or vehicular traffic beyond that normally associated with a residential use in the zoning district in which it is located. [Source: NEW]

E. **Prohibited Uses.** The following uses are prohibited as a home enterprise. [Source: NEW]

1. Retail businesses operated as storefronts or open to the general public for regular walk-in trade, including grocery stores, clothing stores, convenience stores, and similar establishments. [Source: 10-6.1513(a)(7), modified]

2. Storage for a fee. The storage of vehicles, equipment, materials, or other property for compensation, rental, or as part of a commercial storage activity shall be prohibited as a Home Occupation or Home Enterprise. However, the temporary parking of work-related vehicles at a residence during non-working hours, including overnight or weekend periods, shall not be considered a Home Occupation, Home Enterprise, or commercial use, provided no business activity, customer visits, loading or unloading, equipment staging, dispatch operations, on-site services, or other business operations occur at the residence. [Source: NEW]

3. Outdoor vehicle, machinery, equipment, or appliance repair conducted as part of a home enterprise, or outdoor storage of inoperable vehicles, machinery, equipment, appliances, parts, or fluids in connection with a home enterprise. [Source: NEW]

4. Medical and Dental Offices providing physical examination, diagnosis, treatment, rehabilitation, or procedures involving medical equipment, patient tables, or specialized apparatus.

5. Medical and Dental Laboratories.

6. Beauty or barber shops operated as commercial salons with non-resident employees or serving more than one customer at a time. [Source: NEW]

10.100.100 Temporary Uses

A. **Purpose and Intent.** This Section establishes specific uses that are temporary in nature and provides standards and procedures to ensure such uses remain limited in duration and do not become permanent or adversely affect surrounding properties. [Source; NEW]

B. **General Standards.**

1. All temporary uses shall be approved for a defined period of time and shall expire automatically at the end of the approved time period.

2. Temporary use approvals shall not authorize permanent structures or permanent land use rights unless otherwise approved pursuant to this Title.

3. Temporary structures and associated improvements shall be removed and the site restored within thirty (30) days following expiration of approval or completion of the associated use, whichever occurs first.

4. Any temporary use approval issued pursuant to this Section may be modified, suspended, or revoked in accordance with Chapter 10.65.

C. **Allowed Temporary Uses.** [Source: NEW]

1. **Temporary Community Markets.** Commercial or public farmers markets and similar recurring open-air markets primarily involving local vendors and retail sales.

    a. **Permit Required.** An Administrative Use Permit shall be required.

    b. **Use Permit Threshold.** A Use Permit shall be required for any market reasonably anticipated, based on the applicant's submission and substantial evidence in the record, to exceed three hundred (300) attendees per day. The Planning Director may also require a Use Permit for markets below this threshold where substantial evidence demonstrates that site-specific conditions may result in significant traffic, emergency access, wildfire safety, or other substantial public safety concerns.

    c. **Frequency and Duration.** A Community Market may occur no more than once per week. Each occurrence shall not exceed two (2) consecutive days. Approval shall be granted for an initial period not to exceed twelve (12) months. Thereafter, the approval may continue without formal renewal, subject to continued compliance and subject to modification or revocation pursuant to Chapter 10.65.

2. **Temporary Short-Term Events.** Commercial or public events such as swap meets, parades, bicycle races, marathons, festivals, concerts, carnivals, weddings, private celebrations, and other similar events conducted for a limited duration. [Source: NEW]

    a. **Permit Required.** An Administrative Use Permit shall be required.

    b. **Use Permit Threshold.** A Use Permit shall be required for any event reasonably anticipated, based on the applicant's submission and substantial evidence in the record, to exceed three hundred (300) attendees per day. The Planning Director may also require a Use Permit for events below this threshold where substantial evidence demonstrates that site-specific conditions may result in significant traffic, emergency access, wildfire safety, or other substantial public safety concerns.

    c. **Duration.** Approval shall be limited to specific event dates and shall not exceed fourteen (14) consecutive days for any single event.

    d. **Annual Limitation.** No more than four (4) short-term events may be conducted at the same parcel, or on contiguous parcels under common ownership or control, within a calendar year under an Administrative Use Permit. Any additional events shall require approval of a Use Permit.

    e. **Private Gatherings Exempt.** This subsection shall not apply to private, non-commercial gatherings that are incidental to a lawful residential use and not open to the general public.

3. **Temporary Seasonal Sales Lots.** Seasonal sales activities such as Halloween, Thanksgiving, or Christmas sales lots, including temporary security trailers used solely for on-site security purposes. Security personnel may occupy such trailers during the period of approved operation, including overnight presence for security purposes;

however, such trailers shall not be used as a dwelling or permanent residence. [Source: NEW]

a. Permit Required. An Administrative Use Permit shall be required.

b. Duration. Approval shall not exceed ninety (90) total operating days per calendar year.

4. **Temporary Construction Yards.** Temporary storage yards used in conjunction with an approved construction project.

a. **On-Site Construction Yards.** A Zoning Clearance Permit shall be required when the yard is located on the same parcel as an active and valid Building Permit. Approval shall be limited to the duration of the associated Building Permit.

b. **Off-Site Construction Yards.** An Administrative Use Permit shall be required when the yard is located on a parcel other than the site of the approved construction project. Approval shall not exceed twelve (12) months and shall be tied to a specific approved construction project.

c. **Limitations.** Construction yards shall be used solely for storage of materials, equipment, and vehicles directly associated with the approved construction project and shall not be used for long-term storage, equipment repair operations, or unrelated commercial activities.

d. **Restoration.** All materials, equipment, trailers, and temporary improvements shall be removed and the site restored within thirty (30) days following completion of the associated construction project or expiration of approval, whichever occurs first. [Source: NEW]

e. **Prohibited Activities.** Construction yards authorized under this Section shall not include rock crushing operations, asphalt or concrete batch plants, concrete or material recycling operations, bulk fuel storage not directly incidental to the approved construction project, or other industrial processing activities. Such activities shall require approval of a Use Permit.

5. **Temporary Support Structures.** Temporary structures used in conjunction with an approved construction project, subdivision development, building remodel, emergency response, or other approved temporary activity. [Source: NEW]

a. Permit Required. A Zoning Clearance Permit shall be required when the structure is located on the same parcel as, and directly associated with, an approved construction project, subdivision development, emergency response activity, or other approved temporary use. An Administrative Use Permit shall be required when the structure is located on a different parcel or is not directly accessory to an approved project or temporary activity on the same site.

b. Duration. Approval shall be limited to the duration of the associated construction project or approved temporary activity and shall not exceed twelve (12) consecutive months unless extended pursuant to this Title.

c. Limitations. Temporary support structures may be occupied during the period of approved operation in connection with the approved project or temporary activity, including overnight occupancy by project personnel for project operations; however, such structures shall not be used as an independent residential use or permanent dwelling. Permanent utility infrastructure shall not be installed absent issuance of the required Building or construction permits.

d. Removal. All temporary structures and associated improvements shall be removed within thirty (30) days following completion of the associated use or expiration of approval, whichever occurs first.

6. **Temporary Residence During Construction or Major Remodel.** One temporary residential unit may be permitted on a parcel during construction of a new primary dwelling or during substantial remodel of an existing dwelling that renders the dwelling uninhabitable, provided a valid and active Building Permit has been issued. [Source: NEW]

a. Permit Required. A Zoning Clearance Permit shall be required.

b. Eligible Unit Types. The temporary residence shall be limited to a recreational vehicle, travel trailer, or manufactured home not installed on a permanent foundation. Tents or other non-permanent shelter structures shall not qualify as a temporary residence under this subsection.

c. Habitability Standard for Remodels. For remodel projects, the applicant shall demonstrate that the existing dwelling will be uninhabitable during construction, as determined by the Building Official.

d. Duration. Occupancy shall be limited to the period during which the Building Permit remains valid and active.

e. Removal. The temporary residence shall be removed within thirty (30) days following final inspection or expiration of the Building Permit, whichever occurs first.

f. Limitations. The temporary residence shall not be rented, leased, or occupied independent of the authorized construction or remodel and shall not be converted to or remain as a permanent residential use on the parcel. Permanent utility infrastructure shall not be installed absent issuance of the required Building or construction permits.

7. **Temporary Garage, Rummage, and Yard Sales.** Occasional outdoor sales of used personal household goods conducted on property used for residential purposes. No permit shall be required. Such sales shall be limited to twelve (12) occurrences per

calendar year per parcel, and each occurrence shall not exceed two (2) consecutive days. [Source: NEW]

8. **Temporary Emergency Facilities or Activities.** Temporary facilities or activities established or authorized by a public agency in response to a local, state, or federal emergency declared pursuant to applicable law, including but not limited to fire response, flood response, public health emergencies, or other immediate threats to public health or safety. [Source: NEW]

    a. **Permit Required.** No permit shall be required during the declared emergency period.

    b. **Duration.** Emergency facilities and activities shall be limited to the duration of the declared emergency unless extended by action of the Board of Supervisors.

    c. **Restoration.** All temporary structures and associated improvements shall be removed and the site restored within thirty (30) days following termination of the declared emergency.

9. **Other Similar Temporary Uses.** Temporary uses not specifically listed in this Section may be approved when the Planning Director determines that the proposed use is temporary in nature, similar in character and intensity to the uses identified in this Section, and compatible with surrounding properties. See Chapter 10.10 (Interpretation and Conflict Procedures). [Source: NEW]

    a. **Permit Required.** An Administrative Use Permit shall be required.

    b. **Duration.** Approval shall not exceed twelve (12) consecutive months.

    c. **Findings.** The Planning Director shall make written findings that the proposed use will not become permanent and will not create significant adverse impacts on surrounding properties.

10.100.110 Special Event Facility

A. **Purpose and Intent.** This Section establishes standards for Special Event Facilities to ensure that recurring organized events are conducted in a manner compatible with rural character, agricultural operations, public safety, and surrounding properties. [Source; NEW]

B. **Permit Required.** Special Event Facilities shall require approval of a Use Permit. The Use Permit shall establish maximum occupancy, number of events per calendar year, hours of operation, and any additional operational conditions necessary to ensure compatibility with surrounding uses.

C. **Applicability.** A Special Event Facility is a land use characterized by the regular or recurring hosting of organized events and is distinct from temporary events regulated under Section 10.95.090. Occasional private gatherings incidental to a lawful residential use are not subject to this Section.

D. **Maximum Capacity.** The maximum occupancy shall be established as part of the Use Permit approval and shall not exceed one thousand (1,000) persons present at any given time. [Source: NEW]

E. **Development Standards**. Special Event Facilities shall comply with the following development standards: [Source: NEW]

1. **Parcel Size Requirements.** Special Event Facilities shall be located on parcels of not less than ten (10) acres unless a greater minimum is required by the underlying zoning district. Contiguous parcels under common ownership may be combined to satisfy the minimum parcel size requirement. [Source: NEW].

2. **Setbacks.** All permanent and temporary structures associated with the Special Event Facility shall maintain a minimum setback of fifty (50) feet from parcel lines and adjoining road easements unless modified through the Use Permit.

3. **Parking.** Off-street parking shall be provided in accordance with Chapter 10.75 (Parking). The Use Permit may establish additional parking or traffic management requirements based on maximum approved occupancy and event characteristics.

4. **Lighting.** Exterior lighting shall be shielded and directed so that no direct illumination extends beyond parcel boundaries or onto public roadways.

5. **Signs.** All permanent and temporary signage shall comply with Chapter XX.XX (Signs).

F. **Operational Standards.** Special Event Facilities shall comply with the following operational standards:

1. **Noise.** Operations shall comply with applicable County noise standards. The Use Permit may establish additional limitations on hours of amplified sound or maximum decibel levels as necessary to protect surrounding properties. [Source: NEW]

2. **Public Health.** Adequate potable water supply and sewage disposal shall be provided in compliance with Environmental Health Division requirements. Temporary facilities may be permitted as approved by Environmental Health.

3. **Fire and Emergency Access.** The facility shall comply with all applicable Fire Code requirements and shall provide adequate emergency vehicle access, water supply, and fire protection measures as required by the fire authority having jurisdiction.

4. **Overnight Camping.** Overnight camping may be permitted as an accessory component of an approved Special Event Facility when specifically authorized through the Use Permit and identified as part of the approved site plan. Camping shall be limited to participants and attendees of approved events and shall occur only during approved event dates. All overnight camping shall comply with applicable state and local laws, including any required permits from the State Department of Housing and Community Development and the County Environmental Health Division. Overnight camping authorized pursuant to this Section shall not operate as a separate campground use or be conducted independent of an approved event. [Source: NEW]

5. **Required Permits.** All required federal, state, and local permits shall be obtained prior to operation, including but not limited to Building Permits, Grading Permits, Alcoholic Beverage Control licenses, Food Facility Permits, and Transient Occupancy Tax registration, as applicable.

6. **Structures Used for Public Assembly.** Structures used for public assembly as part of a Special Event Facility shall be lawfully constructed and shall comply with applicable Building and Fire Code requirements for assembly occupancy prior to use for events. Agricultural buildings or other structures exempt from Building Permit requirements shall not be used for public assembly unless reviewed and approved for the proposed assembly use in accordance with applicable codes.

10.100.120 Vacation Rentals

A. **Purpose.** This Section establishes zoning eligibility and development and operational standards for Vacation Rentals to ensure compatibility with surrounding properties, protection of housing stock, preservation of rural character, and protection of public health and safety. [Source: 10-6.6101, modified]

B. **Zoning Eligibility.** A Vacation Rental, as defined in Chapter 10.280, may be established only in the following zoning districts: RR, RL, RM, C, AG-1, and AG-2. [Source: 10.6.6104, modified]

C. **Type of Permit Required.**

1. **Vacation Rental Activity Permit.** All Vacation Rentals shall require approval of a Vacation Rental Activity Permit pursuant to Chapter 10.55.

2. **Use Permit.** In addition to a Vacation Rental Activity Permit, a Use Permit shall be required for any Vacation Rental proposed within the designated Vacation Rental Areas identified as McCloud, Dunsmuir/Mount Shasta, and Weed/Lake Shastina on the “Vacation Rental Areas” map when the parcel contains less than two and one-half (2.5) acres.

D. **Concentration Limitation within Vacation Rental Areas.** Within each area identified as Dunsmuir/Mount Shasta and Weed/Lake Shastina on the “Vacation Rental Areas” map, no more than five percent (5%) of the total parcels within that area may have an active Vacation Rental Activity Permit at any given time.

E. **One Vacation Rental Per Parcel.** Where two or more legally established dwelling units exist on a single parcel, only one dwelling unit on that parcel may be operated as a Vacation Rental.

F. **Eligible Structures.** A Vacation Rental shall be a legally established single-family or duplex dwelling. An Accessory Dwelling Unit (ADU), shipping container, outdoor structure (including tipis, yurts, or treehouses), recreational vehicle, or any structure not permitted for human habitation shall not be used as a Vacation Rental.

G. **Maximum Occupancy.**

1. Occupancy shall not exceed two (2) persons per bedroom plus two (2) additional occupants.

2. Occupancy shall not exceed the approved septic or sewage disposal capacity for the dwelling.

3. In no case shall occupancy exceed ten (10) persons.

H. **Off-Street Parking.** The property shall provide at least one (1) off-street parking space plus one (1) additional off-street parking space for each bedroom associated with the Vacation Rental.

I. **Health and Safety Requirements.**

1. The Vacation Rental shall comply with all applicable State and local water supply and sewage disposal regulations.
2. Smoke and carbon monoxide detectors shall be installed and maintained in accordance with current Building Code requirements.
3. The property shall comply with applicable defensible space and vegetation management requirements of State and local law.

10.100.130 Wireless Telecommunications Facilities

A. **Purpose and Intent.** The purpose of this Section is to establish clear and consistent standards for the siting, design, installation, modification, and removal of wireless telecommunications facilities in order to:

1. Protect public health, safety, and welfare;
2. Preserve the visual character and land use compatibility of the County;
3. Encourage the use of existing structures and co-location where feasible;
4. Facilitate the provision of reliable wireless telecommunications services to residents and businesses;
5. Avoid unreasonable discrimination among providers of functionally equivalent services;
6. Avoid prohibiting or having the effect of prohibiting the provision of personal wireless services; and
7. Avoid regulating the placement, construction, or modification of wireless telecommunications facilities based on the environmental or health effects of radio frequency emissions to the extent such facilities comply with regulations of the Federal Communications Commission (FCC).

Nothing in this Section limits the County's proprietary authority over property it owns or controls. [Source: 10-1518, modified]

B. **Applicability.** This Section applies to the siting, construction, installation, modification, operation, maintenance, and removal of wireless telecommunications facilities, except as expressly exempted in this Section. Facilities regulated by this Section include:

1. New wireless towers and support structures;
2. Antennas and associated equipment mounted on existing structures;
3. Distributed antenna systems (DAS);
4. Small wireless facilities;

5. Eligible Facilities Requests; and

6. Other modifications, collocations, or expansions of existing facilities not qualifying as Eligible Facilities Requests. [Source: NEW]

C. **Exempt Facilities.** The following wireless telecommunications facilities and activities shall be exempt from the permit requirements of this Section, but shall remain subject to all applicable building, electrical, fire, and other applicable County, state, and federal laws and regulations.

1. **Routine Maintenance and Repair.** Normal maintenance, repair, or replacement of existing wireless telecommunications facilities that does not result in a substantial change to the physical dimensions of the facility, as defined by applicable federal law.

2. **Replacement in Kind.** Replacement of antennas, equipment, or components with substantially similar equipment that does not increase the height, bulk, or visual impact of the facility.

3. **Temporary Facilities.** Temporary wireless telecommunications facilities used for special events, emergency response, or temporary network coverage, provided such facilities are removed within a period not to exceed ninety (90) days, unless otherwise approved by the Director.

4. **Amateur Radio Facilities.** Antennas and support structures used exclusively for amateur (ham) radio communications, subject to federal law and reasonable local regulations governing height, safety, and placement.

5. **Receive-Only Antennas.** Satellite dishes or other receive-only antennas that are regulated by federal law, including those protected under the Over-the-Air Reception Devices (OTARD) rule (47 C.F.R. Part 1, Subpart S).

6. **Minor Equipment.** Ground-mounted equipment cabinets, pedestals, or similar facilities that are accessory to an existing lawfully established wireless telecommunications facility and do not materially increase the visual or physical impact of the facility.

7. **Public Safety and Government Facilities.** Wireless telecommunications facilities owned or operated by a governmental agency for public safety, emergency response, or governmental communication purposes.

8. **Telemetry Systems.** Facilities used solely for the monitoring and control of water, sewer, irrigation, flood control, or similar infrastructure systems.

9. **Non-Commercial Radio Systems.** Citizens band, business-band, or other two-way radio antennas used for private, non-commercial purposes that are not part of a wireless telecommunications facility as defined by this Section.

10. **Low-Power, Short-Range Devices.** Small-scale, low-powered, short-range wireless devices, including Wi-Fi transmitters and similar equipment that do not require individual licensing by the Federal Communications Commission or are otherwise authorized for unlicensed use.

11. **Preempted Facilities.** Any wireless telecommunications facility or activity that federal or state law expressly preempts from local permitting requirements shall be exempt

from discretionary or administrative permit requirements but may be subject to objective standards and ministerial review to the extent allowed by law.

D. **Permit Types and Review Authority.**

1. **Use Permit.** Construction of a new wireless tower or support structure shall require approval of a Use Permit in accordance with Chapter 10.35 (Use Permit).

2. **Administrative Use Permit (AUP).** Collocation of antennas or associated equipment on an existing wireless tower or support structure, and modifications to existing facilities that do not qualify for ministerial review under Subsection D.3, shall require approval of an Administrative Use Permit in accordance with Chapter 10.31 (Administrative Use Permits).

3. **Ministerial Review.** The following applications shall be processed ministerially, as required by applicable federal or state law:

   a. **Eligible Facilities Requests.** These shall be reviewed and acted upon in accordance with Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. § 1455(a)) and applicable federal regulations. Review shall be limited to determining whether the request qualifies as an Eligible Facilities Request and complies with applicable federal law.

   b. **Small Wireless Facilities.** These shall be reviewed for compliance with applicable federal and state law and any objective standards of this Title that are not preempted by such law.

4. **Other Permits.** All wireless telecommunications facilities shall comply with all other applicable building, electrical, fire, encroachment, and other permits or approvals required by County, state, or federal law.

5. **Public Right-of-Way.** Wireless telecommunications facilities located within the public right-of-way may be subject to separate encroachment permits, franchise agreements, or other applicable County requirements governing the use of County-owned or controlled property.

E. **Application and Processing.**

1. Applications for wireless telecommunications facilities shall be filed and processed in accordance with Chapter 10.59 (General Provisions), unless otherwise provided in this Section or required by applicable federal or state law.

2. **Completeness Review.** The County shall determine whether an application is complete in accordance with Government Code Section 65943 and Chapter 10.59. If an application is determined to be incomplete, the County shall notify the applicant in writing of the specific deficiencies.

3. **Timeframes for Action.** Applications shall be reviewed and acted upon within the timeframes required by applicable federal and state law, including the Telecommunications Act of 1996 and regulations adopted by the Federal

Communications Commission (FCC). Where federal or state law establishes a specific review period, that review period shall control.

4. **No Extension of Federal Deadlines.** Nothing in this Section or Chapter 10.59 shall be interpreted to extend or modify any review period established by applicable federal or state law.

F. **Application Requirements.** In addition to the requirements of Chapter 10.59, applications for wireless telecommunications facilities shall include the following:

1. A site plan drawn to scale showing property boundaries, existing and proposed structures, access, equipment enclosures, setbacks, and adjacent rights-of-way.
2. Elevation drawings or photo simulations showing the height and design of the proposed facility and its relationship to surrounding structures.
3. A description of the proposed facility, including the type of antennas, support structure, equipment cabinets, and overall height.
4. Documentation demonstrating legal access to the site.
5. For new towers, a written statement describing efforts made to locate the facility on an existing tower or support structure and the reasons such alternatives are not feasible.
6. A written certification that the facility will comply with applicable Federal Communications Commission (FCC) regulations concerning radio frequency emissions.
7. Other technical information reasonably necessary to demonstrate compliance with this Section.
8. Applications qualifying for ministerial review may be limited to information necessary to determine eligibility under applicable federal or state law and compliance with objective standards of this Title.

G. **Development Standards.**

1. **Compliance with Zoning District.** Wireless telecommunications facilities shall comply with the development standards of the applicable zoning district, including height, setbacks, lot coverage, and other applicable requirements, except as otherwise provided in this Section or required by applicable federal or state law.
2. **Access.**
    a. The applicant shall provide documentation demonstrating legal access to the project site.
    b. Existing access roads shall be used where feasible.
    c. Any new access road or driveway shall be limited to the minimum width, grading, and surfacing necessary to meet applicable fire and emergency access requirements.

d. Areas disturbed by construction of access improvements or facility installation shall be stabilized to prevent erosion and unreasonable alteration of natural drainage patterns.

3. **Location.**

   a. Facilities shall be sited to minimize land use conflicts and visual impacts to the extent feasible.

   b. New towers and support structures shall avoid prominent ridgelines, hilltops, and visually sensitive areas to the extent feasible.

   c. No facility shall be sited where it would unreasonably interfere with the operation of any County airport or applicable aviation requirements.

   d. Where feasible, facilities shall incorporate stealth, concealment, or camouflaging design techniques to reduce visual impacts.

4. **Height.**

   a. Height shall be measured from natural grade at the base of the structure to the highest point of the structure, including antennas.

   b. Maximum height shall comply with the applicable zoning district unless otherwise approved through a Use Permit.

   c. Modifications qualifying as Eligible Facilities Requests shall be governed by applicable federal law.

5. **Co-Location.**

   a. Co-location on existing structures is strongly encouraged.

   b. Applicants for new towers shall demonstrate that reasonable efforts were made to locate the facility on an existing structure where feasible.

   c. New towers shall be designed to accommodate future co-location to the extent technically feasible.

6. **Lighting.** Facilities shall not be artificially lighted except as required by the Federal Aviation Administration (FAA) or other applicable authority. Any required lighting shall be the minimum necessary to comply with such requirements.

7. **Safety.** New towers and support structures shall be designed and sited, to the extent feasible and consistent with applicable zoning and federal law, to avoid potential safety hazards, including consideration of fall zones.

8. **Visual Compatibility.**

   a. Facilities shall be designed and constructed to minimize visual contrast with the surrounding natural or built environment to the extent feasible, including the use of colors, materials, and textures that blend with the setting.

b. Equipment cabinets, shelters, and related equipment shall be screened or architecturally treated to reduce visibility from public rights-of-way and adjacent properties where feasible.

c. No advertising signage or identifying logos shall be permitted except for safety identification plates.

9. **Noise.** Facilities and backup generators shall comply with the County's Noise Element. Generator testing shall occur during daytime hours except in emergencies.

10. **Maintenance.** Facilities shall be maintained in good condition and free of safety hazards.

11. **Indemnification.** As a condition of approval, the applicant and any successor in interest shall defend, indemnify, and hold harmless the County, its officers, agents, and employees, at no cost to the County, from any and all claims, actions, or proceedings brought against the County to attack, set aside, void, or annul any approval of a wireless telecommunications facility or related permit, including any claim arising from the operation of the facility. The County shall promptly notify the applicant of any such claim and shall reasonably cooperate in the defense.

H. **Findings.**

1. **Use Permit.** Approval of a Use Permit for construction of a new wireless telecommunications tower or support structure shall require the decision-making body to make the findings required by Chapter 10.35 (Use Permits), and additionally find that:

a. The proposed facility is sited and designed in a manner that minimizes visual and land use impacts consistent with the development standards of this Section;

b. Reasonable opportunities for co-location on existing structures were evaluated in accordance with this Section; and

c. The approval will not prohibit or have the effect of prohibiting the provision of wireless telecommunications services.

2. **Administrative Use Permit (AUP).** Approval of an Administrative Use Permit shall require a finding that the proposed facility complies with the applicable development standards of this Section and will not result in a material increase in visual or land use impacts beyond those previously approved.

3. **Ministerial Applications.** Applications qualifying for ministerial review shall be approved if the application demonstrates compliance with applicable federal or state law and the objective standards of this Title that are not preempted by such law. No discretionary findings or subjective criteria shall be applied.

I. **Abandonment and Removal.**

1. **Abandonment.** A wireless telecommunications facility that is not operated for a continuous period of twelve (12) months shall be deemed abandoned.

2. **Notice of Abandonment.** Upon determination that a facility has been abandoned, the County shall provide written notice to the facility owner, operator, and property owner of record.

3. **Removal Requirement.** The owner of an abandoned facility shall remove all towers, antennas, equipment, foundations, and related improvements within ninety (90) days of written notice from the County, unless an extension is approved by the Director of Community Development for good cause shown.

4. **Site Restoration.** Following removal, the site shall be restored to a condition that is safe and compatible with the surrounding area, including stabilization of disturbed soils.

5. **Financial Security.** As a condition of approval of a Use Permit for a new wireless tower or support structure, the County may require the applicant to provide financial security in a form acceptable to the County to ensure removal of the facility and site restoration upon abandonment. The amount of such security shall be based on an estimate prepared by a qualified professional of the cost to remove the facility and restore the site.

Chapter 10.105

Accessory Dwelling Units and Junior Accessory Dwelling Units

Chapter 10.105 Accessory Dwelling Units and Junior Accessory Dwelling Units

Sections

10.105.010 Purpose and Intent.
10.105.020 Applicability.
10.105.030 Building Code Compliance Required.
10.105.040 Types of Accessory Dwelling Units
10.105.050 General Requirements for Approval
10.105.060 General Development Requirements
10.105.070 Specific ADU and JADU Requirements
10.105.080 Nonconforming Zoning Conditions, Building Code Violations, and Unpermitted Structures

10.105.010 Purpose and Intent.

The purpose of this Chapter is to implement the requirements of Government Code Sections 65852.2 and 65852.22 and to provide for the ministerial approval of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs). ADUs and JADUs are a residential use consistent with the General Plan and zoning designations applicable to residential uses and are intended to increase the supply of housing within existing neighborhoods. This Chapter establishes objective standards consistent with State law to allow for the development of ADUs and JADUs while protecting public health and safety. [Source: NEW]

10.105.020 Applicability.

The regulations established in this Chapter shall apply to the construction, establishment, alteration, enlargement, or modification of all accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) on parcels where a primary dwelling is allowed or exists, consistent with Part 5 (Zones, Land Uses, and Development Standards) and applicable State law. [Source: NEW]

10.105.030 Building Code Compliance Required.

A. **Building Permits.** Before constructing any ADU or JADU, the property owner shall obtain a Building Permit from the County. The County shall act on a complete application for an ADU or JADU within 60 calendar days, consistent with Government Code Sections 65852.2 and 65852.22, unless:

1. The applicant requests a delay, in which case the 60-calendar day time period shall be tolled for the period of the requested delay;

2. The County determines that the application is incomplete or requires corrections, in which case the 60-calendar day time period shall be tolled until a complete or corrected application is resubmitted; or

3. When an application for an ADU or JADU is submitted concurrently with an application for a new primary dwelling on the same parcel, the County may defer action on the ADU or JADU application until the primary dwelling application is acted upon, and both applications shall be approved or denied concurrently.

10.105.040 Types of Accessory Dwelling Units

A. **Accessory Dwelling Units (ADUs).** [Source: NEW]

1. **Attached ADU.** An ADU that is created wholly or partly from a newly constructed or existing structure that is attached to a proposed or existing primary dwelling through a shared wall, floor, or ceiling. [Source: NEW]

2. **Detached ADU.** An ADU that is created wholly or partly from a newly constructed or existing structure that is detached from a proposed or existing primary dwelling. Detached ADUs shall be located on the same parcel as the proposed or existing primary dwelling. [Source: NEW]

3. **Converted ADU.** An ADU that is located entirely within an existing primary dwelling or within an existing accessory structure, including but not limited to garages, storage areas, or similar structures, and that is converted to a complete, independent dwelling unit. [Source: NEW]

B. **Junior Accessory Dwelling Units (JADUs).** A junior accessory dwelling unit (JADU) is a unit that is located entirely within an existing or proposed single-family dwelling and created through the conversion of existing space. A JADU is limited in size to 500 square feet, shall include an efficiency kitchen, and may share sanitation facilities with the primary dwelling. [Source: NEW]

10.105.050 General Requirements for Approval

All ADUs and JADUs shall:

1. Be located on a parcel zoned for residential use or that allows residential uses, and shall be deemed consistent with the General Plan and applicable zoning designation.

2. Not be counted toward the allowable residential density for the parcel.

3. Approval of an ADU or JADU shall not be conditioned on the correction of nonconforming zoning conditions. Existing zoning violations shall not be used as a basis to deny or delay approval. The County may require correction of violations that pose a threat to public health or safety.

4. Be approved ministerially, without discretionary review or a public hearing, consistent with applicable State law.

10.105.060 General Development Requirements

A. **Number of Units.** ADUs and JADUs shall be permitted as follows:

1. **Single-Family Residential Parcels.**

a. One ADU and one JADU shall be permitted on a parcel developed with a single-family dwelling.

b. The ADU may be detached, attached, or created through the conversion of existing space within a primary dwelling or accessory structure.

2. **Multi-Family Residential Parcels.**

a. **Conversion ADUs.** ADUs may be created within portions of an existing multi-family dwelling that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages. The number of such ADUs shall not exceed 25 percent of the existing dwelling units, provided that at least one conversion ADU shall be permitted.

b. **Detached ADUs.** Up to eight detached ADUs shall be permitted on a parcel with an existing or proposed multi-family dwelling, provided that the number of detached ADUs does not exceed the number of existing dwelling units on the parcel.

c. **Junior Accessory Dwelling Units.** JADUs shall not be permitted on parcels developed with multi-family dwellings.

B. **Development Standards.** All ADUs and JADUs shall comply with the following standards: [Source: NEW]

1. **Parcel Size and Width.** No minimum lot size or lot width shall be required for the construction of an ADU or JADU. [Source: NEW]

2. **Unit Size.** ADUs and JADUs shall comply with the following size limitations: [Source: NEW]

a. **Detached and Attached ADUs.** An accessory dwelling unit shall not exceed 1,200 square feet in floor area.

b. **Minimum Size Allowance.** Notwithstanding any other provision of this Title, the County shall permit an accessory dwelling unit of at least 800 square feet with a height of 16 feet and minimum four-foot side and rear setbacks. Development standards in this Title shall not be applied in a manner that would preclude the construction of such unit, including standards related to lot coverage, floor area ratio, and open space.

c. **Converted ADUs.** An accessory dwelling unit located entirely within an existing, legally established primary dwelling or accessory structure shall not be subject to a maximum size limit.

d. **JADU.** A junior accessory dwelling unit shall not exceed 500 square feet.

3. **Setbacks.** ADUs and JADUs shall comply with the following setback requirements:

a. **Front Setback**. The front setback shall be as required by the underlying zoning district.

b. **Side and Rear Setbacks.** A minimum side and rear setback of four (4) feet shall be required for detached and attached ADUs.

c. **Setbacks for Converted ADUs and JADUs.** No setbacks shall be required for an ADU or JADU located within the existing space of a legally established primary dwelling or accessory structure, except as required by applicable building and fire codes.

d. **Separation from Existing Structures.** No minimum separation distance shall be required between an ADU and an existing primary dwelling or accessory structure, except as required by applicable building and fire codes.

4. **Lot Coverage.** ADUs shall comply with the lot coverage requirements of the underlying zoning district.

5. **Parking.**

a. No parking shall be required for an ADU if any of the following apply:

(1) The ADU is located within one-half mile walking distance of public transit.

(2) The ADU is located within a historic district.

(3) On-street parking permits are required but not offered to the occupant of the ADU.

(4) There is a designated car-share vehicle located within one block of the ADU.

b. If none of the circumstances in Subsection a. apply, the County may require no more than one off-street parking space per ADU.

c. Required parking may be provided as tandem parking on an existing driveway or within setback areas.

d. Notwithstanding the above, no parking shall be required for a converted ADU or a JADU.

6. **Replacement Parking.** When a garage, carport, or covered parking structure providing required parking for the primary dwelling is demolished or converted in conjunction with the construction of an ADU, replacement parking for the primary dwelling shall not be required. [Source: NEW]

7. **Access**.

a. **ADU.** An ADU shall have a separate exterior entrance.

b. **JADU.** A JADU shall have a separate exterior entrance or interior access to the primary dwelling.

c. **Shared Access.** An ADU or JADU may share access with the primary dwelling, including driveways, walkways, or other access facilities.

8. **Permanent Foundation.** ADUs and JADUs shall comply with applicable building and construction codes. Where required by such codes, an ADU or JADU shall be attached to a permanent foundation. [Source: NEW]

9. **Design.** Design standards for ADUs and JADUs shall be objective. An ADU or JADU may utilize materials and colors that are compatible with the primary dwelling but shall not be required to match the primary dwelling. [Source: NEW]

10. **Rental Term.** An ADU or JADU shall not be rented for a term of less than 30 consecutive days. [Source: NEW]

11. **Fire Sprinklers.** Fire sprinklers shall not be required for an ADU or JADU if they are not required for the primary dwelling. [Source: NEW]

12. **Impact Fees.**

    a. No impact fees shall be imposed on an ADU that is 750 square feet or less in size.

    b. Any impact fees charged for an ADU greater than 750 square feet shall be proportional to the square footage of the primary dwelling.

    c. This subsection shall not be construed to apply to connection fees or capacity charges for water or sewer service.

    d. No impact fees shall be imposed on a JADU. [Source: NEW]

13. **Utilities.**

    a. An ADU or JADU may be served by the same utility connections as the primary dwelling.

    b. The County shall not require separate utility connections for an ADU or JADU.

    c. Nothing in this Section shall prohibit a utility provider from requiring separate connections or imposing connection or capacity charges in accordance with applicable law. [Source: NEW]

10.105.070 Specific ADU and JADU Requirements

A. **Standards Applicable to Detached Accessory Dwelling Units.** The following standards apply only to detached ADUs: [Source: NEW]

Height. A detached ADU shall comply with the height requirements of applicable State law. Where State law establishes a minimum allowable height for a detached ADU, that height shall be permitted notwithstanding the height limits of the underlying zoning district. [Source: NEW]

B. **Standards Applicable to Attached Accessory Dwelling Units.** The following standards apply only to attached ADUs: [Source: NEW]

Height. An attached ADU shall comply with the height limitations applicable to the primary dwelling. [Source: NEW]

C. **Standards Applicable to Converted Accessory Dwelling Units.** The following standards apply only to converted ADUs: [Source: NEW]

1. **Expansion**. A converted ADU may include an expansion of up to 150 square feet beyond the existing structure solely to accommodate ingress and egress. [Source: NEW]

D. **Standards Applicable to JADUs.** The following standards apply only to JADUs. [Source: NEW]

1. **Size**. The total area of floor space for a JADU shall not exceed 500 feet and shall not expand the size of an existing single-unit dwelling by more than 150 square feet, provided expansion is solely for the purpose of accommodating ingress and egress. [Source: NEW]

2. **Efficiency Kitchen**. JADUs shall include an efficiency kitchen, which includes a cooking facility with appliances, food preparation counter, and storage cabinets that are of reasonable size in relation to the size of the JADU. [Source: NEW]

E. **Conveyance and Deed Restrictions.**

1. **Accessory Dwelling Units.** An ADU shall not be sold or otherwise conveyed separately from the primary dwelling, except as expressly authorized by State law.

2. **Junior Accessory Dwelling Units.** A JADU shall not be sold or otherwise conveyed separately from the primary dwelling. A deed restriction shall be recorded to enforce this requirement, which shall run with the land and be binding on all current and future property owners. [Source: NEW]

10.105.080 Nonconforming Zoning Conditions, Building Code Violations, and Unpermitted Structures

A. **Nonconforming Zoning Conditions.** The correction of nonconforming zoning conditions shall not be required as a condition of approval for an Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (JADU) on a parcel containing an existing or proposed primary dwelling [Source: NEW]

B. **Building Code Violations.** An application for an ADU or JADU shall not be denied due to Building Code violations on the primary dwelling, unless the violations pose a direct threat to public health and safety and are related to, or would be exacerbated by, the construction of the ADU or JADU.

C. **Unpermitted Structures.** This subsection applies only to unpermitted ADUs or JADUs constructed prior to January 1, 2020: [Source: NEW]

1. The ADU or JADU shall be subject to inspection for compliance with applicable health and safety standards. The County shall provide the applicant with a list of corrections, if any, necessary to bring the unit into compliance with such standards. If the unit complies with health and safety standards, the County shall not deny a permit for the ADU or JADU.

2. If the ADU or JADU does not comply with health and safety standards, the County shall approve any permits necessary to correct the violations. The applicant shall not be subject to penalties for the existence of the unpermitted ADU or JADU during the period required to achieve compliance.

3. The County may deny a permit for the ADU or JADU only if the unit cannot be brought into compliance with applicable health and safety standards and is therefore deemed substandard.

Chapter 10.110

Density Bonus

Chapter 10.110 Density Bonus

Sections

10.110.010 Purpose and Intent
10.110.020 Authority and Conflicts
10.110.030 Eligibility and Types of Bonuses and Incentives
10.110.040 Waivers
10.110.050 Parking
10.110.060 Application Submittal and Processing
10.110.070 Severability

10.110.010 Purpose and Intent

This Chapter implements State density bonus law, including Government Code Sections 65915 through 65918, by establishing procedures and standards for the provision of density bonuses, incentives, concessions, waivers, and reduced parking requirements for qualifying housing developments.

The purpose of this Chapter is to facilitate the development of affordable housing and to implement the goals, policies, and programs of the County's Housing Element. [Source: 10-6.5901, modified]

10.110.020 Authority and Conflicts

A. **Authority.** This Chapter is adopted pursuant to Government Code Sections 65915 through 65918, as may be amended from time to time. [Source: NEW]

B. **Conflicts**. This Chapter is intended to be consistent with State density bonus law. In the event of a conflict between this Chapter and applicable provisions of the Government Code, the Government Code shall control. [Source: NEW]

10.110.030 Eligibility and Types of Bonuses and Incentives

A. **Eligibility.** A housing development shall be eligible for a density bonus, incentive, concession, or waiver in compliance with Government Code Section 65915. The project shall comply with all other applicable provisions of this Zoning Code, except as otherwise provided by this Chapter. [Source: NEW]

B. **Qualifying Developments.** The County shall grant a density bonus and associated incentives or concessions, upon request by the applicant, to housing developments that meet the requirements of Government Code Section 65915. Qualifying developments include, but are not limited to, developments that include: [Source: 10-6.5903, modified]

1. Housing developments containing at least five percent of the total units restricted to very low income households; [Source: NEW]
2. Housing developments containing at least 10 percent of the total units restricted to low income households; [Source: NEW]

3. Housing developments containing at least 10 percent of the total units restricted to moderate income households, where applicable; [Source: NEW]

4. Housing developments involving land donation; [Source: NEW]

5. Senior housing developments; [Source: NEW]

6. Student housing developments containing at least 20 percent of the total units restricted to lower income students; [Source: NEW]

7. Housing developments containing at least 10 percent of the total units restricted for transitional foster youth, disabled veterans, or persons experiencing homelessness; and [Source: NEW]

8. Housing developments in which 100 percent of the units, exclusive of a manager's unit or units, are restricted to lower income households, except that up to 20 percent of the total units may be for moderate income households. [Source: NEW]

C. **Density Bonus.** [Source: NEW]

1. Eligible housing developments shall be granted a density bonus in compliance with Government Code Sections 65915 through 65918. [Source: NEW]

2. A density bonus is an increase in the number of units allowed beyond the maximum permitted by the General Plan, this Zoning Code, or any applicable specific or master plan. The amount of the density bonus shall be determined based on the percentage and type of affordable units provided, in compliance with Government Code Section 65915.

3. The density bonus shall be implemented through a written agreement, subject to review and approval by the County, and recorded against the property. [Source: NEW]

D. **Types of Density Bonus Concessions and Other Incentives.**

1. An applicant may request incentives or concessions in compliance with Government Code Section 65915. The number of incentives or concessions shall be based on the percentage of affordable units provided. Available incentives or concessions include, but are not limited to: [Source: NEW]

   a. A reduction in development standards or a modification of site development or architectural requirements, provided the project continues to comply with applicable State building standards;

   b. Reduced parking requirements;

   c. Increased building height or floor area ratio;

   d. Approval of mixed-use development in conjunction with a housing development where nonresidential uses reduce the cost of the housing development and are compatible with the project and surrounding area; and

   e. Other regulatory incentives or concessions that result in identifiable and actual cost reductions to provide affordable housing costs or affordable rent.

2. Applications for incentives or concessions shall be reviewed in accordance with Section 10.105.060 (Application Submittal and Processing). [Source: NEW]

3. The County shall grant an incentive or concession unless it makes a written finding, based on substantial evidence, that one or more of the grounds for denial set forth in Government Code Section 65915 applies. [Source: NEW]

10.110.040 Waivers

A. **Requests.** An applicant may request a waiver or reduction of any development standard that would physically preclude the construction of a housing development at the density or with the incentives or concessions permitted under Government Code Section 65915. A waiver or reduction may provide complete or partial relief from a development standard. [Source: NEW]

B. **Approval.** The County shall grant a requested waiver or reduction unless it makes a written finding, based on substantial evidence, that the request meets one or more of the grounds for denial set forth in Government Code Section 65915. [Source: NEW]

C. **Processing.** Applications for waivers or reductions shall be reviewed in accordance with Section 10.105.060 (Application Submittal and Processing). [Source: NEW]

10.110.050 Parking

Upon the request of the applicant for a housing development that qualifies for a density bonus, the County shall not impose a vehicular parking ratio, inclusive of parking for persons with disabilities and guest parking, that exceeds the parking ratios established in Government Code Section 65915. [Source: 10-6.5904, NEW]

10.110.060 Application Submittal and Processing

A. **Application.** An application for a density bonus, incentive, concession, waiver, or reduced parking standard shall comply with the following: [Source: 10-6.5907, NEW]

1. The applicant shall submit an application identifying the specific density bonus, incentive, concession, waiver, or parking reduction requested pursuant to Government Code Sections 65915 through 65918.

2. The application may be submitted prior to, or concurrently with, a housing development or other entitlement application.

B. **Determination of Complete Application.** Within 30 calendar days of submittal, the Planning Director shall notify the applicant in writing whether the application is complete and shall provide a determination as to: [Source: NEW]

1. The amount of density bonus for which the project is eligible;

2. The parking ratio for which the project is eligible, if requested; and

3. Whether sufficient information has been provided to evaluate any requested incentive, concession, or waiver.

C. **Review Authority.** [Source: NEW]

1. An application for a density bonus, incentive, concession, waiver, or reduced parking standard shall be considered by the approval body with authority to approve the housing development. Any decision may be appealed in accordance with this Zoning Code.

2. The applicant and the County shall prepare a density bonus agreement for any approved density bonus, incentive, concession, waiver, or reduced parking standard. The agreement shall be subject to review and approval by the decision-making body.

D. **Consideration of Incentives and Concessions.** The County shall grant an incentive or concession unless it makes a written finding, based on substantial evidence, that: [Source: NEW]

1. The incentive or concession does not result in identifiable and actual cost reductions to provide for affordable housing costs or affordable rent;

2. The incentive or concession would have a specific, adverse impact on public health and safety or on a property listed in the State Register of Historical Resources, and there is no feasible method to mitigate or avoid the impact without rendering the development unaffordable; or

3. The incentive or concession would be contrary to state or federal law.

E. **Consideration of Waivers.** The County shall grant a waiver or reduction of development standards unless it makes a written finding, based on substantial evidence, that: [Source: NEW]

1. The waiver would have a specific, adverse impact on public health or safety, and there is no feasible method to mitigate or avoid the impact;

2. The waiver would have an adverse impact on a property listed in the State Register of Historical Resources; or

3. The waiver would be contrary to state or federal law.

F. **Density Bonus Agreement.**

1. **Required Provisions.** The density bonus agreement shall include the following, as applicable:

a. The total number of units, including restricted units, the number of density bonus units granted, and the number, type, location, size, bedroom count, affordability level, and term of affordability of restricted units;

b. Standards for determining affordable rent or affordable ownership cost;

c. A schedule for construction and occupancy of restricted units;

d. A description of any approved incentive, concession, waiver, or reduced parking standard;

e. Provisions to ensure continued affordability of restricted units;

f. Terms governing tenant or purchaser eligibility, rental rates, occupancy, and operation of restricted units, where applicable;

g. Remedies for breach of the agreement, including identification of third-party beneficiaries where appropriate;

h. The term of the agreement, which shall be at least 55 years for rental units and 45 years for ownership units; and

i. Any additional provisions necessary to ensure compliance with this Chapter and Government Code Sections 65915 through 65918.

2. **Execution and Recording.**

a. The agreement shall be executed by the applicant, property owner, or other authorized party; and

b. The agreement shall be recorded against the property prior to issuance of any building permit.

3. **Development and Operation.**

a. Affordable units shall be constructed concurrently with nonrestricted units, unless otherwise provided in the agreement;

b. Residents of affordable units shall have access to the same project amenities;

c. Affordable units shall be comparable in bedroom mix and exterior design to nonrestricted units;

d. All development shall comply with applicable state building standards;

e. No affordable unit shall be rented or sold except in compliance with this Chapter and the recorded agreement; and

f. Execution of a density bonus agreement shall be required prior to approval of any discretionary entitlement for a housing development under this Chapter.

10.110.070 Severability

If any provision of this Chapter, or its application to any person or circumstance, is held invalid, the remainder of this Chapter, including the application of such provision to other persons or circumstances, shall not be affected. [Source: NEW]

Chapter 10.115

Overhead Utility Facilities and Undergrounding Activities

Chapter 10.115 Overhead Utility Facilities and Undergrounding Activities

Sections

10.115.010 Purpose and Intent
10.115.020 Applicability
10.115.030 Public Hearing
10.115.040 Undergrounding Activities Established by Resolution
10.115.050 Unlawful Acts
10.115.060 Exceptions
10.115.070 Public Notice
10.115.080 Responsibilities
10.115.090 Extensions
10.115.100 Violations and Penalties

10.115.010 Purpose and Intent

The purpose of this Chapter is to regulate the undergrounding of existing overhead utility facilities to reduce impacts to public health, safety, and general welfare, and to establish procedures for the creation of underground utility districts. [Source: NEW]

10.115.020 Applicability

This Chapter applies to the establishment of underground utility districts and the undergrounding of existing overhead utility facilities, including the construction, removal, installation, and alteration of utility facilities within an underground utility district. [Source: NEW]

10.115.030 Public Hearing

A. **Planning Commission Recommendation.** The Planning Commission shall conduct a public hearing to determine whether the public necessity, health, safety, or welfare requires the removal of poles, overhead wires, and associated overhead utility structures within a designated area. If the Planning Commission finds that undergrounding utility facilities would benefit public health, safety, or welfare, it shall recommend establishment of an underground utility district to the Board of Supervisors. All hearings shall be conducted in accordance with Chapter 10.250 (Public Notices and Hearings). [Source: 10-7.02, modified]

B. **Board of Supervisors Action.** The Board of Supervisors shall conduct a public hearing to consider the recommendation of the Planning Commission and shall approve, deny, or modify the proposed underground utility district, or refer the matter back to the Planning Commission for further consideration. All hearings shall be conducted in accordance with Chapter 10.250 (Public Notices and Hearings). [Source: 10-7.02.1, modified]

10.115.040 Undergrounding Activities Established by Resolution

If, after the public hearing, the Board of Supervisors finds that the public necessity, health, safety, or welfare requires the removal and underground installation of utility facilities within a designated area, the Board shall, by resolution, declare the area an Underground Utility District and order the removal of overhead utility facilities and the installation of underground utility facilities.

The resolution shall include a description of the area comprising the District and a deadline for completion of the required undergrounding. The deadline shall take into account the availability of labor, materials, and equipment necessary to complete the work. [Source: 10-7.03, modified]

10.115.050 Unlawful Acts

It shall be unlawful for any person or utility to erect, construct, install, maintain, or operate poles, overhead wires, or associated overhead utility structures within an Underground Utility District after the date established by resolution for their removal.

This prohibition shall not apply where overhead facilities are temporarily required to provide utility service until underground facilities are installed, or for a reasonable period thereafter to complete removal of such facilities, or as otherwise provided in this Chapter. [Source: 10-7.04, modified]

10.115.060 Exceptions

A. **Emergencies or Unusual Circumstances.** Notwithstanding this Chapter, overhead utility facilities may be installed and maintained for a period not to exceed 10 calendar days without prior approval in order to provide emergency services.

The Planning Director may grant temporary authorization, on such terms as deemed appropriate, in cases of unusual circumstances, to install, maintain, or operate overhead utility facilities. [Source: 10-7.05]

B. **Other Exceptions.** The provisions of this Chapter shall not apply to the following facilities within an Underground Utility District: [Source: 10-7.06, modified]

1. Municipal facilities or equipment installed under the supervision of the County; [Source: 10-7.06(a)]
2. Poles or electroliers used exclusively for street lighting; [Source: 10-7.06(b)]
3. Overhead wires, without supporting structures, originating outside the Underground Utility District; [Source: 10-7.06(c), modified]
4. Facilities used for the transmission of electric energy at nominal voltages exceeding 34,500 volts; [Source: 10-7.06(d)]
5. Overhead wires attached to a building and extending between points on the same or adjacent buildings without crossing a public street; [Source: 10-7.06(e), modified]
6. Antennae and associated equipment used by a utility for communication services; [Source: 10-7.06(f)]
7. Equipment appurtenant to underground facilities, including surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets, and concealed ducts; and [Source: 10-7.06(g)]

8. Temporary overhead facilities used in conjunction with construction projects. [Source: 10-7.06(h)]

10.115.070 Public Notice

A. **Notice Required.** Public notice shall be provided to all affected utilities and property owners within a proposed or established Underground Utility District in the following instances. All notices shall comply with Chapter 10.250 (Public Notices and Hearings). [Source: 10-7.07(a), modified]

1. Prior to the establishment of an Underground Utility District; and

2. Following establishment of an Underground Utility District, to inform property owners of required undergrounding activities, including applicable requirements, deadlines for completion, and any associated responsibilities.

