

MODOC COUNTY TITLE 18 ZONING CODE

Adopted August 1991

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CHAPTER 18.02 GENERAL PROVISIONS

18.02.010 Zoning plan adopted--Title.

There is hereby adopted in this title a zoning plan for Modoc County, California, said plan being a districting plan consisting of regulations and maps, pursuant to Section 65800 et seq. of the California Government Code. The plan shall be referred to as the "Modoc County zoning ordinance."

18.02.020 Purposes of zoning plan.

- A. To promote and protect the public health, safety, peace, morals, comfort, convenience, and general welfare.
- B. To implement the general plan and any applicable specific plan, and to facilitate and guide growth in the county consistent with the general plan and any applicable specific plan.
- C. To protect the social and economic stability of residential, commercial, industrial, resource production, and recreational activities within the county through the orderly, planned use of the land.

18.02.030 Zoning districts established.

The designations, locations, and regulations of the zone districts in the zoning plan shall be established by ordinance of the board of supervisors. The board may, by ordinance, incorporate maps or diagrams into the zoning plan by reference when necessary or convenient to accomplish the purposes of this title.

- A The following zones are established as principal zones:
 - TP Timberland production zone
 - OFG Open space, forestry and grazing zone
 - RC Resource conservation zone
 - AE Agricultural exclusive zone
 - LIC Low intensity conservation zone
 - AG Agricultural general zone
 - LI Low intensity zone
 - RR Rural residential zone
 - RL Residential-low density zone
 - RH Residential-high density zone
 - RT Rural town zone
 - C Commercial zone
 - IL Industrial-light zone
 - I Industrial zone
 - PD Planned development zone

PF Public facilities zone

B. The following zones are established to overlay the principal zone districts. More than one overlay zone may be imposed on the same land or a portion thereof:

FH Flood hazard zone
EP Environmental protection zone
MP Migration protection zone
M Minimum lot size zone
AR Animal restrictions zone
AH Airport hazard zone
SP Specific plan zone

C. Upon expiration of any urgency zoning ordinance, the land affected by the ordinance shall be subject to the regulations applicable to the land immediately prior to the adoption of the urgency ordinance, unless the urgency ordinance provides otherwise or is repealed or superseded by another ordinance.

18.02.040 Zoning maps.

A. A series of maps known as zoning maps shall be utilized to show the designations, locations, and boundaries of each zone district established by this title within the unincorporated areas of Modoc County.

B. A series of maps known as special zoning maps shall be utilized to show certain zone districts or areas in more detail or in a different arrangement than shown on the zoning maps.

C. The maps referenced in this section are made part of this title and are incorporated herein as if set forth in full. Copies shall be maintained and shall be available for examination in the planning department during normal working hours.

D. The planning director shall revise any of the maps referenced in this section to show amendments to the zoning ordinance, including changes in designations, rezonings of lots or parcels and clarifications of zone boundaries made pursuant to Chapter 18.150.

18.02.050 Effect of zoning plan.

Except as otherwise provided in this title, the following shall apply to established zone districts:

A. Upon the establishment by ordinance of any of the zone districts or combinations thereof within the unincorporated areas of Modoc County, the regulations for such zone districts and the provisions set forth in this title shall apply and shall be enforced in all such zone districts.

B. No building shall be erected or placed, and no existing structure shall be moved, altered, added to, or enlarged, nor shall any land, building, or premises be used, designated, or

intended to be used, for any purpose, or in any manner, other than is included among the uses hereinafter listed as permitted in the zone in which such building, land, or premises is shall be erected, to exceed the height district in which such located.

C. No building or structure shall be erected, reconstructed, or structurally altered to exceed height limit hereinafter designated for the zone district in which such building or structure is located.

D. No building shall be erected, nor shall any existing building be altered, enlarged, or reconstructed, nor shall any required open space or yard be encroached upon or reduced in any manner, except in conformity to the yard, building site, and building location regulations hereinafter specified for the zone district in which such building, open space, or yard is located.

E. No yard or open space provided around 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.

18.02.060 Applicability--Area designated.

The provisions of this title shall apply to all the unincorporated land within the boundaries of Modoc County, and shall apply to lands owned, leased, or otherwise controlled by the State of California or a local government, or by any unit of either of them, to the extent permitted by law, or by the consent of and agreement with such governments or agencies. The provisions of this title apply to public lands as defined in the Federal Land and Policy and Management Act (43 U.S.C. 1701 et seq.) to the extent permitted by that Act or other federal law, or regulations adopted pursuant thereto or agreements made with Modoc County. The provisions of this title do not apply to federal reservations. As used in this section, local government includes, but is not limited to, cities, school districts, and special districts.

18.02.070 Interpretation of minimum requirements.

The provisions of this title shall be held to be the minimum requirements fulfilling its purposes. Where the requirements imposed by any provision of this title are less restrictive than comparable requirements imposed by any other provision of this title, or any other law, ordinance, resolution, or regulation, the more restrictive provisions shall govern, unless otherwise specifically provided.

CHAPTER 18.06 DEFINITIONS

18.06.010 Definitions generally.

The words and phrases set out in this chapter shall have the designated meanings in this title, unless the context otherwise requires.