10.115.080 Responsibilities

A. **Utility Companies.** If underground construction is necessary to provide utility services within an Underground Utility District, the supplying utility shall furnish the conduits, conductors, and associated equipment required under applicable rules, regulations, and tariffs on file with the California Public Utilities Commission. [Source: 10-7.08, modified]

B. **Property Owners.**

1. Every person owning, operating, leasing, occupying, or renting a building or structure within an Underground Utility District shall construct and provide the portion of the service connection on the property between the utility facilities described in Subsection A and the termination point within or on the building or structure, in accordance with applicable utility rules, regulations, and tariffs. [Source: 10-7.09(a), modified]

2. If a property owner fails to comply with Subsection B.1 within the time established by resolution pursuant to Section 10.110.040, the Planning Director shall post written notice on the property. If compliance is not achieved within 30 calendar days after posting, the Planning Director may order the disconnection and removal of overhead service wires and associated facilities serving the property. [Source: 10-7.09(b), modified]

3. If required underground facilities are not installed after the 30-day period, the Planning Director may cause the work to be completed. The cost of such work shall be assessed to the property owner. [Source: 10-7.09(f), modified]

4. The Planning Director shall provide written notice to the property owner or occupant of the cost of the work. [Source: 10-7.09(g), modified]

5. If the cost of the work is not paid within five calendar days after confirmation by the Board of Supervisors, the amount shall become a lien on the property. [Source: 10-7.09(i), modified]

C. **County.** The County shall remove, at its own expense, all County-owned equipment from poles required to be removed under this Chapter. [Source: 10-7.10, modified]

10.115.090 Extensions

If any act required by this Chapter or by a resolution adopted pursuant to Section 10.110.040 cannot be completed within the time required due to shortages of materials, labor disruptions, actions of public authorities, or other circumstances beyond the control of the responsible party, the time for completion shall be extended for a period equal to the duration of such delay. [Source: 10-7.11, modified]

10.115.100 Violations and Penalties

It shall be unlawful for any person to violate any provision of this Chapter or to fail to comply with any requirement of this Chapter. Any violation of this Chapter shall constitute a misdemeanor and may be prosecuted as provided by law. Each day that a violation is committed, continued, or permitted shall constitute a separate offense. [Source: 10-7.12, modified]

Chapter 10.120
Right to Farm

Chapter 10.120 Right to Farm

Sections

10.120.010 Findings and Policy
10.120.020 Nuisance
10.120.030 Disclosure
10.120.040 Resolution of Disputes

10.120.010 Findings and Policy

A. This Chapter promotes, encourages, and supports agricultural operations and the right to farm [Source: 10-11.02(a), modified]

B. Where nonagricultural land uses extend into agricultural areas or exist side-by-side, agricultural operations may be subject to nuisance complaints that can lead to curtailment or cessation of such operations. These actions discourage investment in agricultural improvements and may adversely affect the long-term viability of the County's agricultural industry. This Chapter is intended to reduce the loss of agricultural resources by limiting the circumstances under which agricultural operations may be considered a nuisance, except as provided under applicable State law, including the Civil Code, Health and Safety Code, Fish and Game Code, Food and Agricultural Code, and Water Code. [Source: 10-11.02(b), modified]

C. This Chapter promotes a good neighbor policy between agricultural and nonagricultural uses by informing property owners, purchasers, and occupants of the potential impacts associated with agricultural operations, including, but not limited to, noise, odors, dust, chemicals, and extended hours of operation. Through required disclosures, persons living near agricultural operations are informed of and prepared to accept such conditions as a normal and necessary aspect of agricultural activity in rural areas. [Source: 10-11.02(c), modified]

10.120.020 Nuisance

No agricultural activity, operation, or facility, or any of its appurtenances, conducted for commercial purposes and in a manner consistent with this Zoning Code and applicable state and federal law, and consistent with proper and accepted customs and standards, shall be deemed a nuisance pursuant to this Code. [Source: 10-11.03, modified]

10.120.030 Disclosure

A. **Required Disclosure.** The following disclosure shall be provided to the purchaser of real property and signed prior to the transfer or subdivision of such property, as required by Subsections A.1 and A.2: " If your real property is adjacent to property used for agricultural operations or included within an area zoned for agricultural purposes, you may be subject to inconveniences or discomforts arising from such operation, including but not limited to noise, odors, fumes, dust, the operation of machinery of any kind during any 24 hour period (including aircraft), the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. The County has determined

that the use of real property for agricultural operations is a high priority and favored use to the County and will not consider to be a nuisance those inconveniences or discomforts arising from agricultural operations, if such operations are consistent with accepted customs and standards." [Source: 10-11.04(a) and (b), modified]

1. The disclosure shall be signed by the purchaser upon any transfer of real property, including sale, exchange, installment land sale contract, lease with an option to purchase, or similar transaction. The signed disclosure shall be recorded in the County Recorder's Office in conjunction with the deed conveying the real property, in the form of a statement of acknowledgment. [Source: 10-11.04(b)(1), modified]

2. The disclosure shall be required as a condition of approval for discretionary permits, including, but not limited to, subdivision permits and use permits, for uses on or adjacent to parcels zoned for agricultural operations. The property owner shall sign a statement of acknowledgment containing the disclosure, which shall be recorded in the County Recorder's Office. [Source: 10-11.04(b)(2), modified]

10.120.040 Resolution of Disputes

A. **Dispute.** Should a dispute arise regarding nuisances allegedly caused by agricultural operations, including, but not limited to, noises, odors, fumes, dust, the operation of machinery of any kind during a 24-hour period (including aircraft), the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides, the parties shall submit the dispute to arbitration as provided in Subsection B, consistent with any recorded disclosure or acknowledgment required by this Chapter, prior to the filing of any court action. [Source: 10-11.05(a), modified]

B. **Arbitration.**

1. Any dispute between the parties shall be submitted to arbitration upon the written request of one party, provided that the request is served on the other party. [Source: 10-11.05(b)(1)]

2. Each party shall appoint one arbitrator. If the two arbitrators cannot agree, they shall select a third impartial arbitrator, whose decision shall resolve the dispute. The cost of arbitration shall be borne by the parties as determined by the arbitrators. [Source: 10-11.05(b)(2), modified]

3. he decision of the arbitrator(s) shall be final and binding on the parties, consistent with any recorded disclosure or acknowledgment executed pursuant to this Chapter. [Source: 10-11.05(b)(3), modified]

Chapter 10.125

Surface Mining and Reclamation

Chapter 10.125 Surface Mining and Reclamation

Sections

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10.125.010 Purpose and Intent

A. **Purpose**. The purpose of this Chapter is to implement and supplement the Surface Mining and Reclamation Act (SMARA) (Public Resources Code Section 2710 et seq.). The Board of Supervisors finds and declares that: [Source: 10-5.101(a)]

1. The extraction of minerals is essential to the continued economic well-being of the County and to society, and that reclamation of mined lands is necessary to prevent or minimize adverse environmental effects and to protect public health and safety. [Source: 10-5.101(a)(1)]

2. Reclamation of mined lands as provided in this Chapter will allow continued mineral extraction while ensuring the protection and subsequent beneficial use of reclaimed lands. [Source: 10-5.101(a)(2)]

3. Surface mining occurs under diverse geologic, topographic, climatic, biological, and social conditions, and reclamation requirements may vary accordingly (Public Resources Code Section 2711 (a)). [Source: 10-5.101(a)(3)]

B. **Intent**. It is the intent of the Board of Supervisors to establish and maintain a comprehensive surface mining and reclamation program that ensures: [Source: 10-5.101(b)]

1. Adverse environmental effects are prevented or minimized, and mined lands are reclaimed to a usable condition suitable for alternative land uses; [Source: 10-5.101(b)(1)]

2. Mineral production and conservation are encouraged, while considering recreation, watershed, wildlife, range and forage, and aesthetic values. [Source: 10-5.101(b)(2)]

3. Residual hazards to the public health and safety are eliminated (Public Resources Code Sections 2711 and 2712). [Source: 10-5.101(b)(3)]

4. Surface mining operations that comply with applicable laws and policies are recognized and protected. [Source: 10-5.101(b)(4)]

10.125.020 Incorporation by Reference

A. The provisions of the Surface Mining and Reclamation Act (Public Resources Code Section 2710 et seq.) ("SMARA"), Public Resources Code Section 2207 (relating to annual reporting requirements), and the State Mining and Geology Board regulations (Title 14, California Code of Regulations, Division 2, Chapter 8), as may be amended from time to time, are hereby incorporated by reference as though fully set forth herein.

B. This Chapter shall be interpreted and applied in a manner consistent with SMARA and its implementing regulations.

C. To the extent that any provision of this Chapter is inconsistent with SMARA or applicable State regulations, SMARA and State regulations shall control. Where this Chapter imposes requirements that are more restrictive than those required by SMARA or State regulations, the provisions of this Chapter shall apply. [Source: new]

10.125.030 Applicability and Exemptions

A. **Applicability**. This Chapter shall apply to all surface mining operations within the County, except as exempted in Subsection B of this Section. [Source: 10-5.102(a)]

B. **Exemptions**. This Chapter does not apply to any of the following activities: [Source: 10-5.102(b)]

1. Excavation or grading conducted for farming, on-site construction, or the purpose of restoring land following a flood or natural disaster declared by the Board of Supervisors or the State; [Source: 10-5.102(b)(1)]

2. On-site excavation and earthmoving activities which are an integral and necessary part of a construction project, including excavation, grading, compaction, or the creation of fills, road cuts, and embankments, provided that all required permits have been approved by the County in compliance with applicable state law and County plans and

ordinances, including the California Environmental Quality Act (Public Resources Code Section 21000 et seq.); [Source: 10-5.102(b)(2)]

3. Operation of a mineral processing site, including associated on-site structures, equipment, and activities such as stockpiling, crushing, screening, batching, and recovery of mined materials, subject to all of the following: [Source: 10-5.102(b)(3)]

   a. The site is located on land appropriately zoned for mineral processing; [Source: 10-5.102(b)(3)(i)]

   b. No minerals are extracted on-site; and [Source: 10-5.102(b)(3)(ii)]

   c. All reclamation work for any prior extraction conducted after January 1, 1976, has been completed in accordance with an approved reclamation plan; [Source: 10-5.102(b)(3)(iii)]

4. Prospecting or extraction of minerals and removal of overburden in amounts of less than 1,000 cubic yards in any one location of one acre or less (Title 14, California Code of Regulations, Section 3505(a)); [Source: 10-5.102(b)(4)]

5. Surface mining operations required by federal law to protect a mining claim, if conducted solely for that purpose; [Source: 10-5.102(b)(5)]

6. Surface mining operations determined by the State Mining and Geology Board to be of an infrequent nature and involving only minor surface disturbances; [Source: 10-5.102(b)(6)]

7. Surface mining operations and emergency excavation or grading conducted by the Department of Water Resources or the Reclamation Board, as specified in Public Resources Code Section 2714; [Source: 10-5.102(b)(7)]

8. Excavation or grading conducted for the exclusive purpose of obtaining materials for roadbed construction and maintenance in connection with timber operations or forest management on land owned by the same person or entity, provided that: [Source: 10-5.102(b)(8)]

   a. The activity occurs adjacent to timber or forest management roads; [Source: 10-5.102(b)(8)(i)]

   b. The activity does not occur within 100 feet of a Class I watercourse or 75 feet of a Class II watercourse;

   c. The materials are not sold for commercial purposes; and

   d. Slope stability and erosion are controlled in accordance with Title 14, California Code of Regulations, Sections 3704(f) and 3706(d), and upon closure, revegetation and post-closure uses are implemented in consultation with the Department of Forestry and Fire Protection;

9. Excavations, grading, or other earthmoving activities in an oil or gas field that are integral and necessary for ongoing extraction operations, as specified in Public Resources Code Section 2714; [Source: 10-5.102(b)(9)]

10. **Other Regulations Applicable.** An exemption under this Section does not exempt a project or activity from compliance with other applicable laws, regulations, ordinances, including, but not limited to, the California Environmental Quality Act, use permit requirements, or applicable fees and exactions. [Source: 10-5.102(b)(10)]

10.125.040 Definitions

The following words, terms, and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, unless the context clearly indicates otherwise: [Source: 10-5.103]

A. **Borrow Pit**. An excavation created by the surface mining of rock, unconsolidated geologic deposits, or soil to provide material (borrow) for fill elsewhere. [Source: 10-5.103]

B. **CEQA**. The California Environmental Quality Act (Public Resources Code Section 21000 et seq.). [Source: 10-5.103]

C. **CCR**. The California Code of Regulations. [Source: 10-5.103]

D. **County**. The County of Siskiyou, State of California. [Source: 10-5.103]

E. **Farming**. Agriculture as defined in Part 8 (Definitions) of this Title. [Source: 10-5.103]

F. **Financial Assurances**. A current approved financial assurance cost estimate and a financial assurance mechanism equal to that estimate (Public Resources Code Section 2736). [Source: 10-5.103]

G. **Idle**. The condition in which an operator has curtailed production at a surface mining operation by more than 90 percent of its maximum annual mineral production within any of the previous five years, with the intent to resume operations at a future date, for a period of 12 months or more, and for which an interim management plan has not been approved (Public Resources Code Section 2727.1). [Source: 10-5.103]

H. **Interim Management Plan**. An amendment to an approved reclamation plan designed to prevent or minimize environmental effects from an idle mine and to protect public health and safety from associated hazards. [Source: 10-5.103]

I. **Lead Agency**. The County of Siskiyou, acting as the lead agency for purposes of this Chapter and responsible for implementing and enforcing SMARA (Public Resources Code Section 2774.1(f)). [Source: 10-5.103]

J. **Mined Lands**. The surface, subsurface, and groundwater of an area in which surface mining operations will be, are being, or have been conducted, including appurtenant roads, excavations, workings, mining waste, and areas containing structures, facilities, equipment, or materials used in or resulting from surface mining operations, are located (Public Resources Code Section 2729). [Source: 10-5.103]

K. **Mineral**. Any naturally occurring chemical element or compound formed through inorganic processes, including coal, peat, and bituminous rock, but excluding geothermal resources, natural gas, and petroleum (Title 14, CCR, Section 3501). For the purpose of this Chapter, minerals shall also include, but not be limited to, sand, gravel, aggregate, cinders, diatomaceous earth, shale, limestone, flagstone, decorative stone, precious metals, and rip-rap. [Source: 10-5.103]

L. **Mining Waste**. Residual soil, rock, mineral, liquid, vegetation, equipment, or other materials resulting from or displaced by surface mining operations (Public Resources Code Section 2730). [Source: 10-5.103]

M. **Minor Modification**. A minor revision of a reclamation plan that is not a "project," or is ministerial, or is exempt from CEQA. [Source: 10-5.103]

N. **On-Site Construction**. Construction activity authorized by a County building or grading permit and located on the same parcel as the excavation or grading. [Source: 10-5.103]

O. **Operator**. Any person engaged in surface mining operations, or who contracts for such operations, or who permits such operations on their property and receives a financial benefit therefrom, excluding employees compensated solely by wages (Public Resources Code Section 2731). [Source: 10-5.103]

P. **Overburden**. Soil, rock, or other materials overlying or between mineral deposits before or after removal by surface mining operations (Public Resources Code Section 2732). [Source: 10-5.103]

Q. **Permit**. Any authorization or approval from the County required to conduct surface mining operations (Public Resources Code Section 2732.5). [Source: 10-5.103]

R. **Person**. Any individual, firm, association, corporation, organization, partnership, or public entity (Title 14, CCR, Section 3501). [Source: 10-5.103]

S. **PRC**. The California Public Resources Code. [Source: 10-5.103]

T. **Reclamation**. The process of restoring mined lands to a usable condition that minimizes environmental impacts and eliminates hazards to public health and safety, including grading, revegetation, stabilization, and other measures (Public Resources Code Section 2733). [Source: 10-5.103]

U. **SMARA**. The Surface Mining and Reclamation Act of 1975, as amended (Public Resources Code Section 2710 et seq.). [Source: 10-5.103]

V. **Supervisor of Mine Reclamation.** The individual directing the Division of Mine Reclamation pursuant to Public Resources Code Section 607. [Source: 10-5.103]

W. **Streambed Skimming**. Excavation of sand and gravel from streambed deposits above the mean summer water level or stream bottom, whichever is higher. [Source: 10-5.103]

X. **Surface Mining Operations**. All or any part of the process of mining minerals on mined lands, including removal of overburden, extraction, dredging, quarrying, and surface work incidental to underground mining, as defined in Public Resources Code Section 2735 and Title 14, CCR, Section 3501. [Source: 10-5.103]

Y. **Vested Rights.** A person shall be deemed to have vested rights if, before January 1, 1976, they lawfully and in good faith commenced surface mining operations and incurred substantial liabilities for work and materials in reliance on required approvals (Public Resources Code Section 2776). [Source: 10-5.103]

Z. **State Definitions Incorporated.** Definitions contained in SMARA (Public Resources Code Section 2710 et seq.) and implementing regulations (Title 14, CCR, Division 2, Chapter 8), as may be amended from time to time, are incorporated by reference. [Source: 10-5.103]

10.125.050 Compliance with State SMARA Regulations

This Chapter shall be administered in a manner consistent with SMARA and its implementing regulations, as incorporated by reference in Section 10.120.020. [Source: 10-5.104]

10.125.060 Lead Agency Coordination

A. **Lead Agency.** The County of Siskiyou shall act as the lead agency for purposes of implementing the Surface Mining and Reclamation Act (SMARA), except where another lead agency is designated in accordance with Public Resources Code Section 2771.

B. **Multi-Jurisdictional Operations.** Where a surface mining operation involves multiple jurisdictions, the County shall coordinate with affected agencies to determine the appropriate lead agency in accordance with SMARA.

C. **State Coordination.** The County shall coordinate with the Department of Conservation, Division of Mine Reclamation, and other responsible agencies as required to ensure compliance with SMARA and its implementing regulations.

10.125.070 Mineral Resource Management Policies

A. The mineral resource management policies of the Surface Mining and Reclamation Act (Public Resources Code Sections 2762 through 2764) and the State Mining and Geology Board regulations (Title 14, California Code of Regulations, Section 3676), as may be amended from time to time, are hereby incorporated by reference.

B. These policies shall be considered in the review of surface mining operations and in maintaining consistency with the County's General Plan [Source: 10-5.105]

10.125.080 Vested Mining Operations

A. **Applicability of Vested Rights.** No person who has obtained a vested right to conduct surface mining operations prior to January 1, 1976, shall be required to obtain a use permit under this Chapter, provided that the vested right continues and no substantial changes are made to the operation except in compliance with this Chapter. Any person claiming a vested right shall establish the existence and scope of that right through a public hearing process, and the burden of proof shall be on the claimant. [Source: 10-5.106(a)]

B. **Establishment of Vested Rights.** A person shall be deemed to have vested rights if, prior to January 1, 1976, they lawfully and in good faith, and in reliance upon a permit or other authorization where required, diligently commenced surface mining operations and incurred substantial liabilities for work and materials necessary for those operations. Expenses incurred solely for obtaining permits or legislative approvals shall not be considered substantial liabilities. [Source: 10-5.106(b)]

C. **Scope of Vested Rights.** A vested right may apply to the area, depth, nature of the mining activity, or type of material extracted. This list is not exclusive. Where applicable, vested rights

may extend beyond the area or depth mined prior to January 1, 1976, in accordance with the diminishing asset doctrine and based on available extractable material. [Source: 10-5.106(c)]

D. **Compliance with SMARA Requirements.** A person who continues surface mining operations under a vested right after January 1, 1976, shall comply with the reclamation plan and financial assurance requirements of Public Resources Code Section 2770 and this Chapter for all operations conducted after that date. Expansion of operations after January 1, 1976, may be recognized as a vested nonconforming use consistent with the diminishing asset doctrine. [Source: 10-5.106(d)]

E. **Reclamation of Overlapping Areas.** Where an overlap exists between pre- and post-January 1, 1976, mining activities, the reclamation plan shall address reclamation of areas disturbed after January 1, 1976, as determined based on substantial evidence in the administrative record. [Source: 10-5.106(e)]

F. **Previously Disturbed Lands.** Nothing in this Chapter shall be construed as requiring the filing of a reclamation plan for, or the reclamation of, mined lands on which surface mining operations were conducted prior to January 1, 1976, and which have not been disturbed since that date. [Source: 10-5.106(f)]

G. **Claim of Vested Rights Application.**

1. Any person claiming a vested right shall file a Claim of Vested Rights with the Community Development Department, Planning Division. The burden of proof shall be on the claimant. [Source: 10-5.106(g)(1)]

2. A person who has received a prior written determination from the County confirming vested rights is not required to file a new claim, provided the scope of the operation has not expanded. [Source: 10-5.106(g)(2)]

3. The application shall be submitted on a County form and shall include information necessary to evaluate the claim, including but not limited to: [Source: 10-5.106(g)(3)]

    a. Contact information for the claimant and other relevant parties: [Source: 10-5.106(g)(3)(i)]

        (1) The claimant and any agent authorized for contact or service of notice, if different; [Source: 10-5.106(g)(3)(i)(a)]

        (2) All other owners of record, if different from the claimant; [Source: 10-5.106(g)(3)(i)(b)]

        (3) Any lessee, lienholder, or other person with a potential interest in the claimed vested rights; [Source: 10-5.106(g)(3)(i)(c)]

        (4) To the best of the applicant's knowledge, the owners of all properties adjacent to the subject property; and [Source: 10-5.106(g)(3)(i)(d)]

        (5) To the best of the applicant's knowledge, any governmental agency or entity having jurisdiction over the property or surface mining operations that may be affected by the vested rights determination. [Source: 10-5.106(g)(3)(i)(e)]

b. A map of the property clearly identifying the areas where vested rights are claimed. Additional mapping information may include: [Source: 10-5.106(g)(3)(ii)]

(1) Areas mined prior to January 1, 1976, but not thereafter; [Source: 10-5.106(g)(3)(ii)(a)]

(2) Areas mined both before and after January 1, 1976; [Source: 10-5.106(g)(3)(ii)(b)]

(3) Areas mined only after January 1, 1976; and [Source: 10-5.106(g)(3)(ii)(c)]

(4) Areas not mined prior to January 1, 1976, for which a vested rights claim is asserted. [Source: 10-5.106(g)(3)(ii)(d)]

c. A grant deed, including legal description, for the property on which vested rights are claimed; [Source: 10-5.106(g)(3)(iii)]

d. Copies of documents establishing title to the property; [Source: 10-5.106(g)(3)(iv)]

e. Copies of all permits, authorizations, or entitlements, both current and historical, allowing the claimant to conduct surface mining operations on the property; [Source: 10-5.106(g)(3)(v)]

f. written statement, supported by a declaration or affidavit attesting to its truth and accuracy, describing the basis and scope of the Claim of Vested Rights. The claimant may submit supporting documentation, including, but not limited to: [Source: 10-5.106(g)(3)(vi)]

(1) Evidence of the duration, scope, or scale of prior mining operations, including aerial photographs or similar documentation identifying the areas claimed; [Source: 10-5.106(g)(3)(vi)(a)]

(2) Evidence of expenses or financial liabilities incurred for work and materials related to the claimed operations; [Source: 10-5.106(g)(3)(vi)(b)]

(3) Evidence of compliance with applicable laws, regulations, permits, and entitlements governing surface mining operations on the property; and [Source: 10-5.106(g)(3)(vi)(c)]

(4) For areas not mined prior to January 1, 1976, but claimed under the diminishing asset doctrine, objective evidence demonstrating an intent, established prior to that date, to mine those areas. [Source: 10-5.106(g)(3)(vi)(d)]

4. The filing of a Claim of Vested Rights shall be accompanied by a filing fee established by the County. An application shall not be deemed complete or processed until all required fees are paid. [Source: 10-5.106(g)(4)]

5. If any claimed vested rights are located within a 100-year floodplain and within one mile, upstream or downstream, of a State highway bridge, the Planning Division shall notify the California Department of Transportation pursuant to Public Resources Code Section 2770.5. [Source: 10-5.106(g)(5)]

H. **Hearing and Determination.** [Source: 10-5.106(h)]

1. **Hearing Body or Hearing Official.** The Planning Commission of the County of Siskiyou shall be the Hearing Body for vested rights determinations under this Chapter, unless, at the time of application, the applicant requests in writing to use and pay for a neutral, third-party administrative hearing official, selected by the Board of Supervisors, to act as the Hearing Official. The term Hearing Official, as used herein, may refer to a single individual or multiple individuals forming a panel.

2. **Selection of Hearing Official.** The process to select the Hearing Official, which may include contracting with the Office of Administrative Hearings of the State of California pursuant to Government Code Section 27727, and the establishment of the hearing procedures shall be adopted by resolution of the Board of Supervisors. [Source: 10-5.106(h)(1)]

3. **Deposit of Hearing Official Costs.** Prior to the vesting rights application being deemed complete and processed, the applicant shall submit a deposit in an amount equal to 100 percent of the estimated cost for the third-party Hearing Official to conduct the vested mining rights determination. This deposit shall be in addition to any other application fee required by this Section.

4. **Final Accounting.** At the conclusion of the vested rights determination, a complete accounting shall be conducted. Any remaining balance shall be returned to the applicant, or the applicant shall pay any outstanding balance to the County within thirty (30) calendar days.

5. **Scheduling of Hearing.** Upon determination by the Planning Director that the Claim of Vested Rights application is complete, including payment of all required fees and deposits, the application shall be scheduled for a public hearing before the Hearing Body or Hearing Official. [Source: 10-5.106(h)(2)]

6. **Notice of Hearing.** Written notice of the hearing shall be mailed to all property owners within 300 feet of the subject property and to all persons and entities listed in the application, and shall be published in a newspaper of general circulation. [Source: 10-5.106(h)(3)]

7. **Staff Report.** The Planning Division shall prepare a staff report with recommendations for consideration by the Hearing Body or Hearing Official. The Planning Director may provide a draft report to the applicant prior to finalization. The finalized report shall be made available for public review at least seven calendar days prior to the hearing. Any materials received after finalization shall be forwarded to the Hearing Body or Hearing Official for consideration. [Source: 10-5.106(h)(4)]

8. **Conduct of Hearing.** The Hearing Body or Hearing Official shall hold at least one noticed public hearing, or as many hearings as necessary to fully evaluate and

consider all evidence related to the Claim of Vested Rights application. [Source: 10-5.106(h)(5)]

9. **Evidence.**

   a. Relevant evidence of a Claim of Vested Rights shall consist of written or oral statements or materials demonstrating the existence, nature, and scope of the claimed vested rights. Such evidence shall include, but is not limited to, evidence of any permit or authorization to conduct surface mining operations on the property prior to January 1, 1976, evidence of mining activity commenced or conducted pursuant to such permit or authorization, and evidence of any zoning or land use restrictions applicable to the property prior to January 1, 1976.

   b. For any land for which the claimant asserts a vested right to expand operations, the claimant shall provide evidence demonstrating a clear intent, established prior to January 1, 1976, to mine those areas. Such evidence shall be based on objective manifestations of intent and not solely on subjective statements of intent at the time of enactment of laws affecting the right to continue surface mining operations without a permit. [Source: 10-5.106(h)(6)]

10. **Determination.** At the conclusion of the hearing, the Hearing Body or Hearing Official shall make findings based on the evidence and identify the specific property subject to vested rights and the scope and nature of the authorized surface mining operations. [Source: 10-5.106(h)(7)]

11. **Effect of Determination.** A determination recognizing vested rights shall establish that the identified surface mining operation does not require a Use Permit, provided the vested right continues and no substantial changes are made in the operation. All other applicable County, State, and federal requirements, including reclamation plan approval and financial assurances, shall remain in effect. If vested rights are waived or abandoned, the operation shall become subject to applicable permit requirements. [Source: 10-5.106(h)(8)]

I. **Right of Appeal of County Determination. T**he determination of the Hearing Body or Hearing Official shall be final unless a written appeal, together with the required appeal fee, is filed in the same manner as appeals of Use Permits and variances to the Board of Supervisors, as provided in Title 10, Chapter 6 of the County Code. [Source: 10-5.106(i)]

10.125.090 Use Permits

A. A Use Permit shall be required for any surface mining operation that is not determined to have vested rights in accordance with this Chapter and Chapter 10.XXX (Use Permit).

B. A Use Permit shall also be required for any expansion of a surface mining operation beyond the boundaries or scope of an established vested right. All Use Permits for surface mining operations shall be subject to Section 10.120.080 (Permit Expiration, Closure, and Revocation).

C. No surface mining operation shall be conducted unless a permit has been approved, a reclamation plan has been approved, and financial assurances have been approved by the County in accordance with SMARA. [Source: 10-5.107]

10.125.100 Permit Expiration, Closure, and Revocation

A. **Permit Expiration.** A Use Permit for a surface mining operation shall expire if surface mining operations are not commenced within two years of approval, unless otherwise specified in the permit or extended by the original approving body.

B. **Discontinuation of Operations.** If surface mining operations cease for a period of 12 months or more and no approved Interim Management Plan is in effect, the use permit shall be considered inactive. The County may initiate proceedings to revoke the permit and require reclamation in accordance with the approved reclamation plan.

C. **Closure and Completion.** Upon completion of mining and reclamation activities in compliance with the approved reclamation plan, and upon written confirmation by the County and the Supervisor of Mine Reclamation, the use permit may be deemed closed. No further surface mining operations shall occur unless a new permit is obtained.

D. **Revocation.** A Use Permit for a surface mining operation may be revoked or modified by the original approving body if the operator fails to comply with SMARA, the approved reclamation plan, financial assurance requirements, permit conditions, or this Chapter. Revocation or modification shall be conducted in accordance with Chapter 10.65 (Permit Modification and Revocation)

E. **Effect of Revocation or Expiration.** Upon revocation or expiration of a permit, the operator shall cease surface mining operations and shall complete reclamation in accordance with the approved reclamation plan and applicable State law. Financial assurances shall remain in effect until reclamation is complete.

10.125.110 Reclamation Plans

A. **Required Approvals.** Except as provided in this Chapter, a reclamation plan shall be required and shall be approved prior to commencement of surface mining operations in accordance with this Chapter and Public Resources Code Section 2770(a). [Source: 10-5.108(a)]

B. **County Review.** The County's review of reclamation plans shall be limited to determining whether the plan substantially complies with the applicable requirements of Public Resources Code Sections 2772, 2773, and 2773.3, and the implementing regulations (Title 14, California Code of Regulations, Division 2, Chapter 8), as applicable, and this Chapter. Reclamation plans that substantially comply with these requirements shall be approved. [Source: 10-5.108(b)]

C. **Reclamation Plan Standards.** The following standards shall apply to all reclamation plans: [Source: 10-5.108(c)]

1. **Site-Specific Design.** The reclamation plan shall apply to a specific property or properties and shall be based on site-specific and surrounding conditions, including overburden, soil stability, topography, geology, climate, stream characteristics, and

mineral commodities, and shall address grading, revegetation, and erosion control (Public Resources Code Section 2773(a)); [Source: 10-5.108(c)(1)]

2. **State Performance Standards.** All reclamation plans shall comply with the performance standards in Title 14, California Code of Regulations, Sections 3700 through 3713, to the extent consistent with the planned or actual subsequent use of the site (Public Resources Code Section 2773(b)); [Source: 10-5.108(c)(2)]

3. **Additional County Standards.** The County may impose additional performance standards or conditions, as warranted, to ensure compliance with State law and address site-specific conditions. [Source: 10-5.108(c)(3)]

D. **Application Requirements.** T A reclamation plan shall be filed with the County on a form provided by the County by any person who owns, leases, controls, or operates mined lands and intends to conduct surface mining operations. The reclamation plan shall include all information required by Public Resources Code Sections 2772, 2773, and 2773.3, and the implementing regulations (Title 14, California Code of Regulations, Division 2, Chapter 8), as applicable. The application shall also include environmental review information required under CEQA, as determined by the Planning Director. [Source: 10-5.108(d)]

1. **Professional Documents.** Documents required to be prepared by licensed professionals shall not be accepted unless signed, stamped, and dated in accordance with applicable law. [Source: 10-5.108(d)(1)]

2. **Final Form Submittals.** Unless otherwise approved by the County, all professionally prepared documents shall be submitted in final form and comply with applicable professional standards. [Source: 10-5.108(d)(2)]

E. **Review and Approval Process.** Reclamation plans shall be approved, conditionally approved, or denied in accordance with this Code, including a public hearing where required, unless otherwise provided by state law. [Source: 10-5.108(e)]

1. **Deficiency Review.**

   a. Reclamation plans determined not to substantially comply with the requirements of Public Resources Code Sections 2772, 2773, and 2773.3, and Article 1 (commencing with Section 3500) and Article 9 (commencing with Section 3700) of Subchapter 1, Chapter 8, Division 2, Title 14 of the California Code of Regulations, as applicable, and this Chapter, shall be returned to the operator within 60 calendar days with a description of the deficiencies.

   b. The operator shall have 60 calendar days to revise the plan to address the identified deficiencies, after which the revised plan shall be resubmitted to the County for review and determination of completeness. [Source: 10-5.108(e)(1)]

2. **State Review.**

   a. Reclamation plans shall be submitted for State review and processed in accordance with Section 10.120.150 and Public Resources Code Section 2772.1.

b. The County shall certify to the Supervisor of Mine Reclamation that the reclamation plan complies with the applicable requirements of Public Resources Code Sections 2772, 2773, and 2773.3, and Article 1 (commencing with Section 3500) and Article 9 (commencing with Section 3700) of Subchapter 1, Chapter 8, Division 2, Title 14 of the California Code of Regulations, as in effect at the time the reclamation plan is submitted for State review.

c. The County shall prepare a written response to the comments of the Supervisor of Mine Reclamation, if any, describing the disposition of those comments. If no comments are received within the timeframes specified in Public Resources Code Section 2772.1, the County may proceed with approval.

d. A reclamation plan shall not be approved until the requirements of Public Resources Code Section 2772.1 have been satisfied.[Source: 10-5.108(e)(2)]

F. **Appeals.** Decisions on reclamation plans may be appealed in accordance with the appeal procedures set forth in Title 1 of the County Code of Ordinances. [Source: 10-5.108(f)]

G. **Findings.** Prior to approval of a reclamation plan, the approving body shall make all of the following findings: [Source: 10-5.108(g)]

1. **CEQA Compliance.** The project has been reviewed in accordance with the California Environmental Quality Act, all adverse impacts related to the reclamation plan have been mitigated or addressed through the plan and/or conditions of approval, and the appropriate environmental determination has been adopted. [Source: 10-5.108(g)(1)]

2. **SMARA Compliance.** The reclamation plan complies with the requirements of the Surface Mining and Reclamation Act of 1975 (Public Resources Code Sections 2772 and 2773) and the reclamation standards set forth in Title 14, California Code of Regulations, Division 2, Chapter 8, Subchapter 1, Article 9, Sections 3700 through 3713. [Source: 10-5.108(g)(2)]

3. **State Submittal.** The reclamation plan has been submitted to the Supervisor of Mine Reclamation in accordance with this Chapter and Public Resources Code Section 2772.1, including all applicable documentation required for State review. [Source: 10-5.108(g)(3)]

4. **Local Compliance.** The reclamation plan complies with the purpose, intent, and requirements of this Chapter. [Source: 10-5.108(g)(4)]

5. **General Plan Consistency.** The proposed end use of the site following reclamation is consistent with the General Plan and applicable zoning. [Source: 10-5.108(g)(5)]

6. **Written Response to State.** A written response to the comments of the Supervisor of Mine Reclamation, if any, has been prepared describing the disposition of those comments, consistent with Public Resources Code Section 2772.1.

H. **Expiration and Extension.** If surface mining operations are not commenced within two years of the approval date of the reclamation plan, the approval shall become void. The original

approving body may grant a one-year extension, provided the operator submits a written request prior to expiration of the reclamation plan. An extension shall not extend the deadline for completion of reclamation. [Source: 10-5.108(h)]

I. **Statement of Responsibility and Recordation.**

1. Prior to approval of a reclamation plan, the operator shall submit a signed statement accepting responsibility for reclaiming the mined lands in accordance with the approved reclamation plan, consistent with Public Resources Code Section 2772(c)(10).

2. The County shall require recordation of a notice of the approved reclamation plan, or the approved reclamation plan itself, to ensure that the obligations run with the land and are binding on all successors and assigns.

3. Any transfer of ownership or operational control of a surface mining operation shall not relieve the operator of responsibility for compliance with the approved reclamation plan unless and until a new operator assumes responsibility in accordance with this Chapter.

10.125.120 Modifications to Reclamation Plans

A. **General.**

1. Any person with an approved reclamation plan may apply for an amendment to that plan. Applications shall be submitted on forms provided by the Community Development Department.

2. Amendments shall be classified as either major (substantial deviation) or minor (non-substantial deviation) based on whether the proposed change constitutes a substantial deviation from the approved reclamation plan.

3. All proposed amendments shall be submitted to the Supervisor of Mine Reclamation for concurrence as to whether the amendment is a minor, non-substantial deviation, or for review of a major, substantial deviation, in accordance with SMARA. Major amendments shall be subject to the standard reclamation plan application fee, and minor amendments shall be subject to a minor amendment application fee. [Source: 10-5.109]

B. **Major Reclamation Plan Amendments (Substantial Deviation).**

1. **Definition.** A major reclamation plan amendment is any reclamation plan amendment that constitutes a substantial deviation from the existing, approved reclamation plan under this Section and SMARA. A substantial deviation shall be defined as a change or expansion to a surface mining operation that substantially affects the completion of the previously approved reclamation plan, or that changes the end use of the approved plan to the extent that the scope of the reclamation required for the surface mining operation is substantially changed. In determining whether a change or expansion constitutes a substantial deviation, the lead agency shall take into consideration the following factors: [Source: 10-5.109(a)]

a. A substantial increase in the disturbance of surface area or in the maximum depth of mining; [Source: 10-5.109(a)(1)]

b. A substantial extension of the termination date of the mining operation as established in the approved reclamation plan; [Source: 10-5.109(a)(2)]

c. Changes that would substantially affect the approved end use of the site as established in the reclamation plan; [Source: 10-5.109(a)(3)]

d. Whether a proposed change is consistent with previously adopted environmental determinations or would require additional environmental review; [Source: 10-5.109(a)(4)]

e. Whether the change would require a substantial amendment to any approved Use Permit applicable to the mining activity; and [Source: 10-5.109(a)(5)]

f. Any other changes that the lead agency determines constitute a substantial deviation as defined in this subsection. [Source: 10-5.109(a)(6)]

2. **Decision Authority and Appeals.** The Planning Commission shall be the decision-making body for substantial deviation reclamation plan amendments. The Planning Commission's decision may be appealed to the Board of Supervisors in accordance with Section 10-5.112. [Source: 10-5.109(a)]

C. **Minor Reclamation Plan Amendments (Non-Substantial Deviation)**

1. Minor reclamation plan amendments may include any of the following, provided the Planning Director, with concurrence from the Department of Conservation, determines that the amendment does not constitute a substantial deviation from the approved reclamation plan: [Source: 10-5.109(b)]

a. Modifications involving minor changes that improve drainage, slope design within reclamation plan boundaries, or revegetation success; [Source: 10-5.109(b)(1)]

b. Modifications that adjust reclamation boundaries to incorporate areas disturbed prior to January 1, 1976, or existing components of the mining operation established in compliance with applicable County requirements; [Source: 10-5.109(b)(2)]

c. Approval of interim management plans for idle mines in accordance with this Chapter; or [Source: 10-5.109(b)(3)]

d. Other modifications that the Planning Director determines do not constitute a substantial deviation from the approved reclamation plan, with concurrence from the Department of Conservation. [Source: 10-5.109(b)(4)]

2. **Decision Authority and Appeals.** The Planning Director shall be the decision-making authority for minor reclamation plan amendments. The Planning Director's decision may be appealed to the Planning Commission, and the Planning Commission's decision may be appealed to the Board of Supervisors in accordance with Section 10-5.112. [Source: 10-5.109(b)]

10.125.130 Interim Management Plans

A. **Submittal Requirement.** Within 90 calendar days of a surface mining operation becoming idle, the operator shall submit an Interim Management Plan (IMP) to the Planning Division for review and approval. Review and approval of an IMP shall not be considered a project for purposes of CEQA. An approved IMP shall be considered an amendment to the approved reclamation plan. The IMP shall identify measures to maintain the site in compliance with SMARA, including all applicable Use Permit and reclamation plan requirements (Public Resources Code Section 2770(h)(1)). [Source: 10-5.110(a)]

B. **State Review.** Prior to County approval, interim management plans shall be submitted to the Supervisor of Mine Reclamation for review in accordance with Public Resources Code Section 2770. [Source: 10-5.110(b)]

C. **Director Approval.** The Planning Director may approve an interim management plan without public notice or hearing if the Director determines that the plan:

1. Does not require changes to the approved reclamation plan or conditions of approval; and

2. Adequately describes measures to maintain the site in idle status in compliance with SMARA and applicable permit conditions.

The Planning Director's decision may be appealed in accordance with Section XX.XX.XX. [Source: 10-5.110(c)]

D. **Duration and Renewal. A**n interim management plan may remain in effect for a period not to exceed five years. At the end of this period, the County shall: [Source: 10-5.110(d)]

1. Renew the plan for an additional period not to exceed five years if the operator has complied with the approved IMP; or [Source: 10-5.110(d)(1)]

2. Require the operator to commence reclamation in accordance with the approved reclamation plan (Public Resources Code Section 2770(h)(2)). [Source: 10-5.110(d)(2)]

E. **Financial Assurances.** Financial assurances shall remain in effect during the period that the surface mining operation is idle. If the operation remains idle after expiration of the IMP, reclamation shall commence in accordance with the approved reclamation plan (Public Resources Code Section 2770(h)(3)). [Source: 10-5.110(e)]

F. **County Review and Deficiency Process.**

1. Within 45 calendar days of receipt of an IMP, or a longer period mutually agreed upon by the County and the operator, the County shall review the plan for compliance with this Chapter and Public Resources Code Section 2770.

2. If the plan is complete, the County shall forward it to the Supervisor of Mine Reclamation for comment. If deficiencies are identified, the County shall notify the operator in writing. The operator shall have 30 calendar days, or a longer mutually agreed period, to submit a revised plan (Public Resources Code Section 2770(h)(4)(A)). [Source: 10-5.110(f)]

G. **State Certification and Response.**

1. The County shall submit the interim management plan, including any revised interim management plan, to the Supervisor of Mine Reclamation for review and shall certify that the interim management plan is complete and complies with the applicable requirements of Public Resources Code Division 2, Chapter 9 (Section 2710 et seq.), Article 1 (commencing with Section 3500) and Article 9 (commencing with Section 3700) of Subchapter 1, Chapter 8, Division 2, Title 14 of the California Code of Regulations, and this Chapter. [Source: 10-5.110(g)]

2. The County shall review and evaluate written comments received from the Supervisor of Mine Reclamation within a reasonable time and shall respond in accordance with Public Resources Code Section 2770, including providing notice of any intended approval of the interim management plan. [Source: 10-5.110(g)(1)]

H. **Final Action and Appeals.**

1. The County shall approve or deny the revised interim management plan within 60 calendar days of receipt of comments from the Supervisor of Mine Reclamation, or within 90 calendar days of submitting the interim management plan to the Supervisor if no comments are received.

2. If the County denies the revised interim management plan, the operator may appeal the decision to the Planning Commission, which shall schedule a public hearing within 45 calendar days of the filing of the appeal, or within a longer period mutually agreed upon by the operator and the Planning Commission (Public Resources Code Section 2770(h)(5)).

3. The Planning Commission's decision may be appealed to the Board of Supervisors in accordance with Section XX.XX.XX. [Source: 10-5.110(h)]

I. **Idle Operation Without Approved IMP.** Unless review of an interim management plan is pending before the County, or an appeal is pending before the Planning Commission or the Board of Supervisors, a surface mining operation that remains idle for more than 12 months after becoming idle, as defined in Public Resources Code Section 2727.1, without approval of an interim management plan, shall be considered abandoned, and the operator shall commence and complete reclamation in accordance with the approved reclamation plan (Public Resources Code Section 2770(h)(6)). [Source: 10-5.110(i)]

J. **Enforcement Hold.**

1. Any enforcement action brought against a person for operating without an approved reclamation plan, financial assurance, or interim management plan shall be held in abeyance pending review pursuant to Public Resources Code Section 2770(b) or (h), or resolution of an appeal filed with the State Mining and Geology Board pursuant to subdivision (e), or with the Planning Commission pursuant to subdivision (h) (Public Resources Code Section 2770(h)(1) through (6)).

2. The Planning Commission's decision may be appealed to the Board of Supervisors within 10 calendar days of the decision. [Source: 10-5.110(j)]

10.125.140 Financial Assurances

A. **County Review.**

1. The County's review of financial assurances shall be limited to determining whether the financial assurances substantially comply with the applicable requirements of Public Resources Code Section 2773.1, Article 11 (commencing with Section 3800) of Subchapter 1, Chapter 8, Division 2, Title 14 of the California Code of Regulations, and this Chapter.

2. Financial assurances shall be sufficient to perform reclamation of lands remaining disturbed. Financial assurances determined to substantially comply with these requirements shall be approved.

3. Except as provided in Public Resources Code Section 2770(e), if financial assurances are not approved and an appeal is pending before the State Mining and Geology Board, continuation of the surface mining operation is prohibited until financial assurances are approved by the County. [Source: 10-5.111(a)]

B. **Required Financial Assurances.** The County shall require financial assurances for each surface mining operation to ensure reclamation is performed in accordance with the approved reclamation plan, as follows: [Source: 10-5.111(b)]

1. Financial assurances may include surety bonds executed by an admitted surety insurer, irrevocable letters of credit, trust funds, or other mechanisms authorized by the State Mining and Geology Board pursuant to Public Resources Code Section 2773.1(e), as determined by the County to be adequate; [Source: 10-5.111(b)(1)]

2. Financial assurances shall remain in effect for the duration of the surface mining operation and until reclamation is completed; [Source: 10-5.111(b)(2)]

3. The financial assurance cost estimate shall be adjusted annually to account for newly disturbed lands, inflation, and reclamation completed. Replacement of an existing financial assurance mechanism shall be required only if the updated estimate indicates an increase is necessary; [Source: 10-5.111(b)(3)]

4. Financial assurance cost estimates shall be submitted on forms developed by the Supervisor of Mine Reclamation and approved by the State Mining and Geology Board; [Source: 10-5.111(b)(4)]

5. Financial assurances shall be payable to the County and the Department of Conservation and shall not be released without consent of both entities. If financial assurances are held by another public agency, the County may accept or credit those assurances if they meet the requirements of this Section and are payable to the appropriate entities. The total amount of financial assurances required shall not exceed the amount necessary to perform reclamation of lands remaining disturbed; [Source: 10-5.111(b)(5)]

6. Financial assurance estimates shall include a description of reclamation tasks, equipment, labor and material requirements, unit costs, total costs, and administrative

costs, including supervision, overhead, contingencies, and mobilization, as well as any additional information necessary to verify the estimate. [Source: 10-5.111(b)(6)]

C. **Cost Assumption.** In estimating financial assurances, it shall be presumed that the surface mining operation may be abandoned and that the County or State may be required to contract with a third party to complete reclamation. [Source: 10-5.111]

D. **Initial Financial Assurance Cost Estimate.**

1. Following approval of a reclamation plan or amendment, the operator shall submit a financial assurance cost estimate on the form prescribed by the State Mining and Geology Board (FACE-1), consistent with Public Resources Code Section 2773.1 and Title 14, California Code of Regulations, Section 3804.

2. The County shall review the financial assurance cost estimate for completeness and consistency with applicable law and shall submit the estimate to the Supervisor of Mine Reclamation for review and comment in accordance with Public Resources Code Section 2773.4.

E. **Deficiency Review.** Financial assurances determined not to substantially comply with Public Resources Code Section 2773.1 shall be returned to the operator within 60 calendar days with a description of deficiencies. The operator shall have 60 calendar days to revise and resubmit the financial assurances for review. [Source: 10-5.111(c)]

F. **State Review.** Prior to County approval, financial assurances shall be submitted to the Supervisor of Mine Reclamation for review in accordance with Public Resources Code Section 2773.4. [Source: 10-5.111(d)]

G. **Decision Authority and Appeals. T**he Planning Director shall approve financial assurances, including both form and amount, based on an approved reclamation plan. The Planning Director's decision may be appealed in accordance with Section 10-5.112. [Source: 10-5.111(e)]

H. **Financial Assurance Mechanism.** Within 30 days following approval of the financial assurance cost estimate, the operator shall provide a financial assurance mechanism acceptable under SMARA and Title 14, California Code of Regulations, Section 3803. The County and the Supervisor of Mine Reclamation shall review the financial assurance mechanism to ensure compliance with SMARA requirements.

I. **Annual Financial Assurance Cost Estimate.** The operator shall submit an updated financial assurance cost estimate within 30 days of the County's annual inspection of the surface mining operation, in accordance with Public Resources Code Section 2773.4.The County shall review and process the annual financial assurance cost estimate consistent with SMARA requirements.

J. **Release and Transfer.**

1. Financial assurances shall not be required and shall be released upon written notification by the County and the Supervisor of Mine Reclamation, which shall be provided to the operator and the institutions providing or holding the financial

assurance mechanism, when reclamation has been completed in compliance with the approved reclamation plan.

2. If a surface mining operation is sold or ownership is transferred, the existing financial assurances shall remain in effect and shall not be released by the County and the Supervisor of Mine Reclamation until new financial assurances are secured from the new operator and approved by the County in compliance with Public Resources Code Sections 2770, 2773.1, and 2773.4.

3. Within 90 calendar days of the sale or transfer, the new operator shall submit an appropriate financial assurance mechanism for review by the County and the Supervisor of Mine Reclamation pursuant to Public Resources Code Section 2773.4(e). The new financial assurance mechanism may be the existing mechanism if it remains payable in the event of the new operator's financial incapability or abandonment of the surface mining operation.

4. Within 15 calendar days of the sale or transfer, the new operator shall execute a new statement of reclamation responsibility in compliance with Public Resources Code Section 2772(c)(10). [Source: 10-5.111(f)]

K. **Financial Incapability or Abandonment.** The County shall conduct a public hearing to determine whether the operator is financially incapable of performing reclamation in compliance with the approved reclamation plan or has abandoned the surface mining operation without completing reclamation. The County shall provide notice of the public hearing to the operator and the Supervisor of Mine Reclamation at least 30 calendar days prior to the hearing. [Source: 10-5.111(g)]

L. **Forfeiture and Use of Financial Assurances.** If the County, following a public hearing, determines that the operator is financially incapable of performing reclamation in compliance with the approved reclamation plan, or has abandoned the surface mining operation without completing reclamation, the Planning Director shall do all of the following: [Source: 10-5.111(h)]

1. Notify the operator by personal service or certified mail that the County intends to take action to forfeit the financial assurances and specify the reasons for doing so; [Source: 10-5.111(h)(1)]

2. Allow the operator 60 calendar days to commence reclamation in compliance with the approved reclamation plan and require that reclamation be completed within the time limits specified in the approved reclamation plan or another time period mutually agreed upon by the County and the operator; [Source: 10-5.111(h)(2)]

3. Proceed to take appropriate action to require forfeiture of the financial assurances if the operator does not substantially comply with subsection (2) of this subsection; and [Source: 10-5.111(h)(3)]

4. Use the proceeds from the forfeited financial assurances to conduct and complete reclamation in compliance with the approved reclamation plan. If the surface mining operation cannot be reclaimed in compliance with the approved reclamation plan, or the financial assurance mechanisms are inadequate to do so, the County or the Supervisor of Mine Reclamation may use the forfeited financial assurances to reclaim

or remediate mining disturbances as appropriate for site conditions, as determined by both the County and the Supervisor. In no event shall financial assurances be used for any other purpose. The operator shall remain responsible for any costs of reclamation that exceed the proceeds of the forfeited financial assurances (Public Resources Code Section 2773.1(b)(1) through (2)). [Source: 10-5.111(h)(4)]

M. **CEQA.** The review and approval of financial assurance cost estimates and financial assurance mechanisms shall not be considered a project for purposes of the California Environmental Quality Act.

10.125.150 Appeals

The decision of the Planning Director may be appealed to the Planning Commission within 10 calendar days of the decision by filing a notice of appeal with the Clerk of the Planning Commission. The decision of the Planning Commission may be appealed to the Board of Supervisors within 10 calendar days of the decision by filing a notice of appeal with the County Clerk. [Source: 10-5.112]

10.125.160 State Review

A. Before approving a reclamation plan, interim management plan, financial assurances, including existing financial assurances reviewed by the County pursuant to Public Resources Code Section 2773.4, or any amendments, the County shall submit the applicable plan, assurances, or amendments to the Supervisor of Mine Reclamation for review. [Source: 10-5.113(a)]

B. Pursuant to Public Resources Code Sections 2772.1 and 2773.4(b), the Supervisor of Mine Reclamation shall have 30 calendar days to review a reclamation plan for completeness and 15 calendar days to review financial assurances, including any amendments, for completeness. Following determination of completeness, the Supervisor shall have 30 calendar days to comment on reclamation plans, 45 calendar days to comment on financial assurances, and 30 calendar days to comment on interim management plans pursuant to Public Resources Code Section 2770(h)(4)(C).

1. The County shall prepare a written response to the Supervisor's comments describing the disposition of major issues raised and whether the County proposes to adopt the Supervisor's recommendations. If the County does not propose to adopt the Supervisor's comments, the County shall specify in detail the reasons for not doing so. Copies of all written comments and responses shall be provided to the operator.

2. The County shall submit its proposed response to the Supervisor at least 30 calendar days prior to approval of the reclamation plan, plan amendment, interim management plan, financial assurance, or financial assurance amendment.

3. The County shall provide the Supervisor at least 30 calendar days' notice of the time, date, and place of any hearing at which a reclamation plan, amendment, interim management plan, or financial assurance is to be approved. If no hearing is required, the County shall provide at least 30 calendar days' notice of its intent to approve the applicable plan or assurance.

4. Within 30 calendar days following approval of a reclamation plan or plan amendment, the County shall notify the Supervisor of the approval. As soon as practicable, but no

later than 60 calendar days after approval, the County shall submit certified copies of all maps, diagrams, calculations, and required documentation in compliance with Public Resources Code Section 2772.1(b)(7)(A) and (B).

5. The County shall submit its final response to the Supervisor's comments within 30 calendar days following approval of financial assurances or amendments. During this period, the Department retains all powers, duties, and authorities provided by law. [Source: 10-5.113(b)]

C. The County shall notify the Supervisor of Mine Reclamation of the filing of an application for a permit to conduct surface mining operations within 30 calendar days after the application is filed and determined complete. [Source: 10-5.113(c)]

D. Whenever surface mining operations are proposed within the 100-year floodplain for any stream, as shown in Zone A of Flood Insurance Rate Maps issued by the Federal Emergency Management Agency, and within one mile upstream or downstream of any State highway bridge, the County shall notify the Department of Transportation that the application has been received.

1. The Department of Transportation shall have not more than 45 calendar days to review and comment on the proposed surface mining operations with respect to potential damage to the State highway bridge. The County shall not issue or renew the permit until the Department has submitted its comments or until 45 calendar days have elapsed from the date the application was submitted, whichever occurs first (Public Resources Code Section 2770.5).

2. The County shall comply with the procedures and timeframes prescribed in Public Resources Code Section 2774.2.5 when submitting materials to the Supervisor of Mine Reclamation for State review. If there is any conflict between the requirements of this Section and SMARA, the provisions of SMARA shall govern. [Source: 10-5.113(d)]

10.125.170 Transferability

A. Whenever one operator succeeds to the interest of another in any uncompleted surface mining operation by sale, assignment, transfer, conveyance, exchange, or other means, the successor shall be bound by the approved reclamation plan and the provisions of this Chapter (Public Resources Code Section 2779). [Source: 10-5.114(a)]

B. Financial assurances provided by the successor shall be approved by the County and the Department of Conservation, and the financial assurance mechanism shall be in place prior to continuation of surface mining operations. [Source: 10-5.114(b)]

10.125.180 Annual Inspections and Reports

A. Surface mining operators shall submit an annual status report to the Supervisor of Mine Reclamation and the County on a date established by the Supervisor, using forms furnished by the State Mining and Geology Board (Public Resources Code Section 2207(a) through (h)). [Source: 10-5.115(a)]

B. The County shall conduct an inspection of each surface mining operation at intervals of not more than 12 months to determine compliance with this Chapter. In no event shall the County inspect a surface mining operation less than once per calendar year.

The inspection shall trigger the operator's obligation to submit an updated financial assurance cost estimate within 30 days in accordance with Public Resources Code Section 2773.4.

The County may conduct the inspection or may retain a State-registered geologist, State-registered civil engineer, State-licensed landscape architect, State-registered forester, or a qualified County employee experienced in land reclamation and not employed by the mining operation in any capacity during the preceding 12 months.

All inspections shall be conducted using a form developed by the Division of Mine Reclamation and approved by the State Mining and Geology Board. The operator shall be responsible for the reasonable cost of the inspection.

The County shall provide a notice of completion of the inspection to the Supervisor of Mine Reclamation within 90 calendar days of the inspection. The notice shall include a statement regarding compliance with this Chapter, a copy of the completed inspection form, and, as applicable, all of the following: [Source: 10-5.115(b)]

1. Aspects of the surface mining operation, if any, that were inconsistent with this Chapter but were corrected prior to submission of the inspection form; [Source: 10-5.115(b)(1)]
2. Aspects of the surface mining operation, if any, that were inconsistent with this Chapter and were not corrected prior to submission of the inspection form; [Source: 10-5.115(b)(2)]
3. A statement describing the County's intended response to any aspects of the surface mining operation found to be inconsistent with this Chapter that were not corrected prior to submission of the inspection form; and [Source: 10-5.115(b)(3)]
4. A statement as to whether the surface mining operation is out of compliance with an order to comply or a stipulated order to comply issued by the County. [Source: 10-5.115(b)(4)]

C. If review of a reclamation plan, financial assurances, or an interim management plan is pending under subdivision (b) or (h) of Public Resources Code Section 2770, or an appeal is pending before the State Mining and Geology Board or the Board of Supervisors, the notice shall so indicate. The County shall provide the operator with a copy of the notice, the completed inspection form, and any supporting documentation, including any inspection report prepared by the person conducting the inspection (Public Resources Code Section 2774(b)). [Source: 10-5.115(c)]

10.125.190 Record Keeping

A. The County shall establish and maintain procedures to ensure organized record keeping and monitoring of surface mining reclamation activities under its jurisdiction. The County shall forward a copy of each permit, approved reclamation plan, and financial assurance instrument to the Department of Conservation (Title 14, California Code of Regulations, Section 3504). [Source: 10-5.116(a)]

B. Reclamation plans, reports, applications, and other documents submitted pursuant to this Chapter are public records, unless it is demonstrated to the satisfaction of the County that release of the information, or a portion thereof, would reveal production, reserves, or rate of depletion entitled to protection as proprietary information. The County shall identify such proprietary information as a separate part of the application. Proprietary information shall be made available only to the Department of Conservation and to persons authorized in writing by the operator and the property owner (Public Resources Code Section 2778(a)). [Source: 10-5.116(b)]

C. A copy of all reclamation plans, reports, applications, and other documents submitted pursuant to this Chapter shall be provided to the Department of Conservation upon request (Public Resources Code Section 2778(b)). [Source: 10-5.116(c)]

10.125.200 Enforcement

A. If the Planning Director, or the Director's designee, determines, based on an annual inspection or other verified inspection of a surface mining operation, that the operation is not in compliance with SMARA, the approved reclamation plan, an interim management plan, or this Chapter, the Planning Director may initiate enforcement procedures and remedies in accordance with Public Resources Code Section 2774.1, including issuance of a notice of violation, orders to comply, and administrative penalties. These procedures and remedies are non-exclusive and in addition to any other remedies available under law. [Source: 10-5.117(a)]

B. Appeals. An appeal of an order to comply that does not include administrative penalties shall be filed with the Planning Commission within 30 calendar days of the order. An appeal of an order imposing administrative penalties shall be filed with the Board of Supervisors within 30 calendar days of the order. Appeals shall be processed in accordance with Section XXXX (Public Resources Code Sections 2774.1(a)(3)(B) and 2774.2(a)). [Source: 10-5.117(b)]

10.125.210 Fees

A. The County shall establish fees as necessary to recover the reasonable costs incurred in implementing this Chapter and applicable State law, including costs associated with processing applications and appeals, review of annual reports, inspections, monitoring, enforcement, and compliance.

B. Such fees shall be paid by the operator of the surface mining operation at the time of filing a reclamation plan application, an application to modify a reclamation plan, an appeal, or a request for extension, and at other times as determined by the County to ensure that all reasonable costs of implementing this Chapter are borne by the operator. [Source: 10-5.118]

10.125.220 Certification and Review

A. **Certification.** This Chapter shall be submitted to the State Mining and Geology Board for review and certification in accordance with Public Resources Code Sections 2774.3 and 2774.5.

B. **Ongoing Compliance.** The County shall periodically review and revise this Chapter as necessary to maintain consistency with SMARA and its implementing regulations.

10 – Planning and Zoning

Part 5 – Zones, Land Uses, and Development Standards

ADMINISTRATIVE DRAFT

MAY 2026

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Chapter 10.125

Agricultural, Timberland, and Open Space Zones (AG1, AG2, TPZ, OS)

Chapter 10.125 Agricultural, Timberland, and Open Space Zones (AG1, AG2, TPZ, OS)

Sections

10.125.010 Purpose and Intent of Agricultural, Timberland, and Open Space Zones
10.125.020 Land Use Regulations for Agricultural, Timberland, and Open Space Zones
10.125.030 Additional Land Use Regulations
10.125.040 Development Standards for Agricultural, Timberland, and Open Space Zones
10.125.050 Additional Development Standards
10.125.060 Lands Subject to the Land Conservation Act (Williamson Act)

10.125.010 Purpose and Intent of Agricultural, Timberland, and Open Space Zones

A. **Purpose.** The purpose of this Chapter is to establish allowed land uses, permit requirements, and development standards for the County's agricultural zones (AG1 and AG2), Timberland Production Zone (TPZ), and Open Space Zone (OS). [Source: NEW]

B. **Intent.** This Chapter preserves lands suited for commercial agriculture, timber production, and open space to maintain rural character, and prevent the premature conversion of agricultural, timberlands, and open space. In AG-1, AG-2, and TPZ zones, agricultural and timber uses are the primary uses of the land. Non-agricultural and non-timber uses are allowed only if they are compatible with and do not interfere with agricultural and timber uses. In the OS Zone, open space preservation and associated land uses are allowed. [Source: NEW]

C. **Zone Purpose Statements.** The purpose of each zone is as follows:

1. **Prime Agricultural Zone (AG1).** The AG1 zone applies to lands designated as Prime Agricultural land in the General Plan that are used or suitable for intensive agricultural production. Agriculture is the primary use of the land. Development that would convert agricultural land to non-agricultural uses or result in fragmentation of agricultural land is restricted. [Source: 10-6.5001, modified]

2. **Non-Prime Agricultural Zone (AG2).** The AG2 zone applies to lands designated for agricultural use in the General Plan that are not designated as Prime Agricultural land. Agriculture is the primary use of the land. This zone allows agricultural and agriculturally related uses. Minimum parcel sizes vary based on soil conditions, climate, and agricultural capability. [Source: 10-6.4901, modified]

3. **Timberland Production Zone (TPZ).** The TPZ zone applies to lands designated for timberland production in the General Plan. Timber production and forest management are the primary uses of the land. This zone allows timber production, forest management, and compatible uses consistent with the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976. Development that would convert timberland to

non-timber uses or result in fragmentation of timberland is restricted. [Source: 10-6.5101, modified]

4. **Open Space Zone (OS).** The OS zone applies to lands designated for the long-term preservation of public, quasi-public, and private open space areas in order to protect natural resources and support the health, safety, and welfare of the public.

10.125.020 Land Use Regulations for Agricultural, Timberland, and Open Space Zones

A. **Allowed Uses.** Table 10.125-1 (Allowed Uses and Permit Requirements for Agricultural, Timberland, and Open Space Zones) identifies the uses allowed within each agricultural, timberland, and open space zone and the permit required for each use, in compliance with Part 3 (Permit Requirements). [Source: NEW]

B. **Additional Regulations.** Where Table 10.125-1 references a Chapter or Section, the requirements of that Chapter or Section shall apply in addition to the requirements of the table. [Source: NEW]

C. **Accessory Uses.** Accessory uses shall be allowed in compliance with Section __ (Accessory Uses and Structures). [Source: NEW]

D. **Definitions.** Definitions applicable to this Section shall be as provided in Part 8 (Definitions). [Source: NEW]

E. **Uses Not Listed.** Uses not listed in Table 10.125-1 shall be prohibited. unless otherwise reviewed by the Planning Director and determined to be appropriate in the applicable zone and any permit(s) required for the use. [Source: NEW]

F. **Zoning Clearance Permit Required.** Uses identified in Table 10.125-1 as permitted by right ("P") shall require issuance of a Zoning Clearance Permit in compliance with Chapter __ (Zoning Clearance Permit) prior to establishment of the use or construction of any structure associated with the use. [Source: 10-6.3602.207, modified]

G. **Multi-Use Parcels.** More than one use may be allowed on a parcel, provided that: [Source: 10-6.304, modified]

1. Each use is allowed in the underlying zone as established in Table 10.125-1; [Source: 10-6.304, modified]
2. The uses are compatible with one another and with adjacent uses;
3. Each use complies with all applicable development standards of the zone; [Source: 10-6.304, modified]
4. Each use independently meets minimum parcel size requirements; [Source: 10-6.304, modified]
5. For parcels subject to an Administrative Use Permit or Use Permit, only uses authorized by the permit shall be allowed. [Source: 10-6.304, modified]

H. **Williamson Act Compliance.** Properties subject to a Williamson Act contract shall comply with Section 10.125.060 (Lands Subject to the Land Conservation Act). [Source: NEW]

I. **Timberland Production Zone Compliance.** Properties zoned or proposed to be zoned TPZ shall meet the qualification requirements of Subsection 10.125.030.A and Government Code Sections 51110 through 51119.5. [Source: NEW]

J. **Waiver of Planning Fees.** Permit applications submitted by a public agency shall not be subject to Planning Department filing fees. [Source: 10-6.5204, modified]

Table 10.125-1: Allowed Uses and Permit Requirements for Agricultural, Timberland, and Open Space Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed				
Land Use	**Zone**				**Additional Requirements**
	AG1	**AG2**	**TPZ**	**OS**	
Residential Uses					
Accessory dwelling unit	P	P	P	-	Chapter 10.100
Caretaker's unit	AUP	AUP	-	-	Section 10.95.050
Cottage food operation	AUP	AUP	-	-	
Dwelling, single-family	P	P	UP	-	
Dwelling, duplex	AUP	AUP	-	-	
Dwelling, triplex	-	-	-	-	
Dwelling, multi-family	-	-	-	-	
Emergency shelter	-	-	-	-	Section 10.95.050
Family day care home	P	P	-	-	
Employee housing	P	P	P	-	Section 10.95.060
Guest house	P	P	-	-	
Home occupation	AUP	AUP	-	-	Section 10.95.090
Home enterprise	AUP	AUP	-	-	Section 10.95.080
Low barrier navigation center	-	-	-	-	
Manufactured home	P	P	-	-	

Table 10.125-1: Allowed Uses and Permit Requirements for Agricultural, Timberland, and Open Space Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed				
Land Use	**Zone**				**Additional Requirements**
	AG1	**AG2**	**TPZ**	**OS**	
Mobile home park and recreational vehicle park	-	UP	-	-	
Residential care facility, six or fewer	-	-	-	-	
Residential care facility, more than six	-	-	-	-	
Rooming house or boarding house	-	-	-	-	
Skilled nursing facility	-	-	-	-	
Single-room occupancy units	-	-	-	-	
Transitional and supportive housing	-	-	-	-	Section 10.95.100
Vacation rental	P	P	P	-	Section 10.95.140
Commercial Uses					
Adult entertainment	-	-	-	-	
Animal hospital	UP	UP	-	-	
Automobile service station	-	-	-	-	
Bed and breakfast establishment	-	UP	-	-	
Bank/financial institution	-	-	-	-	
Daycare center	-	-	-	-	
Car wash	-	-	-	-	

Table 10.125-1: Allowed Uses and Permit Requirements for Agricultural, Timberland, and Open Space Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed				
Land Use	**Zone**				**Additional Requirements**
	AG1	**AG2**	**TPZ**	**OS**	
Copying and printing establishment	-	-	-	-	
Department store	-	-	-	-	
Distillery, brewery, or winery	AUP/UP	AUP/UP	-	-	
Equipment rental and leasing	-	P	-	-	
Farm Stand/Direct Sales	P	P	-	-	
Feed store	P	P	-	-	
Gas stations	-	-	-	-	
Health services/community clinic	-	-	-	-	
Hospital	-	-	-	-	
Hotel/motel	-	-	-	-	
Laundromat	-	-	-	-	
Lodging, Small-Scale (Rural)	UP	AUP	-	-	
On- and off-sale liquor establishment	-	-	-	-	
Pounds and kennel	-	UP	-	-	
Personal services	-	-	-	-	
Professional office	-	-	-	-	
Restaurant	-	-	-	-	
Refreshment Stands	AUP	AUP		-	
Retail, nursery	P	P	-	-	

Table 10.125-1: Allowed Uses and Permit Requirements for Agricultural, Timberland, and Open Space Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed				
Land Use	**Zone**				**Additional Requirements**
	AG1	**AG2**	**TPZ**	**OS**	
Retail, general	-	-	-	-	
Retail, motor vehicle sales	-	-	-	-	
Theater	-	-	-	-	
Truck and utility trailer rental	-	P	-	-	
Storage, large and mini	-	-	-	-	
Mortuary	-	-	-	-	
Industrial Uses					
Auto body shop	-	-	-	-	
Assembly and manufacturing	-	-	-	-	
Bulk storage/Warehousing	-	-	-	-	
Cabinet shop	-	-	-	-	
Cannery	-	-	-	-	
Chemical manufacturing	-	-	-	-	
Concrete or asphalt production	-	-	-	-	
Contractor Yard (Limited)	P	P	-	-	
Copying and printing establishments					
Data centers	-	-	-	-	
Drilling for oil or gas	-	-	UP	-	
Dump, disposal, garbage, sewer, refuse	-	-	-	-	

Table 10.125-1: Allowed Uses and Permit Requirements for Agricultural, Timberland, and Open Space Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed				
Land Use	**Zone**				**Additional Requirements**
	AG1	**AG2**	**TPZ**	**OS**	
Electrical generation facility	-	-	-	-	
Electronics manufacturing	-	-	-	-	
Fertilizer production	-	-	-	-	
Food processing	-	-	-	-	
Foundry	-	-	-	-	
Ice manufacturing and cold storage	-	-	-	-	
Junk yard and wrecking yard	-	-	-	-	
Lumber yard	-	UP	-	-	
Medical and dental laboratory	-	-	-	-	
Mining	-	UP	UP	-	Chapter 10.120
Non-retail laundry and dry cleaner	-	-	-	-	
Offsite construction, maintenance services, and contractors' yard	-	UP	-	-	
Pharmaceutical manufacturing	-	-	-	-	
Recycling plant	-	-	-	-	
Repair garage	-	-	-	-	
Research and development lab/institute	UP	UP	-	-	
Saw shop	-	-	-	-	
Slaughterhouse	UP	UP	-	-	

Table 10.125-1: Allowed Uses and Permit Requirements for Agricultural, Timberland, and Open Space Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed				
Land Use	**Zone**				**Additional Requirements**
	AG1	**AG2**	**TPZ**	**OS**	
Tannery	-	-	-	-	
Timber/wood processing facility	UP	UP	-	-	
Towing service	-	-	-	-	
Truck terminal and truck storage	-	UP	-	-	
Truck service station	-	-	-	-	
Welding shop, machine shop, and metal shop	-	-	-	-	
Wholesale storage and sales	-	UP	-	-	
Agriculture and Resources Uses					
Agricultural enterprise	AUP	AUP	-	-	
Agricultural processing (small-scale)	AUP	AUP	-	-	
Agricultural support services	AUP	AUP	-	-	
Agricultural use	P	P	-	P	
Agritourism	AUP	AUP	-	-	
Commercial feed yard	UP	UP	-	-	
Creamery	AUP	AUP	-	-	
Farmworker housing	P	P	-	P	Section 10.95.060
Greenhouse	P	P	-	-	
Wholesale nursery	P	P	-	-	

Table 10.125-1: Allowed Uses and Permit Requirements for Agricultural, Timberland, and Open Space Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed				
Land Use	**Zone**				**Additional Requirements**
	AG1	**AG2**	**TPZ**	**OS**	
Dairy, commercial poultry operation, and hog farm	UP	UP	-	-	
Grazing	P	P	P	P	
Growing and harvesting timber	-	-	P	P	Section 10.125.030.A
Guest ranches and public stables	AUP	AUP	-	-	
Hemp Cultivation	AUP	AUP	-	-	Section 10.95.070
Recreational and educational use	P	P	P	-	Section 10.125.030.D
Solar Farm	UP	UP	-	-	
Education, Public Assembly, and Recreation Uses					
Campground (including Glamping/Hipcamps)	-	UP	-	-	
Cemetery	-	UP	-	-	
Community center	-	-	-	-	
Golf course	-	-	-	UP	
Health/fitness club	-	-	-	-	
Library	-	-	-	-	
Instructional Use (Non-School)	AUP	AUP	-	-	
Nonprofit recreational use	P	P	P	UP	
Park/playground	-	-	-	UP	
Place of assembly			-	-	

Table 10.125-1: Allowed Uses and Permit Requirements for Agricultural, Timberland, and Open Space Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed				
Land Use	**Zone**				**Additional Requirements**
	AG1	**AG2**	**TPZ**	**OS**	
Recreation facility	-	UP	-	-	
Public/government building	P	P	P	-	
Recreation/entertainment establishment	UP	UP	-	-	
Rest area	-	-	-	-	
Resort	-	UP	-	-	
School, trade and vocational	-	-	-	-	
School, college/university	-	UP	-	-	
School, primary, secondary	-	UP	-	-	
Scientific study site	AUP	AUP	AUP	P	
Special event facility	UP	UP	-	-	Section 10.95.130
Other Uses					
Accessory structure	P	P	P	P	Section 10.95.020
Accessory use	P	P	P	P	Section 10.95.020
Temporary use	AUP	AUP	AUP	AUP	Section 10.95.120
Airstrip/heliport	UP	UP	UP	-	
Amateur radio antenna	AUP	AUP	AUP	-	
Construction of levee/dike	UP	UP	UP	-	

Table 10.125-1: Allowed Uses and Permit Requirements for Agricultural, Timberland, and Open Space Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed				
Land Use	**Zone**				**Additional Requirements**
	AG1	**AG2**	**TPZ**	**OS**	
Equipment and Material Storage (Non-Industrial)	P	P	-	-	
Heavy equipment storage, self-owned	P	P	P	-	
Public utility	P	P	P	-	
Parking lot	-	-	-	-	
Racetracks for motor, non-motor vehicles	-	UP	-	-	
Residential storage building, one	P	P	-	-	Section 10.95.110
Storage elevator	-	-	-	-	
Wildlife Rescue and Preserve	-	AUP	UP	P	

10.125.030 Additional Land Use Regulations

A. **Timberland Production Zone Qualification.**

To qualify for the Timberland Production Zone (TPZ) zoning designation, a parcel shall meet all of the following requirements:

1. **Eligibility.** The parcel shall meet one of the following:

   a. The parcel is identified on List A or List B pursuant to the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976; or [Source: 10-6.5104(a)]

   b. The parcel meets the stocking standards of the Forest Practice Rules and contains a minimum equivalency to 40 acres of Site Class III timberland, or otherwise meets the minimum standards adopted by resolution of the Board of Supervisors for inclusion under List C for the Timberland Production Zone (TPZ) District. [Source: 10-6.5104(b); BOS Resolution 119]

2. **Minimum Term.** Parcels zoned TPZ shall remain in TPZ for a minimum initial term of 10 years from the date of approval. After the initial term, TPZ zoning shall automatically renew annually on the anniversary date unless a notice of nonrenewal is filed in accordance with Government Code Section 51120. [Source: 10-6.5105, modified]

3. **Division of Parcels.**

   a. **General.** A TPZ parcel shall not be divided if any resulting parcel would be less than 40 acres in area. Divisions shall comply with applicable County regulations governing TPZ parcels. [Source: 10-6.5106; 10-6.5108, modified]

   b. **Parcels Over 160 Acres. P**arcels greater than 160 acres may be divided into parcels smaller than 160 acres where each resulting parcel complies with Government Code Section 51119.5 and meets the eligibility criteria in Subsection A.1.b. [Source: 10-6.5108, modified]

4. **Rezoning.** Rezoning of TPZ land to another zoning designation shall comply with the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976 (Government Code Section 51100 et seq.). [Source: 10-6.5107, modified]

B. **Distillery, Brewery, or Winery.**

1. **Where Allowed.** Distilleries, breweries, and wineries are allowed in the AG-1 and AG-2 zones only where agricultural crops used in the operation (e.g., grapes, fruit, grain) are grown on the parcel.

2. **Permit Required.** The permit required for a distillery, brewery, or winery in the AG1 or AG2 zones shall comply with the following based on the size of the facility:

   a. Administrative Use Permit: Less than 10,000 square feet

   b. Use Permit: 10,000 square feet or greater

C. **Recreational and Educational Uses.** Recreational and educational uses are allowed in AG-1, AG-2, and TPZ zones provided they do not interfere with the primary purpose of the zone, including agricultural production or timber management. Such uses may include, but are not limited to, swimming, hunting, fishing, camping, walking, hiking, picnicking, boating, and environmental or ecological study. [Source: NEW]

10.125.040 Development Standards for Agricultural, Timberland, and Open Space Zones

A. **General**. Table 10.125-2 establishes site and structure regulations applicable to development within the agricultural and resource zones. The table may reference additional requirements contained in other Chapters or Sections of this Title, including but not limited to parking, landscaping, signs, fences and walls, and performance standards. [Source: NEW]

B. **Additional Regulations.** Where Table 10.125-2 references a Chapter or Section, the requirements of that Chapter or Section shall apply in addition to the standards established in the table. [Source: NEW]

C. **Maximum Density and Floor Area Ratio Requirements.** Maximum density and floor area ratio shall be consistent with the General Plan land use designation applicable to the property, as established in Part 1 of this Title. [Source: NEW]

Table 10.125-2: Development Standards for Agriculture, Timberland, and Open Space Zones

Development Standard	Zone				Additional Standards
	AG1	AG2	TPZ	OS	
Minimum Parcel Size	40 acres	10 acres	40 acres	10,000 sq. ft. 1 acre if parcel uses septic	10.125.050.B
Maximum Height	40 ft	40 ft	40 ft	35 ft	
Maximum Parcel Coverage	10%	20%	1 acre	35%	
Minimum Parcel Width	-	-	-	-	
Front Setback (min.)	50 ft	50 ft	50 ft	50 ft	
Side Setback (min.)	30 ft	30 ft	30 ft	30 ft	
Rear Setback (min.)	30 ft	30 ft	30 ft	30 ft	
Additional Regulations					
Regulation	**Chapter or Section**				
Accessory Dwelling Units	Chapter 10.105				
Accessory Uses/Structures	Section __				
Fences and Walls	Chapter 10.85				
Height Measurements and Exceptions	Section 10.70.030				
Landscaping	Chapter 10.75				
Setback Measurements and Exceptions	Section 10.70.040				
Parking	Chapter 10.80				
Signs	Chapter 10.90				
Performance Standards	Chapter 10.95				

10.125.050 Additional Development Standards

A. **Minimum Parcel Size.** The minimum parcel size may be reduced in the following cases: [Source: 10-6.5501, modified]

1. A parcel that is created to preserve historic and/or cultural resources; [Source: 10-6.5501, modified]
2. A parcel that is created to serve water, sanitary, or Public Utility Commission required infrastructure improvements; or [Source: 10-6.5501, modified]
3. A parcel that the Planning Commission finds is necessary to serve public safety uses provided all the following are true: [Source: 10-6.5501, modified]
    a. The proposed future use is consistent with the applicable zone, [Source: 10-6.5501, modified]
    b. Specific findings are made by the Public Health Officer that sanitary issues have been addressed, and [Source: 10-6.5501, modified]
    c. As a condition of the subdivision, a deed restriction shall be placed on the parcel that specifies that should the use be discontinued, that parcel must be remerged with the parent parcel before it could be used for a use that would otherwise require the minimum parcel size for the zone. [Source: 10-6.5501, modified]

10.125.060 Lands Subject to the Land Conservation Act (Williamson Act)

A. **Purpose and Intent.** Pursuant to California Government Code Sections 51200 through 51297.4 (the Williamson Act), landowners may enter into a land conservation contract with the County to restrict non-agricultural or open space uses on agricultural or open space lands in exchange for reduced property tax assessments. [Source: NEW]

B. **Eligibility.** A parcel is eligible for a land conservation contract if it meets all of the following: [Source: NEW]

1. Is zoned AG-1 or AG-2; and [Source: NEW]
2. Complies with the requirements of this Section and Government Code Sections 51222 or 51223, as applicable. [Source: NEW]

C. **Supporting Documents.** The application shall include sufficient information to evaluate agricultural capability, which may include:

1. Gross annual income and expenses;
2. Inventory of livestock;
3. Description of capital improvements; and
4. Any additional information required by the County.

D. **Contract Terms.**

1. **Landowner Authorization.** All landowners of record shall sign the application. [Source: NEW]
2. **Minimum Term.** Contracts shall have an initial term of 10 years and shall automatically renew annually unless a notice of nonrenewal is filed in accordance with Subsection F. [Source: NEW]
3. **Effective/Renewal Date.** Contracts shall become effective on [MONTH DAY] of the year following approval, which shall also serve as the annual renewal date. [Source: NEW]
4. **Application Deadline.** Applications for new contracts shall be submitted by [MONTH DAY] for consideration in the following year. [Source: NEW]

E. **Notice of Nonrenewal.** A notice of nonrenewal shall be filed by either the landowner or the County at least 90 calendar days prior to the annual renewal date. Failure to file a notice of nonrenewal shall result in automatic renewal of the contract for an additional year. [Source: NEW]

F. **Cancellation.** A contract may be cancelled prior to expiration in compliance with Government Code Sections 51280 through 51287. Cancellation shall result in payment of a cancellation fee equal to the tax benefits received during the term of the contract, as determined in accordance with State law. [Source: NEW]

Chapter 10.130

Residential Zones (RR, RL, RM)

Chapter 10.130 Residential Zones (RR, RL, RM)

Sections

10.130.010 Purpose and Intent of Residential Zones
10.130.020 Land Use Regulations for Residential Zones
10.130.030 Additional Land Use Regulations
10.130.040 Development Standards for Residential Zones
10.130.050 Additional Development Standards

10.130.010 Purpose and Intent of Residential Zones

A. **Purpose.** The purpose of this Chapter is to establish allowed land uses, permit requirements, and development standards for residential zones. [Source: NEW]

B. **Intent.** This Chapter is intended to provide areas within the County that accommodate a range of residential uses and housing types to meet the needs of current and future residents, consistent with the General Plan, Housing Element, and applicable state law. [Source: NEW]

C. **Zone Purpose Statements.** The purpose of each residential zone is as follows:

1. **Rural Residential Zone (RR).** The RR zone is intended to support a rural lifestyle where residential uses may be compatibly combined with agricultural activities. The zone accommodates low-density development in areas characterized by open space, large parcels, and working landscapes, while allowing uses such as small-scale farming, grazing, and home-based enterprises. The RR zone serves as a transition between urban residential areas and more intensive agricultural and resource zones. [Source: 10-6.4801, modified]

2. **Residential-Low Zone (RL).** The RL zone is intended for low-density residential development, primarily consisting of single-family neighborhoods and compatible uses. The zone provides predictable development standards that maintain neighborhood character while accommodating accessory uses and housing types consistent with state law. [Source: 10-6.3701, modified]

3. **Residential-Mixed Zone (RM).** The RM zone is intended to accommodate a range of housing types, including duplexes, townhomes, and multi-family development in appropriate locations. The zone supports housing choice, infill development, and efficient land use while ensuring compatibility with surrounding neighborhoods. [Source: 10-6.3901, modified]

10.130.020 Land Use Regulations for Residential Zones

A. **Allowed Uses.** Table 10.130-1 (Allowed Uses and Permit Requirements for Residential Zones) identifies the uses allowed within each residential zone and the permit required for each use, in compliance with Part 3 (Permits Requirements). [Source: NEW]

B. **Additional Regulations.** Where Table 10.130-1 (Allowed Uses and Permit Requirements for Residential Zones) references a Chapter or Section, the requirements of that Chapter or Section shall apply in addition to the requirements of the table. [Source: NEW]

C. **Accessory Uses.** Accessory uses in residential zones shall be allowed in compliance with Section __ (Accessory Uses and Structures). [Source: NEW]

D. **Definitions.** The definitions of land uses and other terminology used in this Section shall apply as established in Part 8 (Definitions). [Source: NEW]

E. **Uses Not Listed.** Uses not listed in Table 10.130-1 (Allowed Uses and Permit Requirements for Residential Zones) shall be prohibited unless otherwise reviewed by the Planning Director and determined to be appropriate in the applicable zone and any permit(s) required for the use. [Source: NEW]

F. **Zoning Clearance Permit Required.** Each land use specified in Table 10.130-1 (Allowed Uses and Permit Requirements for Residential Zones) as allowed by right (indicated with a "P") shall require the issuance of a Zoning Clearance Permit in compliance with Chapter __ (Zoning Clearance Permit) before the commencement of a use or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure that acknowledges the proposed use or structure complies with the provisions of this Chapter and any applicable standards established in this Title. [Source: 10-6.3602.207, modified]

G. **Multi-Use Parcels.** More than one use may be allowed on one parcel in any residential zone with approval by the Planning Director provided: [Source: 10-6.304, modified]

1. The proposed second use(s) is allowed in the underlying zone as established in Table 10.125-1 (Allowed Uses and Permit Requirements for Agricultural and Resource Zones) and there is no conflict between the uses on the parcel and adjacent parcels; [Source: 10-6.304, modified]

2. The applicable requirements and development standards of the zone, as established in this Chapter, are met; [Source: 10-6.304, modified]

3. Each use shall meet the minimum parcel area requirements independently of the other use; [Source: 10-6.304, modified]

4. For parcels with an approved Use Permit or Administrative Use Permit, only uses specifically described in the use permit shall be allowed; and [Source: 10-6.304, modified]

5. A dwelling unit is established on the parcel before a second use is allowed or approved for the parcel. [Source: NEW]

Table 10.130-1: Allowed Uses and Permit Requirements for Residential Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed			
Land Use	**Zone**			**Additional Requirements**
	RR	**RL**	**RM**	
Residential Uses				
Accessory dwelling unit	P	P	P	Chapter 10.100
Caretaker's unit	-	-	-	10.95.___
Cottage food operation	AUP	AUP	AUP	
Dwelling, single-family	P	P	P	
Dwelling, duplex	AUP	AUP	P	
Dwelling, triplex	-	AUP	P	
Dwelling, multi-family	-	-	P	
Emergency shelter	-	-	UP	Section 10.95.050
Family day care home	P	P	P	
Employee housing	P	P	P	Section 10.95.060
Guest house	P	P	P	
Home occupation	AUP	AUP	AUP	Section 10.95.090
Home enterprise	AUP	AUP	AUP	Section 10.95.080
Low barrier navigation centers	-	UP	UP	
Manufactured home	P	P	P	
Mobile home park and recreational vehicle park	UP	-	UP	
Residential care facility, six or fewer	P	P	P	
Residential care facility, more than six	UP	UP	P	

Table 10.130-1: Allowed Uses and Permit Requirements for Residential Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed			
Land Use	**Zone**			**Additional Requirements**
	RR	**RL**	**RM**	
Rooming house or boarding house	UP	-	UP	
Skilled nursing facility	UP	-	UP	
Single-room occupancy units	-	-	P	
Transitional and supportive housing	P	P	P	Section 10.95.100
Vacation rentals	P	P	P	Section 10.95.140
Commercial Uses				
Adult entertainment	-	-	-	
Animal hospital	UP	-	-	
Automobile service station	-	-	-	
Bed and breakfast establishment	UP	-	UP	
Bank/financial institution	-	-	-	
Daycare center	UP	UP	UP	
Car wash	-	-	-	
Copying and printing establishment	-	-	-	
Department store	-	-	-	
Distillery, brewery, or winery	-	-	-	
Equipment rental and leasing	-	-	-	
Feed store	P	-	-	
Gas stations	-	-	-	

Table 10.130-1: Allowed Uses and Permit Requirements for Residential Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed			
Land Use	**Zone**			**Additional Requirements**
	RR	**RL**	**RM**	
Health services/community clinic	UP	UP	UP	
Hospital	UP	UP	UP	
Hotel/motel	-	-	-	
Laundromat	-	-	UP	
Limited Food Service	AUP	AUP	-	
On- and off-sale liquor establishment	-	-	-	
Pounds and kennel	UP	-	-	
Personal services	-	-	-	
Professional office	-	-	-	
Restaurant	-	-	-	
Refreshment Stands	UP	UP	UP	
Retail, nursery	P	-	-	
Retail, general	-	-	-	
Retail, motor vehicle sales	-	-	-	
Theater	-	-	-	
Truck and utility trailer rental	-	-	-	
Storage, large and mini	-	-	-	
Mortuary	-	-	-	
Industrial Uses				
Auto body shop	-	-	-	
Assembly and manufacturing	-	-	-	

Table 10.130-1: Allowed Uses and Permit Requirements for Residential Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed			
Land Use	**Zone**			**Additional Requirements**
	RR	**RL**	**RM**	
Copying and printing establishments	-	-	-	
Bulk storage/Warehousing	-	-	-	
Cabinet shop	-	-	-	
Cannery	-	-	-	
Chemical manufacturing	-	-	-	
Concrete or asphalt production	-	-	-	
Data centers	-	-	-	
Drilling for oil or gas	-	-	-	
Dump, disposal, garbage, sewer, refuse	-	-	-	
Electrical generation facility	-	-	-	
Electronics manufacturing	-	-	-	
Fertilizer production	-	-	-	
Food processing	-	-	-	
Foundry	-	-	-	
Ice manufacturing and cold storage	-	-	-	
Junk yard and wrecking yard	-	-	-	
Lumber yard	-	-	-	
Medical and dental laboratory	-	-	-	
Mining	-	-	-	

Table 10.130-1: Allowed Uses and Permit Requirements for Residential Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed			
Land Use	**Zone**			**Additional Requirements**
	RR	**RL**	**RM**	
Non-retail laundry and dry cleaner	-	-	-	
Offsite construction, maintenance services, and contractors' yard	-	-	-	
Pharmaceutical manufacturing	-	-	-	
Power generation plant	-	-	-	
Recycling plant	-	-	-	
Repair garage	-	-	-	
Research and development lab/institute	UP	-	-	
Saw shop	-	-	-	
Slaughterhouse	-	-	-	
Tannery	-	-	-	
Timber/wood processing facility	-	-	-	
Towing service	-	-	-	
Truck terminal and truck storage	-	-	-	
Truck service station	-	-	-	
Welding shop, machine shop, and metal shop	-	-	-	
Wholesale storage and sales	-	-	-	
Agricultural and Resource Uses				
Agricultural enterprise	AUP	-	-	

Table 10.130-1: Allowed Uses and Permit Requirements for Residential Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed			
Land Use	**Zone**			**Additional Requirements**
	RR	**RL**	**RM**	
Agricultural use	AUP	-	-	Section 10.130.030.A
Agritourism	AUP	-	-	
Commercial feed yard	-	-	-	
Creamery	-	-	-	
Farm labor housing	UP	-	-	Section 10.95.060
Greenhouse	P	AUP	AUP	
Wholesale nursery	-	-	-	
Dairy, commercial poultry operation, commercial feed lot, and hog farm	-	-	-	
Grazing	P	-	-	
Growing and harvesting timber	-	-	-	
Guest ranches and public stables	AUP	-	-	
Hemp Cultivation	AUP			Section 10.95.070
Recreational and educational use	P	-	-	Section 10.125.030.B
Solar Farm	-	-	-	
Education, Public Assembly, and Recreation				
Campground (including Glamping/Hipcamps)	UP	-	-	
Cemetery	UP	UP	UP	
Community center	AUP	AUP	AUP	
Golf course	-	-	-	

Table 10.130-1: Allowed Uses and Permit Requirements for Residential Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed			
Land Use	**Zone**			**Additional Requirements**
	RR	**RL**	**RM**	
Health/fitness club	-	-	AUP	
Library	-	-	AUP	
Nonprofit recreational use	-	-	-	
Park/playground	AUP	AUP	AUP	
Place of assembly	AUP	AUP	AUP	
Recreation facility	AUP	-	-	
Public/government building	P	P	P	
Recreation/entertainment establishment	-	-	-	
Rest area	-	-	-	
Resort	-	-	-	
School, trade, and vocational	UP	UP	UP	
School, college/university	-	-	-	
School, primary, secondary	UP	UP	UP	
Scientific study site	AUP	-	-	
Special event facility	UP	-	-	Section 10.95.130
Other Uses				
Accessory structure	P	P	P	Section 10.95.020
Accessory use	P	P	P	Section 10.95.020
Temporary use	P	P	P	Section 10.95.120
Airstrip/heliport	UP	UP	UP	
Amateur radio antenna	AUP	AUP	-	

Table 10.130-1: Allowed Uses and Permit Requirements for Residential Zones

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed			
Land Use	**Zone**			**Additional Requirements**
	RR	**RL**	**RM**	
Construction of levee/dike	UP	UP	UP	
Heavy equipment storage, self-owned	P	AUP	-	
Public utility	P	P	P	
Parking lot	AUP	AUP	AUP	
Racetracks for motor, non-motor vehicles	-	-	-	
Residential storage building, one	P	P	AUP	
Storage elevator	-	-	-	
Wildlife Rescue and Preserve	-	-	-	

10.130.030 Additional Land Use Regulations

A. **Animal Husbandry in Residential Zones.** To protect and promote the public health, safety, and general welfare of the county, the keeping of certain domesticated livestock on a residentially zoned parcel shall comply with the following standards. [Source: 10-6.1519, modified]

1. **Minimum Lot Size.** The minimum lot size shall be five acres. [Source: 10-6.1519(b)(1), modified]

2. **Agricultural Structure Setback.** Agricultural structures required for the housing of the animals shall have a minimum setback of 50 feet from any property line. [Source: 10-6.1519(b)(2), modified]

3. **Number of Animals.** In approving the number of animals, accepted animal husbandry practices and potential nuisances to neighboring parcels shall be considered. [Source: 10-6.1519(b)(3), modified]

4. **Fencing.** The installation and/or maintenance of any necessary fencing shall be the responsibility of the applicant. [Source: 10-6.1519(b)(4), modified]

5. **Additional Requirements.** Any additional requirements and conditions determined necessary by the Planning Director for the health, safety, and general welfare as part of the permit approval process. [Source: 10-6.1519(b)(5), modified]

B. **Recreational and Educational Uses in RR.** Recreational and educational uses are allowed in the RR zone provided they do not interfere with the primary purpose of the zone. Such activities may include but are not limited to swimming, hunting, fishing, camping, walking, hiking, picnicking, boating, and environmental/ecological studies. [Source: NEW]

10.130.040 Development Standards for Residential Zones

A. **General.** Table 10.130-2 (Development Standards for Residential Zones) establishes basic site and structure regulations that apply to all developments in each residential zone. The table identifies additional site and structure requirements located in other Chapters or Sections of this Title, such as off-street parking, landscaping, signs, fences and walls, and performance standards. [Source: NEW]

B. **Additional Regulations.** Where the "Additional Regulations" row in Table 10.130-2 (Development Standards for Residential Zones) includes a Chapter or Section number, the regulations of the referenced Chapter or Section shall apply to that zone in addition to those established in the table. [Source: NEW]

C. **Maximum Density and Floor Area Ratio Requirements.** Maximum density and floor area ratio standards shall be consistent with the General Plan in the applicable General Plan Land Use Designation for the specified zone as established in Part 1 of this Title. [Source: NEW]

Table 10.130-2: Development Standards for Residential Zones

Development Standard	Zone			Additional Standards
	RR	RL	RM	
Minimum Parcel Size	7,200 sq ft 2.5 acres if parcel uses septic	7,200 sq ft 2.5 acres if parcel uses septic	7,200 sq ft	Section 10.130.050.A Section 10.130.050.F
Maximum Parcel Size	15 acres	10 acres	10 acres	
Maximum Height	35 ft	35 ft	40 ft	
Maximum Parcel Coverage	40%	50%	75%	
Minimum Parcel Width	60 ft	60 ft	50 ft	
Minimum Parcel Width (Corner Lot)	70 ft	70 ft	60 ft	
Front Setback (min.)	20 ft	20 ft	15 ft	
Side Setback (min.)	5 ft	5 ft	5 ft	Section 10.130.050.D
Rear Setback (min.)	20 ft	20 ft	10 ft	
Other Regulations	10.130.050.C	10.130.050.C	10.130.050.B	

Table 10.130-2: Development Standards for Residential Zones

Development Standard	Zone			Additional Standards
	RR	RL	RM	
	10.130.050.E			
Additional Regulations				
Regulation	**Chapter or Section**			
Accessory Dwelling Units	Chapter 10.105			
Accessory Uses/Structures	Section __			
Fences and Walls	Chapter 10.85			
Height Measurements and Exceptions	Section 10.70.030			
Landscaping	Chapter 10.75			
Setback Measurements and Exceptions	Section 10.70.040			
Parking	Chapter 10.80			
Signs	Chapter 10.90			
Performance Standards	Chapter 10.95			

10.130.050 Additional Development Standards

A. **On-Site Wastewater Systems.** Parcels served by on-site wastewater treatment systems shall be of sufficient size to accommodate such systems in compliance with applicable Environmental Health requirements. [Source: Table 10-6.5501, modified]

B. **Projects with Multiple Buildings.** The following standards apply to projects that include multiple buildings: [Source: 10-6.5501. modified]

1. A minimum distance of 10 feet shall be maintained between buildings; [Source: 10-6.5501. modified]
2. Side yards providing access to a single row of dwelling units shall be a minimum of 12 feet; [Source: 10-6.5501. modified]
3. Inner courtyards providing access to a double row of dwelling units shall provide a minimum of 20 feet between buildings. [Source: 10-6.5501. modified]

C. **Average Front Setback.** In the RR and RL zones, where four or more developed parcels exist along the same street frontage, the minimum front setback may be the average of the front setbacks of those parcels if such average is less than the otherwise required setback. [Source: 10-6.5501, modified]

D. **Side Setbacks for Narrow Parcels.** For parcels that:

1. Have an average width of less than 50 feet;
2. Were lawfully created prior to December 3, 1957; and
3. Do not have adjoining land under the same ownership;

each side yard may be reduced by 10 percent of the parcel width, but in no case less than three feet. [Source: 10-6.5501, modified]

E. **Rural Residential (RR) Zone Standards.**

1. **Animal Enclosures.** Accessory structures used for keeping animals shall maintain a minimum front setback of 60 feet. [Source: 10-6.5501, modified]
2. **Building Height.** The maximum height shall be 40 feet for single-family dwellings and 30 feet for accessory structures. [Source: 10-6.5501, modified]

F. **Reduction in Minimum Parcel Size.** The minimum parcel size may be reduced in the following circumstances: [Source: 10-6.5501, modified]

1. To preserve historic or cultural resources; [Source: 10-6.5501, modified]
2. A parcel that is created to serve water, sanitary, or Public Utility Commission required infrastructure improvements; or [Source: 10-6.5501, modified]
3. **Public Safety Parcels.** A parcel that the Planning Commission finds is necessary to serve public safety uses, provided all of the following are met: [Source: 10-6.5501, modified]
    a. The proposed use is consistent with the applicable zone; [Source: 10-6.5501, modified]
    b. The Public Health Officer determines that adequate sanitary provisions are available; and [Source: 10-6.5501, modified]
    c. A deed restriction is recorded requiring that, if the use is discontinued, the parcel shall be merged with the parent parcel prior to any use that would otherwise require compliance with minimum parcel size standards. [Source: 10-6.5501, modified]

Chapter 10.135

Commercial Zone (C)

Chapter 10.135 Commercial Zones (C)

Sections

10.135.010 Purpose and Intent of the Commercial Zone
10.135.020 Land Use Regulations for Commercial Zones
10.135.030 Additional Land Use Regulations
10.135.040 Development Standards for the Commercial Zones
10.135.050 Additional Development Standards

10.135.010 Purpose and Intent of the Commercial Zone

A. **Purpose.** The purpose of this Chapter is to establish the allowed land uses, permit requirements, and development regulations for the County's Commercial (C) zone. [Source: NEW]

B. **Intent of the Commercial (C) Zone.** The C zone is intended to accommodate a broad range of commercial uses that provide goods and services to residents and visitors, including retail, offices, personal services, lodging, and compatible service-oriented uses. The C zone consolidates the County's former commercial zones into a single zone using objective site and performance standards to ensure compatibility with surrounding uses. [Source: NEW]

10.135.020 Land Use Regulations for Commercial Zone

A. **Allowed Uses.** Table 10.135-1 (Allowed Uses and Permit Requirements for the Commercial Zone) indicates the uses allowed within the C zone and the associated permit(s) required for each use, in compliance with Part 3 (Permits Requirements). [Source: NEW]

B. **Additional Regulations.** Where the last column in Table 10.135-1 (Allowed Uses and Permit Requirements for the Commercial Zone) includes a Chapter or Section number, the regulations in the referenced Chapter or Section shall apply to the use in addition to the requirements established in the table. [Source: NEW]

C. **Accessory Uses.** Accessory uses in commercial zones shall be allowed in compliance with Section __ (Accessory Uses and Structures). [Source: NEW]

D. **Definitions.** The definitions of land uses and other terminology used in this Section shall apply as established in Part 8 (Definitions). [Source: NEW]

E. **Uses Not Listed.** Uses not listed in Table 10.135-1 (Allowed Uses and Permit Requirements for the Commercial Zone) shall be prohibited unless otherwise reviewed by the Planning Director and determined to be appropriate in the applicable zone and any permit(s) required for the use. [Source: NEW]

F. **Zoning Clearance Permit Required.** Each land use specified in Table 10.135-1 (Allowed Uses and Permit Requirements for the Commercial Zone) as allowed by right (indicated with a "P") shall require the issuance of a Zoning Clearance Permit in compliance with Chapter __ (Zoning Clearance Permit) before the commencement of a use or the erection, construction,

reconstruction, restoration, alteration, conversion, or installation of a structure that acknowledges the proposed use or structure complies with the provisions of this Chapter and any applicable standards established in this Title. [Source: 10-6.3602.207, modified]

G. **Multi-Use Parcels.** More than one use may be allowed on commercially zoned parcels with approval by the Planning Director provided: [Source: 10-6.304, modified]

1. Each use is allowed in the zone and obtains the permit required by Table 10.135-1 (Allowed Uses and Permit Requirements for the Commercial Zone); [Source: 10-6.304, modified]
2. All applicable development standards are met; [Source: 10-6.304, modified]
3. The uses are compatible with each other and surrounding uses; and [Source: 10-6.304, modified]
4. The Planning Director may require site plan review or an Administrative Use Permit to ensure compliance with this Section. [Source: 10-6.304, modified]

H. **Mixed-Use Development.** Buildings containing a combination of residential and non-residential uses shall be allowed where both uses are permitted in the zone, subject to the following:

1. Non-residential uses are located on the ground floor or otherwise designed to ensure compatibility;
2. Residential uses comply with applicable residential standards;
3. Access, parking, and utilities are adequately provided for each use; and
4. The project complies with applicable building and fire code requirements.

Table 10.135-1: Allowed Uses and Permit Requirements for Commercial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone** **C**	**Additional Requirements**
Residential Uses		
Accessory dwelling unit	P	Chapter 10.100
Caretaker's unit	AUP	Section 10.135.030.C
Cottage food operation	AUP	
Dwelling, single-family	UP	

Table 10.135-1: Allowed Uses and Permit Requirements for Commercial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone** **C**	**Additional Requirements**
Dwelling, duplex	UP	
Dwelling, triplex	UP	
Dwelling, multi-family	UP	
Emergency shelter	P	Section 10.95.050
Family day care home	UP	
Employee housing	UP	Section 10.95.060
Guest house	UP	
Home occupation	AUP	Section 10.95.090
Home enterprise	AUP	Section 10.95.080
Low barrier navigation centers	UP	
Manufactured home	-	
Mobile home park and recreational vehicle park	-	
Residential care facility, six or fewer	UP	
Residential care facility, more than six	UP	
Rooming house or boarding house	UP	
Skilled nursing facility	UP	
Single-room occupancy units	P	
Transitional and supportive housing	UP	Section 10.95.100
Vacation rentals	P	Section 10.95.140
Commercial Uses		
Adult entertainment	UP	

Table 10.135-1: Allowed Uses and Permit Requirements for Commercial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone**	**Additional Requirements**
	C	
Animal hospital	P	
Automobile service station	UP	
Bed and breakfast establishment	P	
Bank/financial institution	P	
Daycare center	P	
Car wash	P	
Copying and printing establishment	P	
Department store	AUP/UP	Section 10.135.030.A
Distillery, brewery, or winery	UP	
Equipment rental and leasing	P	Section 10.135.030.B
Feed store	P	
Gas stations	P	
Health services/community clinic	P	
Hospital	P	
Hotel/motel	P	
Laundromat	P	
On- and off-sale liquor establishment	P	
Pounds and kennel	P	
Personal services	P	
Professional office	P	
Restaurant	P	

Table 10.135-1: Allowed Uses and Permit Requirements for Commercial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone** **C**	**Additional Requirements**
Refreshment Stands	P	
Retail, nursery	P	
Retail, general	P	
Retail, motor vehicle sales	P	
Theater	P	
Truck and utility trailer rental	UP	
Storage, large and mini	UP	
Mortuary	UP	
Industrial Uses		
Auto body shop	UP	
Assembly and manufacturing	UP	
Copying and printing establishments	P	
Bulk storage/Warehousing	UP	
Cabinet shop	UP	
Cannery	-	
Chemical manufacturing	-	
Concrete or asphalt production	-	
Data centers	-	
Drilling for oil or gas	-	
Dump, disposal, garbage, sewer, refuse	-	
Electrical generation facility	-	
Electronics manufacturing	-	

Table 10.135-1: Allowed Uses and Permit Requirements for Commercial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone**	**Additional Requirements**
	C	
Fertilizer production	-	
Food processing	-	
Foundry	-	
Ice manufacturing and cold storage	-	
Junk yard and wrecking yard	-	
Lumber yard	UP	
Medical and dental laboratory	P	
Mining	-	
Non-retail laundry and dry cleaner	UP	
Offsite construction, maintenance services, and contractors' yard	UP	
Pharmaceutical manufacturing	-	
Power generation plant	-	
Recycling plant	-	
Repair garage	UP	
Research and development lab/institute	UP	
Saw shop	UP	
Slaughterhouse	-	
Tannery	-	
Timber/wood processing facility	-	
Towing service	UP	
Truck terminal and truck storage	UP	

Table 10.135-1: Allowed Uses and Permit Requirements for Commercial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone** **C**	**Additional Requirements**
Truck service station	UP	
Welding shop, machine shop, and metal shop	UP	
Wholesale storage and sales	P	
Agricultural and TPZ uses		
Agricultural enterprise	-	
Agricultural use	-	
Agritourism	-	
Commercial feed yard	-	
Creamery	-	
Farm labor housing	-	
Greenhouse	AUP	
Wholesale nursery	AUP	
Dairy, commercial poultry operation, commercial feed lot, and hog farm	-	
Grazing	-	
Growing and harvesting timber		
Guest ranches and public stables	-	
Hemp Cultivation		
Recreational and educational use	-	
Solar Farm	-	
Education, Public Assembly, and Recreation		

Table 10.135-1: Allowed Uses and Permit Requirements for Commercial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone**	**Additional Requirements**
	C	
Campground (including Glamping/Hipcamps)	-	
Cemetery	-	
Community center	AUP	
Golf course	UP	
Health/fitness club	AUP	
Library	AUP	
Nonprofit recreational use	P	
Park/playground	AUP	
Place of assembly	AUP	
Recreation facility	AUP	
Public/government building	P	
Recreation/entertainment establishment	UP	
Rest area	P	
Resort	UP	
School, trade and vocational	UP	
School, college/university	UP	
School, primary, secondary	UP	
Scientific study site	-	
Special event facility	UP	
Other Uses		

Table 10.135-1: Allowed Uses and Permit Requirements for Commercial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone** **C**	**Additional Requirements**
Accessory structure	P	
Accessory use	P	
Temporary use	P	
Airstrip/heliport	UP	
Amateur radio antenna	UP	
Construction of levee/dike	UP	
Heavy equipment storage, self-owned	P	
Public utility	P	
Parking lot	AUP	
Racetracks for motor, non-motor vehicles	UP	
Residential storage building, one	-	
Storage elevator	-	
Wildlife Rescue and Preserve	-	

10.135.030 Additional Land Use Regulations

A. **Department Stores.** The required permit type for a department store in the Commercial zone shall be based on the gross floor area of the facility as follows:

1. Administrative Use Permit: 50,000 square feet or less
2. Use Permit: More than 50,000 square feet

B. **Outdoor Equipment and Storage Screening.** Outdoor equipment and storage areas shall be screened from public view by a wall, fence, or landscaping at least six feet in height.

10.135.040 Development Standards for the Commercial Zone

A. **General.** Table 10.135-2 (Development Standards for the Commercial Zone) establishes basic site and structure regulations that apply to all development in the Commercial zone. Additional requirements are provided in other Chapters of this Title. [Source: NEW]

B. **Additional Regulations.** Where Table 10.135-2 references a Chapter or Section, the requirements of the referenced provision shall apply in addition to those established in the table. [Source: NEW]

C. **Maximum Density and Floor Area Ratio Requirements.** Maximum density and floor area ratio standards shall be consistent with the General Plan in the applicable General Plan Land Use Designation for the specified zone as established in Part 1 of this Title. [Source: NEW]

Table 10.135-2: Development Standards for the Commercial Zone

Development Standard	Zone	Additional Standards
	C	
Minimum Parcel Size	2,000 sq ft 2.5 acres if parcel uses septic	Section 10.135.050.A Section 10.135.050.D
Maximum Height	50 ft	
Maximum Parcel Coverage	75%	
Minimum Parcel Width	50 ft	
Minimum Parcel Width (Corner Lot)	60 ft	
Front Setback (min.)	10 ft	
Side Setback (min.)	0 ft	Section 10.135.050.B
Rear Setback (min.)	0 ft	Section 10.135.050.B
Additional Regulations		
Regulation	**Chapter or Section**	
Accessory Dwelling Units	Chapter 10.105	
Accessory Uses/Structures	Section __	
Fences and Walls	Chapter 10.85	
Height Measurements and Exceptions	Section 10.70.030	
Landscaping	Chapter 10.75	
Setback Measurements and Exceptions	Section 10.70.040	
Parking	Chapter 10.80	
Signs	Chapter 10.90	
Performance Standards	Chapter 10.95	

10.135.050 Additional Development Standards

A. **Parcels with Septic Tanks.** Parcels with a septic tank system shall have a minimum parcel size of one acre. [Source: Table 10-6.5501, modified]

B. **Additional Side/Rear Setbacks.** Where the side or rear of a parcel abuts residentially zoned parcel, the side or rear setback shall be at least 10 feet. [Source: 10-6.5501, modified]

C. Signs permitted by Article 58 of the Siskiyou County Code may deviate from the required front yard setback provided such sign otherwise conforms to such Article 58 and a sign permit providing for such deviation is obtained. [Source: 10-6.5501] Billboards shall not exceed thirty (30') feet in height. [Source: 10-6.5501]

D. **Reduction in Minimum Parcel Size.** The minimum parcel size may be reduced in the following cases: [Source: 10-6.5501, modified]

1. A parcel that is created to preserve historic and/or cultural resources; [Source: 10-6.5501, modified]

2. A parcel that is created to serve water, sanitary, or Public Utility Commission required infrastructure improvements; or [Source: 10-6.5501, modified]

3. A parcel that the Planning Commission finds is necessary to serve public safety uses provided all the following are true: [Source: 10-6.5501, modified]

    a. The proposed future use is consistent with the applicable zone, [Source: 10-6.5501, modified]

    b. Specific findings are made by the Public Health Officer that sanitary issues have been addressed, and [Source: 10-6.5501, modified]

    c. As a condition of the subdivision, a deed restriction shall be placed on the parcel that specifies that should the use be discontinued, that parcel must be remerged with the parent parcel before it could be used for a use that would otherwise require the minimum parcel size for the zone. [Source: 10-6.5501, modified]

Chapter 10.140

Industrial Zone (IN)

Chapter 10.140 Industrial Zone (IN)

Sections

10.140.010 Purpose and Intent of the Industrial Zone
10.140.020 Land Use Regulations for the Industrial Zone
10.140.030 Additional Land Use Regulations
10.140.040 Development Standards for the Industrial Zone
10.140.050 Additional Development Standards

10.140.010 Purpose and Intent of the Industrial Zone

A. **Purpose.** The purpose of this Chapter is to establish the allowed land uses, permit requirements, and development regulations for the County's Industrial (IN) zone. [Source: NEW]

B. **Intent of the Industrial (IN) Zone.** The IN zone is intended to provide locations for industrial and employment-generating activities such as manufacturing, processing, fabrication, warehousing, distribution, and contractor services. The IN zone consolidates former industrial zones into a single zone supported by objective development and performance standards addressing noise, truck access, outdoor storage, hazardous materials, and buffering from sensitive uses. [Source: NEW]

10.140.020 Land Use Regulations for the Industrial Zone

A. **Allowed Uses.** Table 10.140-1 (Allowed Uses and Permit Requirements for the Industrial Zone) indicates the uses allowed within the IN zone and the associated permit(s) required for each use, in compliance with Part 3 (Permits Requirements). [Source: NEW]

B. **Additional Regulations.** Where the last column in Table 10.140-1 (Allowed Uses and Permit Requirements for the Industrial Zone) includes a Chapter or Section number, the regulations in the referenced Chapter or Section shall apply to the use in addition to the requirements established in the table. [Source: NEW]

C. **Accessory Uses.** Accessory uses in industrial zones shall be allowed in compliance with Section __ (Accessory Uses and Structures). [Source: NEW]

D. **Definitions.** The definitions of land uses and other terminology used in this Section shall apply as established in Part 8 (Definitions). [Source: NEW]

E. **Uses Not Listed.** Uses not listed in Table 10.140-1 (Allowed Uses and Permit Requirements for the Industrial Zone) shall be prohibited unless otherwise reviewed by the Planning Director and determined to be appropriate in the applicable zone and any permit(s) required for the use. [Source: NEW]

F. **Zoning Clearance Permit Required.** Each land use specified in Table 10.140-1 (Allowed Uses and Permit Requirements for the Industrial Zone) as allowed by right (indicated with a "P") shall require the issuance of a Zoning Clearance Permit in compliance with Chapter __

(Zoning Clearance Permit) before the commencement of a use or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure that acknowledges the proposed use or structure complies with the provisions of this Chapter and any applicable standards established in this Title. [Source: 10-6.3602.207, modified]

G. **Multi-Use Parcels.** More than one use may be allowed on an industrially zoned parcel with approval by the Planning Director provided: [Source: 10-6.304, modified]

1. The proposed second use(s) is allowed in the underlying zone as established in Table 10.140-1 (Allowed Uses and Permit Requirements for the Industrial Zone) and there is no conflict between the uses on the parcel and adjacent parcels; [Source: 10-6.304, modified]
2. The applicable requirements and development standards of the zone, as established in this Chapter, are met; [Source: 10-6.304, modified]
3. Each use shall meet the minimum parcel area requirements independently of the other use; and [Source: 10-6.304, modified]
4. For parcels with an approved Use Permit or Administrative Use Permit, only uses specifically described in the use permit shall be allowed. [Source: 10-6.304, modified]

Table 10.140-1: Allowed Uses and Permit Requirements for the Industrial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone**	**Additional Requirements**
	IN	
Residential Uses		
Accessory dwelling unit	P	Chapter 10.100
Caretaker's unit	AUP	Section 10.140.030.A
Cottage food operation	AUP	
Dwelling, single-family	UP	
Dwelling, duplex	UP	
Dwelling, triplex	UP	
Dwelling, multi-family	UP	
Emergency shelter	UP	Section 10.95.050
Family day care home	UP	

Table 10.140-1: Allowed Uses and Permit Requirements for the Industrial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone** **IN**	**Additional Requirements**
Employee housing	UP	Section 10.95.060
Guest house	UP	
Home occupation	AUP	Section 10.95.090
Home enterprise	AUP	Section 10.95.080
Low barrier navigation centers	UP	
Manufactured home	-	
Mobile home park and recreational vehicle park	-	
Residential care facility, six or fewer	UP	
Residential care facility, more than six	UP	
Rooming house or boarding house	UP	
Skilled nursing facility	UP	
Single-room occupancy units	P	
Transitional and supportive housing	UP	Section 10.95.100
Vacation rentals	-	Section 10.95.140
Commercial Uses		
Adult entertainment	UP	
Animal hospital	P	
Automobile service station	P	
Bed and breakfast establishment	UP	
Bank/financial institution	P	
Daycare center	P	
Car wash	P	

Table 10.140-1: Allowed Uses and Permit Requirements for the Industrial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone** **IN**	**Additional Requirements**
Copying and printing establishment	P	
Department store	UP	
Distillery, brewery, or winery	P	
Equipment rental and leasing	P	Section 10.140.030.B
Feed store	P	
Gas stations	P	
Health services/community clinic	P	
Hospital	P	
Hotel/motel	P	
Laundromat	P	
On- and off-sale liquor establishment	P	
Pounds and kennel	P	
Personal services	UP	
Professional office	P	
Restaurant	P	
Refreshment Stands	P	
Retail, nursery	P	
Retail, general	P	Section 10.140.030.C
Retail, motor vehicle sales	P	
Theater	P	
Truck and utility trailer rental	P	
Storage, large and mini	P	

Table 10.140-1: Allowed Uses and Permit Requirements for the Industrial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone** **IN**	**Additional Requirements**
Mortuary	UP	
Industrial Uses		
Auto body shop	P	
Assembly and manufacturing	P	
Copying and printing establishments	P	
Bulk storage/Warehousing	P	
Cabinet shop	P	
Cannery	UP	
Chemical manufacturing	UP	
Concrete or asphalt production	UP	
Data centers	UP	
Drilling for oil or gas	UP	
Dump, disposal, garbage, sewer, refuse	UP	
Electrical generation facility	UP	
Electronics manufacturing	UP	
Fertilizer production	UP	
Food processing	P	
Foundry	UP	
Ice manufacturing and cold storage	P	
Junk yard and wrecking yard	P	
Lumber yard	P	
Medical and dental laboratory	P	

Table 10.140-1: Allowed Uses and Permit Requirements for the Industrial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone** **IN**	**Additional Requirements**
Mining	UP	
Non-retail laundry and dry cleaner	P	
Offsite construction, maintenance services, and contractors' yard	P	
Pharmaceutical manufacturing	UP	
Power generation plant	-	
Recycling plant	UP	
Repair garage	P	
Research and development lab/institute	AUP	
Saw shop	P	
Slaughterhouse	UP	
Tannery	UP	
Timber/wood processing facility	UP	
Towing service	P	
Truck terminal and truck storage	P	
Truck service station	P	
Welding shop, machine shop, and metal shop	P	
Wholesale storage and sales	P	
Agricultural and TPZ uses		
Agricultural enterprise	-	
Agricultural use	-	

Table 10.140-1: Allowed Uses and Permit Requirements for the Industrial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone** **IN**	**Additional Requirements**
Agritourism	-	
Commercial feed yard	AUP	
Creamery	P	
Farm labor housing	-	
Greenhouse	AUP	
Wholesale nursery	AUP	
Dairy, commercial poultry operation, commercial feed lot, and hog farm	-	
Grazing	-	
Growing and harvesting timber		
Guest ranches and public stables	-	
Hemp Cultivation		
Recreational and educational use	-	
Solar Farm	UP	
Education, Public Assembly, and Recreation		
Campground (including Glamping/Hipcamps)	-	
Cemetery	-	
Community center	AUP	
Golf course	-	
Health/fitness club	AUP	
Library	AUP	
Nonprofit recreational use	P	

Table 10.140-1: Allowed Uses and Permit Requirements for the Industrial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone** **IN**	**Additional Requirements**
Park/playground	-	
Place of assembly	AUP	
Recreation facility	AUP	
Public/government building	P	
Recreation/entertainment establishment	UP	
Rest area	P	
Resort	-	
School, trade and vocational	UP	
School, college/university	UP	
School, primary, secondary	-	
Scientific study site	-	
Special event facility	UP	
Other Uses		
Accessory structure	P	
Accessory use	P	
Temporary use	P	
Airstrip/heliport	UP	
Amateur radio antenna	UP	
Construction of levee/dike	UP	
Heavy equipment storage, self-owned	P	
Public utility	P	

Table 10.140-1: Allowed Uses and Permit Requirements for the Industrial Zone

Key	P = Allowed by right with Zoning Clearance Permit AUP = Administrative Use Permit UP = Use Permit (-) = Not Allowed	
Land Use	**Zone**	**Additional Requirements**
	IN	
Parking lot	AUP	
Racetracks for motor, non-motor vehicles	UP	
Residential storage building, one	-	
Storage elevator	UP	

10.140.030 Additional Land Use Regulations

A. **Equipment Screening.** All areas where equipment is stored shall be screened by a wall, fence, or landscaping at least six feet in height. [Source: NEW]

B. **Retail Stores in the Industrial Zone.** Retail stores proposed in the Industrial zone shall be established and designed principally to serve surrounding industrial uses. [Source: NEW]

10.140.040 Development Standards for the Industrial Zone

A. **General.** Table 10.140-2 (Development Standards for the Industrial Zone) establishes basic site and structure regulations that apply to all developments in the industrial zone. The table identifies additional site and structure requirements located in other Chapters or Sections of this Title, such as off-street parking, landscaping, signs, fences and walls, and performance standards. [Source: NEW]

B. **Additional Regulations.** Where the "Additional Regulations" row in 10.140-2 (Development Standards for the Industrial Zone) includes a Chapter or Section number, the regulations of the referenced Chapter or Section shall apply to that zone in addition to those established in the table. [Source: NEW]

C. **Maximum Density and Floor Area Ratio Requirements.** Maximum density and floor area ratio standards shall be consistent with the General Plan in the applicable General Plan Land Use Designation for the specified zone as established in Part 1 of this Title. [Source: NEW]

Table 10.135-2: Development Standards for the Commercial Zone

Development Standard	Zone	Additional Standards
	IN	
Minimum Parcel Size	7,200 sq ft	Section 10.140.050.A
	2.5 acres if parcel uses septic	Section 10.140.050.C
Maximum Height	50 ft	
Maximum Parcel Coverage	75%	
Minimum Parcel Width	50 ft	
Minimum Parcel Width (Corner Lot)	60 ft	
Front Setback (min.)	10 ft	
Side Setback (min.)	0 ft	Section 10.140.050.B
Rear Setback (min.)	0 ft	Section 10.140.050.B
Regulation	**Chapter or Section**	
Accessory Dwelling Units	Chapter 10.105	
Accessory Uses/Structures	Section __	
Fences and Walls	Chapter 10.85	
Height Measurements and Exceptions	Section 10.70.030	
Landscaping	Chapter 10.75	
Setback Measurements and Exceptions	Section 10.70.040	
Parking	Chapter 10.80	
Signs	Chapter 10.90	
Performance Standards	Chapter 10.95	

10.140.050 Additional Development Standards

A. **Parcels with Septic Tanks.** Parcels with a septic tank system shall have a minimum parcel size of one acre. [Source: Table 10-6.5501, modified]

B. **Additional Side/Rear Setbacks.** Where the side or rear of a parcel abuts residentially zoned parcel, the side or rear setback shall be at least 10 feet. [Source: 10-6.5501, modified]

C. **Minimum Parcel Size.** The minimum parcel size may be reduced in the following cases: [Source: 10-6.5501, modified]

1. A parcel that is created to preserve historic and/or cultural resources; [Source: 10-6.5501, modified]

2. A parcel that is created to serve water, sanitary, or Public Utility Commission required infrastructure improvements; or [Source: 10-6.5501, modified]

3. A parcel that the Planning Commission finds is necessary to serve public safety uses provided all the following are true: [Source: 10-6.5501, modified]

   a. The proposed future use is consistent with the applicable zone, [Source: 10-6.5501, modified]

   b. Specific findings are made by the Public Health Officer that sanitary issues have been addressed, and [Source: 10-6.5501, modified]

   c. As a condition of the subdivision, a deed restriction shall be placed on the parcel that specifies that should the use be discontinued, that parcel must be remerged with the parent parcel before it could be used for a use that would otherwise require the minimum parcel size for the zone. [Source: 10-6.5501, modified]

Chapter 10.145

Planned Development Districts

Chapter 10.145 Planned Development Zone (PD)

Sections

10.145.010 Purpose
10.145.020 Minimum Land Requirements
10.145.030 Establishment
10.145.040 General Provisions
10.145.050 Development Plans
10.145.060 Development Schedule
10.145.070 Findings and Conditions of Approval

10.145.010 Purpose and Intent of the Planned Development (PD) Zone

A. **Purpose.** The purpose of the Planned Development (PD) zone is to accommodate various types of development, such as neighborhood and district shopping centers, professional administrative areas, housing developments, commercial service centers, industrial parks or any other use or combination of uses which can be made appropriately a part of a planned development. [Source: 10-6.1181]

B. **Intent.** The intent of the Planned Development (PD) zone is to provide a plan-based zoning mechanism applied through discretionary approval to allow comprehensively planned development that may include mixed uses, flexible development standards, and innovative site design. Planned Development (PD) Zones are intended to achieve high-quality development outcomes consistent with the General Plan through an adopted Planned Development Plan and implementing standards. [Source: NEW]

10.145.020 Minimum Land Requirements

A Planned Development zone may be established on any parcel, or group of parcels, measuring at least one acre in size, is suitable for the proposed planned development, provided it meets the standards established in this Chapter and a Planned Development Plan is approved in compliance with Chapter 10.XXX (Planned Development Plan). [Source: 10-6.1182, modified]

10.145.030 Establishment

Planned Development zones may be established or removed from the Zoning Map upon the application of a property owner(s) or upon initiation by the Board of Supervisors or Planning Commission, provided all applicable standards are met and all the findings established in Section 10.xxx.xxx (Findings and Conditions of Approval) are met. [Source: 10-6.1184, modified]

10.145.040 General Provisions

A. **General.** The standards and the general rules established in this Section shall apply to all Planned Development zones. Where a conflict in regulations occurs, the regulations established in this Section shall apply: [Source: 10-6.1183]

B. **Open Space.** All open space areas provided in a planned development shall comply with all the following: [Source: 10-6.1183(a), modified]

1. The calculation of open space shall not include areas occupied by structures or impervious surfaces, unless those structures or surfaces relate to active or passive recreational opportunities or open space. [Source: 10-6.1183(a)(1), modified]

2. The required square footage of open space shall be determined by the Planning Commission on a project-by-project basis based on the proposed density and/or intensity of the development and the intended use of the property and associated open space needs and recreational demands. [Source: 10-6.1183(a)(2), modified]

3. Required open space may be provided through common areas, private open space areas (e.g., balconies, patios), or a combination of private and public areas. [Source: 10-6.1183(a)(3), modified]

C. **Allowed Uses.** Only uses specifically included in the Planned Development Plan for the particular PD zone as approved by the Planning Commission are allowed. Allowed uses shall be consistent with the underlying General Plan land use designation. [Source: 10-6.1183(b), modified]

D. **Height and Space Requirements.** Site and development standards (e.g., height, setbacks parking, parcel size) shall be established as part of the Planned Development Plan for each PD zone established as approved by the Planning Commission. [Source: 10-6.1183(d), modified]

10.145.050 Planned Development Plan Required

For a site to be established as a PD zone, a Planned Development Plan shall applied for by an eligible applicant and subsequently approved by the Planning Commission. The Planned Development shall be applied for, processed, and acted on in compliance with Chapter 10.XXX (Planned Development Plan). [Source: NEW]

Chapter 10.150

Overlay Zones

Chapter 10.150 Overlay Zones

Sections

10.150.010 Purpose
10.150.020 General Provisions
10.150.030 Airport Compatibility Overlay Zone (-AC)
10.150.040 Fault-Rupture Overlay Zone (-FRZ)
10.150.050 Floodplain Overlay Zone (-FP)
10.150.060 Hemp Cultivation Overlay Zone (-HC)

10.150.010 Purpose

The purpose of this Chapter is to identify areas of the County that have special characteristics where certain land use or development standards shall apply in addition to the underlying base zone to achieve a specific purpose such as resource preservation or compatibility with unique land uses. [Source: NEW]

10.150.020 General Provisions

A. **Applicability.** The standards established for each overlay zone shall apply to any parcels within the geographic area identified in this Chapter and as shown on the Zoning Map. [Source: NEW]

B. **Standards of Base Zone.** All development standards, allowable uses, and permit requirements of the underlying base zone with which the overlay zone is combined shall be enforced as established in this Title, except as modified by an overlay zone. [Source: NEW]

C. **Conflicting Standards.** Where standards of an overlay zone conflict with the underlying base zone, the standards of the overlay zone shall prevail. [Source: NEW]

D. **Definitions.** See Part 8 (Definitions) for land use definitions and explanations. [Source: NEW]

10.150.030 Airport Compatibility Overlay Zone (-AC)

A. **Purpose and Intent.**

1. **Purpose.** The Airport Compatibility Overlay Zone (-AC) has two fundamental purposes: [Source: 10-1.02(a), modified]

   a. To protect public airports in the county from potential encroachment by land uses which are incompatible with airport activities, and which may impair the future development and use of the airports, and [Source: 10-1.02(a)(1), modified]

   b. To minimize the public's exposure to excessive noise and safety hazards resulting from incompatible land use development within areas around airports. [Source: 10-1.02(a)(2), modified]

2. **Intent.** The intent of this Section is to establish land use and development standards near airports within the county to minimize compatibility conflicts with current and future airport activities. Additionally, it is also the intent of this Section to comply with Government Code Section 65302.3 that requires the County to implement airport land use compatibility policies adopted by the Siskiyou County Airport Land Use Commission. [Source: 10-1.02(b), modified]

B. **Applicability.**

1. **Land Use Activities.** The standards established in this Section shall apply to the following activities affecting any parcel within the airport influence areas as shown in the Zoning Map of any public-use airport in the county: [Source: 10-1.03(a), modified]

   a. Proposed changes to the Siskiyou County General Plan. [Source: 10-1.03(a)(1)]

   b. Proposed rezoning of any parcel of land. [Source: 10-1.03(a)(2)]

   c. Proposed land divisions. [Source: 10-1.03(a)(3)]

   d. Proposed new construction. [Source: 10-1.03(a)(4)]

   e. Changes to the existing uses of land or structures to the extent that such changes require Community Development Department issuance or modification of a Use permit, Administrative Use Permit, or any other entitlement approval. [Source: 10-1.03(a)(5), modified]

   f. Any structure or tree with a height that conflicts with the standards established in this Section. [Source: 10-1.03(a)(6), modified]

2. **Tall Structures and Trees.** This Section applies to any proposal for the construction or alteration of a structure (e.g., antennas, poles, towers) or the growing of trees taller than 200 feet above ground level within Siskiyou County both within and outside of the Airport Compatibility (-AC) overlay zone. [Source: 10-1.03(b), modified]

3. **Activities Not Affected.** Except with respect to height limitation requirements on structures and trees, this Section does not apply to: [Source: 10-1.03(c), modified]

   a. Existing structures for which no expansion or changes of use are proposed even if the existing uses do not comply with the standards of this Section. [Source: 10-1.03(c)(1), modified]

   b. Construction, other than in Compatibility Zone A, of a single-family home on a legal parcel, provided such use is an allowed use as established by this Title. [Source: 10-1.03(c)(2), modified]

   c. Aviation-related development or use of airport property. [Source: 10-1.03(c)(3)]

   d. The operation of aircraft on an airport or in the surrounding airspace. [Source: 10-1.03(c)(4), modified]

C. **Definitions.** The following definitions apply for the purposes of this Section:

1. "Airport" refers to the Butte Valley Airport, Dunsmuir Municipal-Mott Airport, Happy Camp Airport, Montague-Yreka Rohrer Field, Scott Valley Airport, Siskiyou County Airport, Weed Airport, or any other future public-use airport which might be created within the boundaries of Siskiyou County. [Source: 10-1.04, modified]

2. "Federal Aviation Regulations (FAR) Part 77" means the part of Federal Aviation Regulations which deals with objects affecting navigable airspace in the vicinity of airports. Objects which exceed Part 77 height limits constitute airspace obstructions. [Source: 10-1.04, modified]

D. **Compatibility Zones.**

1. **Airport Influence Area and Compatibility Zone Maps.** The boundary of each airport's influence area and the individual compatibility zones which comprise that influence area are shown on the County's Zoning Map. [Source: 10-1.05(a)]

2. **Airspace Protection Plan Maps.** Graphical depiction of the height limit criteria (Sec. 10-1.08) applicable within the environs of each airport is presented in Maps 2A through 2G. [Source: 10-1.05(b)]

E. **Density and Intensity Standards.** All projects and development within an airport influence area shall comply with the following residential density and/or nonresidential intensity standards. [Source: NEW]

Table 10.150-1: Airport Compatibility Overlay Density and Intensity Standards

Airport Compatibility Zone	Residential Density *(maximum)*	Nonresidential Intensity *(maximum)*
Compatibility Zone A	No new dwelling units allowed	10 people per acre
Compatibility Zone B	1 dwelling unit per 5 acres	25 people per acre
Compatibility Zone C1	1 dwelling unit per 2.5 acres	75 people per acre
Compatibility Zone C2	5 dwelling units per acre	75 people per acre
Compatibility Zone D	None	None

1. **Additional Residential Density Standards.**

a. **Conflict with the General Plan.** Where the density or intensity standards of this Subsection differ from the density or intensity of the underlying General Plan land use designation, the more restrictive shall apply. [Source: NEW]

b. **Parcels Split by a Compatibility Zone.** If a parcel proposed for development is split by a compatibility zone, the more restrictive residential density shall apply to the entire parcel. [Source: 10-1.06(b), modified]

c. **Single-Family Residential Development.** Except within Compatibility Zone A, at least one single-family dwelling may be built on any legal parcel

regardless of the residential density criteria established in this Section. [Source: 10-1.06(c), modified]

2. **Nonresidential Intensity Standards.**

a. **Calculation of Nonresidential Intensity.**

i. **Calculation Criteria.** The maximum number of people allowed on a parcel shall be calculated based on the following factors: [Source: 10-1.07(b), modified]

(1) Include all people who may be on the property (e.g., employees, customers, visitors). [Source: 10-1.07(b)(1), modified]

(2) Reflect the total number of people on the site at any time, except rare special events. Rare special events are ones (such as balloon fairs or an air show at an airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate. [Source: 10-1.07(b)(2), modified]

(3) If a parcel proposed for nonresidential use is split by compatibility zone boundaries, the usage intensity shall be calculated as if the parcel was divided at the compatibility zone boundary line. The intensity of development allowed within the more restricted portion of the parcel is encouraged to be transferred to the less restricted portion. This transfer of development is also allowed with respect to multiple parcels proposed to be developed as a single project. [Source: 10-1.07(b)(3)]

ii. **Tools to Determine Usage Intensity.** The usage intensity depends upon the specifics of the proposed land use and its design. The anticipated number of people per acre can be calculated based using the following methods: [Source: 10-1.07(d), modified]

(1) **Parking Requirements.** The number of automobile parking spaces required on the site. The anticipated number of people on the site can be estimated to be at least equal to the number of automobile parking spaces required for the use. A higher number shall be assumed for uses which typically attract more than one person per vehicle. [Source: 10-1.07(d), modified]

(2) **Uniform Building Code (UBC) Occupancy Levels.** The anticipated maximum number of people occupying indoor facilities on a site can be assumed to be equal to the total floor area of the proposed use divided by the minimum square feet per occupant requirements listed in the UBC. Because the UBC criteria represent highly intensive levels of usage, the

number obtained through this calculation can normally be divided in half for the purposes of the usage intensity criteria in this Section. [Source: 10-1.07(d), modified]

(3) **Survey or Analysis.** A project applicant may provide evidence, such as surveys of existing uses similar to the type proposed, documenting that specific features of a proposal would result in a usage intensity lower than that assumed using the methods indicated above. Acceptance of such evidence shall be at the discretion of the County. [Source: 10-1.07(d), modified]

b. **Examples of Compatible Land Uses.** The following land uses can generally be assumed to have compatible usage intensities in compliance with the intensity standard established in Table 10.150-1. The following list is meant to provide a guideline for assessing intensity of usage and is not intended to be exhaustive. [Source: 10-1.07(c), modified]

i. No more than 10 people per acre: [Source: 10-1.07(c)]

(1) Rangeland and pastures

(2) Forests

(3) Field crops and orchards

(4) Two-lane roads

ii. Over 10, but no more than 25 people per acre: [Source: 10-1.07(c)]

(1) Automobile parking lots (not structures)

(2) Cemeteries

(3) Mini-storage facilities

(4) Lumber storage yards

(5) Farm equipment sales

iii. Over 25, but no more than 75 people per acre: [Source: 10-1.07(c)]

(1) Parks; outdoor sports facilities (not spectator oriented)

(2) Retail stores; small shopping centers (single floor)

(3) Offices (one or two floors)

(4) Motels (one or two floors)

(5) Light industrial or manufacturing uses

iv. Over 75 people per acre: [Source: 10-1.07(c)]

(1) Buildings with more than three floors

(2) Major shopping centers

(3) Movie theaters; convention halls

(4) Sports stadiums

F. **Height Requirements.**

1. **Basis for Height Limits.** Protection of navigable airspace from obstructions that can be hazards to aircraft flight requires establishment of limits on the height of structures, trees, and other objects in the vicinity of airports in the County. These limits are primarily based upon: Part 77, Subpart C, of the Federal Aviation Regulations (FAR), but also may take into account the United States Standard for Terminal Instrument Procedures (TERPS); and applicable airport design standards published by the Federal Aviation Administration. [Source: 10-1.08(a)]

2. **Airspace Protection Surfaces.** The critical airspace for each airport covered by this chapter is depicted in the Airspace Protection Plan Map for that airport (Maps 2A through 2G). The maps take into account any planned future improvements to an airport's runways or runway approaches. The critical airspace is defined by a set of five (5) types of surfaces as follows: [Source: 10-1.08(b)]

a. A primary surface that is longitudinally centered on each runway and extends 200 feet beyond each end of the runway (except that on an unpaved runway, the primary surface ends at the runway end). The width varies depending upon the existing or planned runway classification, approach type, and approach visibility minimums. The primary surface width for each runway at airports in Siskiyou County is as indicated in this Section and shown on the respective airport's Airspace Protection Map. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. [Source: 10-1.08(b)(1)]

b. Approach surfaces that are longitudinally centered on the extended runway centerline and extend outward and upward beginning at, and at the same elevation as, each end of a primary surface. Approach surface dimensions and slopes for each runway end are as indicated in this Section and shown on the respective airport's Airspace Protection Map. [Source: 10-1.08(b)(2)]

c. Transitional surfaces that extend outward from the sides of each primary surface and each approach surface. These surfaces slope upward one foot vertically for each seven feet feet horizontally (7:1), measured at a ninety (90) degree angle to the runway centerline and extended runway centerline, and continue to where they intersect a horizontal or conical surface. For those portions of a precision approach surface which extend through or beyond the limits of the conical surface, the adjacent transitional surfaces extend a distance of 5,000 feet horizontally from the edge of the approach surface, measured at a ninety (90) degree angle to the extended runway centerline. [Source: 10-1.08(b)(3)]

d. A horizontal surface that is established at an elevation of 150 feet above the highest point on an airport's runway or runways. The inner edge of the horizontal surface is defined by its intersection with transitional surfaces. The

outer edge is defined by drawing arcs centered on the runway centerline at each end of the primary surface of each runway, then connecting the arcs with lines drawn tangent to them. The horizontal surface elevation and radii of the arcs for each runway are listed in this Section. [Source: 10-1.08(b)(4)]

e. A conical surface that extends outward for a distance of four thousand feet from the periphery of the horizontal surface and upward at a slope of one foot vertically for each 20 feet horizontally (20:1). [Source: 10-1.08(b)(5)]

3. **Applicability.** The height standards established in this Subsection shall apply to all objects on the land within an airport influence area whether such objects be man-made structures or natural, such as trees and other types of vegetation. [Source: 10-1.08(c), modified]

4. **Maximum Height Standards.** Except as indicated in Subsection J, no object shall be exceed the following heights: [Source: 10-1.08(c), modified]

a. **Compatibility Zones A and B:** The height of the airspace protection surface indicated on the Airspace Protection Plan Map for the respective airport. [Source: 10-1.08(c)(1), modified]

b. **Compatibility Zones C1 and C2 (except Terrain Penetration Area):** 50 feet: [Source: 10-1.08(c)(2), modified]

c. **Within Compatibility Zone D (Terrain Penetration Area):** 150 feet. [Source: 10-1.08(c)(3)]

d. **Terrain Penetration Area:** 35 feet. [Source: 10-1.08(c)(4), modified]

5. **Roadways and Rail Lines.** In the design or reconstruction of roadways and rail lines within an airport influence area, allowance shall be made for vehicles having an assumed height as follows: [Source: 10-1.08(e)]

a. **Vehicles on interstate highways:** 17feet; [Source: 10-1.08(e)(1), modified]

b. **Vehicles on other public roads:** 15 feet; [Source: 10-1.08(e)(2), modified]

c. **Vehicles on private roads or in parking lots:** 10 feet; [Source: 10-1.08(e)(3), modified]

d. **Railroad trains:** 23 feet. [Source: 10-1.08(e)(4), modified]

6. **Obstruction Marking and Lighting.** Obstruction marking and lighting in accordance with Federal Aviation Administration standards may be required for any structure or tree (including antennas and towers) which exceeds the criteria listed above or which, regardless of location within Siskiyou County, has a height taller than 200 feet above ground level at its site. [Source: 10-1.08(f)]

G. **Prohibited Uses.** Regardless of whether the use would meet the intensity criteria established in this Section, the following land uses shall be prohibited within the Airport Compatibility Overlay as indicated below: [Source: 10-1.09, modified]

1. **All Compatibility Zones.** The following uses, structures, or activities are prohibited within the influence area of any airport.

    a. **Objects and Obstacles.** Objects having a height exceeding the limits established in this Section. [Source: 10-1.09(e)]

    b. **Hazards to Flight.** Land uses which may cause visual, electronic, or bird strike hazards to aircraft in flight. Specific characteristics to be avoided include: [Source: 10-1.09(f), modified]

        i. Glare or distracting lights which could be mistaken for airport lights. [Source: 10-1.09(f)(1)]

        ii. Sources of dust, steam, or smoke that may impair pilot visibility. [Source: 10-1.09(f)(2)]

        iii. Sources of electrical interference with aircraft communications or navigation. [Source: 10-1.09(f)(3)]

        iv. Any use, especially landfills and certain agricultural uses, which may attract an increased number of birds. [Source: 10-1.09(f)(4)]

2. **Compatibility Zone A.**

    a. Any new structure except ones having an aeronautical function and a location set by Federal Aviation Administration standards;

    b. Any assemblage of people, except during a rare special event; and

    c. Aboveground bulk storage of hazardous materials. [Source: 10-1.09(a), modified]

3. **Compatibility Zone B.**

    a. K through 12 schools;

    b. Day care centers;

    c. Libraries;

    d. Hospitals, nursing homes, and similar uses;

    e. Highly noise-sensitive uses (e.g., outdoor theaters); and

    f. Aboveground bulk storage of hazardous materials except for aviation fuel or other aviation-related flammable materials and/or up to 2,000 gallons of nonaviation flammable materials. [Source: 10-1.09(b), modified]

4. **Compatibility Zone C1.**

    a. K through 12 schools;

    b. Day care centers;

    c. Libraries; and

    d. Hospitals, nursing homes, and similar uses. [Source: 10-1.09(c), modified]

5. **Compatibility Zone C2.** None except as listed in Subparagraph G.1. [Source: 10-1.09(d), modified]

H. **Site Design.** In addition to the specific development restrictions established in this Section, the following conditions shall be applied to the design and planning of a project site within airport influence areas. [Source: 10-1.10(a), modified]

1. **Compatibility Zone B.** All structures shall be located as far as practical from the extended runway centerline unless suggested otherwise by the airport proprietor. [Source: 10-1.10(a)(1)]

2. **Compatibility Zone C2.** Schools, day care centers, libraries, hospitals, and nursing homes shall be located as far as practical from the extended runway centerline unless suggested otherwise by the airport manager. [Source: 10-1.10(a)(2)]

I. **Avigation Easement Dedication.** As a condition for approval of new development requiring discretionary approval within Compatibility Zones A or B, or within a Terrain Penetration Area, the owner of the property on which the development is to be located shall dedicate and record an avigation easement to the government entity owning the associated airport. The purpose of this requirement is to: [Source: 10-1.10(b)]

1. Protect the airport airspace from objects which could constitute hazards to air navigation, and [Source: 10-1.10(b)]

2. Inform future owners and prospective purchasers of the property that aircraft may overfly the location at low altitudes while approaching, departing, or maneuvering near the associated airport. [Source: 10-1.10(b)]

J. **Avigation Easement Provisions.** An avigation easement shall contain the following provisions: [Source: 10-1.10(c)]

1. Provide the right of flight in the airspace above the property; [Source: 10-1.10(c)(1)]

2. Allow the generation of noise and other impacts associated with aircraft overflight; [Source: 10-1.10(c)(2)]

3. Restrict the height of structures, trees and other objects; [Source: 10-1.10(c)(3)]

4. Permit access to the property for the removal or aeronautical marking and/or lighting of objects exceeding the established height limit; and [Source: 10-1.10(c)(4)]

5. Prohibit electrical interference, glare, and other potential hazards to flight from being created on the property. [Source: 10-1.10(c)(5)]

K. **Deed Notification in Compatibility Zone C1.** As a condition for approval of new development requiring discretionary approval (e.g., subdivision maps, planned development, use permit) within Compatibility Zone C1, a notice regarding aircraft overflight activity shall be recorded with the deed to the property and any subsequent deed of a subdivision. The notice shall include a statement indicating all of the following:

1. The property is routinely subject to overflight activity by aircraft using the airport

2. Residents may experience inconvenience, annoyance, or discomfort from the noise of such operations and should be prepared to accept such occurrences; and

3. The current volume of aircraft activity at the airport could increase in the future. [Source: 10-1.10(d), modified]

L. **Nonconforming Uses.** Land uses, structures, and objects not in conformance with this Section may continue in compliance with Chapter __ (Nonconforming Uses): [Source: 10-1.11(a), modified]

M. **Variances.**

1. **Height limitations.** Variances from the height requirements established in this Section shall be allowed, in compliance with Chapter __ (Variances) only if all of the following conditions are met: [Source: 10-1.12(a), modified]

   a. At least one of the following circumstances exists:

      i. Terrain, trees, or other objects of equal or greater height are situated within a 100-foot radius of the object; or

      ii. The Federal Aviation Administration has conducted an aeronautical study of the proposed object and determined that the object would not create a hazard to the navigable airspace of the airport. [Source: 10-1.12(a)(1), modified]

   b. The owner of the property has dedicated an avigation easement to the entity owning the affected airport. [Source: 10-1.12(a)(2)]

   c. The owner of the property agrees to take responsibility for ensuring that any obstruction marking and/or lighting required by the Federal Aviation Administration or the California Department of Transportation, is installed, operates, and is maintained, unless the airport proprietor has agreed in writing to be responsible for such installation, operation, and maintenance. [Source: 10-1.12(a)(3)]

2. **Infill.** Where substantial incompatible development already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are not allowed elsewhere in the zone. This exception does not apply within Compatibility Zones A or B. A parcel can be considered for infill development if it meets all of the following criteria: [Source: 10-1.12(b)]

   a. The parcel size is no larger than 20 acres. [Source: 10-1.12(b)(1), modified]

   b. The site is at least 65 percent bounded (excluding roads) by existing uses similar to, or more intensive than, those proposed. [Source: 10-1.12(b)(2), modified]

   c. The proposed project would not extend the perimeter of the area defined by the surrounding, already developed, incompatible uses. [Source: 10-1.12(b)(3)]

d. The proposed project would not, in the case of a residential subdivision, have a density greater than the average of that on other parcels within 300 feet of the perimeter of the parcel to be subdivided; or in the case of a nonresidential use, have a usage intensity more than 50 percent above the intensity permitted in accordance with this Section. [Source: 10-1.12(b)(4), modified]

e. The proposed project will not otherwise increase the intensity and/or incompatibility of use through use permits, density transfers, subdivisions, or other entitlements or development strategies. [Source: 10-1.12(b)(5)]

f. The County has determined that substantial development already exists and has accordingly identified the infill areas in its General Plan or other adopted planning document approved by the Board of Supervisors and/or the Siskiyou County Airport Land Use Commission (ALUC). [Source: 10-1.12(b)(6), modified]

3. **Other Variances.** Other variances from the standards established in this Section may be granted in cases where a normally incompatible land use can be considered compatible because of terrain, specific location, or other extraordinary factors or circumstances related to the site. [Source: 10-1.12(c), modified]

N. **Administration and Review.**

1. **Review by Director of Airports.** The Planning Department shall forward any land use or development application within the Airport Compatibility Overlay, or with the potential for compatibility conflicts with airport activities, to the Director of Airports for approval before any entitlement permit can be issued. In reviewing such proposals, the Director of Airports shall consider the following factors and render a judgment as to the potential for conflicts with airport activities: [Source: 10-1.13(b), modified]

   a. The compatibility criteria adopted by the Airport Land Use Commission; [Source: 10-1.13(b)(1)]

   b. Information regarding aircraft flight in the vicinity of the proposed development and the nature of the noise and safety impacts, which can be anticipated to occur; and [Source: 10-1.13(b)(2)]

   c. Characteristics of the proposed land use development. [Source: 10-1.13(b)(3)]

   d. The Director of Airports shall provide a response to the Planning Department within 15 calendar days of its receipt. [Source: 10-1.13(b), modified]

2. **Review by Airport Land Use Commission.** The Siskiyou County Airport Land Use Commission is responsible reviewing the following actions for determination of consistency with the Commission's policies prior to County consideration of such actions for approval: [Source: 10-1.13(c), modified]

   a. The adoption or approval of any amendment to the General Plan or to any specific plan affecting the property within an airport influence area. [Source: 10-1.13(c)(1), modified]

b. The adoption or approval of a zoning ordinance or building regulation which affects property within an airport influence area, and involves issues of exposure to aircraft noise, aviation-related safety to people on the ground or occupants of aircraft, protection of airport airspace, or concerns related to aircraft overflights. [Source: 10-1.13(c)(2)]

c. Adoption or modification of the master plan for an existing public-use airport. [Source: 10-1.13(c)(3)]

d. Any proposal for expansion of an existing airport or heliport if such expansion will require an amended airport permit from the state of California. [Source: 10-1.13(c)(4)]

e. Any proposal for a new airport or heliport whether for public use or private use if the facility requires a state airport permit. [Source: 10-1.13(c)(5)]

f. Any proposed development reviewed by the Director of Airports and deemed to represent a potential conflict with airport activities. [Source: 10-1.13(d)(1)]

g. Any application for a variance from the criteria established by this Section. [Source: 10-1.13(d)(2), modified]

3. **Application Procedures.** Any person desiring to obtain a variance, use permit, or other entitlement from the County shall submit an application to the Planning Department in compliance with the applicable procedures established in Part 2 (Permit Processing Procedures) of this Title. A copy of any such application shall be submitted to the Director of Airports and/or the ALUC for review and action in accordance with the policies and procedures adopted by ALUC. No action shall be taken by the County until either a response has been received from the or the time limit for review and action has expired. [Source: 10-1.13(e), modified]

4. **Findings and Approval.**

a. In reaching a decision to grant a land use or development entitlement application, the County shall make specific findings that the land use will not create a safety hazard to people on the ground or aircraft in flight nor result in excessive noise exposure for the proposed use. Such findings shall be consistent with the spirit of this Section and with guidelines established in the Airport Land Use Planning Handbook published by the California Department of Transportation. Findings also shall be made as to the characteristics of the terrain, surrounding land uses, or other extraordinary circumstances which would cause adherence to the criteria of this Section to be an undue hardship upon use of the property and thus should warrant the policy variance. [Source: 10-1.13(e), modified]

b. The granting of an entitlement shall be considered site specific and shall not be generalized to include other sites. [Source: 10-1.13(e), modified]

5. **Appeals.**

a. **Denial by Planning Commission.** Any person who has applied to the Planning Commission for a discretionary permit or variance subject to the

provisions of this Section may appeal the denial in compliance with Chapter __ (Appeals). [Source: 10-1.14(a), modified]

b. **Denial by Siskiyou County Airport Land Use Commission.** If a proposed General Plan Amendment, zone change, variance, or other land use action has been submitted to the Siskiyou County Airport Land Use Commission and found by that body to be inconsistent with its policies, the project applicant may submit a request to the Board of Supervisors to override the Airport Land Use Commission's action. In compliance with State law (Public Utilities Code Sections 21676(b) and 21676.5(a)), an override by the Board of Supervisors requires a two-thirds vote after a public hearing is held and must make specific findings that the proposed action is consistent with the purposes of the law as stated in Public Utilities Code Section 21670. [Source: 10-1.14(b), modified]

10.150.040 Fault-Rupture Overlay Zone (-FRZ)

A. **Purpose.** The purpose of this Section is to comply with the Alquist-Priolo Special Studies Zones Act of 1972 which holds local governments responsible for regulating development near active faults so as to mitigate the hazard of surface fault-rupture. [Source: 10-6.5702, modified]

B. **Applicability.** The standards established in this Section shall apply to the Fault-Rupture Zone (-FRZ) Overlay as shown in the Zoning Map. [Source: 10-6.5701, modified]

C. **Development Requirements.** Except as otherwise provided in this Section, all development projects within the -FRZ overlay zone shall be consistent with the provisions of the Alquist-Priolo Special Studies Zones Act and the policies of the State Mining and Geology Board, including: [Source: 10-6.5703, modified]

1. That no structure for human occupancy, other than those defined in Subsection D, shall be placed across the trace of an active fault or within 50 feet of such faults as indicated by a Fault-Rupture Zone; and [Source: 10-6.5703(a), modified]

2. That no change in use or character of occupancy which results in the conversion of a building or structure from one not used for human occupancy to one that is so used, shall be allowed unless the building or structure complies with the provisions of this Section; and [Source: 10-6.5703(b), modified]

3. Any application for an entitlement within the -FRZ overlay zone for any project, including any subdivision of land which is subject to the Subdivision Map Act, shall be accompanied by a geologic report prepared by a geologist registered in the State of California which is directed to the problem of potential surface fault displacements through the project site. [Source: 10-6.5703(c), modified]

D. **Allowed Uses.** The following uses do not constitute a "project" as defined by the Alquist-Priolo Act and as such are not subject to development limitations of this Section: [Source: 10-6.5704, modified]

1. Single-family wood frame dwellings to be built on parcels of land for which geological reports have been approved pursuant to Subsection F; [Source: 10-6.5704(a), modified]

2. A single-family wood frame dwelling not exceeding two stories when such dwelling is not part of a development of four or more such dwellings; [Source: 10-6.5704(b)]

3. A mobile home whose body width exceeds eight feet shall be considered to be a single-family wood frame dwelling not exceeding two stories;

4. This article shall not apply to alterations or additions to any structure within a -FRZ overlay zone, the value of which does not exceed 50 percent of the value of the structure. [Source: 10-6.5704(c), modified]

E. **Nonconforming Uses.** The regulations established in this Section do not apply to structures lawfully permitted or constructed before March 4, 1975. [Source: 10-6.5705(b), modified]

F. **Geologic Reports.** Geologic reports shall be based on a geologic investigation designed to identify the location, recency, and nature of faulting that may have affected the project site in the past and may affect the project site in the future. The report may be combined with other geological or geotechnical reports. Geologic reports shall comply with all the following requirements: [Source: 10-6.5706, modified]

1. A geologist registered in the State of California, within or retained by the County, shall evaluate all required geologic reports and provide advice to the County. [Source: 10-6.5706(a), modified]

2. One copy of all geological reports shall be filed with the State Geologist by the lead agency within 30 days following the report's acceptance. The State Geologist shall place such reports on open file. [Source: 10-6.5706(b), modified]

3. All geologic reports shall be prepared by a geologist registered in the State of California and shall be reasonably consistent with the Guidelines for Geologic Reports, established by the State Mining and Geology Board. [Source: 10-6.5706(c)]

G. **Waiver Procedure.** Consistent with State law, if the County finds that no undue hazard of fault-rupture exists at the project site, the geologic report on such hazard may be waived with the approval of the State Geologist. The waiver form shall follow the format established by the State Geologist and shall be submitted to the State Geologist after it is completed by the County Geologist and the project applicant, accompanied by supporting statements and data in writing that would justify approval of the waiver request. [Source: 10-6.5707]

10.150.050 Floodplain Overlay Zone (-FP)

A. **Purpose.** The purpose of the Floodplain Overlay Zone (-FP) is to identify areas in the County where inundation is caused by periodic overflow and backwater and where such high water may cause substantial structural damage, erosion, and/or the collapse of stream embankments. The intent of this Section is to establish standards that:

1. Provide for the protection of the public health, safety, and welfare by preventing the loss of lives minimizing property damage in real and personal property;

2. Protect the environment of flood-prone areas during periods of flooding, and minimize the expenditure of public funds directly and indirectly related to the damage made possible by allowing such hazardous conditions to exist; and

3. Encourage land uses that are compatible with the long-range use of flood hazard areas. [Source: 10-6.5401, modified]

B. **Allowed Uses.** The following uses shall be allowed without the approval of a use permit in the Floodplain (-FP) Overlay Zone: [Source: 10-6.5402]

1. Grazing, field crops, tree farming, livestock grazing, and other non-intensive agricultural and open space uses of a similar nature, but not including commercial feed lots or dairies; [Source: 10-6.5402(a)]

2. Public utility lines and pipelines; and [Source: 10-6.5402(b)]

3. Buildings and structures accessory to agricultural uses for the storage of goods and equipment and the shelter of animals but not including residences of any type or the storage of petroleum products in excess of 500 gallons. [Source: 10-6.5402(c)]

C. **Permit Required.** The following uses are allowed in the -FP overlay zone with the approval of a Use Permit, in compliance with Chapter 10.XXX (Use Permit): [Source: 10-6.5403, modified]

1. Public parks, recreation areas, and facilities, including boat ramps, docks, picnic grounds, and campgrounds, recreational vehicle parks, baseball and other sports fields, and other similar uses involving the open use of land without structures or improvements which would be situated in the identified floodplain; [Source: 10-6.5403(a)]

2. Commercial livestock feed lots and dairies; [Source: 10-6.5403(b)]

3. Surface mining and other commercial excavations; [Source: 10-6.5403(c)]

4. Construction of levees, dikes, and other structures designed to divert or obstruct the flow of floodwaters which could potentially result in effects on adjoining land uses; [Source: 10-6.5403(d)]

5. Residential, commercial, or industrial buildings, mobile homes, accessory residential structures, and the storage of petroleum products in excess of 500 gallons if such uses are allowed, and according to the regulations by which they would be allowed in the companion zone, and if they comply with the development standards established in this Section; [Source: 10-6.5403(e), modified]

6. Exploration of geothermal, gas, oil, and other hydrocarbon resources; and [Source: 10-6.5403(f)]

7. Electrical generating facilities using biomass, cogeneration, gas, oil, geothermal, solar, hydro, and wind resources. [Source: 10-6.5403(g), modified]

D. **Development Standards.** Except as otherwise provided in this Section, development in the -FP overlay zone shall comply with the development standards of the underlying base zone. Special standards for the -FP overlay zone shall be as established in the County Floodplain Management Ordinance. [Source: 10-6.5404]

10.150.060 Hemp Cultivation Overlay Zone (-HC)

A. **Purpose.** Properties within the Scott Valley are subject to substantial and intensive air inversion layers not experienced elsewhere in Siskiyou County. The purpose of the Hemp Cultivation (-HC) Overlay Zone is to establish standards that provide for the protection of the public health, safety, and welfare by adding additional land use and zoning regulations further restricting hemp cultivation. [Source: 10-6.6001, modified]

B. **Applicability.** The -HC Overlay Zone applies to all prime agricultural (AG1) and non-prime agricultural (AG2) zoned properties that are 40 acres or larger within the boundaries of the Scott Valley Area Plan, including, but not limited to, the following communities and geographic areas of the county: [Source: 10-6.6002, modified]

1. Areas surrounding the Town of Fort Jones.
2. Areas surrounding the City of Etna.
3. Greenview.
4. Callahan.

C. **Hemp Cultivation Requirements.** The following standards shall apply to the cultivation of industrial hemp for commercial and research purposes. [Source: 10-6.6004]

1. The cultivation of industrial hemp is allowed in the -HC Overlay Zone, subject to an 80-acre minimum parcel size. Cultivation of industrial hemp is prohibited in all other zones. [Source: 10-6.6004(A), modified]
2. The cultivation of industrial hemp is required to comply with Chapter __ (Industrial Hemp Cultivation). If there is any conflict between this Section and the requirements of Chapter __, the requirements of this Section shall govern. [Source: 10-6.6004(B), modified]

D. **Allowed Uses.** Any use allowed in the underlying base zone is allowed within the -HC Overlay Zone subject to the permitting requirements established in this Part 5 (Land Uses and Development Standards) and all applicable requirements of the underlying base zone, and all other applicable provisions of the Siskiyou County Code. [Source: 10-6.6005, modified]

10.150.070 Public Lands Overlay Zone (-PL)

[Reserved]

10.150.080 Tribal land Overlay Zone (-TL)

[Reserved]

10 – Planning and Zoning

Part 6 – Subdivisions

ADMINISTRATIVE DRAFT

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Chapter 10.160

General Provisions

Chapter 10.160 General Provisions

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10.160.010 Purpose

The purpose of this Part is to regulate and control the division of land within the County and to supplement the provisions of the Subdivision Map Act regarding the design, improvement, and survey of subdivisions. This Part establishes standards to protect public health, safety, and welfare and to promote orderly growth and development. [Source: 10-4.102, modified]

10.160.020 General Plan and Zoning Code Compliance

No land shall be subdivided unless the subdivision is consistent with the General Plan and complies with the County Zoning Code (Title 10). [Source: 10-4.103, modified]

10.160.030 Modifications of Requirements

When due to the size or shape of the property, title limitations of record, topographic conditions, or the proposed use, it is impracticable for a subdivider to fully comply with the requirements of this Part, the Planning Commission may approve modifications to those requirements. Any such modification shall be limited to the minimum necessary, be consistent with the purposes of this Part, and comply with the Subdivision Map Act. [Source: 10-4.104, modified]

10.160.040 Improvement Standards

A. **Conformance with Specifications.** Subdivision improvements shall conform to applicable County standards and specifications, as adopted by ordinance or resolution of the Board of Supervisors and administered by the Department of Public Works, and to any applicable state or federal requirements. [Source: 10-4.105.1, modified]

B. **Minimum Standards.** The subdivision improvements required by this Part, or adopted by reference, establish the minimum standards for subdivision improvements. Additional standards may be imposed by the Planning Commission or the Board of Supervisors as necessary to protect public health, safety, and welfare. [Source: 10-4.105.2, modified]

C. **Parcel Size.** The size, width, and depth of each parcel created as part of the subdivision shall comply with the minimum standards of the applicable zoning district, as established in Part 2 of this Title. [Source: NEW]

D. **Side Lines of Parcels.** Side lot lines shall be approximately at right angles to, or radial to, street or road lines. [Source: 10-4.105.3.d, modified]

E. **Double Frontage Parcels.** Double frontage parcels may be allowed where appropriate based on parcel configuration, access, or site conditions, as determined by the Planning Director. [Source: 10-4.105.3.e, modified]

F. **Division of Parcels by Public Agencies.** No parcel shall be divided by a city, county, school district, or other public agency except in compliance with the standards of this Section, unless otherwise approved pursuant to Section 10.160.030 (Modifications of Requirements). [Source: 10-4.105.3.f, modified]

10.160.050 Access

All parcels created pursuant to this Part shall have access consistent with the Circulation Element of the General Plan. [Source: 10-4.106, modified]

10.160.060 Environmental Impact

No tentative parcel map or tentative map shall be approved until an environmental review has been completed in accordance with the California Environmental Quality Act (CEQA) and applicable County procedures. [Source: 10-4.107]

10.160.070 Grading and Erosion Control

Every map approved pursuant to this Part shall be conditioned on compliance with applicable County grading and erosion control requirements, including the prevention of sedimentation and damage to off-site property, as administered by the Department of Public Works. [Source: 10-4.108, modified]

10.160.080 Fees

The filing, inspection, and checking fees required by this Part shall be designated and established in the County's Cost Recovery Schedule. [Source: 10-4.109, modified]

Chapter 10.165
Responsibilities

Chapter 10.165 Responsibilities

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10.165.010 Purpose

The purpose of this Chapter is to establish the roles and responsibilities of County departments in the review and approval of subdivisions of land. [Source: NEW]

10.165.020 County Counsel

The County Counsel shall be responsible for approving as to form all subdivision improvement agreements. [Source: 10-4.202.1]

10.165.030 Board of Supervisors

A. The Board of Supervisors shall have final authority over: [Source: 10-4.202.2]

1. Approval of final maps;
2. Approval of improvement agreements;
3. Acceptance or rejection of any real property offered for dedication by map; and
4. Approval or denial of involuntary mergers and reversions to acreage.

B. The Board of Supervisors shall serve as the review authority for appeals of Planning Commission decisions. [Source: 10-4.202.2, modified]

10.165.040 Department of Public Works

A. The Director of Public Works shall be responsible for: [Source: 10-4.202.3]

1. Development standards and specifications for the design and construction of subdivision improvements; [Source: 10-4.202.3.a]
2. Determining whether proposed subdivision improvements comply with this Part and the Subdivision Map Act, and reporting the findings and recommendations for approval or conditional approval of tentative maps to the Planning Director; [Source: 10-4.202.3.b, modified]
3. The processing and certification of parcel maps and final maps, and the processing and approval of subdivision improvement plans; and [Source: 10-4.202.3.c]

4. The inspection, approval, and certification of subdivision improvements. [Source: 10-4.202.3.d]

10.165.050 Planning Director

The Planning Director shall be responsible for: [Source: 10-4.202.4]

A. The processing of tentative maps and the collection of all required deposits and fees; [Source: 10-4.202.4.a]

B. Investigating proposed subdivisions for conformity to the General Plan and zoning provisions and reporting findings to the Planning Commission; and [Source: 10-4.202.4.b, modified]

C. The processing and approval of tentative map amendments, lot line adjustments, voluntary mergers, and certificates of compliance. Decisions of the Planning Director shall be subject to appeal to the Planning Commission. [Source: 10-4.202.4.c]

10.165.060 Planning Commission

A. The Planning Commission shall be responsible for: [Source: 10-4.202.5]

1. The approval or denial of tentative maps; [Source: 10-4.202.5.a]
2. The approval or denial of tentative parcel maps; [Source: 10-4.202.5.b]
3. Review and recommendation on involuntary mergers; [Source: 10-4.202.5.c]
4. Approval of time extensions; and [Source: 10-4.202.5.d]
5. Review and recommendation on reversions to acreage. [Source: 10-4.202.5.e]

B. The Planning Commission shall serve as the review authority for appeals of Planning Director decisions. [Source: NEW]

10.165.070 Environmental Health Division

The Environmental Health Division shall determine that subdivisions have adequate provisions for domestic water supply and sewage disposal. [Source: 10-4.202.6, modified]

Chapter 10.170

Maps Required

Chapter 10.170 Maps Required

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10.170.010 General

The requirement for tentative maps, final maps, tentative parcel maps, and parcel maps is governed by this Chapter. [Source: 10-4.301]

10.170.020 Divisions of Land: Five or More Parcels

A. **Subdivision Map.** A tentative map and final map shall be required for all subdivisions creating five or more parcels, five or more condominiums as defined in Section 783 of the California Civil Code, a community apartment project containing five or more parcels, or the conversion of a dwelling to a stock cooperative containing five or more dwelling units, except where: [Source: 10-4.302, modified]

1. The land proposed for division contains less than five acres, each resulting parcel abuts a maintained public street or highway, and no dedications or improvements are required by the legislative body; or [Source: 10-4.302.a]

2. Each resulting parcel has a gross area of 20 acres or more and has approved access to a maintained public street or highway; or [Source: 10-4.302.b, modified]

3. The land consists of a parcel or parcels having approved access to a public street or highway that are part of a tract zoned for industrial or commercial development and for which the governing body has approved street alignments and widths; or [Source: 10-4.302.c]

4. Each resulting parcel has a gross area of at least 40 acres or is not less than a quarter of a quarter section. [Source: 10-4.302.d, modified]

B. **Parcel Map.** A parcel map shall be required for the subdivisions described in Subsection A(1) through (4). [Source: 10-4.302, modified]

10.170.030 Divisions of Land: Four or Fewer Parcels

A. **Parcel Map.** A tentative parcel map and parcel map shall be required for divisions into four or fewer parcels, except that a tentative parcel map and parcel map shall not be required for: [Source: 10-4.303.a]

1. Subdivisions of a portion of the operating right-of-way of a railroad corporation, as defined in Section 230 of the California Public Utilities Code, created by short-term

leases terminable by either party upon not more than 30 calendar days' written notice; [Source: 10-4.303.a.1]

2. Land conveyed to or from a governmental agency, public entity, or public utility, or land conveyed to a subsidiary of a public utility for conveyance to the public utility for rights-of-way, unless a showing is made, based on substantial evidence, that a parcel map is required pursuant to Government Code Section 66428; and [Source: 10-4.303.a.2]

3. Lot line adjustments. [Source: 10-4.303.a.3]

B. **Exhibit Map and Legal Description.** Lot line adjustments, mergers, and certificates of compliance shall include a legal description and exhibit map, subject to review and approval by the County Surveyor. [Source: 10-4.303.b]

C. **Tentative Parcel Map.** A tentative parcel map shall be required for proposed divisions requesting a waiver of a parcel map pursuant to Section 10.180.090.H. [Source: 10-4.303.c, modified]

10.170.040 Vesting Tentative Maps

A. **Filing and Processing Procedures.** A vesting tentative map shall be filed and processed in the same manner and shall include the same content as a tentative map, as established in Chapter 10.175 (Tentative and Final Maps), except that it shall have the words "Vesting Tentative Map" printed conspicuously on its face. [Source: 10-4.304.a, modified]

B. **Approval.** Approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the laws, policies, and standards in effect at the time the application is determined complete. [Source: 10-4.304.b]

C. **Conditions and Denial.** Notwithstanding Subsection B, the approving body may condition or deny a permit, extension, or other entitlement if the approving body determines any of the following: [Source: 10-4.304.c]

1. Failure to do so would place the residents of the subdivision or the immediate community in a condition dangerous to their health or safety; or [Source: 10-4.304.c.1]

2. The condition or denial is required to comply with state or federal law. [Source: 10-4.304.c.2, modified]

D. **Expiration.** The rights conferred by this Section shall expire if a final map is not approved prior to the expiration of the vesting tentative map. If the final map is approved, the rights conferred by this Section shall be subject to the following time limits: [Source: 10-4.304.d]

1. The vesting period shall be 24 months after the recording of a final map or each phase thereof. [Source: 10-4.304.d.1]

2. The vesting period shall be automatically extended by the County for the time required to process a grading permit or design or architectural review if the processing time exceeds 30 calendar days after the date a complete application is filed. Prior to expiration of the initial vesting period, the subdivider may apply for a one-year extension. If the extension is denied by an advisory agency, the subdivider may appeal the denial to the legislative body within 15 calendar days. [Source: 10-4.304.d.2, modified]

3. If the subdivider submits a complete application for a building permit during the periods specified in this Subsection, the rights conferred by this Section shall continue until the expiration of the permit, or any extension of the permit, granted by the County. [Source: 10-4.304.d.3, modified]

E. **Conditions of Approval on Other Entitlements.** Consistent with Subsection B, approval or conditional approval of a vesting tentative map shall not limit the County from imposing reasonable conditions on subsequent approvals or permits necessary for the development, as authorized by the laws, policies, and standards described in Subsection B. [Source: 10-4.304.e, modified]

10.170.050 Fees and Deposits

All persons submitting maps required by this Chapter shall pay all fees and deposits as established by the County's fee ordinance. [Source: 10-4.305]

Chapter 10.175

Tentative Maps and Final Maps

Chapter 10.175 Tentative Maps and Final Maps

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10.175.010 Tentative Maps

A. **General.** A tentative map or vesting tentative map is intended to show the design, improvements, and existing conditions of a proposed subdivision. Such maps shall be prepared by or under the direction of a State-licensed civil engineer or licensed land surveyor. [Source: 10-4.401.1, modified]

B. W**hen Required.** A tentative map shall be required for all subdivisions creating five or more parcels or five or more condominiums, except as otherwise provided in Section 10.170.020. [Source: NEW]

C. **Form and Contents.** The form and contents of a tentative map shall include all of the following: [Source: 10-4.401.2]

1. **Size, Scale, and North Arrow.** The map sheet shall be 18 inches by 26 inches or larger, but shall not exceed 24 inches by 36 inches. The map shall be drawn to scale and include a clearly defined bar scale and north arrow. [Source: 10-4.401.2.a, modified]

2. **Legibility.** All printing, lettering, and numbering on the map shall be of a size, shape, and weight that is readily legible on prints and other reproductions made from the original drawings. [Source: 10-4.401.2.b]

3. **Title.** The map shall include a title identifying the type of subdivision, tract number, subdivision name, if any, the Assessor's parcel number, and the general location, including the section, township, and range; [Source: 10-4.401.2.c, modified]

4. **Proponents.** The name and address of the fee title owner and the subdivider shall be shown on the map; [Source: 10-4.401.2.d, modified]

5. **Soils and Geologic Reports.** If a preliminary soils or geologic report has been prepared, the map shall note the date of the report and the name of the engineer or geologist who prepared it; [Source: 10-4.401.2.e]

6. **Date.** The map shall show the date it was prepared and the date of any revisions; [Source: 10-4.401.2.f, modified]

7. **Vicinity Map.** A vicinity map showing roads and other information sufficient to locate the proposed subdivision and its relationship to the surrounding area shall be included; [Source: 10-4.401.2.g, modified]

8. **Mapping Index.** When three or more map sheets are used, a clear and legible index shall be included showing the entire subdivision, all roads and blocks, and the relationship of each map sheet to the subdivision; [Source: 10-4.401.2.h, modified]

9. **Boundary.** Sufficient information to show the boundary of the proposed subdivision, including approximate dimensions; [Source: 10-4.401.2.i]

10. **Easements**. The location, dimensions, identity, and purpose of all easements, existing and proposed; [Source: 10-4.401.2.j]

11. **Access.** The existing and proposed access from a public road to all parcels, including any remainder parcel, shall be delineated, including right-of-way widths and approximate grades. Where access is by an existing easement, the deed reference shall be shown; [Source: 10-4.401.2.k]

12. **Adjoining Properties**. The names of all adjoining subdivisions and record owners; [Source: 10-4.401.2.k]

13. **County and City Boundaries.** County and city boundaries that cross or adjoin the subdivision shall be shown on the map; [Source: 10-4.401.2.m, modified]

14. **Tax Rate Area Boundaries.** All tax rate area boundaries that cross the subdivision shall be shown on the map; [Source: 10-4.401.2.n]

15. **Land Use.** The existing and proposed land uses, using consistent colors and naming conventions as used in the County General Plan land use map or zoning map; [Source: 10-4.401.2.o, modified]

16. **Noise.** The approximate locations of the 60, 65, and 70 Community Noise Equivalent Level (CNEL) contours, as shown in the General Plan; [Source: 10-4.401.2.p, modified]

17. **Existing Topography.** The existing topography of the proposed subdivision, including, but not limited to: [Source: 10-4.401.2.q]

    a. **Existing Contours.** Existing contours, including the source and date, with intervals determined by the slope of the ground as follows: [Source: 10-4.401.2.q]

        i. The Department of Public Works may authorize modifications to contour intervals when conditions warrant; [Source: 10-4.401.2.q]

ii. When the subdivision, or any portion thereof, is located in a flood hazard area, contours and elevations shall be based on the National Geodetic Vertical Datum; [Source: 10-4.401.2.q]

iii. The Department of Public Works may require topography, contours, and elevations beyond the boundaries of the subdivision when necessary to define significant features that may affect the development of the site; [Source: 10-4.401.2.q]

b. **Existing Structures.** The approximate location, outline, and use of existing structures, including wells. Structures to be removed shall be identified; [Source: 10-4.401.2.q]

c. **Flood and Drainage Areas.** The approximate location of areas subject to inundation or storm water overflow, and the location and direction of flow of all watercourses; and [Source: 10-4.401.2.q]

d. **Existing Roads.** The location, right-of-way width, pavement or traveled way width, grade, and name of all existing roads, streets, and highways; [Source: 10-4.401.2.q]

18. **Proposed Improvements.** The proposed improvements shall include, but are not limited to: [Source: 10-4.401.2.r]

a. **Parcels.** The approximate layout, dimensions, and area of each parcel created as part of the subdivision, including parcel and block numbers and any designated remainder; [Source: 10-4.401.2.r, modified]

b. **Roads and Streets.** The location, name, grade, length, and radius of curves and cul-de-sacs, right-of-way widths, and typical sections of all roads and streets; and [Source: 10-4.401.2.r]

c. **Common Areas.** The location of any common areas, open space, trails, parks, and recreation sites; [Source: 10-4.401.2.r]

19. **Grading.** Sufficient data to demonstrate that any proposed or required grading for building sites and cut-fill slopes can be constructed in accordance with applicable County grading requirements.. Data shall be sufficient to locate sewage systems, where applicable; [Source: 10-4.401.2.s]

20. **Drainage.** The location, size, type, and slope of all existing and proposed storm drains and drainage structures; [Source: 10-4.401.2.t]

21. **Water and Sewage.** The proposed source of potable water supply and method of sewage disposal; the location, size, and type of proposed and existing sanitary sewers and water mains; and the approximate slope of proposed and existing sanitary sewers; [Source: 10-4.401.2.u]

22. **Dedications.** All roads and areas to be offered for public dedication shall be clearly delineated and identified. Roads intended for the private use of the subdivision shall be labeled "Private Road"; and [Source: 10-4.401.2.v]

23. **Modifications and Waivers of Requirements.** The Planning Director, with the concurrence of the Department of Public Works and the Environmental Health Division, as applicable, may modify or waive any of the requirements of this Section where circumstances specific to the proposed subdivision justify the modification or waiver. [Source: 10-4.401.2.w, modified]

D. **Accompanying Data and Reports.** The tentative map shall be accompanied by the following data or reports: [Source: 10-4.401.3]

1. **Soils Reports.** A preliminary soils report, prepared by a licensed civil engineer and based adequate test borings, shall be required for every subdivision for which a final map is required. The preliminary soils report shall be prepared in accordance with the provisions of the Subdivision Map Act and applicable County requirements. [Source: 10-4.401.3.a]

   a. **Waiver.** The preliminary soils report may be waived if the Director of Public Works determines that, based on specific knowledge of site conditions, such analysis is not necessary. [Source: 10-4.401.3.a, modified]

   b. **Parcel Soil Investigation.** If the preliminary soils report identifies critically expansive soils or other soil conditions that could result in structural defects, a soils investigation shall be required for each affected parcel. The investigation shall recommend corrective measures to prevent structural damage to proposed structures in the affected area; [Source: 10-4.401.3.a, modified]

2. **Title Reports.** A preliminary title report identifying the legal owners at the time of filing the tentative map; [Source: 10-4.401.3.b]

3. **Engineering Geology and Seismic Safety Reports.** If the subdivision lies within a medium- or high-risk geologic hazard area, as shown on maps on file with the Planning Division, a preliminary engineering geology or seismic safety report shall be prepared. If the preliminary report identifies geologic or seismic hazards that could result in structural defects, a final engineering geology or seismic safety report shall accompany the final map and shall include an investigation of each parcel within the subdivision; [Source: 10-4.401.3.c, modified]

4. **Environmental Reviews.** The time limits for processing applications shall not commence until environmental review is completed in accordance with Section 10.160.060 of this Part; and [Source: 10-4.401.3.d, modified]

5. **Other Reports.** Any other data or reports deemed necessary by the Planning Director. [Source: 10-4.401.3.e, modified]

6. **Condominium Conversions.** Condominium conversions are not required to provide soil reports, engineering geology or seismic safety reports, or environmental review as otherwise required by this Section. [Source: 10-4.401.3, modified]

10.175.020 Preliminary Review and Preapplication

Prior to submitting a tentative map application, the subdivider may request a preapplication meeting with the Planning Division to discuss the proposed subdivision and applicable requirements of this Part, the Zoning Code, the General Plan, applicable County policies, and state law. [Source: NEW]

10.175.030 Application Filing

A tentative map application shall be submitted to the Planning Division in the format and number of copies specified by the Planning Director, unless any requirement is waived by the Planning Director. The application shall be accompanied by the applicable fee established by the Board of Supervisors. [Source: 10-4.401.4, modified]

10.175.040 Determination of Completeness

A. Within 30 calendar days after an application is submitted to the Planning Division, the Planning Director shall determine whether the application, including all required materials and reports, is complete and shall notify the applicant of the determination in writing. If the application is determined to be incomplete, the notice shall identify the deficiencies and any additional information required. Upon receipt of a resubmittal, a new 30-day review period shall begin. [Source: NEW]

B. If the Planning Director determines that an application is incomplete, the applicant may submit a written request for reconsideration. If the request is denied, or if the Planning Director determines that the application does not comply with the requirements of this Chapter, the applicant may appeal the determination to the Planning Commission. The appeal shall be filed in writing with the Planning Director within 10 working days after notice of the determination. The Planning Commission shall consider the appeal and issue a written determination within 45 working days after receiving the appeal. Public notice of the appeal hearing shall be provided in accordance with Section 10.175.080. [Source: NEW]

10.175.050 Application Processing.

After the application is deemed complete, the Planning Director shall:

A. Forward copies of the tentative map to affected public agencies, utilities, and school districts within 10 calendar days, requesting comments within 21 calendar days. Public agencies and utilities shall indicated whether the subdivision can be adequately served. [Source: 10-4.401.5, modified]

B. Review the application and any comments received; prepare written conditions of approval, and a staff report with a recommendation; and provide a copy of the report to the applicant at least 5 calendar days prior to the Planning Commission. [Source: NEW]

10.175.060 Public Notice of Hearing

Upon determination that an application is complete, public notice of the hearing and environmental review shall be provided in compliance with Chapter 10.___ (Public Notices and Hearings).

10.175.070 Review and Action

A. **Planning Commission Review and Decision.**

1. The Planning Commission shall approve, conditionally approve, or deny the tentative map and shall report its decision to the Board of Supervisors and the subdivider within 50 calendar days after the application is determined complete. [Source: 10-4.401.6, modified]

2. If an environmental impact report is prepared, the decision shall be made within 45 calendar days after the certification of the environmental impact report. [Source: 10-4.401.6, modified]

3. **Approval.** In approving or conditionally approving a tentative map, the Planning Commission shall find that the proposed subdivision, together with its design and improvements, is consistent with the General Plan and any applicable specific plan. [Source: 10-4.401.6.2]

4. The Planning Commission may modify or delete any recommended conditions of approval, except those conditions required by County law or standards adopted by the Board of Supervisors. The Planning Commission may impose additional conditions as necessary. [Source: 10-4.401.6.2, modified]

5. If the Planning Commission fails to act within the required time limit, the tentative map as filed shall be deemed approved to the extent it complies with the Subdivision Map Act, this Chapter, or other applicable County laws. The County Clerk shall certify the approval. [Source: 10-4.401.6.2, modified]

6. Notwithstanding Subparagraph 7, the Planning Commission may approve a tentative map or tentative parcel map if an environmental impact report has been prepared and findings have been made pursuant to Public Resources Code Section 21081(c) that specific economic, social, or other considerations make infeasible the mitigation measures or alternatives identified in the environmental impact report. [Source: 10-4.401.6.2, modified]

7. **Denial.** The Planning Commission may deny a tentative map on any grounds provided by the Subdivision Map Act or County law and shall deny approval if any of the following findings are made: [Source: 10-4.401.6.3]

    a. That the proposed map, design, or improvements are inconsistent with the General Plan or any applicable specific plan; [Source: 10-4.401.6.3.a]

    b. That the site is not physically suitable for the type or density of development proposed; [Source: 10-4.401.6.3.c, modified]

    c. That the design of the subdivision or improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; [Source: 10-4.401.6.3.e]

    d. That the design of the subdivision or improvements is likely to cause serious public health problems; or [Source: 10-4.401.6.3.f]

    e. The design of the subdivision or improvements will conflict with easements acquired by the public for access or use of property within the subdivision, unless substantially equivalent alternate easements are provided. [Source: 10-4.401.6.3.g]

B. **Board of Supervisors Review and Decision.**

1. If a tentative map is approved or conditionally approved, the Planning Division shall transmit a report to the Board of Supervisors. Within 10 calendar days, or at its next regular meeting following receipt of the report, the Board may elect to review the map and conditions. [Source: 10-4.401.6.4, modified]

2. If the Board elects to review the map, it shall conduct a public hearing with notice provided in accordance with this Chapter. The Board may approve, conditionally approve, or deny the map and may add, modify, or remove conditions as necessary to ensure compliance with applicable laws. If the Board fails to act within the applicable time limits, the tentative map shall be deemed approved or conditionally approved as determined by the Planning Commission. [Source: 10-4.401.6.4, modified]

C. **Extensions.** The time limits for action on a tentative map may be extended by mutual consent of the subdivider and the Planning Commission or Board of Supervisors. [Source: 10-4.401.6.5]

10.175.080 Appeals

A. **Appeals of Planning Commission Decisions.** A decision of the Planning Commission may be appealed to the Board of Supervisors by any of the following:

1. **Subdivider Appeal.** If the subdivider disagrees with any action of the Planning Commission regarding a tentative subdivision map, the subdivider may file an appeal with the County Clerk within 10 calendar days after the decision, accompanied by a fee set by the Board of Supervisors. The Board shall consider the appeal within 30 calendar days or at its first regular meeting following the appeal, unless the subdivider consents to a continuance. [Source: 10-4.401.7.1, modified]

2. **Appeals by Interested Persons Adversely Affected.** Any interested person adversely affected by a decision of the Planning Commission may file an appeal with the Board regarding that decision. The appeal shall be filed with the County Clerk within 10 calendar days after the action being appealed and shall be accompanied by a fee set by the Board. No appeal shall be considered after the 10 calendar day period. The Board, in its discretion, may reject the appeal within 15 calendar days or set the matter for hearing. If the Board rejects the appeal, the appellant shall be notified of that action. [Source: 10-4.401.7.2, modified]

3. **Tenant Appeal.** Within 10 calendar days after the action, any tenant of the property being subdivided as part of a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative may appeal from any action of the Planning Commission pursuant to the Subdivision Map Act, accompanied by a fee set by the Board. [Source: 10-4.401.7.3, modified]

4. **Appeal on General Plan or Specific Plan Conformity.** Within 10 calendar days after the action, any interested person may appeal to the Board any decision of the Planning Commission regarding conformity with the General Plan or any applicable Specific Plan. [Source: 10-4.401.7.4, modified]

B. **Hearing and Decision.** All appeals shall conducted as public hearings following notice given pursuant to Section 10.175.030 of this Chapter. In addition, notice shall be provided to the party or parties submitting the appeal and to the Planning Commission. Following the public hearing, the Board of Supervisors shall, within 10 calendar days, adopt its findings. The Board may sustain, modify, reject, or overrule any decision of the Planning Commission and may make findings consistent with this Chapter and the Subdivision Map Act. [Source: 10-4.401.7.1, modified]

10.175.090 Expiration and Extensions.

A. **Expiration**. The approval or conditional approval of a tentative subdivision map shall expire 24 months after the date of the adoption of the resolution by the Planning Commission or the date of final action by the Board of Supervisors if appealed. An extension may be approved as provided in Subsection B. [Source: 10-4.401.8.1, modified]

1. **Board-Approved Litigation Stay.** The expiration period shall not include any time during which a lawsuit involving the approval or conditional approval of the tentative map is pending, provided the Board of Supervisors approves a stay. [Source: 10-4.401.8.1]

2. **Request for Litigation Stay.** Within 10 calendar days after service of the initial petition or complaint upon the County, the subdivider shall submit a written request to the Planning Director for a stay of the tentative map time period. Within 40 calendar days after receipt of the request, the Board of Supervisors shall either approve a stay of the time period for up to five years or deny the request. The request shall be considered at a public hearing with notice provided to the subdivider and any appellant. Following the hearing, the Board shall, within 10 calendar days, adopt its findings. [Source: 10-4.401.8.1, modified]

3. **Development Moratorium.** The expiration period shall not include any time during which a development moratorium is in effect pursuant to Government Code Section 66452.6 (Subdivision Map Act). [Source: 10-4.401.8.1]

4. **Effect of Expiration.** Expiration of an approved or conditionally approved tentative map shall terminate all proceedings. No final map for all or any portion of the property included within the tentative map shall be filed with the County Surveyor without first obtaining approval of a new tentative map. Notwithstanding the foregoing, if a complete and timely final map application is filed with the County Surveyor prior to expiration, subsequent County actions, including processing, approval, and recordation, may occur after the expiration date. [Source: 10-4.401.8.1]

B. **Extensions.** The subdivider may request an extension of the expiration date of an approved or conditionally approved tentative map by submitting a written application to the Planning Division. The application shall be filed not less than 30 calendar days prior to the expiration date and shall state the reasons for the request. Upon timely filing of a complete application, the approval of the tentative map shall be automatically extended for 60 calendar days, or until the extension request is approved, conditionally approved, or denied, whichever occurs first. [Source: 10-4.401.8.2.a, modified]

1. **Information Required.** The application for extension shall include the following: [Source: NEW]
   a. Name, address, and contact information of the applicant; [Source: NEW]
   b. Tentative map number and/or County tract number of the subdivision; [Source: NEW]
   c. A statement of the reasons for the extension, including an explanation of why the requirements for recording a final map cannot be completed prior to expiration; [Source: NEW]
   d. The requested extension period, not to exceed 18 months; [Source: NEW]
   e. A description of work completed to date, the current status of the project, and the remaining work necessary to record the final map; and [Source: NEW]
   f. The applicable filing fee as established by the Board of Supervisors. [Source: NEW]
2. **Staff Review.** Within 30 calendar days after a complete application is filed, the Planning Director shall review the application and provide a recommendation and findings to the Planning Commission. A copy of the recommendation and findings shall be provided to the subdivider prior to the Planning Commission meeting at which the extension will be considered. [Source: 10-4.401.8.2.b, modified]
3. **Planning Commission Action.** The Planning Commission shall consider the extension application at a regularly scheduled meeting and may approve, conditionally approve, or deny the request. A public hearing is not required. If approved or conditionally approved, the Planning Commission shall specify the new expiration date of the tentative map. [Source: 10-4.401.8.2.b, modified]
4. **Time Limit of Extensions.** No more than two extensions shall be granted, each for a period not to exceed 18 months. The cumulative extension period shall not extend the expiration date more than five years beyond the date of approval or conditional approval of the tentative map by the Planning Commission or Board of Supervisors. [Source: 10-4.401.8.2.c, modified]
5. **Conditions of Approval.** As part of the extension, the Planning Commission may impose new conditions or modify existing conditions, as recommended by the Planning Division or as otherwise determined necessary. [Source: 10-4.401.8.2.d]
6. **Appeals.** The subdivider may appeal any action of the Planning Commission on an extension to the Board of Supervisors within 10 calendar days after the decision, in accordance with Section 10.175.080. [Source: 10-4.401.8.2.e, modiifed]

10.175.100 Amendments to Approved Tentative Maps

A. **Minor Amendments.** Minor changes to an approved tentative map may be approved by the Planning Director, upon application by the subdivider or on the Director's own initiative, provided all of the following apply: [Source: 10-4.401.9, modified]

1. No lots or units are added; [Source: 10-4.401.9]
2. The changes are consistent with the intent and conditions of the original tentative map approval; and [Source: 10-4.401.9]
3. The changes do not result in a violation of this Zoning Code. [Source: 10-4.401.9, modified]

B. **Approval and Certification.** Any approved amendment shall be reviewed and approved by the Planning Director, Director of Public Works, and County Health Officer, as applicable. The amendment shall be clearly indicated on the approved tentative map. [Source: 10-4.401.9, modified]

C. **Major Amendments.** If the Planning Director determines that a proposed change is not minor, the amendment shall be processed as a modification to the tentative map and considered by the Planning Commission in accordance with Section 10.175.020. [Source: 10-4.401.9, modified]

D. **Effect on Expiration.** Approval of an amendment shall not extend or otherwise modify the expiration date of the tentative map. [Source: 10-4.401.9, modiifed]

10.175.110 Final Maps

A. **Final Map Preparation and Filing.** Prior to expiration of an approved or conditionally approved tentative map, the subdivider shall cause the real property included within the map, or any portion thereof, to be surveyed and a final map, consistent with the approved or conditionally approved tentative map, to be prepared and submitted for approval by the Board of Supervisors. [Source: NEW]

B. **Surveys and Monuments Required.** [Source: 10-4.402.1]

1. **Field Survey.** An accurate and complete field survey of the land to be subdivided shall be conducted in accordance with the Land Surveyors Act. All monuments, property lines, streets, roads, alleys, and easements adjoining or within the subdivision shall be tied into the survey. [Source: 10-4.402.1.a]
2. **Monuments.** Monuments shall be set at the following locations: [Source: 10-4.402.1.b]
    a. All lot corners and angle points;
    b. All angle points along the subdivision boundary; and
    c. The center line of all streets at:
        i. The beginning and end of curves;
        ii. Street intersections; and
        iii. The radius points of cul-de-sacs.
    d. All subdivision boundary angle points shall be monumented prior to recordation of the final map.
    e. The County Surveyor may approve alternate monument locations or waive monument placement where site conditions warrant.

C. **Closure Sheets.** Final maps submitted to the County Surveyor for review shall be accompanied by closure (calculation) sheets for the exterior boundary and all blocks, lots, easements, roads, enclosed areas, subdivisions of section lines, and survey lines shown on the map. [Source: 10-4.402.2]

D. **Form and Contents.** The form and contents of the final map shall comply with this Section and Article 2 of Chapter 2 of the Subdivision Map Act. [Source: 10-4.402.3]

1. **Boundary.** The exterior boundary of the subdivision shall be delineated on the map by distinctive symbols. The map shall clearly show all survey points, monuments, and other evidence found on the ground used to determine the boundary, including measurements thereto. [Source: 10-4.402.3.a, modified]

2. **Monuments.** The location and description of all existing and proposed monuments shall be shown. [Source: 10-4.402.3.b]

3. **Basis of Bearings.** The basis of bearings and the monuments used shall be clearly shown or noted. [Source: 10-4.402.3.c]

4. **Dimensions.** Sufficient dimensions shall be shown to determine the bearings and lengths of monument lines, street centerlines, subdivision boundaries, and the boundaries of each parcel. [Source: 10-4.402.3.d, modified]

    a. The radius, total arc length, and central angle of all curves shall be shown.

    b. Ditto marks shall not be used.

5. **Title.** Each sheet of the map shall include a title block showing the name and tract number of the subdivision, and a subtitle identifying the general location, including section, township, range, and “Siskiyou County.” [Source: 10-4.402.3.e]

6. **Scale and North Arrow.** A bar scale and north arrow shall be shown on each map sheet. [Source: 10-4.402.3.f]

7. **Legibility.** All printing, lettering, and numbering shall be of sufficient size, clarity, and weight to be legible on reproductions. [Source: 10-4.402.3.g]

8. **Vicinity Map.** For subdivisions of five or more parcels, a vicinity map shall be included showing the location of the subdivision in relation to the surrounding area. [Source: 10-4.402.3.h]

9. **Mapping Index**. Where three or more map sheets are used to delineate lots, a clear and legible index shall be included showing the entire subdivision, all roads and blocks, and the relationship of each sheet to the subdivision. [Source: 10-4.402.3.i]

10. **Parcels.** Each parcel shall be shown entirely on one sheet, and the area of each parcel shall be indicated. [Source: 10-4.402.3.j, modified]

11. **Street Names.** The names of all streets, roads, and highways within and adjoining the subdivision shall be shown without abbreviation. [Source: 10-4.402.3.k]

12. **County and City Boundaries.** Any county or city boundary crossing or adjoining the subdivision shall be clearly shown and dimensioned. [Source: 10-4.402.3.l]

13. **Adjoining Properties.** Adjoining properties shall be identified by reference to recorded subdivision maps or by book and page of recorded deeds. [Source: 10-4.402.3.m]

14. **Easements.** Easements shall be shown by dashed lines. [Source: 10-4.402.3.n]

    a. All easements of record, except blanket easements, shall be clearly delineated, dimensioned, and identified, including their purpose and the County Recorder's document number. [Source: 10-4.402.3.n]

    b. Blanket easements of record shall be listed, including the easement holder and the County Recorder's document number. [Source: 10-4.402.3.n]

    c. Easements created by the map shall be clearly delineated, dimensioned, and identified, including their purpose and the benefited property. [Source: 10-4.402.3.n]

15. **Soils and Geologic Reports.** Where soils or geologic reports have been prepared for the subdivision, the final map shall note the date of each report, the name of the preparer, and the location where the reports are on file. [Source: 10-4.402.3.o]

E. S**ubmittal for County Approval.**

1. **Preliminary Submittal.** The subdivider shall submit prints of the final map to the Director of Public Works for review. The submittal shall be accompanied by the following information, in a form acceptable to the Director of Public Works: [Source: 10-4.402.4]

    a. **Improvement Plans.** Improvement plans as required by Section 10.200.060; [Source: 10-4.402.4.a, modified]

    b. **Soils Reports.** A soils report, where required pursuant to Section 10.175.010, for areas with critically expansive soils or other soil conditions that could result in structural defects if uncorrected. The report shall be prepared and signed by a civil engineer licensed in the State of California; [Source: 10-4.402.4.b. modified]

    c. **Evidence of Title.** A title report or other evidence of title in accordance with Government Code Section 66465; [Source: 10-4.402.4.c]

    d. **Improvement Bond Estimates.** An estimate of improvement costs, including all improvements within public rights-of-way, easements, or private common areas, and utility trench backfill provided by the developer, excluding facilities installed by a utility company under the jurisdiction of the Public Utilities Commission; [Source: 10-4.402.4.d]

    e. **Easements and Rights-of-Way.** Deeds for off-site easements or rights-of-way required for road or drainage purposes that are not dedicated on the final map, and evidence acceptable to the County of rights of entry or permanent easements across property outside the subdivision for construction and maintenance; [Source: 10-4.402.4.e]

    f. **Traverse Closures.** Traverse closures for the boundary, blocks, lots, easements, street centerlines, and monument lines; [Source: 10-4.402.4.f]

g. **Hydrology and Hydraulics.** Hydrologic and hydraulic calculations for storm drainage facilities, when required by the Department of Public Works; [Source: 10-4.402.4.g]

h. **Organizational Documents.** Proposed covenants, conditions, and restrictions (CC&Rs), and any other organizational documents for the subdivision, submitted in a form acceptable to the Director of Public Works and County Counsel; and [Source: 10-4.402.4.h]

i. **Additional Information.** Any additional data, reports, or information required by the Director of Public Works. [Source: 10-4.402.4.i]

F. **Taxes and Assessments.** The subdivider shall submit a tax and assessment certificate in accordance with Article 8 of Chapter 4 of the Subdivision Map Act. [Source: 10-4.402.4.2]

G. **County Surveyor Review.** The County Surveyor shall review the final map. The subdivider's engineer or surveyor shall make any required corrections or revisions until the map conforms to the requirements of this Chapter. [Source: 10-4.402.4.3, modified]

H. **County Surveyor Approval and Filing.** The subdivider's engineer or surveyor shall submit the original map, corrected to final form and signed by all required parties, to the County Surveyor. If the County Surveyor determines that the map complies with all applicable requirements, is in final form, and that the tentative map approval has not expired as of the date of submittal, the County Surveyor shall deem the map filed and transmit it to the Board of Supervisors for consideration. [Source: 10-4.402.4.4]

I. **Fees.** Fees for review and approval of final maps shall be established by resolution of the Board of Supervisors. [Source: 10-4.402.4.4, modified]

J. **Board of Supervisors Review.**

1. **Approval.** After all required certificates have been executed, the final map, together with the subdivision improvement agreement, shall be placed on the Board of Supervisors' agenda for consideration. The Board shall consider the final map within 10 calendar days after the map is filed with the County Clerk, or at its next regular meeting at which the map is received, whichever is later. The Board shall approve the subdivision improvement agreement prior to approving the final map. [Source: 10-4.402.4.5, modified]

2. **Subdivision Improvement Agreement.** If the final map and subdivision improvement agreement are approved, the agreement shall be executed on behalf of the County. If either the agreement or the final map is not approved, the Board shall identify required revisions and may direct preparation of a revised agreement or map. Approval may be continued until an acceptable agreement and final map are resubmitted. [Source: 10-4.402.4.5, modified]

3. **Denial.** The Board shall deny approval of the final map if any of the findings in Section 10.175.040 are made. [Source: 10-4.402.4.6, modified]

4. **Substantial Compliance.** The Board shall not deny approval of the final map if it finds that the map is in substantial compliance with the previously approved tentative map.

K. **Filing with the County Recorder.** Upon approval of the final map by the Board of Supervisors, the County Clerk shall execute the appropriate certificate and transmit the map, or cause it to be transmitted, to the County Recorder for recordation. [Source: 10-4.402.4.7]

Chapter 10.180
Parcel Maps

Chapter 10.180 Parcel Maps

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10.180.010 General

A. **Tentative Parcel Map Required.** A tentative parcel map showing the design, improvements, and existing conditions of the proposed subdivision shall be required for all subdivisions creating four or fewer parcels or condominiums, except as provided in Section 10.170.030. [Source: 10-4.501.1. modified]

B. **Preparation.** The tentative parcel map shall be prepared by, or under the direction of, a civil engineer or land surveyor licensed in the State of California. The preparer shall sign the map to indicate responsibility, and the preparer's name, address, and license or registration number shall be shown. [Source: 10-4.501.1]

10.180.020 Form and Content

A. The form and contents of a tentative parcel map for subdivisions of five or more parcels shall comply with Section 10.175.010.C. [Source: 10-4.501.2, modified]

B. **Form and Contents.** A tentative parcel map shall include the following: [Source: 10-4.501.2]

1. **Size and Scale.** T The map sheet shall not exceed 18 inches by 26 inches and shall be drawn to scale with a bar scale shown. [Source: 10-4.501.2.a, modified]
2. **Legibility.** All text and linework shall be of sufficient size and clarity to be legible on reproductions. [Source: 10-4.501.2.b]
3. **Location.** Assessor's parcel numbers and the general location, including section, township, and range. [Source: 10-4.501.2.c]
4. **Ownership and Applicant.** The name and address of the fee title owner and subdivider. [Source: 10-4.501.2.d]
5. **Date and North Arrow.** The preparation date, dates of revisions, and a north arrow. [Source: 10-4.501.2.e]

6. **Vicinity Map.** A map showing the location of the subdivision in relation to the surrounding area. [Source: 10-4.501.2.f]

7. **Boundary.** Sufficient information to define the boundary of the proposed subdivision, including approximate dimensions. [Source: 10-4.501.2.g]

8. **Easements**. The location, dimensions, purpose, and identity of all existing and proposed easements. [Source: 10-4.501.2.h]

9. **Access.** Existing and proposed access from a public road to all parcels, including any remainder parcel, with right-of-way widths and approximate grades. Easement access shall include deed references. [Source: 10-4.501.2.i]

10. **Adjoining Properties.** The identity of adjoining subdivisions and record owners. [Source: 10-4.501.2.j]

11. **County and City Boundaries.** Any county or city boundaries crossing or adjoining the subdivision. [Source: 10-4.501.2.k]

12. **District Boundaries.** School district and special district boundaries crossing the subdivision. [Source: 10-4.501.2.l]

13. **Land Use.** Existing and proposed land uses consistent with the County General Plan and Zoning Map designations. [Source: 10-4.501.2.m, modified]

14. **Noise.** Approximate locations of 60, 65, and 70 CNEL contours, if applicable. [Source: 10-4.501.2.n, modified]

15. **Existing Topography.** Existing topographic conditions, including: [Source: 10-4.501.2.o]

    a. Slope and terrain features; [Source: 10-4.501.2.o]

    b. Significant physical features (e.g., ridges, drainage courses, unstable areas); [Source: 10-4.501.2.o]

    c. Flood hazard areas, with elevations based on the National Geodetic Vertical Datum where applicable; [Source: 10-4.501.2.o, modified]

    d. Existing structures, including those to be removed; [Source: 10-4.501.2.o]

    e. Existing wells; [Source: 10-4.501.2.o]

    f. Areas subject to inundation or stormwater overflow and the direction of flow of watercourses; and [Source: 10-4.501.2.o]

    g. Existing roads, including name, right-of-way width, traveled way width, and grade. [Source: 10-4.501.2.o]

16. **Proposed Improvements.** Proposed subdivision improvements, including: [Source: 10-4.501.2.p]

    a. Layout, dimensions, and area of each proposed parcel; [Source: 10-4.501.2.p, modified]

b. Parcel identification and any remainder; [Source: 10-4.501.2.p, modified]

c. Street layout, including name, grade, length, curve data, right-of-way width, and typical section; and [Source: 10-4.501.2.p]

d. Common areas, open space, and trails. [Source: 10-4.501.2.p]

17. **Grading.** Sufficient information to demonstrate that proposed grading and building sites can be developed consistent with applicable County standards, including areas for sewage disposal where applicable. [Source: 10-4.501.2.q]

18. **Drainage.** Location, size, type, and slope of existing and proposed drainage facilities. [Source: 10-4.501.2.r]

19. **Water and Sewage.** Proposed water supply and sewage disposal methods; location of existing septic systems; and location and size of existing and proposed water and sewer infrastructure. [Source: 10-4.501.2.s]

20. **Dedications.** All areas proposed for public dedication shall be clearly identified. Private roads shall be labeled accordingly. [Source: 10-4.501.2.t]

21. **Modifications or Waivers.** The Planning Director, with the concurrence of the Director of Public Works and County Health Officer as applicable, may modify or waive specific requirements of this Section where site-specific conditions justify the modification. [Source: 10-4.501.2.u, modified]

10.180.030 Application Processing and Review

A. **Submittal.** A tentative parcel map shall be accepted for filing only if it complies with Section 10.180.020 and is submitted in a form acceptable to the Planning Division. The subdivider shall submit the number of copies required by the Planning Director. [Source: 10-4.501.4]

B. **Review.** The Planning Division shall review the tentative parcel map for compliance with applicable County regulations and the Subdivision Map Act. Upon determining that the application is complete, the Planning Director shall schedule the matter for a public hearing before the Planning Commission. [Source: 10-4.501.5, modified]

C. **Public Hearing and Notice.** Notice of the public hearing shall be provided as follows: [Source: NEW]

1. **Publication.** At least 10 calendar days prior to the hearing, notice of the time, date, and place of the hearing, including a general description of the project and its location, shall be published in a newspaper of general circulation in the County. [Source: 10-4.501.5]

2. **Mailed Notice.** Notice shall also be provided by mail or delivery to all persons shown on the last equalized assessment roll as owning property within **300 feet** of the subject property. [Source: 10-4.501.5]

3. **Access Notice.** Notice shall be provided to all property owners along any private access road proposed to serve the subdivision. For condominium, community apartment, or stock cooperative conversions, notice shall also be provided in accordance with Government Code Section 66451.3. [Source: 10-4.501.5]

4. **Owner Notice.** If the application is submitted by a person other than the property owner, notice shall also be provided to the property owner as shown on the last equalized assessment roll. [Source: 10-4.501.5]

5. **Requested Notice.** Notice shall be provided to any person who has filed a written request with the Planning Commission. The County may charge a reasonable fee to recover mailing costs. [Source: 10-4.501.5]

6. **Substantial Compliance.** Substantial compliance with these notice requirements shall be sufficient, and any technical defect shall not affect the validity of the proceedings. [Source: 10-4.501.5, modified]

10.180.040 Action

A. **Planning Commission Decision.** Upon conclusion of the public hearing, the Planning Commission shall approve, conditionally approve, or deny the tentative parcel map. Written notice of the decision, including any conditions of approval, shall be provided to the subdivider and the preparer of the map. If the tentative parcel map is denied, the notice shall include the reasons for denial. [Source: 10-4.501.6]

B. **Findings.** In approving or conditionally approving a tentative parcel map, the Planning Commission shall find that the proposed subdivision, including its design and improvements, is consistent with the applicable General Plan and any applicable Specific Plan. The Planning Commission shall deny the tentative parcel map if any of the findings required by this Chapter or the Subdivision Map Act are made. [Source: 10-4.501.7, modified]

10.180.050 Conditions of Approval

In approving a tentative parcel map, the Planning Commission may impose conditions necessary to ensure compliance with this Chapter, other applicable County regulations, and the Subdivision Map Act, including but not limited to the following: [Source: 10-4.501.8]

A. Frontage improvements; [Source: 10-4.501.8]

B. On-site improvements; [Source: 10-4.501.8]

C. Off-site improvements; [Source: 10-4.501.8]

D. Dedications; [Source: 10-4.501.8]

E. Applicable fees; [Source: 10-4.501.8]

F. Soils or engineering geology reports; and [Source: 10-4.501.8]

G. Undergrounding of utility lines along perimeter streets, where required. [Source: 10-4.501.8, modified]

10.180.060 Appeals

A. **Appeals of Planning Commission Decisions.** A decision of the Planning Commission may be appealed to the Board of Supervisors by any of the following:

1. **Subdivider Appeal.** The subdivider may appeal any decision of the Planning Commission by filing a written appeal with the County Clerk within 10 calendar days

after the decision, accompanied by a fee established by the Board of Supervisors. The Board shall consider the appeal within 30 calendar days, or at its next regular meeting following the filing of the appeal, whichever is later. [Source: 10-4.501.9.1, modified]

2. **Appeal by Interested Persons.** Any interested person adversely affected by a decision of the Planning Commission may file an appeal with the County Clerk within 10 calendar days after the decision, accompanied by a fee established by the Board. No appeal shall be accepted after the 10-day period. [Source: 10-4.501.9.2, modified]

3. **Tenant Appeal.** Any tenant of property being subdivided as part of a proposed conversion to a condominium, community apartment, or stock cooperative project may appeal any action of the Planning Commission taken pursuant to the Subdivision Map Act, accompanied by a fee established by the Board. [Source: 10-4.501.9.3, modified]

4. **General Plan and Specific Plan Consistency.** Any interested person may appeal a decision of the Planning Commission regarding consistency with the General Plan or any applicable Specific Plan. [Source: 10-4.501.9.4, modified]

B. **Hearing and Decision.** All appeals shall be considered at a public hearing following notice given in accordance with Section 10.175.030. Notice shall be provided to the appellant, the subdivider, and the Planning Commission. Following the hearing, the Board of Supervisors shall, within 10 calendar days, adopt its findings. The Board may sustain, modify, or reverse the decision of the Planning Commission and may make findings consistent with this Chapter and the Subdivision Map Act. [Source: 10-4.501.9.1]

10.180.070 Expiration and Extensions

A. **Expiration.** Approval or conditional approval of a tentative parcel map shall expire 24 months after the date of approval. [Source: 10-4.501.10.1, modified]

1. **Board-Approved Litigation Stay.** The expiration period shall not include any time during which a lawsuit involving the approval or conditional approval of the tentative parcel map is pending, provided the Board of Supervisors has approved a stay. Within 10 calendar days after service of the initial petition or complaint upon the County, the subdivider shall submit a written request to the Planning Director for a stay of the tentative parcel map time period. The request shall be considered at a public hearing with notice provided to the subdivider and any appellant. Following the hearing, the Board shall, within 10 calendar days, adopt its findings. [Source: 10-4.501.10.1, modified]

2. **Development Moratorium.** The expiration period shall not include any time during which a development moratorium is in effect pursuant to Government Code Section 66463.5 (Subdivision Map Act). [Source: 10-4.501.10.1]

3. **Effect of Expiration.** Expiration of an approved or conditionally approved tentative parcel map shall terminate all proceedings. No parcel map for all or any portion of the property included within the tentative parcel map shall be filed with the County Surveyor without first obtaining approval of a new tentative parcel map. Notwithstanding the foregoing, if a complete and timely parcel map application is filed with the County Surveyor prior to expiration, subsequent County actions, including

processing, approval, and recordation, may occur after the expiration date. [Source: 10-4.501.10.1, modified]

B. **Extensions.** Extensions of tentative parcel map approvals shall be processed in accordance with Section 10.175.060.B. [Source: 10-4.501.10.1, modified]

10.180.080 Amendments

A. **Minor Amendments.** Minor amendments to a tentative parcel map or its conditions of approval may be approved by the Planning Director, upon application by the subdivider or on the Director's own initiative, provided all of the following apply: [Source: 10-4.501.11, modified]

1. No parcels or units are added; [Source: 10-4.501.11]
2. The changes are consistent with the intent and conditions of the original tentative parcel map approval; and [Source: 10-4.501.11]
3. The changes do not result in a violation of this Zoning Code. [Source: 10-4.501.11, modified]

B. **Approval and Documentation.** Approved amendments shall be reviewed and approved by the Planning Director, Director of Public Works, and County Health Officer, as applicable. The amendment shall be clearly indicated on the approved tentative parcel map or documented in writing to the subdivider, as appropriate. [Source: 10-4.501.11]

C. **Effect on Expiration.** Approval of an amendment shall not extend or otherwise modify the expiration date of the tentative parcel map. [Source: 10-4.501.11]

D. **Major Amendments.** If the Planning Director, Director of Public Works, or County Health Officer determines that a proposed change is not minor, a new tentative parcel map application may be required. [Source: 10-4.501.11, modified]

10.180.090 Parcel Maps

A. **Preparation and Filing.** Prior to expiration of an approved or conditionally approved tentative parcel map, the subdivider shall cause the property to be surveyed and a parcel map, consistent with the approved tentative parcel map, to be prepared and submitted for approval. [Source: NEW]

B. **Surveys and Monuments.**

1. **Field Survey.** An accurate and complete field survey shall be conducted in accordance with the Land Surveyors Act. All monuments, property lines, streets, roads, alleys, and easements adjoining or within the subdivision shall be tied into the survey. [Source: 10-4.502.1.a]
2. **Monuments.** Monuments shall be set at all lot corners and angle points, and at all angle points along the subdivision boundary. Existing monuments are not required to be reset.
3. **Street Monuments (Five or More Parcels).** For parcel maps creating five or more parcels, monuments shall also be set along street centerlines at: [Source: 10-4.502.1.c]

a. The beginning and end of curves;

b. Street intersections; and

c. The radius points of cul-de-sacs.

4. **Boundary Monuments.** All subdivision boundary angle points shall be monumented prior to recordation. [Source: 10-4.502.1.d]

5. **Alternate Monuments.** The County Surveyor may approve alternate monument locations or waive monument placement where conditions warrant. [Source: 10-4.502.1.e]

6. **Compiled Parcel Maps.** A parcel map may be compiled when: [Source: 10-4.502.1.f]

a. Boundary monuments already exist; [Source: 10-4.502.1.f]

b. The monuments are shown on a recorded map; and [Source: 10-4.502.1.f]

c. The recorded map contains sufficient survey information to accurately determine parcel boundaries. [Source: 10-4.502.1.f]

C. **Closure Sheets.** Closure (calculation) sheets shall be submitted to the County Surveyor in accordance with Section 10.175.080. [Source: 10-4.502.2, modified]

D. **Form and Contents.** Parcel maps shall comply with Section 10.175.080 and Article 3 of Chapter 2 of the Subdivision Map Act. [Source: 10-4.502.3, modified]

E. **Preliminary Submittal.** The subdivider shall submit prints of the parcel map to the County Surveyor for review, along with required data, plans, and reports consistent with Section 10.175.080. The County Surveyor or Director of Public Works may waive specific submittal requirements where appropriate. [Source: 10-4.502.4, modified]

F. **County Surveyor Review.** The County Surveyor shall review the parcel map. The subdivider's engineer or surveyor shall make required corrections until the map conforms to applicable requirements. [Source: 10-4.502.5]

G. **County Surveyor Approval.** The subdivider's engineer or surveyor shall submit the final map, signed by all required parties, to the County Surveyor. If the map is complete, in final form, and the tentative parcel map approval has not expired, the County Surveyor shall deem the map filed.

H. **Fees.** Fees for review and approval of parcel maps shall be established by resolution of the Board of Supervisors. [Source: 10-4.502.6, modified]

I. **Filing with the County Recorder.** Upon approval, the County Surveyor shall transmit the parcel map to the County Recorder for recordation. [Source: 10-4.502.7]

J. **Waiver of Parcel Map Requirements.** [Source: 10-4.502.8]

1. The Planning Commission may waive the requirement for a parcel map in the following circumstances: [Source: 10-4.502.8]

a. Divisions involving conveyances to or from a public agency or utility for public purposes; or [Source: 10-4.502.8.a]

b. Where the proposed division complies with applicable requirements for area, design, improvements, access, drainage, utilities, environmental protection, and other applicable standards. [Source: 10-4.502.8.b]

2. A waiver may be granted where existing survey monuments and recorded maps provide sufficient information to determine parcel boundaries. [Source: 10-4.502.8]

3. Upon granting a waiver, the Planning Director shall file a legal description of the division with the County Recorder. [Source: 10-4.502.8, modified]

4. A waiver may be conditioned on the payment of applicable fees. [Source: 10-4.502.8]

K. **Taxes and Assessments.** The subdivider shall submit a tax and assessment certificate in accordance with Article 8 of Chapter 4 of the Subdivision Map Act. [Source: 10-4.502.9]

Chapter 10.185

Dedications and Reservations

Chapter 10.185 Dedications and Reservations

Sections

10.185.010 Dedication of Streets, Alleys, and Other Public Rights-of-Way or Easements
10.185.020 School Site Dedications
10.185.030 Natural Resources

10.185.010 Dedication of Streets, Alleys, and Other Public Rights-of-Way or Easements

A. **General.** As a condition of approval of a final map or parcel map, the subdivider may be required to dedicate or make an irrevocable offer of dedication for land within the subdivision needed for streets, alleys, access rights, drainage, public utility easements, and other public easements. The subdivider may also be required to construct or agree to construct such improvements. [Source: 10-4.601, modified]

B. **Waivers of Direct Access.** The County may require, as a condition of approval of a subdivision, the waiver of direct access rights to proposed or existing streets from property within or adjacent to the subdivision. The waiver shall be included in the owner's certificate on the final map or parcel map and shall become effective upon recordation. [Source: 10-4.601.1]

C. **Acceptance or Rejection of Offers.** At the time of approval of a final map or parcel map, the Board of Supervisors shall accept, accept subject to improvement, or reject any offer of dedication. If the Board takes no action, the offer shall be deemed rejected. [Source: 10-4.601.2, modified]

1. **Deferred Acceptance.** If an offer of dedication is rejected at the time of map approval, the offer shall remain open. The Board of Supervisors may, by resolution and without further action by the subdivider, subsequently accept the offer, and such acceptance shall be recorded with the County Recorder. [Source: 10-4.601.2.a]

2. **Water Access Dedications.**

   a. For subdivisions fronting on a public waterway, river, or stream, any offer of dedication for public access routes and bank access shall be accepted within three years after map approval.

   b. For subdivisions fronting on a lake or reservoir owned in whole or in part by a public agency, any offer of dedication for public access shall be accepted within five years after map approval.

   c. All other offers of dedication may be accepted at any time. [Source: 10-4.601.2.b, modified]

3. **Termination of Offers.** Offers of dedication may be terminated or abandoned in accordance with applicable provisions of the Streets and Highways Code governing abandonment or vacation of public rights-of-way. [Source: 10-4.601.2.c, modified]

4. **Abandonment by Time.** Offers of dedication not accepted within the applicable time limits shall be deemed abandoned. [Source: 10-4.601.2.d, modified]

5. **Effect of Subsequent Maps.** Except as provided in Government Code Sections 66499.16 through 66499.18, if a resubdivision or reversion to acreage is approved, any previously rejected offer of dedication shall be deemed terminated upon approval of the new map. [Source: 10-4.601.2.e, modified]

D. **Effective Date.** Acceptance of an offer of dedication shall not be effective until the final or parcel map, or a resolution of acceptance, is recorded with the County Recorder. [Source: 10-4.601.3]

10.185.020 School Site Dedications

A. **General.** As a condition of approval of a tentative map, the Board of Supervisors may require a subdivider to dedicate land to the applicable school district for school sites, where reasonably necessary to serve the subdivision and consistent with Government Code Section 66477. [Source: 10-4.602.1, modified]

B. **Procedure.** The requirement for dedication shall be imposed at the time of tentative map approval. If, within 30 calendar days after the requirement is imposed, the school district does not offer to enter into a binding agreement to accept the dedication, the requirement shall terminate. Any required dedication shall be completed prior to, concurrently with, or within 60 calendar days after recordation of the final map for the applicable portion of the subdivision. [Source: 10-4.602.2, modified]

C. **Payment for Dedicated Land.** If the school district accepts the dedication, it shall reimburse the subdivider or successor for: [Source: 10-4.602.3]

1. The original cost of the land;

2. The cost of improvements made to the land; [Source: 10-4.602.3.a]

3. Property taxes paid on the land from the date of the school district's agreement to accept the dedication; and [Source: 10-4.602.3.b]

4. Reasonable costs of maintenance and financing associated with the land. [Source: 10-4.602.3.c]

D. **Exemptions.** This Section shall not apply where the subdivider has owned the property for more than 10 years prior to filing the tentative map. [Source: 10-4.602.4, modified]

E. **Reversion.** If the dedicated land is not used by the school district for a school site within 10 years after dedication, the subdivider or successor shall have the right to repurchase the property for the amount paid by the school district. [Source: 10-4.602.5]

10.185.030 Natural Resources

A. **Public Access to Waterways.** The Board of Supervisors shall not approve a tentative or final map for a subdivision fronting on a public waterway, river, or stream unless reasonable public access is provided or available from a public highway to the bank of the waterway within or adjacent to the subdivision. [Source: 10-4.603.2.a, modified]

B. **Determination of Reasonable Access.** In determining whether public access is reasonable, the Board shall consider: [Source: 10-4.603.2.b, modified]

1. Types of access, including highway, foot trail, bicycle trail, horse trail, or other means; [Source: 10-4.603.2.b]
2. The size of the subdivision; [Source: 10-4.603.2.b]
3. The characteristics of the waterway and appropriate recreational, educational, and scientific uses; and [Source: 10-4.603.2.b]
4. The likelihood of trespass and reasonable measures to avoid it. [Source: 10-4.603.2.b]

C. **Definition of Public Waterways.** Public waterways, rivers, and streams include those identified in the Harbors and Navigation Code, streams designated as public for fishing under the Government Code, rivers identified as spawning areas in the Fish and Game Code, and waterways downstream of state or federal fish hatcheries. [Source: 10-4.603.2.c, modified]

D. **Easements Along Waterways.**

1. The Board shall not approve a tentative or final map unless a public easement is dedicated along a portion of the bank of a public waterway within the subdivision. [Source: 10-4.603.3.a]
2. The extent, width, and character of the easement shall be reasonably defined to provide public use consistent with public safety. In making this determination, the Board shall consider the factors listed in Subsection B. [Source: 10-4.603.3.b]

E. **Map Designation.** Any public access route or easement shall be clearly shown on the tentative and final map, including the public entity to which the dedication is made and its acceptance. [Source: 10-4.603.4]

F. **Alternative Access.** The Board may approve a subdivision without on-site access if it finds that reasonable public access is available within a reasonable distance. Such finding shall be noted on the map. [Source: 10-4.603.5, modified]

G. Exemptions. This Section does not apply to subdivisions for electric power generating facilities or industrial uses. [Source: 10-4.603.7, modified]

H. **Lakes and Reservoirs.** [Source: 10-4.603.8]

1. Subdivisions fronting on a lake or reservoir owned in whole or in part by a public agency shall provide reasonable public access from a public highway to the water, either within the subdivision or within a reasonable distance. [Source: 10-4.603.8.a]
2. Reasonable access shall be determined using the criteria in Subsection B, with consideration of shoreline conditions and appropriate uses.. [Source: 10-4.603.8.c, modified]
3. The Board may approve a subdivision without on-site access if it finds that reasonable access exists nearby, and such finding shall be noted on the map. [Source: 10-4.603.8.d, modified]

4. This Section does not apply to tentative maps approved prior to December 25, 1975. [Source: 10-4.603.8.e, modified]

5. Dedicated access routes may be transferred between public agencies, subject to mutual agreement and recordation. [Source: 10-4.603.8.f]

I. **Parcels Over 40 Acres.** The Board shall not approve development of parcels over 40 acres created after December 31, 1969, that front on a lake or reservoir unless reasonable public access is provided. Reasonableness shall be determined in accordance with Government Code Section 66478.13. [Source: 10-4.603.9, modified]

J. **Improvement of Access.** Nothing in this Section shall require a subdivider to improve access routes intended primarily for use by nonresidents. [Source: 10-4.603.10, modified]

Chapter 10.190

Road Names

Chapter 10.190 Road Names

Sections

10.190.010 Purpose
10.190.020 Road Defined
10.190.030 Authority
10.190.040 Processing
10.190.050 Naming Standards

10.190.010 Purpose

The purpose of this Chapter is to establish procedures and standards for naming and renaming roads within the County. [Source: 10-9.01, modified]

10.190.020 Road Defined

For the purposes of this Chapter, “road” means any road, highway, street, avenue, boulevard, easement, or right-of-way, whether public or private, used for vehicular access. [Source: 10-9.02]

10.190.030 Authority

The Planning Director shall be responsible for reviewing and approving road names, subject to final approval by the Board of Supervisors where required by this Chapter. [Source: 10-9.03]

10.190.040 Processing

A. **Tentative Maps.** Proposed road names shall be submitted to the Planning Division for review prior to or concurrent with the submittal of a tentative map. The Planning Director shall determine whether the proposed names comply with Section 10.190.050. [Source: 10-9.04.a, modified]

B. **Unnamed Roads.** When an unnamed road is identified, the Planning Division shall notify affected property owners and request proposed names. If no response is received within a reasonable time, the Planning Director may assign a name. [Source: 10-9.04.b]

C. **Initiation of Name Changes.** Road name changes may be initiated by the Board of Supervisors, County staff, or by petition of a property owner, accompanied by a fee established by the Board.. [Source: 10-9.04.c, modified]

D. **Board Action.** Upon determining that a road name change is appropriate, the Board of Supervisors shall adopt a resolution of intention, set a public hearing, and direct that notice be provided in accordance with applicable law. [Source: 10-9.04.d, modified]

E. **Adoption.** Following the public hearing, the Board of Supervisors may adopt a resolution establishing the road name. The name shall become effective upon adoption of the resolution.. [Source: 10-9.04.e, modified]

10.190.050 Naming Standards

A. Road names shall be selected to avoid confusion with existing road names in the County. [Source: 10-9.05.a, modified]

B. Where feasible, road names should reflect consensus among affected property owners. [Source: 10-9.05.b]

C. Duplicate or similar-sounding names shall not be used within the same geographic area. [Source: 10-9.05.c]

D. A road shall have only one name along a continuous alignment. [Source: 10-9.05.d]

E. Road names shall not conflict with the general direction or destination of the roadway. [Source: 10-9.05.e]

Chapter 10.195

Condominium Conversions

Chapter 10.195 Condominium Conversions

Sections

10.195.010 Purpose
10.195.020 Requirements and Procedures
10.195.030 Physical Standards for Condominium Conversions
10.195.040 Tenant Provisions
10.195.050 Low- and Moderate- Income Housing
10.195.060 Findings

10.195.010 Purpose

The purpose of this Chapter is to: [Source: 10-4.701, modified]

A. Establish criteria for the conversion of existing multi-family rental housing to condominiums, community apartments, stock cooperatives, and similar ownership forms; [Source: 10-4.701.a, modified]

B. Reduce displacement impacts on tenants by requiring notice, relocation time, and assistance; [Source: 10-4.701.b]

C. Ensure that prospective purchasers are informed of the physical condition of the property; [Source: 10-4.701.c]

D. Promote a high level of design, quality, and safety in converted housing; [Source: 10-4.701.d]

E. Maintain a balance between ownership and rental housing, and provide a range of housing types, prices, and locations; and [Source: 10-4.701.e]

F. Preserve the availability of rental housing for low- and moderate-income households. [Source: 10-4.701.f]

10.195.020 Requirements and Procedures

A. **General.** Condominium conversions shall comply with the requirements of Chapters 10.170 (General Provisions), 10.175 (Tentative Maps), and 10.180 (Parcel Maps), in addition to the requirements of this Chapter. [Source: 10-4.702.1, modified]

B. **Exemptions.** Limited equity housing cooperatives, as defined in Section 33007.5 of the California Health and Safety Code, are exempt from the additional requirements of this Chapter. [Source: 10-4.702.1, modified]

C. **Physical Elements Report.** A report prepared by a registered engineer, architect, or licensed contractor describing the physical condition of all structures and facilities shall be submitted with the tentative map or parcel map. The report shall include, at a minimum: [Source: 10-4.702.2, modified]

1. A description of the condition of all major structural and building components, including foundations, electrical systems, plumbing, utilities, walls, roofs, ceilings, windows, mechanical equipment, parking facilities, and appliances. For each component, the report shall identify the approximate age, current condition, date of last replacement, estimated remaining useful life, estimated replacement cost, and any defective or unsafe conditions, along with proposed corrective measures. [Source: 10-4.702.2.a]
2. A structural pest control report for each structure and each unit. [Source: 10-4.702.2.b]
3. A report describing soil and geologic conditions affecting the site, including any known hazards and any prior reports. [Source: 10-4.702.2.c]
4. A statement of repairs and improvements necessary to achieve a high level of appearance, quality, and safety. [Source: 10-4.702.2.d]

D. **Additional Submittals.** The following shall be submitted: [Source: 10-4.702.3, modified]

1. Draft covenants, conditions, and restrictions (CC&Rs), including provisions governing unit ownership and conveyance, parking assignment, maintenance of common areas and access, allocation of maintenance responsibilities, and utility service and cost-sharing. [Source: 10-4.702.3.a]
2. Project information, including unit sizes and configurations, rental rate history for the previous five years, vacancy rates for the previous two years, general tenant characteristics in aggregated form, proposed sales prices, proposed homeowners' association fees, and available financing. If this information is not reasonably available, the Planning Director may modify the requirement. [Source: 10-4.702.3.b, modified]
3. Evidence that tenants have been provided notice of intent to convert in accordance with Section 10.195.040. [Source: 10-4.702.3.c]
4. Additional information reasonably necessary to determine compliance with this Chapter. [Source: 10-4.702.3.d, modified]

E. **Acceptance of Reports.** Reports shall be subject to County review and approval. Approved reports shall be kept on file with the Planning Division and referenced in the staff report to the Planning Commission. [Source: 10-4.702.4]

F. **Budget.** Prior to final map approval, the subdivider shall submit a budget for maintenance and operation of common facilities, including reserves. The budget shall identify estimated monthly costs per unit and shall be prepared or reviewed by a qualified management professional. [Source: 10-4.702.5]

G. **Disclosure to Purchasers.** All required reports and submittals shall be provided to prospective purchasers prior to execution of any purchase agreement and shall be made available at the project site and sales office. [Source: 10-4.702.6, modified]

H. **Public Hearing.** The Planning Commission shall hold a public hearing prior to tentative map approval. Notice shall be provided in accordance with Section 10.175.040 and mailed to tenants. A copy of the staff report shall be provided to tenants at least three days prior to the hearing. [Source: 10-4.702.7, modified]

I. **Final Information.** Prior to close of escrow, the subdivider shall submit the following to the Planning Division: [Source: 10-4.702.8, modified]

1. Homeowners' association contact information; [Source: 10-4.702.8]
2. Actual sales prices; [Source: 10-4.702.8]
3. Actual homeowners' association fees; [Source: 10-4.702.8]
4. Number of units purchased by existing tenants; and [Source: 10-4.702.8]
5. Number of units intended for rental use. [Source: 10-4.702.8]

10.195.030 Physical Standards for Condominium Conversions

A. **Adequate Physical Conditions.** An overall assessment of building conditions shall be performed prior to tentative map approval, and any violations shall be identified in the staff report to the Planning Commission. A physical inspection of each unit for compliance with applicable Building Code requirements shall be completed prior to final map approval. [Source: 10-4.703.1, modified]

B. **Specific Physical Standards.** All condominium conversions shall comply with the following: [Source: 10-4.703.2, modified]

1. **Building Regulations.** The project shall conform to the Building Code in effect at the time the last building permit was issued for the structure, except as otherwise required by this Chapter or applicable law. [Source: 10-4.703.2.a, modified]
2. **Health and Safety.**
    a. Each bathroom shall be equipped with ground fault circuit interrupters. [Source: 10-4.703.2.b]
    b. Each unit shall be equipped with smoke detectors in locations required by the currently adopted Building and Fire Codes. [Source: 10-4.703.2.c]
    c. All fire protection systems, including hydrants, alarms, extinguishers, and related equipment, shall be maintained in operable condition. [Source: 10-4.703.2.c]
3. **Mechanical Equipment.** Permanent mechanical equipment that generates vibration or noise shall be properly isolated or mounted to minimize impacts, as determined by the Building Official. [Source: 10-4.703.2.d]
4. **Noise Standards.** Structures shall comply with applicable interior and exterior noise standards. Where compliance is not feasible, the Planning Commission may require disclosure of existing noise conditions to prospective purchasers. [Source: 10-4.703.2.d], modified
5. **Utility Metering.** Each unit shall be separately metered for gas and electricity. A plan for shared water service, if applicable, shall be provided in the covenants, conditions, and restrictions. Modifications may be approved by the Planning Commission where

strict compliance is infeasible and the alternative provides equivalent functionality. [Source: 10-4.703.2.e]

6. **Private Storage.** Each unit shall be provided with at least 200 cubic feet of enclosed, weatherproof, and lockable storage space, in a location approved by the Planning Division. Modifications may be approved by the Planning Commission where strict compliance is infeasible. [Source: 10-4.703.2.f, modified]

7. **Laundry Facilities.** Each unit shall include laundry facilities, or common facilities shall be provided at the following minimum ratios: one washer and one dryer for every five units with three or more bedrooms, every seven two-bedroom units, and every 10 one-bedroom units. Modifications may be approved by the Planning Commission where strict compliance is infeasible. [Source: 10-4.703.2.g]

8. **Landscaping.** Landscaping shall be restored and maintained to a high standard of appearance and quality. Where significant new landscaping is required, a landscape plan shall be subject to Planning Commission approval. [Source: 10-4.703.2.h]

9. **Equipment and Appliance Warranty.** The developer shall provide a one-year warranty to each purchaser for appliances and equipment provided with the unit. The developer shall also provide a one-year warranty to the homeowners' association for common equipment and facilities. Evidence of warranty coverage shall be provided prior to final map approval. [Source: 10-4.703.2.i]

10. **Refurbishment.** Buildings and site improvements shall be repaired or restored as necessary to achieve a high level of appearance, quality, and safety. A one-year warranty shall be provided for required improvements. Where substantial restoration is required, design plans may be subject to design review. [Source: 10-4.703.2.j]

11. **Reserve Fund.** Prior to final map approval, the developer shall establish a reserve fund for replacement of common facilities in the name of the homeowners' association. The initial reserve shall be equal to two times the estimated monthly homeowners' association assessment per unit. [Source: 10-4.703.2.k]

10.195.040 Tenant Provisions

A. **Notices of Intent.** In accordance with Section 66427.1 of the California Government Code, the subdivider shall provide written notice of intent to convert to each tenant at least 60 days prior to filing the tentative map. Notice shall be provided in the form required by State law and shall comply with applicable requirements for service by mail. [Source: 10-4.704.1, modified]

B. **Notice of Public Report.** Each tenant shall be provided written notice, in accordance with Section 66427.1 of the California Government Code, that an application for a public report has been or will be submitted to the California Department of Real Estate and that the report will be available upon request. [Source: 10-4.704.2, modified]

C. **Notice of Final Map Approval.** Each tenant shall be provided written notice within 10 days following approval of the final map, in accordance with Section 66427.1 of the California Government Code. [Source: 10-4.704.3, modified]

D. **Tenant Right to Purchase.** Each tenant shall be provided an exclusive right to contract for the purchase of the unit occupied by the tenant, on the same or more favorable terms as offered to the general public, for a period of not less than 90 days following issuance of the subdivision public report, unless the tenant provides written notice of intent not to exercise such right. Evidence of compliance shall be provided prior to final map approval. [Source: 10-4.704.4, modified]

E. **Notice of Termination of Tenancy.** Each tenant not in default under the terms of the lease shall be provided not less than 180 days' written notice of termination of tenancy due to conversion, in accordance with State law. Evidence of compliance shall be provided prior to final map approval. [Source: 10-4.704.5, modified]

F. **Additional Tenant Protections.** The subdivider shall comply with all applicable State laws governing tenant protections related to condominium conversions. The County shall not impose requirements that conflict with or are preempted by State law. [Source: 10-4.704.6, modified]

G. **Notice to Prospective Tenants.** Beginning at least 60 days prior to filing the tentative map, the subdivider shall provide notice of intent to convert to all prospective tenants prior to acceptance of any rent or deposit, in accordance with applicable provisions of the California Government Code. [Source: 10-4.704.7, modified]

H. **Relocation Assistance.** The subdivider shall provide relocation assistance to each tenant household occupying a unit at the time a complete tentative map application is accepted by the Planning Division.

1. Relocation assistance shall be provided in an amount equal to two times the tenant's monthly rent.

2. Relocation assistance shall be paid within 14 days after the tenant vacates the unit, unless the tenant has provided prior notice of intent to vacate before receiving notice of the proposed conversion.

3. The subdivider shall not be required to provide relocation assistance to tenants who occupy a unit after the tentative map application has been accepted by the Planning Division.

10.195.050 Low- and Moderate- Income Housing

A. **Purpose.** The purpose of this Section is to reduce displacement impacts associated with condominium conversions and to maintain a reasonable supply of rental housing for low- and moderate-income households. [Source: 10-4.705, modified]

B. **Conversion Monitoring.** The County shall monitor condominium conversions and their effect on the local rental housing supply. The Planning Commission may consider the cumulative impact of conversions within a calendar year when evaluating proposed projects. [Source: 10-4.705]

C. **Limitations on Conversions.** The Planning Commission may deny or condition a proposed conversion only if it finds, based on substantial evidence in the record, that the project would result in a significant adverse impact on the availability of rental housing for low- and moderate-income households in the County. In making this determination, the Commission shall consider

local housing conditions, including vacancy rates, recent conversion activity, and the availability of comparable rental housing.

The Planning Commission may approve, conditionally approve, or deny the project based on one or more of the following:

1. The project avoids or reduces impacts to the rental housing supply; [Source: 10-4.705.a]
2. The project includes measures that maintain or replace rental housing opportunities; or [Source: 10-4.705.b]
3. The project will not result in a significant adverse impact on the availability of rental housing in the County.. [Source: 10-4.705.d]

10.195.060 Findings

The Planning Commission shall not approve an application for conversion unless it finds that: [Source: 10-4.706]

A. The proposed project complies with all applicable provisions of this Title; [Source: 10-4.706.a]

B. The proposed conversion is consistent with the General Plan, any applicable Specific Plan, and the Housing Element; [Source: 10-4.706.b]

C. The proposed conversion complies with the provisions of this Title in effect at the time of tentative map approval, except as otherwise provided in this Chapter; [Source: 10-4.706.c]

D. The overall design and physical condition of the project achieves a high level of appearance, quality, and safety; [Source: 10-4.706.d]

E. The proposed conversion will not result in a significant adverse impact on the availability of rental housing for low- and moderate-income households in the County, as determined in accordance with Section 10.195.050; and [Source: 10-4.706.e]

F. Vacancies in the project have not been intentionally increased for the purpose of facilitating the conversion. [Source: 10-4.706.f]

Chapter 10.200

Subdivision Improvements

Chapter 10.200 Subdivision Improvements

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10.200.010 General

No final map or parcel map shall be approved until the subdivider has either completed all required improvements or entered into an improvement agreement with the County, secured as required by this Chapter, for the construction of such improvements. [Source: 10-4.801]

10.200.020 Improvement Required

A. **General.** All improvements required by this Title or as conditions of approval of a tentative map shall be installed for all subdivisions. [Source: 10-4.802.1]

B. **Improvements for Subdivisions of Four or Fewer Parcels.** Requirements for the construction of on-site and off-site improvements shall be noted on the parcel map, waiver of parcel map, or subdivision improvement agreement recorded prior to or concurrently with the parcel map. Completion of improvements shall be in accordance with Section 10.200.100. [Source: 10-4.802.2, modified]

C. **Storm Drainage.** Stormwater runoff from the subdivision shall be collected and conveyed through an approved storm drainage system designed in accordance with the County Land Development Manual. The system shall protect adjacent and downstream properties from increased runoff resulting from the development. Off-site improvements may be required where necessary to meet this standard. [Source: 10-4.802.3]

D. **Sewage Disposal.** Each parcel shall be served by an approved public sewer system or an approved on-site wastewater treatment system. [Source: 10-4.802.4, modified]

E. **Water Supply.** Each parcel shall be served by an approved water supply. [Source: 10-4.802.5, modified]

F. **Utilities.** Each parcel shall be provided with necessary easements and rights-of-way for the installation of utilities, including electric, telecommunications, and related services. Installation

shall comply with applicable requirements of the California Public Utilities Code. [Source: 10-4.802.6, modified]

10.200.030 Deferred Improvement Agreements

A. **Subdivisions of Four or Fewer Parcels.** The Director of Public Works may defer the construction of required improvements where the Director finds that immediate construction is impractical due to physical constraints or is not necessary to serve existing development in the surrounding area. In such cases, the subdivider shall enter into a deferred improvement agreement with the County for the future construction of the required improvements. The agreement shall include the following: [Source: 10-4.803.1, modified]

1. Construction of the required improvements shall commence within 90 days following issuance of a notice to proceed by the County; [Source: 10-4.803.1.a, modified]
2. In the event of default, the County may cause the required improvements to be constructed and recover the full cost and expense from the owner, including interest from the date of notice of such costs; [Source: 10-4.803.1.b, modified]
3. The agreement shall be recorded at the expense of the owner and shall constitute notice to all successors in interest and a lien against the property in an amount sufficient to reimburse the County, including applicable interest, enforceable by foreclosure in the event of default; [Source: 10-4.803.1.c, modified]
4. In the event of litigation arising from default, the owner shall be responsible for all costs, including reasonable attorneys' fees, which shall become part of the lien against the property; and [Source: 10-4.803.1.d, modified]
5. The obligations of the agreement shall run with the land and be binding upon all successors and assigns. [Source: 10-4.803.1.e, modified]

B. The agreement shall not relieve the owner of any other applicable requirements. Deferred improvements shall be constructed in accordance with the provisions of this Chapter and all applicable regulations in effect at the time of construction. [Source: 10-4.803.1]

Remainders. Where a remainder parcel is created as part of a subdivision, the subdivider may enter into an agreement with the County to construct required improvements within the remainder parcel at a future date, prior to issuance of a permit or other development approval for the remainder.

In the absence of such an agreement, the County may require construction of improvements within a reasonable time following map approval upon a finding that such construction is necessary to protect public health and safety or to ensure the orderly development of the surrounding area. [Source: 10-4.803.2.b]

10.200.040 Design

A. **General.** The design and layout of all required improvements shall comply with applicable County standards and specifications as determined by the Director of Public Works. [Source: 10-4.804.1]

B. **Energy Conservation.** The design of subdivisions shall, to the extent feasible, provide for passive or natural heating and cooling opportunities, consistent with Section 66473.1 of the California Government Code. [Source: 10-4.804.2, modified]

10.200.050 Access

A. Each subdivision shall abut or have approved access to a public street. [Source: 10-4.805]

B. Each parcel shall have approved access to a public or private street. [Source: 10-4.805]

C. The street layout shall be designed to provide for future access to adjacent properties and to avoid undue hardship on such properties. [Source: 10-4.805]

10.200.060 Improvement Plan

A. **General.** Improvement plans, when required by the Department of Public Works, shall be prepared under the direction of and signed by a registered civil engineer licensed by the State. [Source: 10-4.806.1]

B. **Form and Contents.**

1. Improvement plans shall be prepared on sheets of a size approved by the Department of Public Works and shall be clearly legible. [Source: 10-4.806.2, modified]

2. The plans shall show complete layouts, profiles, and details for all required improvements, both public and private, including common areas. Reference to standard County or State plans may be used in lieu of duplicating drawings. [Source: 10-4.806.3]

C. **Supplementary Plans and Calculations.** Hydrology, hydraulic analyses, cost estimates, and structural calculations, as required by the Director of Public Works, shall be submitted with the improvement plans. All calculations shall be legible and signed and dated by a registered civil engineer. [Source: 10-4.806.4]

D. **Plan Review.** The subdivider shall submit improvement plans, supporting calculations, and applicable fees to the Director of Public Works for review. One set of plans, with required revisions, shall be returned to the subdivider's engineer. [Source: 10-4.806.5]

E. **Plan Approval.** [Source: 10-4.806.6]

1. Upon determining that all required revisions have been completed, applicable fees paid, and the plans comply with County requirements and conditions of approval, the Director of Public Works shall approve and sign the plans. [Source: 10-4.806.6]

2. Approval of the improvement plans shall not constitute approval of utility service plans or relieve the subdivider or engineer of responsibility for design or construction deficiencies. [Source: 10-4.806.6]

F. **Revisions to Approved Plans.**

1. **By Subdividers.** The subdivider or engineer shall submit proposed revisions in writing to the Director of Public Works, along with revised drawings. No work on proposed revisions shall commence until the revised plans are approved. [Source: 10-4.806.7.1]

2. **By the Director of Public Works.** The Director of Public Works may require plan revisions as necessary to protect public health and safety or to address field conditions. Work may be suspended until revised plans are approved. [Source: 10-4.806.7.2]

3. **Appeal.** The subdivider may appeal revisions required by the Director of Public Works to the Board of Supervisors by filing a written appeal with the County Clerk within 10 calendar days of the determination. [Source: 10-4.806.7.3]

4. **Costs.** All costs associated with plan revisions, including plan checking and inspection, shall be borne by the subdivider.

10.200.070 Improvement Agreement

Improvement agreements shall be prepared by the Director of Public Works, approved as to form by County Counsel, and submitted to the Board of Supervisors for approval. The agreement shall provide for: [Source: 10-4.807]

A. **Construction.** Construction of all required improvements in accordance with approved plans and specifications on file with the Director of Public Works; [Source: 10-4.807.a]

B. **Completion.** Completion of improvements within the time specified in Section 10.200.100; [Source: 10-4.807.b, modified]

C. **Security.** Improvement security as required by this Chapter; [Source: 10-4.807.c]

D. **Warranty.** Maintenance and repair of defects and failures in the improvements; [Source: 10-4.807.d]

E. **Indemnification.** Indemnification of the County from liability arising from the development and payment of reasonable attorneys' fees incurred by the County in connection with such liability, to the extent permitted by Section 66474.9 of the California Government Code; and [Source: 10-4.807.e]

F. **Other Requirements.** Any additional deposits, fees, or conditions required by County law or resolution. [Source: 10-4.807.f]

10.200.080 Improvement Security

A. **General.** Any improvement agreement, contract, or act for which security is required under the Subdivision Map Act shall be secured in accordance with Section 66499 of the California Government Code and this Section. No final map or parcel map shall be approved or recorded until all required improvement security has been received and approved by the County. [Source: 10-4.808.1]

B. **Form of Security.**

1. **Surety Bonds.** Bonds issued by one or more authorized corporate sureties; [Source: 10-4.808.2.a]

2. **Instruments of Credit.** An instrument of credit from a financial institution regulated by State or Federal law, guaranteeing that funds necessary to perform the required work are available; and [Source: 10-4.808.2.b]

3. **Other Security.** Other forms of security approved by the Board of Supervisors. [Source: 10-4.808.2.c, modified]

4. **Bond Requirements.** Bonds shall comply with Sections 66499.1 and 66499.2 of the California Government Code. [Source: 10-4.808.2]

C. **Amount of Security.** [Source: 10-4.808.3]

1. **Performance Security.** Security in the amount of 100 percent of the estimated construction cost to guarantee completion of all required improvements; [Source: 10-4.808.3.a, modified]

2. **Labor and Materials Security.** Additional security in the amount of 50 percent of the estimated construction cost to guarantee payment to contractors, subcontractors, and suppliers; and

3. **Cost Estimate.** The estimated cost of improvements shall be approved by the Director of Public Works and shall include a contingency of not less than five percent and not more than 10 percent of the total construction cost, and shall include reasonable costs and expenses, including attorneys' fees, incurred in enforcing the obligation secured. [Source: 10-4.808.3.b]

D. **Warranty Security.** Upon acceptance of the improvements, the subdivider shall provide warranty security in an amount determined by the Director of Public Works, but not less than 10 percent of the cost of construction, to guarantee the improvements for a period of one year. [Source: 10-4.808.4, modified]

E. **Reduction of Performance Security.** The Director of Public Works may authorize partial release of performance security as work is completed and accepted. In no case shall the remaining security be reduced below 10 percent of the total amount required, or below the amount necessary to guarantee completion of all required improvements and obligations. [Source: 10-4.808.5]

F. **Release of Improvement Security.** [Source: 10-4.808.6]

1. **Performance Security.** Performance security shall be released upon acceptance of the improvements and upon filing of the required warranty security; [Source: 10-4.808.6.1]

2. **Labor and Materials Security.** Labor and materials security may be reduced 35 calendar days after acceptance of the improvements and recording of a notice of completion, to the amount of any outstanding claims. The remaining balance shall be released upon resolution of all such claims; and [Source: 10-4.808.6.2, modified]

3. **Warranty Security.** Warranty security shall be released upon completion of the one-year warranty period, provided that all identified deficiencies have been corrected. [Source: 10-4.808.6.3.b, modified]

10.200.090 Construction

A. **General.** Construction methods and materials for all improvements shall comply with applicable County standard plans and specifications. Construction shall not commence until

required improvement plans have been approved by the Director of Public Works. [Source: 10-4.809]

B. **Construction Inspections.** [Source: 10-4.809]

1. **General.** All improvements shall be subject to inspection by the Director of Public Works or authorized personnel in accordance with County standards. [Source: 10-4.810.1]

2. **Preconstruction Conference.** Prior to commencing construction, the subdivider shall arrange a preconstruction conference with the Department of Public Works. [Source: 10-4.810.2]

3. **Final Inspections and Deficiency Lists.** [Source: 10-4.810.3]

a. Upon completion of the improvements, the subdivider shall request a preliminary final inspection. The Department of Public Works shall conduct the inspection and prepare a deficiency list identifying required corrections. If the improvements are substantially incomplete, the inspection may be discontinued and rescheduled. [Source: 10-4.810.3]

b. The deficiency list shall be provided to the subdivider. [Source: 10-4.810.3]

c. Upon completion of all corrections, the subdivider shall request a final inspection. The Department of Public Works shall conduct the final inspection. Correction of identified deficiencies shall not relieve the subdivider of responsibility to correct any additional deficiencies subsequently identified. [Source: 10-4.810.3]

10.200.100 Completion of Improvements

A. **Subdivisions of Five or More Parcels.** All required improvements shall be completed within 24 months after recordation of the final map, unless extended by the Board of Supervisors. If the subdivider fails to complete the improvements within the required time, the County may, by resolution, cause the improvements to be completed and recover all costs from the improvement security. [Source: 10-4.811.1, modified]

B. **Subdivisions of Four or Fewer Parcels.** Completion of improvements may be deferred until application for a building permit or other development approval on any parcel within the subdivision. The County may require completion of improvements by a specified date upon a finding that such completion is necessary to protect public health or safety or to ensure the orderly development of the surrounding area. Any required completion date shall be included in the subdivision improvement agreement. All required improvements shall be completed prior to final building inspection or occupancy of any structure within the subdivision. [Source: 10-4.811.2]

C. **Extensions.** [Source: 10-4.811.3, modified]

1. **Approval Authority.** The completion deadline may be extended upon written request by the subdivider, submitted at least 30 calendar days prior to expiration of the improvement agreement, as follows: [Source: 10-4.811.3]

a. For subdivisions of five or more parcels, by the Board of Supervisors; and [Source: 10-4.811.3.a]

b. For subdivisions of four or fewer parcels, by the Director of Public Works. [Source: 10-4.811.3.d]

2. **Extension Agreement.** The subdivider shall enter into an extension of the improvement agreement, prepared by the Director of Public Works, approved as to form by County Counsel, and executed by the subdivider and the County. As a condition of extension, the County may require:

a. Revision of improvement plans to meet current standards, as determined by the Director of Public Works;

b. Updated cost estimates approved by the Director of Public Works;

c. Adjustment of improvement security based on updated cost estimates; and

d. Adjustment of inspection fees to reflect current costs.

3. **Additional Conditions.** The approving authority may impose additional reasonable conditions necessary to ensure timely completion of the required improvements and compliance with this Chapter. All costs incurred by the County in processing the extension shall be borne by the subdivider. [Source: 10-4.811.3, modified]

10.200.110 Acceptance of Improvements

A. **General.** When all improvement deficiencies have been corrected and as-built improvement plans filed, the subdivision improvements shall be considered by the County for acceptance. Acceptance of the improvements shall imply only that the improvements have been completed satisfactorily and that the public improvements have been accepted for public use. [Source: 10-4.812.1]

B. **Notices of Completion.** If the subdivision improvements have been accepted by the County, the developer shall file a notice of completion with the County Recorder. [Source: 10-4.812.2]

C. **Acceptance of a Portion of the Improvements.** When requested by the subdivider in writing, the County may consider the acceptance of a portion of the improvements as recommended by the Director of Public Works. The improvements will be accepted by the County only if it finds that it is in the public interest and such improvements are for the use of the general public. The acceptance of a portion of the improvements shall not relieve the subdivider from any other requirement imposed by this Part. [Source: 10-4.812.3, modified]

Chapter 10.205

Reversions to Acreage

Chapter 10.205 Reversions to Acreage

Sections

10.205.010 General
10.205.020 Initiation of Proceedings
10.205.030 Contents of Petition
10.205.040 Application Submittal
10.205.050 Approval
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10.205.010 General

Subdivided property may be reverted to acreage in accordance with this Chapter and the Subdivision Map Act (California Government Code Sections 66499.11 through 66499.20). This Chapter applies to land subdivided by final or parcel map. [Source: 10-4.901, modified]

10.205.020 Initiation of Proceedings

A. **By Owners.** Proceedings to revert subdivided property to acreage may be initiated by a petition signed by all owners of record of the property. The petition shall be submitted in a form prescribed by the Planning Director. [Source: 10-4.902.1, modified]

B. **By the Board of Supervisors.** The Board of Supervisors may, by resolution and on its own motion or at the request of any person, initiate proceedings to revert property to acreage. The Board shall direct the Planning Director to obtain the information necessary to process the reversion. [Source: 10-4.902.2]

10.205.030 Contents of Petition

A petition to revert subdivided property to acreage shall include the following: [Source: 10-4.903]

A. Evidence of title to the property; [Source: 10-4.903.a]

B. Evidence of the consent of all owners of an interest in the property, or evidence establishing one or more of the conditions set forth in Subsection C; [Source: 10-4.903.b]

C. Evidence of one or more of the following:

1. None of the improvements required to be made have been completed within two years after the date the final or parcel map was recorded, or within the time allowed by an agreement for completion of the improvements, whichever is later;

2. No lots shown on the final or parcel map have been sold within five years after the date the map was recorded; [Source: 10-4.903.c]

D. A final map or parcel map prepared in accordance with Chapter 10.180, clearly labeled “The Purpose of this Map is a Reversion to Acreage,” and showing any dedications to be retained or required as a condition of reversion; [Source: 10-4.903.d]

E. Payment of applicable fees and deposits as established by the County; and

F. Such additional information as may be reasonably required to determine compliance with this Chapter and the Subdivision Map Act. [Source: NEW]

10.205.040 Application Submittal

A. **Submittal and Review.** The applicant shall submit the final map or parcel map for the reversion, together with all information required by this Chapter, to the Planning Director. The Planning Director shall review the application for completeness and compliance with this Chapter and the Subdivision Map Act and may refer the application to other affected departments for review and comment. [Source: 10-4.904, modified]

B. **Recommendation.** Upon determining that the application is complete and complies with applicable requirements, the Planning Director shall prepare a report and recommendation and forward the application to the Planning Commission for its review and recommendation to the Board of Supervisors [Source: 10-4.904, modified]

10.205.050 Approval

A. **Public Hearing and Findings.** The Board of Supervisors shall hold a public hearing on all petitions for reversion to acreage. Notice of the hearing shall be provided in accordance with Section 10.175.030. The Board may approve the reversion only if it finds and records by resolution that: [Source: 10-4.905, modified]

1. Dedications or offers of dedication to be vacated or abandoned are unnecessary for present or prospective public purposes; and [Source: 10-4.905.a]

2. One of the following applies: [Source: 10-4.905.a]

    a. All owners of an interest in the real property within the subdivision have consented to the reversion; [Source: 10-4.905.a]

    b. None of the required improvements have been completed within two years after recordation of the final or parcel map, or within the time allowed by an agreement for completion of improvements, whichever is later; or [Source: 10-4.905.a]

    c. No lots shown on the final or parcel map have been sold within five years after recordation of the map. [Source: 10-4.905.a]

B. **Conditions of Approval.** As a condition of approval, the Board of Supervisors may require: [Source: 10-4.905, modified]

1. Dedication or offer of dedication of streets, public rights-of-way, or easements; and [Source: 10-4.905]

2. Retention of previously paid subdivision fees, deposits, or improvement security, where necessary to carry out the provisions of this Chapter. [Source: 10-4.905]

10.205.060 Post Decision Procedures

A. **Recordation.** Following approval of the reversion, the Director of Public Works shall transmit the final map or parcel map and the Board's resolution approving the reversion to the County Recorder for recordation. [Source: 10-4.906, modified]

B. **Effective Date.** The reversion to acreage shall be effective upon recordation of the final map or parcel map. Upon recordation, all dedications and offers of dedication not shown on the map for reversion shall be of no further force or effect. [Source: 10-4.906]

Chapter 10.210

Parcel Merger

Chapter 10.210 Parcel Merger

Sections

10.210.010 Purpose
10.210.020 Initiation of Merger
10.210.030 Eligibility Requirements
10.210.040 Application

10.210.010 Purpose

The purpose of this Chapter is to provide a process for the voluntary merger of contiguous parcels under common ownership in accordance with the Subdivision Map Act, including Government Code Sections 66451.11 and 66499.20.3. [Source; NEW]

10.210.020 Initiation of Merger

A. **By Owner.** The owner of contiguous parcels may initiate a parcel merger. [Source: NEW]

B. **Condition of Approval.** As a condition of approval of a discretionary permit, the County may require that contiguous parcels be merged, provided that the merger is completed in accordance with this Chapter or other applicable provisions of the Subdivision Map Act. [Source: NEW]

10.210.030 Eligibility Requirements

A proposed parcel merger shall meet the following requirements: [Source; NEW]

A. The parcels to be merged are contiguous and held under common ownership; [Source; NEW]

B. The parcels were legally created or have been determined to be legal parcels through issuance of a certificate of compliance; [Source; NEW]

C. The merger shall not result in the creation of any additional parcels or alter the exterior boundary of the combined parcels; [Source; NEW]

D. The merger shall comply with applicable provisions of the General Plan and this Title; and [Source; NEW]

E. All parties having a record title interest in the affected property shall consent to the merger, except for those interests not required to consent pursuant to Government Code Section 66436. [Source; NEW]

10.210.040 Application

A. **Contents.** An owner of contiguous parcels may apply for a parcel merger by submitting an application to the Planning Director. The application shall include: [Source; NEW]

1. Documentation demonstrating compliance with Section 10.210.030; [Source; NEW]

2. A legal description of the exterior boundary of the merged parcel; [Source; NEW]

3. Documentation demonstrating consent of all parties having a record title interest in the affected property, as required by Section 10.210.030; [Source; NEW]

4. Payment of all applicable fees, including recording fees; and [Source; NEW]

5. Any additional information reasonably required to determine compliance with this Chapter and the Subdivision Map Act. [Source; NEW]

B. **Review and Approval.** [Source; NEW]

1. **Planning Director Review.** The Planning Director shall review the application for completeness and compliance with this Chapter, the General Plan, and this Title, and may refer the application to other affected departments for review and comment. [Source; NEW]

2. **Public Works Review.** The Department of Public Works shall review the application for accuracy of the legal description, boundary configuration, and consistency with recorded documents, and shall provide written confirmation of its findings to the Planning Director.

3. **Decision.** Upon determining that the application complies with applicable requirements, the Planning Director shall approve the parcel merger. The Planning Director may condition approval as necessary to ensure compliance with this Chapter and the Subdivision Map Act. [Source; NEW]

C. **Appeals.** The applicant or any interested person adversely affected may appeal a decision of the Planning Director to the Board of Supervisors within 10 calendar days of the decision. Appeals shall be processed in accordance with Chapter __ (Appeals) of this Title. [Source; NEW]

D. **Effective Date.** The parcel merger shall become effective upon recordation of a Certificate of Compliance with the County Recorder. [Source; NEW]

Chapter 10.215

Lot Line Adjustment

Chapter 10.215 Lot Line Adjustment

Sections

10.215.010 Purpose
10.215.020 Application
10.215.030 Review and Action
10.215.040 Conditions of Approval
10.215.050 Appeals
10.215.060 Expiration
10.215.070 Extensions

10.215.010 Purpose

The purpose of this Chapter is to establish procedures for the approval of lot line adjustments between adjacent parcels, where land is taken from one parcel and added to another and no additional parcels are created, in accordance with the Subdivision Map Act. [Source: 10-4.1501, modified]

10.215.020 Application

An application for a lot line adjustment shall be submitted to the Planning Director and shall include:

A. A completed application on a form prescribed by the Planning Director;

B. A legal description and exhibit map depicting the proposed lot line adjustment;

C. A current preliminary title report showing all record title interests in the affected parcels;

D. Documentation demonstrating that the affected parcels were legally created or have been determined to be legal parcels; and

E. Payment of applicable fees as established by the County.

The Planning Director may require additional information reasonably necessary to determine compliance with this Chapter and the Subdivision Map Act. [Source: 10-4.1502, modified]

10.215.030 Review and Action

A. **Review.** Upon submittal, the Planning Director shall review the application for completeness and compliance with this Chapter and the Subdivision Map Act. The application may be referred to the Department of Public Works, Environmental Health, and other affected agencies for review and comment.

B. **Action.** The Planning Director shall approve, conditionally approve, or deny the lot line adjustment based on compliance with this Chapter and applicable State law. The decision shall be provided in writing to the applicant.

C. **Finality.** The decision of the Planning Director shall be final unless appealed in accordance with Section 10.215.050. [Source: 10-4.1503, modified]

10.215.040 Conditions of Approval

A. **Building Site Status.** If the affected parcels have been previously approved as building sites, a determination shall be made as to whether the parcels, as adjusted, remain acceptable building sites. If any parcel is determined not to be an acceptable building site, that determination shall be noted on the recorded notice of the lot line adjustment. [Source: 10-4.1504.a]

B. **Recordation.** Following approval, the applicant shall provide deeds and other required documents in recordable form to a title company or other authorized party for recordation. The legal descriptions and exhibits shall not be modified without prior review and approval by the County. Upon recordation, the applicant shall provide the County with copies of all recorded documents and an updated preliminary title report showing current record title interests. Recordation of the approved documents shall complete the lot line adjustment. [Source: 10-4.1504.b]

C. **Conditions.** The Planning Director may impose reasonable conditions of approval necessary to ensure compliance with this Chapter, the Subdivision Map Act, and other applicable laws. [Source: 10-4.1504.c]

10.215.050 Appeals

A. **Appeal to Planning Commission.** Any applicant or other person adversely affected by a decision of the Planning Director may appeal the decision to the Planning Commission by filing a written appeal with the Planning Division within 10 calendar days of the decision, accompanied by the required fee.

B. **Planning Commission Action.** The Planning Director shall transmit the record of the decision to the Planning Commission. The Planning Commission shall hold a public hearing and may affirm, modify, or reverse the decision of the Planning Director.

C. **Appeal to Board of Supervisors.** Any applicant or other person adversely affected by a decision of the Planning Commission may appeal the decision to the Board of Supervisors by filing a written appeal with the Clerk of the Board within 10 calendar days of the Planning Commission decision, accompanied by the required fee.

D. **Board Action.** The Board of Supervisors shall hold a public hearing and may affirm, modify, or reverse the decision of the Planning Commission. The decision of the Board of Supervisors shall be final.

[Source: 10-4.1505, modified]

10.215.060 Expiration

Approval of a lot line adjustment shall expire 12 months from the date of approval if the adjustment has not been completed by recordation of the required documents, unless an extension is granted in accordance with Section 10.215.070. [Source: 10-4.1507, modified]

10.215.070 Extensions

A. **Request.** A request for an extension shall be submitted in writing to the Planning Director at least 30 calendar days prior to the expiration date and shall state the reasons for the request. [Source: 10-4.1508.a, modified]

B. **Decision.** The Planning Director shall review the request and approve, conditionally approve, or deny the extension. The decision shall specify a new expiration date. [Source: 10-4.1508.b, modified]

C. **Time Limit.** An extension shall not exceed 12 months from the original expiration date. [Source: 10-4.1508.c, modified]

D. **Conditions.** As a condition of extension, the Planning Director may impose reasonable conditions necessary to ensure compliance with this Chapter and applicable law. [Source: 10-4.1508.d, modified]

E. **Appeals.** Decisions on extension requests may be appealed in accordance with Section 10.215.050.

Chapter 10.220

Corrections and Map Amendments

Chapter 10.220 Corrections and Map Amendments

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10.220.020 Form and Contents
10.220.030 Submittal to and Approval by the County Surveyor
10.220.040 Filing with the County Recorder
10.220.050 Fees

10.220.010 Requirements

A. After a final map or parcel map has been recorded, the map may be amended by a certificate of correction or an amending map for any of the following purposes: [Source: 10-4.1101]

1. To correct an error in any course or distance shown on the map; [Source: 10-4.1101.a]
2. To show any course or distance that was omitted; [Source: 10-4.1101.b]
3. To correct an error in the description of the real property shown on the map; [Source: 10-4.1101.c]
4. To indicate monuments set after the death, disability, or retirement of the engineer or surveyor responsible for setting monuments; [Source: 10-4.1101.d]
5. To show the proper location or character of any monument that was incorrectly shown; [Source: 10-4.1101.e]
6. To correct any other map error or omission, as approved by the County Surveyor, that does not affect any property right, including but not limited to lot numbers, acreage, street names, or identification of adjacent record maps. For purposes of this subsection, “error” does not include changes in courses or distances from which an error is not ascertainable from the data shown on the recorded map; and [Source: 10-4.1101.f]
7. To modify conditions or statements on the map where the changes are no longer appropriate or necessary, provided that the modification does not impose any additional burden on the present fee owner and does not alter any right, title, or interest reflected on the recorded map. [Source: 10-4.1101.g]

B. Certificates of correction shall be reviewed and approved by the County Surveyor. Amending maps shall be processed in accordance with the Subdivision Map Act and applicable provisions of this Title. [Source: 10-4.1101]

10.220.020 Form and Contents

An amending map or certificate of correction shall be prepared by a registered civil engineer or licensed land surveyor.

A. **Amending Map.** An amending map shall conform to the applicable requirements of the Subdivision Map Act for final or parcel maps, as appropriate.

B. **Certificate of Correction.** A certificate of correction shall clearly describe the corrections being made and shall include the names of the current fee owners of the affected property. [Source: 10-4.1102]

10.220.030 Submittal to and Approval by the County Surveyor

A. **Submittal.** The amending map or certificate of correction, in final form, shall be submitted to the County Surveyor for review and approval.

B. **Review and Certification.** The County Surveyor shall examine the amending map or certificate of correction and, if the proposed changes are consistent with Section 10.220.010 and the Subdivision Map Act, shall certify the document accordingly.

10.220.040 Filing with the County Recorder

An amending map or certificate of correction, after certification by the County Surveyor, shall be filed with the County Recorder in the county where the original map was recorded. Upon recordation, the County Recorder shall index the names of the fee owners and the appropriate subdivision designation. The original map shall be deemed corrected, and the corrections shall constitute constructive notice in the same manner as the original map. [Source: 10-4.1104]

10.220.050 Fees

Fees for the review, processing, and recordation of an amending map or certificate of correction shall be established by resolution or ordinance of the Board of Supervisors. [Source: 10-4.1105]

Chapter 10.225

Property Owners' Associations

Chapter 10.225 Property Owners' Associations

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10.225.010 Purpose
10.225.020 When Required
10.225.030 Required Provisions
10.225.040 County Enforcement

10.225.010 Purpose

The purpose of this Chapter is to ensure the ongoing maintenance of private improvements and common facilities within subdivisions through the establishment of property owners' associations or other approved maintenance mechanisms.

10.225.020 When Required

A. **General.** The County may require the formation of a property owners' association or other legally binding maintenance mechanism as a condition of approval for a subdivision where private improvements or common facilities are created that will require ongoing maintenance and are not to be maintained by a public entity. [Source: 10-4.1401]

B. **Applicable Improvements.** Such improvements may include, but are not limited to:

1. Private roads or access easements;
2. Drainage facilities;
3. Water systems;
4. Wastewater or septic systems serving multiple parcels;
5. Parks, open space, or recreational facilities; and
6. Other shared improvements requiring ongoing maintenance. [Source: 10-4.1401, modified]

10.225.030 Required Provisions

A. **Governing Documents.** The property owners' association or other maintenance mechanism shall be established through recorded covenants, conditions, and restrictions (CC&Rs) or other legally binding documents approved by the County. [Source: 10-4.1401]

B. **Maintenance Obligations.** The governing documents shall:

1. Assign responsibility for the maintenance of all applicable improvements;
2. Provide a mechanism for funding such maintenance through assessments or other means; and
3. Ensure that all property owners within the subdivision are subject to and bound by such obligations. [Source: 10-4.1401, modified]

C. **Review.** The County shall review the governing documents for consistency with the conditions of approval and to ensure that adequate provisions exist for the long-term maintenance of the improvements. [Source: 10-4.1401]

10.225.040 County Enforcement

A. **Failure to Maintain.** In the event that required improvements are not adequately maintained, and the responsible parties fail to take corrective action after notice, the County may take appropriate enforcement action as authorized by this Code or other applicable law. [Source: 10-4.1401]

B. **Condition of Approval.** The establishment and maintenance of a property owners' association or other maintenance mechanism shall be a condition of approval for the subdivision, and compliance shall be required prior to final map or parcel map recordation, as applicable.

Chapter 10.235

Enforcement, Penalties, and Remedies

Chapter 10.235 Enforcement, Penalties, and Remedies

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10.235.030 Certificates of Compliance
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10.235.010 Prohibitions

A. **Unlawful Sale or Development.** No person shall sell, lease, finance, or construct any building on any parcel of real property for which a final map or parcel map is required by this Title or the Subdivision Map Act, unless such map has been approved and recorded. [Source: 10-4.1201.a, modified]

B. **Conveyance by Parcel Designation.** No conveyance of any parcel created by a division of land requiring a final or parcel map shall be made by reference to parcel number, letter, or other designation unless and until the map has been recorded. [Source: 10-4.1201.c]

C. **Exempt or Previously Compliant Parcels.** Subsections A and B shall not apply to any parcel that was created in compliance with, or is otherwise exempt from, the subdivision laws in effect at the time of its creation. [Source: 10-4.1201.d]

D. **Conditional Sales and Construction.** Nothing in this Section shall prohibit an offer or contract to sell, lease, finance, or construct improvements, provided that such action is expressly conditioned upon the approval and recordation of a final or parcel map. [Source: 10-4.1201.e]

10.235.020 Remedies

A. **Voidability of Conveyance.** Any deed, sale, or contract to sell real property that has been divided in violation of this Title or the Subdivision Map Act shall be voidable at the sole option of the grantee, buyer, or person contracting to purchase, or their heirs, personal representatives, or trustees in insolvency or bankruptcy, within 12 months after discovery of the violation. The conveyance shall otherwise remain binding upon successors in interest and upon the grantor or seller. [Source: 10-4.1202.a, modified]

B. **Damages.** Any grantee or successor in interest of real property divided in violation of this Title or the Subdivision Map Act may, within 12 months after discovery of the violation, file an action in Superior Court to recover damages. The action may be brought against the person who divided the property and any successor in interest with actual or constructive knowledge of the violation. [Source: 10-4.1202.b, modified]

C. **Lawful Parcels.** This Section shall not apply to the conveyance of any parcel identified in a recorded certificate of compliance, final map, or parcel map. Nothing in this Section shall limit the rights of any person under other applicable law. [Source: 10-4.1202.c, modified]

D. **Other Remedies.** This Chapter shall not limit any legal, equitable, or other remedy available to the County or any other person. The County or any affected party may bring an action to restrain, enjoin, or otherwise prevent any violation of this Title or the Subdivision Map Act. [Source: 10-4.1202.d]

E. **Denial of Permits.** The County shall not issue a permit or grant approval for development of real property that has been divided in violation of this Title or the Subdivision Map Act if the County determines that development would be contrary to public health or safety. This authority applies regardless of whether the applicant was responsible for the violation or had knowledge of it. [Source: 10-4.1202.e, modified]

F. **Conditions on Development.** As a condition of issuing a permit or granting approval for development of real property that was illegally subdivided, the County may impose conditions that would have applied to the lawful division of the property at the time the current owner acquired the property. If the current owner is the same as the owner at the time of the violation, the County may impose conditions applicable to a current division. If a conditional certificate of compliance has been recorded, only those conditions shall apply. [Source: 10-4.1202.e, modified]

G. **Certificates of Compliance.** For purposes of Government Code Section 66499.35, the issuance of a permit or approval for development, or the existence of improvements completed prior to the requirement for such permits or approvals, shall constitute approval for development. Upon request by the property owner or purchaser, the County shall issue a certificate of compliance for the affected property. [Source: 10-4.1202.e, modified]

10.235.030 Certificates of Compliance

A. **Request.** Any person owning real property may request, in writing, that the Planning Director determine whether the property complies with this Title and the Subdivision Map Act. [Source: 10-4.1203.a, modified]

B. **Certificate of Compliance.** If the Planning Director determines that the property complies with applicable provisions of this Title and the Subdivision Map Act, the Planning Director shall issue a certificate of compliance and cause it to be recorded with the County Recorder. The certificate shall identify the property and state that it complies with applicable law. [Source: 10-4.1203.b, modified]

C. **Conditional Certificate of Compliance.** If the Planning Director determines that the property does not comply, the Planning Director may issue a conditional certificate of compliance in accordance with the Subdivision Map Act. The conditional certificate shall:

1. Identify the property;
2. Describe the conditions required to achieve compliance; and
3. State that the conditions shall be satisfied prior to the issuance of a permit or other approval for development of the property.

The conditional certificate shall be recorded and shall provide notice to all subsequent owners. Compliance with the conditions shall not be required until development of the property is proposed. [Source: 10-4.1203.c, modified]

D. **Contents.** Each certificate of compliance or conditional certificate of compliance shall include the information required by Government Code Section 66499.35 and any additional information necessary to identify the property and the basis for the determination. [Source: NEW]

E. **Recorded Maps.** A recorded final map or parcel map shall constitute a certificate of compliance for the parcels shown thereon. [Source: 10-4.1203.d]

F. **Fees.** Fees for the review, processing, appeal, and recordation of certificates of compliance shall be established by resolution or ordinance of the Board of Supervisors. [Source: 10-4.1203.f]

G. **Appeals.** Decisions of the Planning Director may be appealed in accordance with Section 10.235.050. [Source: NEW]

10.235.040 Notice of Violation

A. **Notice of Violation.** If the Planning Director has knowledge that real property has been divided in violation of this Title or the Subdivision Map Act, the Planning Director shall provide written notice to the current owners of record. The notice shall describe the property, identify the nature of the violation, and provide the owners an opportunity to be heard prior to recordation of a notice of violation. [Source: 10-4.1204, modified]

B. **Opportunity to Be Heard.** The owners shall be given not less than 30 calendar days from the date of mailing to request a hearing or otherwise respond. If no response is received within that time, the Planning Director may proceed with recordation of the notice of violation. [Source: 10-4.1204, modified]

C. **Determination.** After considering any evidence presented by the owners, the Planning Director shall determine whether a violation exists. If a violation is found, the Planning Director shall cause a notice of violation to be recorded with the County Recorder. If no violation is found, the Planning Director shall notify the owners in writing. [Source: 10-4.1204, modified]

10.235.050 Penalties

Each violation of Section 10.235.010 or any other provision of this Title shall constitute a misdemeanor and shall be punishable as provided in the general penalty provisions of the Siskiyou County Code. These penalties are in addition to those provided in California Government Code Section 66499.31. [Source: New]

10.235.060 Judicial Review

Any action or proceeding to attack, review, set aside, void, or annul a decision of the County concerning a subdivision, or any of the proceedings, acts, or determinations taken prior to the decision, shall be commenced and service of summons effected within 90 calendar days after the date of the decision. Thereafter, all persons are barred from bringing such action or proceeding.[Source: NEW]

10 – Planning and Zoning

Part 7 – Zoning Code Administration

ADMINISTRATIVE DRAFT

MAY 2026

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Chapter 10.250

Amendments

Chapter 10.250 Amendments

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10.250.010 General

Except as otherwise provided in this Chapter, any amendment to the provisions of this Title or Code shall be initiated and adopted as other ordinances are amended or adopted. [Source: 10-6.2801]

10.250.020 Rezonings

Any amendment to the provisions of this Chapter which changes any property from one district to another district, or imposes any regulation upon property not theretofore imposed or removes or modifies any such regulation shall be initiated and adopted as set forth in this Chapter. [Source: 10-6.2802]

10.250.030 Initiation

An amendment may be initiated by any of the following: [Source: 10-6.2803]

A. Filing with the Planning Commission a resolution of intention of the Board of Supervisors; [Source: 10-6.2803]

B. The adoption of a resolution of intention by the Planning Commission; or [Source: 10-6.2803]

C. Filing with the Planning Commission an application by one or more record owners of the subject property, or their authorized agent. Where an application is filed by an agent, it shall include written authorization from the property owner. Applications shall be filed on a form approved by the Planning Commission and shall be accompanied by the required fee. [Source: 10-6.2803]

10.250.040 Hearings and Public Notices

Upon determination that an application is complete, public notice of the scheduled public hearing shall be provided in compliance with Chapter 10.___ (Public Notices and Hearings).

10.250.050 Action

A. **Planning Commission Action.** The Planning Commission shall hold a public hearing and make a recommendation to the Board of Supervisors based on the evidence in the record. If the Planning Commission recommends denial, the matter shall not proceed to the Board of Supervisors unless an appeal is filed. [Source: 10-6.2808]

B. **Board of Supervisors Action.** The Board of Supervisors shall hold a public hearing and approve, conditionally approve, or deny the proposed amendment. The decision shall be supported by findings, where required by law.[Source: 10-6.2809]

10.250.060 Appeals

Actions by the Planning Commission and Board of Supervisors may be appealed in compliance with Title 1 of the County Code of Ordinances.

Chapter 10.255

Appeals

Chapter 10.255 Appeals

Sections

10.255.010 Appeals

10.255.010 Appeals

Appeals of decisions made under this Title shall be processed in accordance with Title 1 of the County Code or Ordinances, except where otherwise expressly provided in this Title.

Unless otherwise specified:

A. Decisions of the Planning Director may be appealed to the Planning Commission.

B. Decisions of the Planning Commission may be appealed to the Board of Supervisors.

Chapter 10.265

Mitigation Monitoring Program

Chapter 10.265 Mitigation Monitoring Program

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10.265.010 Purpose and Intent

This Chapter establishes procedures for the implementation, monitoring, and reporting of mitigation measures adopted pursuant to the California Environmental Quality Act (CEQA), in accordance with Section 21081.6 of the Public Resources Code. [Source: 10-6.2901]

10.265.020 General

A mitigation monitoring and reporting program shall be required for all discretionary projects approved by the County that are subject to environmental review under CEQA and include adopted mitigation measures.

10.265.030 Participation and Responsibility

The applicant shall be responsible for implementing all adopted mitigation measures. The County and any responsible or trustee agencies shall monitor compliance with adopted mitigation measures, as applicable.

10.265.040 Monitoring Elements

A mitigation monitoring and reporting program shall include, at a minimum: [Source: 10-6.2906]

A. A list of adopted mitigation measures; [Source: 10-6.2906(a)]

B. The timing or schedule for implementation of each mitigation measure; [Source: 10-6.2906(b)]

C. The party responsible for implementation of each mitigation measure; [Source: 10-6.2906(c)]

D. The party responsible for monitoring compliance with each mitigation measure; and [Source: 10-6.2906(d)]

E. Monitoring procedures and, where applicable, performance standards; and [Source: 10-6.2906(e)]

F. The frequency and duration of monitoring, where applicable.

10.265.050 Adoption and Findings

A. The approving authority shall adopt the mitigation monitoring and reporting program at the time of project approval. [Source: 10-6.2907(a)]

B. The approving authority shall make findings that mitigation measures have been incorporated into the project or made conditions of approval and are enforceable. [Source: 10-6.2907(b)]

10.265.060 Reporting Procedures

Progress, completion, and any noncompliance with adopted mitigation measures or the mitigation monitoring and reporting program shall be reported to the County and, if different, the party responsible for monitoring compliance with the mitigation measure. [Source: 10-6.2908]

10.265.070 Fees

A. All costs for the administration and implementation of a monitoring or reporting program shall be paid by the project applicant in compliance with the County's Cost Recovery Schedule. [Source: 10-6.2909(a)]

B. Monitoring programs which have a duration of 24 months or longer may be funded with periodic payments in lieu of the requirement of Subsection (b)(3) of this Section. This alternative fee arrangement must be specified in the proposed monitoring program and approved by the decision making body. [Source: 10-6.2909(d)]

Chapter 10.270

Nonconforming Parcels, Structures, and Uses

Chapter 10.270 Nonconforming Parcels, Structures, and Uses

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10.270.030 Expansion of Nonconforming Conditions
10.270.040 Damage to Nonconforming Buildings and Structures
10.270.050 Current Construction
10.270.060 Abandonment of Use

10.270.010 General

A. Except as otherwise provided in this Chapter, any use of land, building, or structure established in compliance with the regulations in effect at the time of establishment may be continued notwithstanding that it is nonconforming under current zoning regulations. [Source: 10-6.2501(a)]

B. Any person asserting a right to a nonconforming use of land, building, or structure shall have the burden of demonstrating that the use of land, building, or structure was established in compliance with the regulations in effect at the time of establishment. [Source: 10-6.2501(b)]

C. Nothing in this Chapter relieves a property owner from complying with other applicable local, state, or federal laws and permit requirements, including, but not limited to, well permits, wastewater/sewage disposal system permits, building permits, encroachment permits, air pollution control district permits, flood hazard development permits, and business licenses. [Source: 10-6.2501(c), modified]

D. Nothing in this Chapter exempts the expansion, modification, or intensification of a nonconforming use of land, building, or structure from compliance with the California Environmental Quality Act (CEQA), when applicable. [Source: 10-6.2501(d)]

E. As used in this Chapter, “nonconforming” means a use of land, building, or structure that does not comply with current zoning regulations but was established in compliance with the regulations in effect at the time of establishment. [Source: 10-6.2501(e)]

10.270.020 Verification of Non-Conforming Status

The Planning Director may, upon request, determine whether a use, structure, or parcel qualifies as nonconforming under this Chapter. The determination shall be based on substantial evidence demonstrating that the use, structure, or parcel was established in compliance with the regulations in effect at the time of establishment. [Source: NEW]

10.270.030 Expansion of Nonconforming Conditions

A. **Commercial, Industrial, and Multifamily Uses.** Expansion of a nonconforming commercial, industrial, or multifamily residential use of land, building, or structure shall be subject to the following: [Source: 10-6.2502(a)]

1. **Physical Expansion.** Expansion of a nonconforming building or structure exceeding 20 percent of the existing footprint or square footage shall require approval of a Use Permit in accordance with Chapter 10.XX (Use Permit). [Source: 10-6.2502(a)(1), modified]

2. Expansion of a nonconforming building or structure of 20 percent or less shall require approval of an Administrative Use Permit in accordance with Chapter 10.XX (Administrative Use Permit). [Source: 10-6.2502(a)(2)]

3. For purposes of this Section, expansion of a nonconforming building or structure includes any increase in the footprint or square footage. [Source: 10-6.2502(a)(3)]

4. **Expansion of Use or Intensity.** Any expansion or change in a nonconforming use that results in a permanent increase in traffic, noise, smoke, odor, dust, occupancy, or other operational characteristics shall require approval of an Administrative Use Permit or Use Permit, as determined by the Planning Director. [Source: 10-6.2502(a)(4)]

B. **Residential and Agricultural Uses.** Expansion of nonconforming single-family or two-family dwellings, residential accessory buildings and structures, and agriculture-related buildings and structures shall be subject to the following: [Source: 10-6.2502(b)]

1. Expansion of a nonconforming building or structure exceeding 50 percent of the existing footprint or square footage shall require approval of an Administrative Use Permit. The Planning Director may refer the application to the Planning Commission for action. [Source: 10-6.2502(b)(1), modified]

2. Expansion of a nonconforming building or structure of 50 percent or less shall not require an Administrative Use Permit or Use Permit. Successive expansions shall be considered cumulative for purposes of determining the applicable threshold. [Source: 10-6.2502(b)(2)]

C. **Maintenance and Repair.** A nonconforming building or structure may be maintained, repaired, or partially replaced, provided such work does not increase the footprint or square footage and does not result in an expansion of use or intensity. Such work may include modernization or replacement with more efficient equipment or building components. [Source: 10-6.2502(c)]

D. **Unsafe Structures.** Nothing in this Chapter shall prevent the repair or restoration of a nonconforming building or structure to a safe condition when declared unsafe by the Building Official. Any expansion shall comply with Subsections A and B of this Section, as applicable. [Source: 10-6.2502(d)]

10.270.040 Damage to Nonconforming Buildings and Structures

A. A nonconforming building or structure that is damaged or destroyed by fire, flood, explosion, or other act may be reconstructed to the same footprint and square footage that existed prior to

the damage or destruction, without being required to conform to current zoning regulations. [Source: 10-6.2503(a)]

B. Any reconstruction that exceeds the former footprint or square footage shall be subject to Section 10.270.020, as applicable. [Source: 10-6.2503(b), modified]

C. Reconstruction shall comply with all applicable building, fire, and other safety codes in effect at the time a building permit is issued for the reconstruction.

10.270.050 Current Construction

Nothing in this Chapter shall require a change in the plans, construction, or designated use of a building or structure for which a valid building permit has been issued, provided the building permit remains valid in accordance with the Building Code. Expiration of the building permit shall terminate any vested rights under this Section. [Source: 10-6.2504]

10.270.060 Abandonment of Use

A. A nonconforming use of land, building, or structure that is discontinued for a continuous period of 12 months shall be presumed abandoned, and any subsequent use shall comply with the regulations of the district in which the property is located. [Source: 10-6.2505(a)]

B. Discontinuation pursuant to a valid order of a court of law or other governmental order shall not be considered abandonment.

C. The presumption of abandonment may be rebutted by substantial evidence demonstrating that the use was not discontinued or that the discontinuation was temporary and without intent to abandon. [Source: 10-6.2505(b)]

D. Evidence of active and ongoing good faith efforts to continue or resume the use, including attempts to lease, rent, or sell the property for the same use, may be considered in determining whether the use has been abandoned. The property owner shall be responsible for providing such evidence.

Chapter 10.275

Public Notices and Hearings

Chapter 10.275 Public Notices and Hearings

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10.275.040 Hearing Procedure
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10.275.010 Purpose and Intent

The purpose of this Chapter is to provide procedures for noticing and public hearings required by this Zoning Code. Whenever advance public notice is required and/or when a public hearing is required, the noticing and hearings shall be conducted in compliance with this Chapter. [Source: NEW]

10.275.020 Public Notice

When this Code requires advance notice before a public hearing, a decision on a permit, or for another matter as established by this Code, the public shall be provided notice in compliance with Government Code Sections 65090, 65091, 65092, 65094 and 66451.3, and Public Resources Code 21000 et seq., and as required by this Chapter.

A. **Content of Public Hearing Notice.** Notice of a public hearing shall include all the following information, as applicable.

1. **Hearing Information.** The date, time, and place of the hearing and the name of the Review Authority; a brief description of the County's general procedure concerning the conduct of hearings and decisions (e.g., the public's right to appear and be heard); and the phone number and street address of the Department where an interested person could call or visit to obtain additional information.

2. **Project Information.** The date of filing of the application and the name of the applicant; the County's file number assigned to the application; a general explanation of the matter to be considered; and a general description, in text and/or by diagram, of the location of the property that is the subject of the hearing.

3. **Statement on Environmental Document.** If a Negative Declaration, Mitigated Negative Declaration, or final Environmental Impact Report has been prepared for the project in compliance with the California Environmental Quality Act (CEQA) and the County's CEQA Guidelines, the hearing notice shall include a statement that the Review Authority will also consider approval of the proposed Negative Declaration or Mitigated Negative Declaration, or certification of the final Environmental Impact Report, as applicable.

B. **Method of Public Hearing Notice Distribution.** Notice of a public hearing required by this Chapter for a planning permit, amendment, appeal, or other approval shall be given as follows, as required by Government Code Sections 65090 and 65091.

1. **Mailing for a Public Hearing Before Planning Commission or Board of Supervisors**. Notice shall be mailed at least 10 days prior to the scheduled hearing date to all of the following, unless a longer noticing period is required by State law. For applications involving changes to allowable land uses or zoning regulations affecting real property, notice shall be mailed or delivered at least 20 days prior to the scheduled hearing date in accordance with applicable provisions of California Government Code Sections 65090 and 65091, as may be amended:

    a. **Project Site Owner(s) and the Applicant.** The owner(s) of the property being considered in the application or the owner's authorized agent, and the applicant.

    b. **Local Agencies.** Each local agency expected to provide roads, schools, sewage, streets, water, or other essential facilities or services to the property which is the subject of the application, whose ability to provide those facilities and services may be significantly affected.

    c. **Affected Owners.**

        i. **All applications – 300 feet.** All owners of real property, as shown on the latest County equalized assessment roll, located within a radius of 300 feet of the exterior boundaries of the parcel(s) that is the subject of a hearing before the Planning Commission and Board of Supervisors.

        ii. **Alternative to Mailing.** If the number of property owners to whom notice would be mailed in compliance with Subsection c. (i). above is more than 1,000, the Planning Director may choose to provide a one-eighth page newspaper advertisement allowed by Government Code Section 65091(a)(3).

    d. **Approval of a Negative Declaration.** A "Notice of Intent to Approve a Negative Declaration" at a public hearing, shall be sent to all contiguous property owners and occupants and the County Clerk.

    e. **Persons Requesting Notice.** Any person who has filed a written request for notice with the Planning Director and has paid the required fee to cover the cost of this mailing.

    f. **Other Person(s).** Any other person(s), whose property might, in the judgment of the Planning Director, be affected by the proposed project.

2. **Publication and Posting.**

    a. **Publication for All Applications.** Notice of a public hearing required by this Zoning Code for a permit, permit modification, amendment, appeal, or other land use entitlement shall be published at least once in a newspaper of general circulation either Countywide or in the community where the subject property is located at least 10 days prior to the scheduled hearing date, unless a longer noticing period is required by State law. For any application involving a change

in allowable land uses or zoning regulations affecting real property, notice shall be provided at least 20 days prior to the scheduled hearing date in accordance with applicable provisions of California Government Code Sections 65090 and 65091, as may be amended.

b. **Posting for All Applications.** Agendas listing all public hearing items shall be posted in or immediately near the County Administration Building within a viewable area at least 72 hours prior to the scheduled hearing date.

c. **Posting by the Applicant.** Applicants may be required, at the discretion of the Planning Director, to post notices on the parcel(s) that is the subject of a hearing before the Planning Commission and Board of Supervisors pursuant to the Brown Act and/or the CEQA.

C. **Alternative Notice for the Director's Decision Without a Public Hearing.**

1. If approval is by the Planning Director without a public hearing, notice may be given only to the owner/applicant and the abutting property owners (i.e., abutting and across the street).

2. Notice shall be mailed or delivered at least 10 days before the Planning Director acts on an application.

3. A newspaper notice is not required.

4. In addition, notice is not required to be given to abutting property owners in applications for minor modifications to permits where there are no significant issues, as determined by the Planning Director.

D. **Additional Notice.** In addition to the types of notice required above, the Planning Director may provide any additional notice with content or using a distribution method (e.g., posting on the County's website) as the Planning Director determines is necessary or desirable.

10.275.030 Scheduling of Hearing

After the acceptance of a complete application and completion of any environmental document required by the California Environmental Quality Act (CEQA), a matter requiring a public hearing shall be scheduled on the next available agenda reserved for public hearings, but no sooner than any minimum time period established by State law.

10.275.040 Hearing Procedure

A. **Time and Place of Hearing.** A public hearing shall be held at the date, time, and place for which notice was given.

B. **Continued Hearing.** Any public hearing may be continued from time to time without further notice; provided, the chair of the Review Authority announces the date, time, and place to which the hearing will be continued before the adjournment or recess of the hearing.

C. **Deferral of Final Decision.** The Review Authority may announce a tentative decision and defer their action on a final decision until appropriate findings and/or conditions have been prepared.

10.275.050 Recommendation by Commission, Action by Board

A. **Recommendation and Findings to the Board of Supervisors.** After a public hearing on a proposed amendment to the General Plan, this Zoning Code, the Zoning Map, a development agreement, or a specific plan, the Community Development Department shall forward the recommendation and findings of the Planning Commission and the minutes of the Planning Commission meeting to the Board of Supervisors.

B. **Recommendation and Findings to the Applicant.** The recommendation and findings shall be mailed to the applicant at the address shown on the application.

C. **Recommendation Included in Notice.** The recommendation shall be included in the required notice of the Board of Supervisors public hearing.

10 – Planning and Zoning

Part 8 – Definitions

ADMINISTRATIVE DRAFT

MAY 2026

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Chapter 10.280

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Chapter 10.280 Definitions

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10.280.010 Purpose and Intent

This Chapter includes definitions for technical or specialized terms used in this Zoning Code that require addition clarity or explanation, or where their meaning may differ from everyday use. [Source: NEW]

10.280.020 Applicability

The definitions in this Chapter apply to terms used in this Zoning Code. If a definition in this Chapter differs from a definition found elsewhere in the Code of Ordinances, the definition in this Chapter applies for purposes of this Zoning Code. [Source: NEW]

10.280.030 "A" Definitions

Accessory Dwelling Unit (ADU). An attached or detached residential dwelling unit that provides complete, independent living facilities for one or more persons, and is located on a lot with a proposed or existing primary residence. ADUs include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as a single-family or multi-family dwelling is, or will be, situated. An ADU may consist of an efficiency unit or a manufactured home, as defined in Section 18007 of the Health and Safety Code. [Source: NEW]

Accessory Structure. An on-site structure detached from an incidental to a principal building on the same lot. [Source: 10-6.3602.1, modified]

Accessory Use. A use incidental and subordinate to the principal use of a lot. [Source: 10-6.3602.2, modified]

Active Recreation. An area that provides facilities for recreational activities, usually of a more formal nature and performed with others, often requiring equipment, and taking place at prescribed places, sites, or fields. [Source: 10-6.3602.154, modified]

Adult Entertainment. A retail establishment or business, which, as a regular and substantial course of conduct, sells or distributes adult-oriented merchandise, materials, products, merchandise, services, entertainment, performances, and other similar materials that depict, describe, or relate to sexual activities. [Source: 10-6.3602.4, modified]

Advertising Structure. A structure erected, used, or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting or other advertisement of any kind is posted, not including official notices issued by any court, public body, or officer, or notices posted by any public officer in performance of a public duty or by any person giving legal notice. [Source: 10-6.3602.5, modified]

Aeronautics Act. The article of the California Public Utilities Code (Section 21570 et seq.) pertaining to airport land use commissions. [Source: 10-1.04]

Affordable Housing Agreement. A legally binding agreement between a developer and the County to establish the number of affordable units, their size, location, terms and conditions of affordability, and production schedule of an affordable housing development. [Source: 10-6.5902(a), modified]

Affordable Rent. Monthly housing expenses, including utilities, for affordable units reserved for rent by very low-, low-, and moderate-income persons and families. [Source: 10-6.5902(c), modified]

Affordable Sales Price. A sales price at which very low-, low-, and moderate-income persons and families can qualify for the purchase of affordable units, calculated on the basis of underwriting standards of mortgage financing available for the development. [Source: 10-6.5902(d)]

Affordable Unit. A dwelling unit within a housing development which will be reserved for sale or rent to, and affordable to, very low-, low-, and moderate-income persons and families. [Source: 10-6.5902(e)]

Agriculture. The tilling of the soil, the raising of crops, viticulture, livestock farming, dairying, and/or animal husbandry, including, but not limited to incidental uses such as commercial feed lots, stockyards, commercial hog raising, slaughterhouses, fertilizer yards, bone yards, or any other similar use. [Source: 10-6.3602.6, modified]

Agricultural Building. A nonresidential structure designed and constructed for agricultural uses and storage of horticultural products. [Source: 10-6.3602.7, modified]

Agricultural Processing (Small-Scale). A use involving the processing, packaging, or storage of agricultural products, where a substantial portion of the materials processed are grown or produced on the subject property or within the local agricultural area. Processing activities may include cleaning, sorting, grading, drying, curing, fermenting, milling, pressing, or similar operations that prepare agricultural products for market. This use is intended to remain compatible with surrounding agricultural or rural uses and to support local agricultural production, and does not include large-scale or industrial processing operations, centralized processing facilities serving a regional market, or uses characterized by significant off-site impacts such as heavy truck traffic, noise, or emissions inconsistent with the surrounding area.

Agricultural Support Services. A use providing services directly related to agricultural operations, including equipment maintenance and repair, custom harvesting, irrigation services, fencing, soil testing, and similar activities that support agricultural production. This use is intended to serve local agricultural operations and to remain compatible with surrounding agricultural or rural uses, and does not include large-scale commercial or industrial operations, retail sales as a primary use, or activities that generate off-site impacts inconsistent with the surrounding area.

Agricultural Use. Property used for agricultural operations or upon which agricultural operations may in the future be established, including, but not limited to, tree, vine, row, and field crops; growing and harvesting of tree; and livestock farming, animal husbandry, commercial raising of game birds, animal breeding, and training. Does not include wildlife rescues and preserves, dairies, commercial feed lots, commercial poultry, or hog raising operations. [Source: 10-11.01(a), modified]

Agricultural Enterprise. The cultivation growing, harvesting and processing of an agricultural commodity, including structures and uses incidental to the enterprise, such as agricultural sheds and warehouses; processing, storage, or sale of agricultural products and supplies; and the repair, storage, maintenance, and servicing of agricultural supplies and equipment. Does not include “Dairy, Commercial Poultry Operation, Commercial Feed Lot, and Hog Farm” or “Hemp Cultivation,” which are separately defined. [Source: 10-11.01(b), modified]

Agrotourism (or Agritourism). A type of agricultural enterprise that combines agricultural production with tourism. May include U-pick farms, farm stays, and other similar uses. [Source: NEW]

Airstrip A facility where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers. Heliports refer to facilities without auxiliary facilities, such as parking and fueling and maintenance equipment. [Source: 10-6.3602.8, 10-6.3602.85, modified]

Airport Compatibility Plan. The Siskiyou County Airport Land Case Compatibility Plan adopted by the Siskiyou County Airport Land Use Commission. [Source: 10-1.04]

Airport Compatibility Zone. Any of the zones set forth herein established in this Title for the purposes of assessing land use compatibility within the airport influence area. [Source: 10-1.04, modified]

Airport Influence Area. An area which is routinely affected by aircraft operations at an airport. The airport influence areas constitute the locations within which the primary provisions of this Chapter apply. Additionally, certain land use actions affecting property within the boundaries of an airport influence area are also subject to review by the Siskiyou County Airport Land Use Commission in

accordance with requirements of the State Aeronautics Act and the policies of the Siskiyou County Airport Land Use Commission. [Source: 10-1.04, modified]

Alley. A public or private service roadway providing a secondary means of access to abutting property and not intended for general traffic circulation. [Source: 10-6.3602.9, modified]

Amateur Radio Antenna. An antenna that transmits or receives electromagnetic signals and is operated by a licensed amateur radio operator for use as part of the Amateur Radio Service. [Source: NEW]

Animal Hospital. A facility where animals are given medical or surgical treatment, including limited, incidental boarding facilities. [Source: 10-6.3602.10, modified]

Apartment. See "Dwelling, Multi-Family.". [Source: 10-6.3602.11, modified]

Assembly and Manufacturing. An establishment engaged in the mechanical transformation of materials or substances into new products, including the assembling of component parts, the manufacturing of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors. Does not include "Chemical Manufacturing," "Concrete or Asphalt Production," "Electronics Manufacturing," "Fertilizer Production," "Foundry," or "Pharmaceutical Manufacturing," which are separately defined. [Source: 10-6.3602.112, modified]

Auto Body Shop. The repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, and other motor vehicles, including the incidental wholesale and retail sale of vehicle parts as an accessory use. [Source: NEW]

Automobile Service Station. A commercial facility engaged in the sale of vehicular fuels, lubricants, tires, batteries, and similar accessories. May also include minor parts installation. [Source: 10-6.3602.14, modified]

Aviation-Related Use. Any facility or activity directly associated with the operation, storage, or maintenance of aircraft at an airport or heliport. Such uses specifically include runways, taxiways, helipads, and their associated protected areas defined by the Federal Aviation Administration, together with aircraft aprons, hangars, fixed base operations, terminal buildings, etc. [Source: 10-1.04]

Avigation Easement. An easement which conveys rights associated with aircraft overflight of a property, usually includes the right to create noise, the right to limit the height of structures and trees, etc. (see Section 10-1.10(c)). [Source: 10-1.04]

10.280.040 "B" Definitions

Bank/Financial Institution. A commercial establishment, including federally chartered banks, savings and loan associations, investment services, industrial loan companies, and credit unions, that provide retail banking services to individuals and businesses. Does not include payday lending and/or check cashing businesses. [Source: NEW]

Bed and Breakfast Establishment. An establishment offering lodging (with or without incidental meal and/or beverage service) in a single-family residential building and in conjunction with a single-unit dwelling for short-term stays of less than 30 consecutive calendar days. [Source: NEW]

Billboard. A freestanding sign designed or intended to display off-site messages. A billboard is typically supported by one or more poles or a structural framework and is oriented toward vehicular

traffic. A billboard does not include on-site freestanding signs identifying the primary use conducted on the parcel where the sign is located.

Block. A unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways, or any other barrier to the continuity to development. [Source: 10-6.3602.17]

Boarding House. Se "Rooming House and Boarding House." [Source: 10-6.3602.19, modified]

Principal Structure. A structure within which the principal use of the lot is conducted. [Source: 10-6.3602.24, modified]

Bulk Storage/Warehousing. The storage of products and materials in aboveground containers for subsequent resale to distributors or retail dealers or outlets. [Source: 10-6.3602.25, modified]

Business Service. An establishment primarily engaged in rendering services to business establishments on a fee or contract basis. Illustrative examples include advertising and mailing; building maintenance; employment services; management and consulting services; protective services; equipment rental and leasing; commercial research development and testing; photo finishing; and personal supply services. [Source: 10-6.3602.26, modified]

10.280.050 "C" Definitions

Cabinet Shop. A commercial establishment specializing in cabinetry construction, customization, and sales. [Source: NEW]

Camper. An individual who occupies or otherwise assumes charge of a campsite. [Source: 10-6.3602.28, modified]

Campground (including Glamping/Hipcamps). An establishment where individuals or groups may occupy campsites with recreational vehicles, tents, or other camping equipment for temporary recreational or travel purposes, where individual sewer hookups are not available to individual campsites in the campground, and that meets the requirements of Title 25 CCR, Division 1, Subchapter 2, Special Occupancy Parks. [Source: 10-6.3602.29, modified]

Camping Group. Ten or fewer individuals that occupy or otherwise assume charge of a campsite. An exception to this group limit may occur when a campground designates group camping sites designed to accommodate larger numbers of campers. [Source: 10-6.3602.30, modified]

Campsite. A plot within a campground intended for exclusive occupancy by a camper or camping group. [Source: 10-6.3602.32, modified]

Cannery. A food processing facility producing canned food products. [Source: NEW]

Car Wash. A facility that provides for washing of vehicles. Car washes may have a waiting area for the customer and a designated finishing and/or detailing area to complete the vehicle service. [Source: NEW]

Caretaker's Unit. A single-unit dwelling on the same property as or abutting property owned by the owner of a nonresidential use, where the residence is occupied by one or more persons charged with the care or protection of facilities used in such nonresidential use. [Source: NEW]

Cemetery. Land used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of the cemetery. [Source: NEW]

Chemical Manufacturing. An establishment engaged in the chemical transformation of materials or substances into new products, including the manufacturing of chemical products. [Source: NEW]

Club. A group of people organized for a common purpose to pursue common goals, interests, or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, a constitution, and bylaws. See “Place of Assembly.” [Source: 10-6.3602.33, modified]

Cluster. A development design technique which concentrates structures in specific areas on a site to allow the remaining land to be used for recreation, common open space, and/or the preservation of environmentally sensitive features. [Source: 10-6.3602.34, modified]

Combining Zone. A zoning district in which the general regulations from the “Base” Zone are combined with additional special regulations to address specific structural, physical, or design characteristics in new development. [Source: 10-6.3602.35, modified]

Community Center. A quasi-public or public facility where community members can gather for meetings, events, and other similar activities. [Source: NEW]

Commercial Feed Yard. A small, confined land area, structure, pen, or corral where cattle, horses, sheep, goats, or swine are maintained in close quarters for the exclusive purpose of fattening such livestock or holding temporarily for shipment to market. [Source: 10-6.3602.66]

Community Noise Equivalent Level (CNEL). The noise metric adopted by the State of California for evaluating airport noise impacts. The noise impacts are typically depicted by a set of contours, each of which represents points having the same CNEL value. [Source: 10-1.04]

Commercial Vehicle. Any motor vehicle licensed by the State as a commercial vehicle. [Source: 10-6.3602.36]

Community Sewer System. A liquid waste collection treatment and disposal system operated by an incorporated City, County, or Special District. [Source: 10-6.3602.37, modified]

Concrete or Asphalt Production. An establishment engaged in the chemical manufacturing and mixing of concrete and/or asphalt products from raw materials. [Source: NEW]

Conditional Use. A permit authorizing a specific use allowed in a particular zone in compliance with all conditions and standards for the location or operation of such use. [Source: 10-6.3602.38, modified]

Construction of Levee/Dike. See “Levee/Dike.” [Source: NEW]

Contractor Yard (Limited). A use involving the temporary storage of construction equipment, materials, and vehicles associated with a contractor or similar trade, where such storage is limited in scale and duration and is conducted in a manner compatible with surrounding agricultural or rural uses. This use is intended to support active construction or similar activities and does not include permanent contractor yards, heavy industrial operations, or uses characterized by ongoing outdoor storage, significant truck traffic, or other impacts inconsistent with the surrounding area.

Copying and Printing Establishment. A commercial establishment providing duplicating services using photocopy, blueprint, and/or offset printing equipment, including collating of booklets and reports, for orders from an individual, business, profession, service, industry, or government organization. Printing shops may include accessory retail sales. [Source: NEW]

Cottage Food Employee. An individual, paid or volunteer, who is involved in the preparation, packaging, handling, and storage of a cottage food product. An employee does not include an immediate family member or household member of the cottage food operator. [Source: 10-6.3602.39, modified]

Cottage Food Operation. An enterprise that is operated by a cottage food operator within the specified area of a private home where the cottage food operator resides and where cottage food products are prepared or packaged for direct and/or indirect sale to consumers pursuant Health and Safety Code Section 113758. Direct sales include, but are not limited to, transactions at holiday bazaars or other temporary events, such as bake sales or food swaps, transactions at farm stands, certified farmers' markets, or through community-supported agriculture subscriptions, and transactions occurring in person in the cottage food operation. Indirect sales, including, but are not limited to, sales made to retail shops or to retail food facilities where food may be immediately consumed on the premises. A cottage food operation includes both of the following: [Source: 10-6.3602.40, modified]

1. **Class A Cottage Food Operation.** A cottage food operation that engages only in direct sales of cottage food products to the consumer. [Source: 10-6.3602.40, modified]
2. **Class B Cottage Food Operation.** A cottage food operation that engages in either direct sales and/or indirect sales of cottage food products to the consumer. I [Source: 10-6.3602.40, modified]

Cottage Food Operator. An individual who operates a cottage food operation in their private home and is the owner of the cottage food operation. [Source: 10-6.3602.41]

Cottage Food Products. Food products, as identified in Health and Safety Code Section 114365.5(b) that are prepared for sale in the kitchen of a cottage food operation. [Source: 10-6.3602.42, modified]

Co-Location. A telecommunications facility comprising a single structure and used to support multiple antennae operated by different carriers. [Source: 10-1518(d)(1)]

Creamery. A food processing facility producing dairy food products, including, but not limited to, cheese, butter, ice cream, and other products made with a milk or cream base. [Source: NEW]

Cul-de-Sac. A turnaround at the end of a dead-end street. [Source: 10-6.3602.43]

10.280.060 "D" Definitions

Dairy, Commercial Poultry Operation, Commercial Feed Lot, and Hog Farm. An establishment having one or more of the following definitions:

- **Dairy.** An agricultural facility that focuses on agricultural operations including dairy animals, dairy products, and other uses associated with the operation of dairy farms. These facilities typically operate in a manner that have increased odors, air emissions, or other environmental impacts and are primarily used for mass commercial production. [Source: NEW]
- **Poultry Farm.** An agricultural use involves the raising, breeding, housing, feeding, and management of domesticated birds, including but not limited to chickens, turkeys, ducks, geese, quail, and similar poultry, for the commercial production of meat, eggs, or other poultry products. The use may include coops, barns, ranges, aviaries, pens, manure handling

areas, feed storage, and other accessory structures or facilities customarily incidental and subordinate to poultry production. Does not include poultry kept solely for personal consumption, hobby purposes, or non-commercial backyard use. [Source: NEW]

- **Commercial Feed Lot.** A large, confined land area, structure, pen, or corral wherein cattle, horses, sheep, goats, or swine are maintained in close quarters for the exclusive purpose of fattening such livestock or holding temporarily for shipment to market. [Source: 10-6.3602.66, modified]
- **Hog Farm.** Agricultura facility that raises chickens, turkeys, or hogs. These facilities typically operate in a manner that have increased odors, air emissions, or other environmental impacts. [Source: NEW]

Data Center. A dedicated facility within a structure or group of structures used to house and maintain electronic hardware, computer systems, and associated components such as telecommunications and data processing systems, to be used for the remote storage, management, processing, or distribution of electronic data. Examples of such processing include, but are not limited to, computationally-intensive applications such as blockchain technology, cryptocurrency mining, large language model processing, and weather modeling, including any associated utility infrastructure to support operations such as air handlers, power generators, water cooling and storage facilities, and utility substations. [Source: NEW]

Daycare Center. A childcare facility, other than a family daycare home, which provides nonmedical care and supervision of children under the age of 18 years of age for periods of less than 24 hours, as consistent with Section 1596.76 of the California Health and Safety Code. These facilities include infant centers, preschools, extended day care facilities, and school-age childcare centers. [Source: NEW]

Deed Notice. A notice, recorded with the deed to a property, indicating that the property is subject to overflight by aircraft approaching, departing, or maneuvering in the vicinity of a nearby airport. [Source: 10-1.04, modified]

Density. The number of dwelling units per acre of land. [Source: 10-6.3602.44, modified]

Density Bonus. A discretionary approval of up to 25 percent more residential units for a proposed residential project based on meeting the criteria of Government Code § 65915. [Source: 10-6.5902(f)]

Density Bonus Incentives. Regulatory concessions, as specified in California Government Code Subsections 65915(d) and (h) to include, but not be limited to, the reduction of site development standards or zoning code requirements, direct financial assistance, approval of mixed use zoning in conjunction with the housing development, or any other regulatory incentive that would result in identifiable cost avoidance or reductions that are offered in addition to a density bonus. [Source: 10-6.5902(b)]

Density Bonus Units. Residential units in compliance with the criteria of Government Code § 65915 which exceed the otherwise maximum residential density for a given development site. [Source: 10-6.5902(g), modified]

Department Store. A large retail establishment of 30,000 square feet or more in size where the majority of the floor area open to the public is occupied by goods or merchandise. [Source: NEW]

Developer. The legal or beneficial owner(s) of a lot included in a proposed development, including the holder of an option or contract to purchase or other persons having enforceable proprietary interests in such land. [Source: 10-6.3602.45, modified]

Digital Billboard. A billboard that utilizes an electronic message center capable of changing copy by electronic means.

Distillery, Brewery, or Winery. An establishment having one or more of the following definitions:

- **Distillery.** An establishment which produces distilled spirits on the premises. Such enterprises are subject to regulation by applicable agencies under the jurisdiction and control of the State. [Source: NEW]
- **Brewery.** An establishment where malt beverages are manufactured and/or produced on the premises. Such enterprises are subject to regulation by applicable agencies under the jurisdiction and control of the State. [Source: NEW]
- **Winery.** An agricultural processing facility producing wine on the premises from fruit or fruit juices through fermentation or the refermenting of still wine into sparkling wine that is bonded through the alcohol, tobacco tax and trade bureau and has a current license from applicable State agencies under the jurisdiction and control of the State. [Source: NEW]

Distributed Antenna System (DAS). A network of spatially separated antenna nodes connected to a common source via wired or wireless transport medium that provides wireless service within a geographic area.

Domicile. See "Residence." [Source: 10-6.3602.46, modified]

Drainage. The removal of surface water runoff or groundwater by draining, grading, or other means to minimize erosion and sedimentation, preserve the water supply, and prevent or mitigate flooding. [Source: 10-6.3602.47, modified]

Drilling (for Oil or Gas). A facility where oil or natural gas are extracted from underground reservoirs, processed, and stored for future transportation. [Source: NEW]

Drive-in. An establishment which permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles. [Source: 10-6.3602.48, modified]

Dump, Disposal, Garbage, Sewer, Refuse. A facility that collects waste materials. These facilities may additionally treat, sort, and/or dispose of collected waste. Facilities only handing the collection of recyclable materials are not included in this definition (see "Recycling Plant"). [Source: NEW]

Dwelling. a structure, or portion thereof, which is used exclusively for human habitation. [Source: 10-6.3602.49]

Dwelling, Single-family. An attached or detached residential building designed to accommodate one household/living unit on a single lot, including a mobile home when placed upon a foundation system in compliance with Section 18551 of the Health and Safety Code of the State. [Source: 10-6.3602.53, modified]

Dwelling, Duplex. A structure on a single lot containing two dwelling units which are separated by a common wall or stacked one above the other, with each unit having its own entrance and often its own yard or outdoor space. [Source: 10-6.3602.56, modified]

Dwelling, Triplex. A structure containing three dwelling units, each of which has its own entrance. Triplexes can be arranged in various configurations, such as side-by-side, stacked, or a combination of these layouts. [Source: 10-6.3602.55, modified]

Dwelling, Multi-family. A structure containing more than four separate dwelling units. [Source: 10-6.3602.51, modified]

Dwelling Unit. A room occupied or intended for occupancy as living quarters with separate cooking, sleeping and sanitary facilities provided within the unit for the exclusive use of the unit. [Source: 10-6.3602.57, modified]

10.280.070 "E" Definitions

Eave. The projecting lower edges of a roof overhanging the wall of a building. [Source: 10-6.3602.58]

Electrical Generation Facility. An electrical generation facility using thermal, wind, or water energy including, but not limited to, biomass plants, wind farms, coal-fired plants, or thermal power plants with a generating capacity of less than 50 megawatts. Does not include "Solar Farms" which are defined separately. [Source: NEW]

Electronics Manufacturing. An establishment engaged in the assembly of electronics component parts, the manufacturing of electronic products, and incidental storage of finished products. [Source: NEW]

Eligible Facilities Request (EFR). A request for modification of an existing wireless tower or base station that qualifies for mandatory approval under Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. § 1455(a)), as implemented by 47 C.F.R. § 1.6100.

Emergency Shelter. Temporary housing, including interim intervention facilities (i.e., navigation centers, bridge housing, respite or recuperative care), with minimal supportive services for displaced persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay (Health and Safety Code Section 50801(e)). [Source: 10-6.3602.59, NEW]

Employee Housing. Privately owned housing which houses up to six employees in living quarters and is provided in connection with any work, whether rent is involved. Employee housing is subject to the provisions of the Employee Housing Act. In compliance with the Government Code, employee housing shall be deemed a single-family land use and shall be regulated as such for the purposes of this Zoning Code. [Source: NEW]

Equipment Rental and Leasing. A commercial establishment that rents construction equipment, including on-site storage and incidental maintenance. Sales office shall be located entirely within an enclosed structure. [Source: NEW]

Equipment and Material Storage (Non-Industrial). A use involving the storage of equipment, vehicles, or materials not associated with industrial operations, where such storage is limited in scale and conducted in a manner compatible with surrounding agricultural or rural uses. This use is intended for incidental or accessory storage and does not include contractor yards, commercial storage operations, industrial storage, or uses characterized by ongoing outdoor storage, heavy equipment staging, or other impacts inconsistent with the surrounding area.

Equivalent financial incentive. A monetary contribution, based upon a land cost per dwelling unit value, equal to one of the following: [Source: 10-6.5902(h)]

1. A density bonus and an additional incentive(s); or [Source: 10-6.5902(h)]
2. A density bonus, where an additional incentive(s) is not requested or is determined to be unnecessary. [Source: 10-6.5902(h)]

Established Agricultural Research Institution. An institution of higher education, as defined in Section 101 of the Federal Higher Education Act of 1965 (20 U.S.C Sec. 1001), that grows or cultivates industrial hemp for purposes of research conducted under an agricultural pilot program or other agricultural or academic research in accordance with Section 7606 of the federal Agricultural Act of 2014 (7 U.S.C. Sec. 5940) or is otherwise approved by the California Secretary of Food and Agriculture. [Source: 10-16.20(B)]

Existing use. The use of a lot or structure at the time of the enactment of this Zoning Code. [Source: 10-6.3602.60, modified]

10.280.080 "F" Definition

Family. one or more individuals occupying a dwelling unit. [Source: 10-6.3602.62, modified]

Family Day Care. A facility that provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, as defined in Health and Safety Code section 1596.78. A family day care home includes a detached single-family dwelling, a townhome, a dwelling unit within a dwelling, or a dwelling unit within a multi-family dwelling where the day care provider resides, in which the underlying zone allows for residential uses. [Source: NEW]

Farm. See "Agricultural Use." [Source: 10-6.3602.63, modified]

Farm Stand/Direct Sales. A use involving the on-site or local sale of agricultural products directly to the public, where a substantial portion of the products offered for sale are grown or produced on the subject property or within the local agricultural area. This use may include the sale of fresh produce, meat, dairy, eggs, nursery products, and value-added agricultural goods. A Farm Stand / Direct Sales use is intended to remain accessory to and supportive of agricultural production and to serve as a direct marketing outlet for agricultural products, and does not include large-scale retail operations or establishments primarily engaged in the resale of off-site products unrelated to local agricultural production.

Farm Labor Housing. Housing provided for any number of farmworkers, including, but not limited to living quarters, boarding house, barracks, bunkhouse, mobile or manufactured home, travel trailer, or other living accommodations maintained in one or more structures. Accommodations for up to 36 beds or 12 units shall be deemed an agricultural use and therefore do not require a discretionary permit. [Source: 10-6.3602.64, modified]

Feed Store. A commercial establishment where a majority of the floor area open to the public is occupied by feed and supplies for domestic animals and livestock. [Source: NEW]

Fence. A barrier of any material or combination of materials enclosing or screening areas of land. [Source: 10-6.3602.67, modified]

Fertilizer Production. A manufacturing facility that produces finished fertilizer products. [Source: NEW]

Fill. Materials placed or deposited by humans such as sand, gravel, and earth. [Source: 10-6.3602.68, modified]

Flood. The temporary overflowing of water onto land which is usually devoid of surface water. [Source: 10-6.3602.69]

Flood Hazard Design Elevation. The highest elevation, expressed in feet above sea level, of the level of floodwaters which delineates the flood fringe area. [Source: 10-6.3602.70]

Flood Insurance Rate Map. The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the community. [Source: 10-6.3602.71]

Floodplain. The channel and the relatively flat area adjoining the channel of a natural stream or river which has been or may be covered by floodwater. [Source: 10-6.3602.72]

Floodway. The channel of a natural stream or river and portions of the floodplain adjoining the channel which are reasonably required to carry and discharge the floodwater or flood flow of any natural stream or river. [Source: 10-6.3602.73]

Food Processing. A facility that processes raw ingredients into food products, including, but not limited to, bottling plants, meat and fish processing plants, agricultural crop processing plants, milling plants, and other similar facilities. Does not include “Cannery,” “Creamery,” or “Slaughterhouse,” which are separately defined. [Source: NEW]

Foundry. A facility engaged in the processing and production of casted metal or glass products. [Source: NEW]

Freestanding Sign. A sign that is supported by one or more poles, columns, uprights, or braces placed in or upon the ground and not attached to a building. Freestanding signs include monument signs and pole signs.

Frontage. A portion of a lot abutting a street. [Source: 10-6.3602.74, modified]

Fueling Station. An establishment engaged in the retail sale of gas, diesel, hydrogen, biofuel, and other similar fuels. This classification includes incidental sales of retail products. [Source: NEW]

10.280.090 “G” Definitions

Garage. A structure used for the parking and storage of vehicles. [Source: 10-6.3602.75]

> **Garage, Private.** An accessory structure used for the parking and storage of private vehicles. [Source: 10-6.3602.76, modified]

Glare. Excessive brightness that causes annoyance, discomfort, or loss in visual performance and visibility. [Source: 10-6.3602.77, modified]

Golf Course. A tract of land dedicated to playing the game of golf, and improved with trees, greens, fairways, and hazards. Golf course may include related facilities such as clubhouses, golf schools and driving ranges and accessory uses such as restaurants, pro shops, and related facilities. [Source: NEW]

Gravel Pit. An open land area where sand, gravel, and rock fragments are mined or excavated for sale or off-tract use. [Source: 10-6.3602.78, modified]

Grazing. The raising or feeding of horses, cattle, sheep, goats, and similar animals on a parcel or continuous group of parcels, in which the animals occupy and receive most of their food on-site. [Source: NEW]

Greenhouse. An accessory structure dedicated to the indoor growth of plants and trees. May include the storage of tools and materials associated with the growth of nursery and established plants. For commercial nurseries, see "Retail, Nursery" and "Wholesale Nursery." [Source: NEW]

Growing and Harvesting Timber. The maintaining and harvesting of timber, tree farms, forest nurseries, and forest products (e.g., moss, bark, sap) as well as other forest related activities such as reforestation, logging, and forest management. [Source: NEW]

Guest House. Detached living quarters without a kitchen or cooking facilities, not for permanent occupancy, and where no compensation in any form is received or paid. [Source: 10-6.3602.82, modified]

Guest Ranches and Public Stables. An establishment having one or more of the following definitions:

> **Guest Ranch.** An establishment oriented towards agritourism where visitors may engage in on-site activities including horseback riding, hiking, camping, archery, fishing, hayrides, and other similar activities.
>
> **Public Stable**. Commercial establishment for animals such as horses, donkeys, and/or mules to be rented or boarded for compensation. This include boarding stables, riding schools, and horse ranches. [Source: NEW]

10.280.100 "H" Definitions

Health/Fitness Club. A facility providing exercise and physical conditioning services, including, but not limited to, weight rooms, exercise classes and courses, exercise equipment, and health and lifestyle training. [Source: NEW]

Health Services/Community Clinic. As defined by the Health and Safety Code Section 1204, a clinic operated by a tax-exempt nonprofit corporation that is supported and maintained in whole or in part by donations, bequests, gifts, grants, government funds or contributions, that may be in the form of money, goods, or services. In a community clinic, any charges to the patient shall be based on the patient's ability to pay, utilizing a sliding fee scale. No corporation other than a nonprofit corporation shall operate a community clinic. [Source: NEW]

Heavy Equipment Storage, Self-Owned. A private storage area for use only by the property owner where heavy equipment, such as equipment used for construction, agriculture, mining, or other similar activities is stored. [Source: NEW]

Height. Vertical distance, as defined by Section XX.XX.XXX (Height Measurements and Exceptions). [Source: 10-6.3602.83, modified]

Heliport. A helicopter landing facility for which a Heliport Permit is required from the California Department of Transportation. Public-use and special-use heliports (including those at hospitals) are included within this definition, but helipads located on an airport are excluded. [Source: 10-1.04]

Hemp. See "Industrial Hemp." [Source: NEW]

Hemp Cultivation. Any activity involving the propagation, planting, growing, harvesting, drying, curing, grading, trimming or the limited mechanical separation and sorting of hemp. [Source: 10-16.20(A)]

Transplant. A cultivated hemp plant grown from seed or cutting in soil or individual containers for less than eight weeks that does not exceed a height of eight inches. [Source: 10-16.20(H)]

Home Occupation. An accessory business use conducted within a lawfully established dwelling unit or an attached or detached garage that is incidental and subordinate to the residential use of the property and does not alter the residential character of the property or surrounding neighborhood. Illustrative examples include, but are not limited to, home offices, artist studios, woodworking, sewing and tailoring, individual tutoring and instruction, and other similar businesses. A Home Occupation does not include “cottage food operation” or “Home Enterprise,” which are defined separately. [Source: 10-6.3602.86, modified]

Home Enterprise. An accessory business use conducted within a lawfully established dwelling unit or an attached or detached garage that is incidental and subordinate to the residential use of the property but involves greater operational intensity than a Home Occupation, including regular visits by clients or customers, regular deliveries or shipments, or limited non-resident employees. Illustrative examples include, but are not limited to, beauty and barber shops, tutoring and instruction with multiple students at one time, photography studios, counseling services, and similar businesses. [Source: NEW]

Horticulture. See “Agriculture.” [Source: 10-6.3602.87, modified]

Hospital. A facility providing medical, physical, psychiatric, or surgical services on a 24-hour basis for sick or injured persons primarily on an in-patient basis and including ancillary facilities for out-patient and emergency treatment, diagnostic services, training, research, administration, and ancillary services to patients, employees, or visitors (i.e., cafeteria, gift/flower shop, waiting rooms, pharmacy). [Source: NEW]

Hotel/Motel. A facility offering transient lodging accommodations containing six or more rooms to the general public and providing additional services, such as restaurants, meeting rooms, and recreation facilities. Facilities where at least 25 percent of rooms have direct access to an exterior walkway are classified as a “Motels.” [Source: 10-6.3602.117, 10-6.3602.88, modified]

Household. See “Family.” [Source: 10-6.3602.89, modified]

Housing Cost (for affordable units). The sum of actual or projected monthly payments for all of the following associated with for-sale affordable units: principal and interest on a mortgage loan, including any loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs, homeowner association fees, and a reasonable allowance for utilities. [Source: 10-6.5902(i)]

Housing Unit. See “Dwelling Unit.” [Source: 10-6.3602.92, modified]

10.280.110 “I” Definitions

Ice Manufacturing and Cold Storage. A facility engaged in the commercial freezing of water into block or cubed ice for use or sale in a separate establishment. [Source: NEW]

Industrial Hemp. An agricultural product that is limited to types of the plant Cannabis Sativa L. and any part of that plant, including the seeds of the plant and all derivatives, extracts, the resin extracted from any part of the plant, cannabinoids, isomers, acids, salts, and salts of isomers, with a delta-9 tetrahydrocannabinol concentration of no more than 0.3 percent on a dry weight basis. [Source: 10-16.20(D), modified]

Institutional Use. See "Public/Government Building" and "Place of Assembly." [Source: 10-6.3602.93, modified]

Instructional Use (Non-School). A use providing organized instruction or training in a specific subject, skill, or activity, outside of a primary or secondary school setting, including workshops, classes, seminars, or similar instructional activities. This use is intended to accommodate instructional activities on a recurring or periodic basis and to remain compatible with surrounding agricultural or low-density uses. This use may include accessory materials and equipment necessary for instruction but does not include schools offering a full academic curriculum, or uses primarily characterized as events, assemblies, or entertainment.

10.280.120 "J" Definitions

Junk. Any discarded goods which are ready for destruction or have been collected or stored for salvage or conversion to some other use. Illustrative examples include used building materials and containers; vehicle parts; one or more unregistered, inoperable motor vehicles; and materials, machinery or other manufactured or processed material abandoned from original use. Equipment typically associated with farming or ranching activities are not considered junk when such storage is occurring on an operating farm or ranch. [Source: 10-6.3602.94, modified]

Junk Yard and Wrecking Yard. A facility where junk is collected and stored and is not fully enclosed within a structure. [Source: 10-6.3602.95, modified]

10.280.130 "K" Definitions

No defined terms.

10.280.140 "L" Definitions

Laundromat. An establishment offering washing and drying machines for public use for a fee. Also known as "self-service laundry." [Source: NEW]

Levee/Dike. Structure designed to divert or obstruct the flow of floodwaters which could potentially result in effects on adjoining land uses. [Source: NEW]

Library. A public facility that provides the use of literary, musical, artistic, or reference materials. [Source: NEW]

Limited Food Service. A use involving the preparation and sale of food or beverages to the public on a limited scale, including cafés, farm-to-table operations, or similar establishments. This use is intended to remain compatible with surrounding agricultural or rural uses and to serve a primarily local or on-site customer base, and does not include full-service restaurants, drive-through facilities, bars, or uses characterized by high customer turnover, extended hours of operation, or other impacts inconsistent with the surrounding area. [Source: NEW]

Lodge. See "Place of Assembly." [Source: NEW]

Lodging House. See "Hotel/Motel." [Source: 10-6.3602.98, modified]

Lodging, Small-Scale (Rural). A use providing overnight accommodations within a rural or agricultural setting, including farm stays, cabins, or similar facilities, where the use is limited in scale and designed

to remain compatible with and not displace surrounding agricultural or low-density uses. This use may include common facilities for guests and does not include hotels, motels, resorts, or other large-scale commercial lodging establishments.

Lot. A designated parcel, tract, or area of land established by plat or subdivision or as otherwise allowed by law. [Source: 10-6.3602.99]

Corner Lot. A lot or parcel of land abutting upon two or more streets. [Source: 10-6.3602.100, modified]

Reverse Frontage Lot. A lot which is not accessible from one of the parallel or non-intersecting streets upon which it fronts. [Source: 10-6.3602.108, modified]

Through Lot. A lot which fronts two parallel streets or two streets which do not intersect at the boundaries of the lot. [Source: 10-6.3602.109, modified]

Lot Depth. The horizontal distance measured from the front lot line to the rear lot line measured in the mean direction of the side parcel lines. [Source: 10-6.3602.101, modified]

Lot Frontage. The length of the front lot line measured at the street right-of-way line. [Source: 10-6.3602.102]

Lot Line. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space. [Source: 10-6.3602.103]

Front Lot Line. The lot line separating a lot from a street right-of-way. [Source: 10-6.3602.104]

Rear Lot Line. The lot line opposite and most distant from the front lot line or in the case of triangular or otherwise irregularly shaped lots a line ten feet in length entirely within the lot parallel to and at a maximum distance from the front lot line. [Source: 10-6.3602.105]

Side Lot Line. Any lot line other than a front or rear lot line. [Source: 10-6.3602.106]

Lot Width. The horizontal distance between the side lines of a lot measured along a straight line parallel to the front lot line. [Source: 10-6.3602.110, modified]

Low Barrier Navigation Center. A center or shelter in which a resident who is homeless or at risk of homelessness may live temporarily while waiting to move into permanent housing. [Source: NEW]

Low-Income. Less than 80 percent of the area median income, as defined by Section 50079.5 of the California Health and Safety Code. [Source: 10-6.5902(k)]

Low-Income Unit. A unit with an affordable rent or payment that does not exceed 35 percent of 80 percent of area median income, adjusted for family-size appropriate for the unit as established by the State Department of Housing and Community Development. [Source: 10-6.5902(l)]

Lower Income Household. A household whose income does not exceed the lower income limits applicable to the County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50079.5 of the California Health and Safety Code. [Source: 10-6.5902(m)]

Lumber Yard. A facility used for the storage, distribution, and sale of finished or rough-cut lumber and lumber products, but not including the manufacture or fabrication of lumber, lumber products, or firewood. [Source: 10-6.3602.111]

10.280.150 "M" Definitions

Manufactured Home. A structure intended for human habitation or constructed under authority of the Federal Manufactured Home Construction and Safety Standards, or California law. The structure is manufactured either in whole or in substantial part at an off-site location, transported to and assembled on-site, and placed on a permanent foundation. [Source: 10-6.3602.114, NEW]

Market-Rate Unit. A dwelling unit where the rent or sales price is not restricted either by this article or by requirements imposed through other local, State, or Federal affordable housing programs. [Source: 10-6.5902(n)]

Maximum Residential Density. The maximum number of residential units allowed by the General Plan and Zoning Code at the time of application. [Source: 10-6.5902(o), modified]

Medical and Dental Office. A facility primarily engaged in providing outpatient medical, dental, mental health, rehabilitation, or similar personal health services, which is separate from a hospital. Examples include offices of physicians, surgeons, dentists, chiropractors, physical therapists, psychiatrists, psychologists, and acupuncturists, as well as other licensed health practitioners providing diagnosis, treatment, or patient care.

This use does not include hospitals, community health clinics, or laboratories as defined in this Code**.**

Medical and Dental Laboratory. A facility engaged in scientific, diagnostic, research, or testing activities related to medical, dental, environmental, or biological analysis. Examples include clinical testing laboratories, blood or specimen processing facilities, dental fabrication laboratories, and similar establishments.

This use does not include routine diagnostic services incidental to a Medical and Dental Office.

Mining. The commercial removal of minerals from a mine, including surface mining. [Source: 10-6.3602.185, modified]

Minimum Lot Area. The smallest lot area established by the Zoning Code upon which a use or structure may be located. [Source: 10-6.3602.107, modified]

Mobile Home Park and Recreational Vehicle Park. An area or tract of land where two or more lots are rented, leased, or held for rent or lease to accommodate mobile homes or recreational vehicles. [Source: 10-6.3602.115, modified]

> **Mobile Home Park.** An area or tract of land that accommodates mobile homes used for long-term human habitation. The rental paid for any such mobile home shall be deemed to include the rental for the lot the mobile home occupies.
>
> **Recreational Vehicle Park.** An area or tract of land that accommodates recreational vehicles and which is occupied for temporary purposes. [Source: 10-6.3602.161, modified]

Moderate-Income. Less than 120 percent of the area median income as defined in Section 50093 of the California Health and Safety Code. [Source: 10-6.5902(p)]

Moderate-Income Unit. A unit with an affordable housing cost that does not exceed 35 percent of 120 percent of area median income, adjusted for family size appropriate for the unit as established by the State Department of Housing and Community Development. [Source: 10-6.5902(q)]

Monument Sign. A freestanding sign that is supported from the ground by a solid base or structural element and where the base width is equal to or greater than the width of the sign face.

Mortuary. a place for the storage of human bodies before their burial or cremation. [Source: 10-6.3602.116]

10.280.160 "N" Definition

Noise Pollution. Continuous or episodic excessive noise in the human environment. [Source: 10-6.3602.120]

Nonconforming Lot. A lot legally created before the adoption, revision, or amendment of this Zoning Code, but which does not conform to the present requirements of the Zoning Code. [Source: 10-6.3602.121, modified]

Nonconforming Use. A use or activity legally existing before the adoption, revision, or amendment of this Zoning Code but which is no longer allowed in the zone in which it is located. [Source: 10-6.3602.122, modified]

Nonprofit Recreational Use. a recreation facility operated by a nonprofit organization and open only to the bona fide members and guests of such nonprofit organization. [Source: 10-6.3602.158]

Non-Retail Laundries and Dry Cleaner. An establishment that offers bulk washing, drying, and dry-cleaning services for commercial and industrial customers. [Source: NEW]

Nuisance. An interference with the enjoyment and use of property. [Source: 10-6.3602.123]

Nursery Stock. As defined in Food and Agricultural Code section 5005 [Source: 10-16.20(E)]

10.280.170 "O" Definitions

Occupancy. The type or act of using a site, including, but not limited to, the residing of an individual in a dwelling unit or the use of any public, commercial, or industrial building. [Source: 10-6.3602.125, modified]

Offsite Construction, Maintenance Services, and Contractors' Yard. A facility used for offsite construction, maintenance, and storage of construction materials, equipment, vehicles, and other necessary materials by a contractor, including facilities for offices. [Source: NEW]

Off-Site Sign. A sign that displays a message unrelated to a business, use, or activity conducted on the parcel where the sign is located.

Off-Street Parking. A site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, access drives, and aisles. [Source: 10-6.3602.127, modified]

On- and Off-Sale Liquor Establishment. A commercial establishment engaged primarily for the sale of alcoholic beverages for on- and off-site consumption. [Source: 10-6.3602.16, modified]

On-Site Sign. A sign that displays a message related to a business, use, or activity conducted on the parcel where the sign is located.

On-Street Parking. A dedicated parking facility for motor vehicles which is located on a dedicated street right-of-way. [Source: 10-6.3602.128, modified]

Open Space. A parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment. [Source: 10-6.3602.129, modified]

Green Open Space. An open space area not occupied by any structure or impervious surface. [Source: 10-6.3602.131]

Private Open Space. Common open space held in private ownership, the use of which is typically limited to the occupants of a single dwelling or building. [Source: 10-6.3602.132, modified]

Public Open Space. Open space owned and managed by a public agency for the use and enjoyment of the general public. [Source: 10-6.3602.133, modified]

Organized Camp. See "Recreational and Educational Use." [Source: 10-6.3602.134, modified]

Outbuilding. See "Accessory Structure." [Source: 10-6.3602.135, modified]

Outdoor storage. The storage of any goods, junk, material, merchandise, or vehicle in the same unroofed area for more than 24 hours. [Source: 10-6.3602.136, modified]

Overhead Utility Facility. An above-ground facility or installation supporting utilities, including, but not limited to, poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments, and appurtenances supplying electric, communication, or similar or associated services. See "Public Utility." [Source: 10-7.01(d), modified]

10.280.180 "P" Definitions

Park/Playground. An area designated for active and passive recreation. [Source: 10-6.3602.137, modified]

Parking Lot. A public or private area designed for parking motor vehicles, including parking lots, garages, private driveways, and legally designated areas of public streets. [Source: 10-6.3602.138, modified]

Parking Space. An accessible and usable space measuring at least nine feet by 20 feet, for the parking of automobiles. [Source: 10-6.3602.139, modified]

Park Trailer. A trailer designed for human habitation for recreational or seasonal use only that contains 400 square feet or less of gross floor area, excluding loft area space, which meets all the requirements of this Code, does not exceed 14 feet in width at the maximum horizontal projection, is built upon a single chassis, and may only be transported upon the public highways with a permit issued in compliance with Section 35780 of the Vehicle Code, or as defined by California Health and Safety Code Section 18009.3. [Source: 10-6.3602.140]

Performance Standards. A set of criteria or limits relating to nuisance elements which a particular use or process may not exceed. [Source: 10-6.3602.141]

Permitted Use. Any use allowed in a zone and subject to the restrictions applicable to such zone. [Source: 10-6.3602.142, modified]

Person. An Individual, corporation, company, association, society, firm, partnership, and their agents and employees. [Source: 10-6.3602.143, 10-7.01(c), modified]

Personal Services. An establishment primarily engaged in providing services involving the care of a person or their apparel. [Source: 10-6.3602.144, modified]

Pharmaceutical Manufacturing. A facility that processing raw materials into pharmaceutical products, including, but not limited to, medicines, vaccines, tablets, creams, injections, and other pharmaceutical products. [Source: NEW]

Place of Assembly. A facility intended for public or private assembly and meetings, including but not limited to civic auditoriums and theatres, banquet halls, community and civic centers, conference and convention facilities, meeting halls for clubs and other membership organizations, religious institutions and other places of worship. [Source: NEW]

Planned Unit Development. A contiguous area to be planned and developed as a single project containing one or more residential clusters or planned unit residential developments and one or more public, quasi-public, commercial, or industrial areas, where ratios of nonresidential uses to residential uses are specified. [Source: 10-6.3602.145, modified]

Planning Commission. The duly designated Planning Commission of Siskiyou County. [Source: 10-6.3602.146, modified]

Pole Sign. A freestanding sign that is supported by one or more poles or uprights where the sign face is elevated above grade and the supporting structure is not fully enclosed.

Pounds and Kennel. An establishment in which domesticated animals are groomed, bred, boarded, trained, and/or sold. [Source: 10-6.3602.96, modified]

Primary Treatment. The first stage in wastewater treatment in which substantially all floating or settleable solids are removed by screening and sedimentation. [Source: 10-6.3602.147]

Private Recreation Facility. Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development, and which may include such complementary structures and improvements as are necessary. [Source: 10-6.3602.130]

Professional Office. An office that predominantly offers medical, professional, and/or business services, including, but not limited to, accountants, architects, attorneys, chiropractors, clergymen, dentists, doctors, engineers, optometrists, podiatrists, physical therapists, social workers, or surveyors. [Source: 10-6.3602.148, modified]

Property Owner. The person or business who is the property owner of record upon the County Tax Assessor's records. [Source: 10-6.6102(B)]

Public Celebrations. An event or series of events scheduled in observance of a State, Federal or religious holiday, or conducting organized activities for a historical, cultural or a special theme held for a limited period of time and where such events or activities are not being held solely for profit. [Source: 10-6.3602.149]

Public/Government Building. Property and structures that are owned, leased, and/or maintained by a local jurisdiction, the County, State, Federal Government, or other public agency. Does not include “Library.” [Source: NEW]

Public Sewer and Water System. Any system, other than an individual septic tank, tile field, or individual well, which is operated by a municipality, governmental agency, or utility for the collection, treatment, and disposal of wastes and the furnishing of potable water. [Source: 10-6.3602.150]

Public Utility. A facility or installation supporting utilities by any public entity, agency, or special district, such as telecommunication towers and equipment, water and sewer facilities, substations, and other similar utility facilities, [Source: 10-6.3602.193, 10-7.01(e), modified]

10.280.190 "Q" Definitions

Qualifying Resident. Senior citizens or other persons eligible to reside in senior citizen housing. [Source: 10-6.5902(r)]

Quasi-Public. See "Community Center" and "Place of Assembly." [Source: 10-6.3602.152, modified]

10.280.200 "R" Definitions

Racetrack for Motor, Non-Motor Vehicles. A facility including a course used to race vehicles and spectator seating. [Source: NEW]

Ranch. See "Agricultural Use" and "Guest Ranches and Public Stables." [Source: 10-6.3602.153, modified]

Research and Development Lab/Institute. An establishment primarily engaged in industrial or scientific research, including limited product testing. This classification includes electronics research firms and pharmaceutical research laboratories, but excludes manufacturing, except of prototypes, or medical testing and analysis. [Source: NEW]

Recreation/Entertainment Establishment. a recreation facility operated as a business and open to the public for a fee. [Source: 10-6.3602.156]

Recreation Facility. A recreation facility provided as an accessory use on the same lot as the principal allowed use and designed to be used primarily by the occupants of the principal use and their guests. [Source: 10-6.3602.157]

Recreational and Educational Use. for a facility offering camping, recreation, and educational activities to five or more children under 28 years of age for two calendar days or more, including a site which is operated as a day camp or as a resident camp. [Source: 10-6.3602.203, modified]

Recreational Vehicle. A motor home, travel trailer, camper, or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, with a living area less than 220 square feet, excluding built-in equipment, such as wardrobes, closets, cabinets, kitchen units or fixtures, and bath and toilet rooms, or as defined by State law. [Source: 10-6.3602.163]

Recycling Plant. A facility that collects, separates, processes, or recycles recyclable waste and used to make new products. [Source: NEW]

Refreshment Stand. A retail use accessory to an agricultural or commercial operation where products are offered for sale directly to the public, typically within an on-site temporary or permanent structure. May include a farm stand located on a farm selling farm products, a stand serving beverages, or a stand serving food. [Source: 10-6.3602.65, modified]

Repair Garage. An establishment primarily engaged in furnishing automotive repair, rental, leasing, and parking services to the general public. [Source: 10-6.3602.15]

Residence. A dwelling where an individual resides at a specific point in time. [Source: 10-6.3602.164, modified]

Residential Care Facility. In compliance with Title 22 of the California Code of Regulations, a facility, place, or structure which is maintained and operated to provide residential care, day treatment, adult day care, or foster family agency services for children or adults, including, but not limited to the physically handicapped, mentally impaired, incompetent persons, elderly, and abused or neglected children. This use is further categorized by size: Residential Care Facility, Small (six or fewer residents) and Residential Care Facility, Large (seven or more residents). Examples of residential care facilities include:

> **Adult Daycare Facility.** A facility that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. [Source: NEW]
>
> **Child Therapeutic Day Services Facility.** A facility that provides care, counseling, educational or vocational support, or social rehabilitation services on less than a 24-hour basis to persons under 18 years of age who would otherwise be placed in foster care or who are returning to families from foster care. [Source: NEW]
>
> **Community Treatment Facility.** A facility that provides care and mental health treatment services to children in a group setting. Program components shall be subject to program standards developed by the State. [Source: NEW]
>
> **Foster Home.** A facility that provides 24-hour care for foster children which is owned, leased, or rented and is the residence of the foster parent(s), including their family, in whose care the foster children have been placed. [Source: 10-6.3602.81, modified]
>
> **Residential Care Facility.** A group care facility for 24-hour care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual. Includes residential care facilities for the elderly, skilled nursing, convalescent homes, intermediate care facilities, assisted living establishments, and memory care. [Source: 10-6.3602.79, NEW]
>
> **Social Rehabilitation Facility.** A residential facility which provides social rehabilitation services for no longer than 18 months in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling. [Source: NEW]

Residential Storage Structure. A structure used solely for private residential storage uses by the property owner. [Source: 10-6.3602.165, modified]

Rest Area. A facility adjacent to a highway with restrooms and other amenities for use by motorists. [Source: NEW]

Resort. A hotel including ten or more units which includes recreational amenities to its patrons. [Source: 10-6.3602.166, modified]

Restaurant. A commercial establishment where food and drink are prepared, served, and consumed on-site. [Source: 10-6.3602.167, modified]

Retail. An establishment having one or more of the following definitions:

Retail, General. A commercial establishment within a structure of 30,000 square feet or less engaged in selling goods or merchandise to the general public for profit. Illustrative examples of these establishments and lines of merchandise include, but are not limited to, kitchen utensils, luggage and leather goods, artists' supplies, bakeries (retail only), bicycle sales, books, musical instruments, cameras and photographic supplies, office supplies, clothing and accessories, drug and discount stores, paint and wallpaper, electronic equipment, pet supplies and grooming, fabrics and sewing supplies, pharmacies, florists and houseplants, shoes, gift shops, small wares, handcrafted items, specialty shops, sporting goods and equipment, hobby materials, stationery, home décor, toys and games, and jewelry. For retail stores in excess of 30,000 square feet, see "Department Store." Does not include "Feed Store," which is separately defined. [Source: NEW]

Retail, Motor Vehicle Sales. A commercial establishment engaged in the display and sale of new or used automobiles, panel trucks or vans, trailers, or recreation vehicles and including any warranty repair work and other repair service conducted as an accessory use. [Source: 10-6.3602.13, modified]

Retail, Nursery. land or a greenhouse used to raise flowers, shrubs, and plants for sale. Does not include "Wholesale Nursery." [Source: 10-6.3602.124, modified]

Right-Of-Way. A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission line, oil or gas pipeline, water line, sanitary storm sewer, or other similar use. [Source: 10-6.3602.168]

Rooming House or Boarding House. A facility used exclusively for residential occupancy, other than a hotel or motel, where lodging and meals for three or more persons is provided for compensation. [Source: 10-6.3602.20, 10-6.3602.19, modified]

10.280.210 "S" Definitions

Sanitary Sewage. Liquid waste containing animal or vegetable matter in suspension or solution or the water-carried waste resulting from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers, or any other source of water-carried waste of human origin or containing putrescible material. [Source: 10-6.3602.169]

Saw Shop. A facility engaged in the maintenance, repair, and sale of equipment used in woodcutting. [Source: NEW]

School. Any building, or part thereof, which is designed, constructed, or used for education or instruction in any branch of knowledge. [Source: 10-6.3602.170]

School, Primary, Secondary. A privately owned and operated elementary, middle, secondary, or high school, or other institution providing academic instruction for students from kindergarten through 12th grade in compliance with the California Education Code. [Source: NEW]

School, Trade and Vocational. A private educational facility devoted to instruction in particular crafts, trades, or skills, such as dance, business, beautician, barber, radio, and television schools. [Source: 10-6.3602.189]

School, College/University. A public or private post-secondary institution for higher learning that grants associate or bachelor's degrees and may also have research facility and/or

professional schools that grant master and doctoral degrees. This may also include community colleges that grant associate or bachelor's degrees or certificates of completion in business or technical fields. These institutions require at least a high school diploma or equivalent general academic training for admission. Includes community colleges and public or private colleges and universities. [Source: NEW]

Scientific Study Site. A particular area containing archaeological, anthropological, or historic artifacts or remains. [Source: NEW]

Screening. The shielding or obscuring of one area from another by fencing, walls, berms, or densely planted vegetation. [Source: 10-6.3602.171, modified]

Secondary Treatment. Any wastewater treatment beyond the primary stage in which bacteria consume the organic parts of the wastes. [Source: 10-6.3602.172]

Senior Citizen Housing. A housing development consistent with the California Fair Employment and Housing Act (Government Code Section 12900 et seq., including 12955.9 in particular), which has been "designed to meet the physical and social needs of senior citizens," and which otherwise qualifies as "housing for older persons" as that phrase is used in the Federal Fair Housing Amendments Act of 1988 (P.L. 100-430) and implementing regulations (24 CFR, part 100, subpart E), and as that phrase is used in California Civil Code Section 51.2 and 51.3.1. [Source: 10-6.5902(s)]

Sensitive Receptor. A facility or land use that serves members of a population who are particularly sensitive to the effects of air pollutants or strong odors, such as children, the elderly, and people with illnesses. Examples of sensitive receptors include: churches, day cares, schools, and youth-oriented facilities. [Source: 10-16.20(G)]

Setback. The horizontal distance between the edge of the street right-of-way and the front line of the nearest building is associated with land use on that parcel. [Source: 10-6.3602.173, modified]

Shared-Location. More than one telecommunications facility comprising multiple structures used to support antennae operated by one or more carnets where such structures are within proximity to each other. [Source: 10-1518(d)(2)]

Sight Triangle. A triangular-shaped portion of land established at street intersections in which no structure is erected or vegetation planted that would obstruct sight distances of motorists entering or leaving an intersection. [Source: 10-6.3602.174]

Single-Room Occupancy Units (SRO). A residential structure containing more than five one-room dwelling units occupied by no more than two persons, which serves as the occupant's primary residence, and which have a minimum floor area of 150 square feet, a maximum floor area of 220 square feet, meet ADA requirements, and include food preparation and/or sanitary facilities. [Source: 10-6.3602.175, modified]

Ski Area. An area developed for snow skiing, with trails and lifts, and including ski rentals and sales, instruction, and eating facilities. [Source: 10-6.3602.176]

Ski Resort. A ski area which also includes sales, rentals, and services of related equipment and accessories, eating places, residences, and hotels and motels. [Source: 10-6.3602.177]

Skilled Nursing Facility. See "Residential Care Facility." [Source; NEW]

Slaughterhouse. A facility where livestock are slaughtered and processed. Activities include, but are not limited to inspection, processing, chilling, freezing, and packaging of animal meat products. [Source: NEW]

Slope. The degree of deviation of a surface from the horizontal, usually expressed in percentage or degrees. [Source: 10-6.3602.178]

Small Wireless Facility. A wireless facility that meets the definition of "small wireless facility" set forth in 47 C.F.R. § 1.6002, as may be amended.

Soil. Unconsolidated mineral and organic material which overlies bedrock and can be readily excavated. [Source: 10-6.3602.179]

Soil Map. A map prepared by the Soil Conservation Service of the State Department of Agriculture, indicating the following soil characteristics: slope, depth to seasonal high water, depth to bedrock, permeability, natural drainage class, stoniness, and flood and stream overflow hazard. [Source: 10-6.3602.180]

Solar Farm. A commercial energy generation facility that generates electricity from the via photovoltaic arrays, solar thermal systems, or concentrated solar power facilities. [Source: NEW]

Solid Waste. Unwanted or discarded material, including garbage with insufficient liquid content to be free flowing. [Source: 10-6.3602.181]

Special Event. A special event is defined as a celebration, ceremony, wedding, reception, or similar activity for the benefit of someone other than the property owner that takes place on a periodic basis, involving the gathering of individuals assembled for the common purpose of attending a special event. [Source: NEW]

Special Event Facility. A use in which a property, building, or outdoor area is regularly or on a recurring basis used or made available for organized events such as weddings, receptions, banquets, festivals, fundraisers, corporate gatherings, or similar assemblies of persons. A Special Event Facility may be operated by a for-profit or nonprofit entity and may involve direct or indirect compensation. This definition does not include occasional temporary events regulated under Section 10.95.090 or private, non-commercial gatherings incidental to a lawful residential use. [Source: NEW]

Storage Elevator. A storage facility designed to store and distribute raw agricultural products using an elevator system to lift raw products into a storage area before distribution. [Source: NEW]

Storage, Large and Mini. means a structure containing separate storage spaces of varying sizes leased or rented on an individual basis. [Source: 10-6.3602.113]

Street. A public thoroughfare which affords the principal means of access to abutting property, including an avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare, except an alley. [Source: 10-6.3602.182]

Structure. Anything constructed or erected, the use of which requires location on or in the ground, or attachment to something having location on the ground, including swimming pools, but excluding driveways, patios, and parking spaces. [Source: 10-6.3602.183]

Structural Alterations. Any change in the supporting members of a structure such as bearing walls, columns, beams, or girders. [Source: 10-6.3602.184]

10.280.220 "T" Definitions

Tannery. An establishment where animal skins are processed into leather. [Source: NEW]

Temporary Structure. A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased. [Source: 10-6.3602.186]

Temporary Use. A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period. [Source: 10-6.3602.187]

Theater. building, or part of a building, devoted to showing motion pictures or for dramatic, musical, or live performances. [Source: 10-6.3602.188]

Timber/Wood Processing Facility. The commercial processing and storage of timber/wood products. [Source: NEW]

Towing Service. A commercial establishment providing for the storage of operative or inoperative vehicles. Includes parcels used for parking towaways, impounding, repossession, and storage (excluding personal storage) for buses and recreational vehicles, but does not include vehicle dismantling. [Source: NEW]

Transitional and Supportive Housing. Housing has the following definitions: [Source: 10-6.3602.91, NEW]

> **Transitional Housing.** Buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. Transitional housing is a residential use subject only to the same requirements as apply to other residential dwellings of the same type in the same zoning district. [Source: NEW]
>
> **Supportive Housing**. Housing with no limit on length of stay that is occupied by the target population and that is linked to an on-site or off-site service that assists the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. "Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided in compliance with the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. Supportive housing is a residential use subject only to the same requirements as apply to other residential dwellings of the same type in the same zoning district. [Source: NEW]

Truck Camper. A structure designed to fit into the bed of a pick-up truck and used for temporary shelter and sleeping. [Source: 10-6.3602.190]

Truck and Utility Trailer Rental. A commercial establishment that rents large trucks, trailers, and similar vehicles, including on-site storage and incidental maintenance. Sales office shall be located entirely within an enclosed structure. [Source: NEW]

Truck Service Station. A facility engaged in the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop also may include overnight accommodations and restaurant facilities solely for the use of truck crews. [Source: 10-6.3602.191]

Truck Terminal and Truck Storage. An area and building where cargo is stored and where trucks load and unload cargo on a regular basis. [Source: 10-6.3602.192]

10.280.230 "U" Definitions

Underground Utility District. A designated area in the County within which poles, overhead wires, and associated overhead structures are prohibited. [Source: 10-7.01(b), modified]

10.280.240 "V" Definitions

Vacation Rental. A legally established single-family or duplex dwelling that is rented or offered for rent to transient occupants for a period of not more than twenty-nine (29) consecutive calendar days.f Where two or more single-family or duplex dwellings legally exist on a single parcel, or where a single-family dwelling and an authorized second dwelling legally exist on a single parcel, only one dwelling unit may be considered a vacation rental subject to the provisions of Article 15. [Source: 10-6.3602.194, modified]

Vacation Rental Activity Permit (VR Activity Permit). A permit issued by the County pursuant to Chapter 10.55 authorizing operation of a Vacation Rental for rental periods of twenty-nine (29) consecutive calendar days or less. [Source: 10-6.6102(C), modified]

Hardship Variance. An action granting exception from the provisions of this Zoning Code relating to setbacks, side yards, frontage requirements, and lot size in cases where strict compliance would result in a unique hardship. [Source: 10-6.3602.195, modified]

Very Low-Income. Less than 50 percent of the area median income as defined in Section 50105 of the California Health and Safety Code. [Source: 10-6.5902(t)]

Very Low-Income Unit. A unit with an affordable rent or payment that does not exceed 50 percent of 50 percent of the area median income adjusted for family-size appropriate for the unit as established by the State Department of Housing and Community Development. [Source: 10-6.5902(u)]

10.280.250 "W" Definitions

Warehouse. See "Bulk Storage/Warehousing." [Source: 10-6.3602.196, modified]

Welding Shop, Machine Shop, and Metal Shop. A facility engaged in the process of joining metals though welding and the repair of mechanical and metal items. [Source: NEW]

Wildlife Rescue and Preserve. A facility or property used for the refuge, protection, preservation, rescue, rehabilitation, and long-term care of wildlife or domestic animals in a naturalistic or managed setting. This use may include wildlife refuges, game preserves, animal rescue ranches, equine rescue

facilities, and non-agricultural horse habitat or sanctuary operations not primarily associated with commercial agriculture or livestock production. Ancillary activities may include veterinary care, animal rehabilitation facilities, habitat management, caretaker residences, and limited educational, interpretive, or outreach programs directly related to the rescue, rehabilitation, or preservation mission of the use. This use does not include commercial kennels, animal boarding, rodeo operations, commercial livestock feedlots, or breeding facilities operated primarily for profit. [Source: NEW]

Wireless Telecommunications Facility. A structure, antenna, equipment, or facility used for the transmission or reception of radio frequency signals, regardless of the technology used, that is operated for the purpose of providing personal wireless services, as defined in 47 U.S.C. §332(c)(7), including personal wireless service facilities and services such as cellular, personal communications services (PCS), broadband, data, and similar commercial wireless communications services.

A Wireless Telecommunications Facility includes, but is not limited to antennas mounted on towers, buildings, or other structures; support structures such as towers and monopoles; antennas or equipment mounted on existing structures; equipment cabinets, shelters, and associated equipment; distributed antenna systems (DAS); small wireless facilities as defined by applicable federal or state law; and related infrastructure necessary for the operation of such facilities.

A Wireless Telecommunications Facility does not include devices or facilities exempt under Section 10.95.120(C); handheld or personal wireless devices; consumer equipment located entirely within a dwelling or accessory structure; or facilities used solely for non-commercial, private, or site-specific communications, including but not limited to agricultural operations, infrastructure monitoring, or internal business communications, that are not operated for the purpose of providing personal wireless services to the public.

Wireless Tower. A freestanding structure designed and constructed primarily to support antennas and associated wireless telecommunications equipment.

Wireless Support Structure. A structure other than a wireless tower that supports or is capable of supporting antennas or wireless telecommunications equipment, including buildings, utility poles, light standards, water tanks, and similar structures.

Wholesale Nursery. An agricultural premise or facility that produces plants, seedlings, seeds, and other agricultural products for sale to other business users. [Source: NEW]

Wholesale Storage and Sales. An establishment primarily engaged in selling merchandise to retailers, or to industrial, commercial, institutional, or professional business users, or to other wholesalers or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. [Source: 10-6.3602.198]

Wireless Communications Facility. A facility that transmits and/or receives electromagnetic signals, including antennae, microwave dishes, and other types of equipment for the transmission of such signals; telecommunications towers or similar structures supporting said equipment; equipment buildings; parking area; and other accessory development. [Source: 10-1518(d)(3)]

10.280.260 "X" Definitions

No defined terms. [Source: NEW]

10.280.270 "Y" Definitions

Yard. An open space which lies between the principal or accessory building(s) and the nearest lot line. Such yard shall be unoccupied and unobstructed from the ground upward, except as may be specifically provided in this Code. [Source: 10-6.3602.199, modified]

Front Yard. The space between any building and the front lot line. [Source: 10-6.3602.200, modified]

Rear Yard. The space between the principal building and the rear lot line. [Source: 10-6.3602.201, modified]

Side Yard. The space between the principal building and the side lot line. [Source: 10-6.3602.202, modified]

10.280.280 "Z" Definitions

Zero Lot Line. The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line. [Source: 10-6.3602.204]

Zone. A specifically delineated area or district within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings. [Source: 10-6.3602.205, modified]

Zoning Map. Maps which delineate the boundaries of zone districts. [Source: 10-6.3602.206, modified]

Zoning Permit. A document required as a condition precedent to the commencement of a use or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure, which acknowledges that such use, structure, or building complies with the provisions of this Code. [Source: 10-6.3602.207, modified]