18.06.020 Access.

"Access" means the means or way by which pedestrians or vehicles have entrance to, or exit from, a lot.

18.06.030 Accessory building or use.

"Accessory building or use means a building or use incidental, appropriate, and subordinate to the primary or permitted use of the lot and which is located on the same lot; or a building or use that is customarily incidental to a permitted use and so necessary or commonly expected that it cannot be supposed that this title intended to prevent it." "Accessory use" does not include waste facilities except when a customary and integral part of an industrial use. See Chapter 18.150, Interpretive actions.

18.06.040 Agricultural operation. .

"Agricultural operation" is a general term which means the activity of growing and harvesting crops; the rearing and management of livestock and bees; the production of plants and animals useful to man. Except as otherwise specified, an agricultural operation may include uses on all contiguous parcels in the same ownership, lease, occupancy, or management, such that they form a single agricultural operation.

18.06.050 Agricultural processing facilities, commercial.

"Commercial agricultural processing facilities" means the following subject to the requirements imposed by the zone in which the lot is located: Facilities used for the handling, treatment, or change in agricultural products to a more refined or finished state' (1) which are not accessory to a bona fide agricultural operation in which such products were produced, or (2) which are accessory to a bona fide agricultural operation where a portion of the agricultural products being processed are not produced by the same agricultural operation. "Commercial agricultural processing facilities" does not include such facilities when accessory to a bona fide agricultural operation where the resulting product is consumed or used in the same agricultural operation rather than marketed for direct or indirect compensation; nor does it include timber or wood processing facilities.

18.06.060 Agricultural storage facilities, commercial.

"Commercial agricultural storage facilities" means facilities used for the handling for storage, or storage of, agricultural products which are not accessory to a bona fide agricultural operation in which at least fifty percent of such products were produced.

18.06.070 Airport.

"Airport" means any area of land or water designed and used for the taking off and landing of aircraft and appurtenant areas to be used for airport buildings, facilities, or rights-of-way. .. Airport" does not include private airstrip.

18.06.080 Airstrip, private.

"Private airstrip" means one airstrip and/or heliport accessory to, and for the benefit of, uses permitted in the principal zone in which the use is located, and which is used, or intended for use, by a segment of the public, private group, or organization, as distinguished from the public at large.

18.06.090 Animal shelter or clinic.

"Animal shelter or clinic" means a lot or building in which four or more dogs, cats, or animals at least six months of age are kept commercially for board, propagation, training, sale, or care, including veterinary hospitals.

18.06 100 Assemblage of people.

"Assemblage of people" means the gathering of more than two thousand people at any one time at an event such as a circus, carnival, fair, outdoor concert, revival, filming, or similar uses involving the temporary or very intermittent assemblage of people, automobiles, or other property, and which does not involve permanent structural improvements or changes to the natural environment. "Assemblage of people" does not include the gathering of people at a location or facility designed for such activities.

18.06 110 Automobile wrecking.

"Automobile Wrecking". See Junkyard.

18.06. 120 Bed and breakfast guest facility.

"Bed and breakfast guest facility" means an owner-occupied one-family dwelling which provides at least three, but not more than five, guest rooms without individual kitchen facilities and usually without individual entrances for temporary sleeping accommodations for overnight guests. Such use may include meal service limited to the overnight guests. A guest house may serve as one guest room.

18.06.130 Board of supervisors.

"Board of supervisors means the board of supervisors of Modoc County.

18.06.140 Boarding or rooming house.

"Boarding or rooming house" means a building where occupancy and/or meals for at least three persons in at least three guest rooms are provided for compensation. Rooming or boarding house is different from a hotel, motel, bed and breakfast guest facility, or multiple-family dwelling.

18.06. 150 Building.

"Building" means a roofed structure designed or used for the support, shelter, or enclosure of persons, animals, vehicles, or material of any kind. "Building" does not include vehicles or temporary structures such as tents.

18.06.160 Building, height.

"Building height" means the vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

18. 06.170 Building, main.

"Main building" means a building, including a manufactured dwelling, in which the principal use of the land is conducted. Every dwelling is a main building. There may be more than one main building on a lot.

18.06.180 Building site.

"Building site" means an area of land occupied, or intended to be occupied, by uses and a building or interrelated buildings permitted in the principal zone in which the land is located, together with all the area required to meet the minimum lot size and development standards under the subject zone, including access. "Building site" may encompass the entirety of a lot or parcel, or a portion of a lot or parcel. See Lot and Chapter 18.110, Substandard building site.

18.06.190 Building site, confined.

"Confined building site" means an area of land occupied by uses and a building or interrelated buildings permitted in the principal zone in which the land is located, together with a minimum amount of intensively used or disturbed area around such uses and buildings, including the area required to meet all sewage disposal requirements including onsite system replacement areas, parking, access, and yard regulations in the subject zone. "Confined building site" may

encompass the entirety of a lot or parcel or a portion of a lot or parcel, and will often encompass an area less than the minimum lot size required in the subject zone.

18.06.200 Campground.

"Campground" means land or premises used or intended to be used, let, or rented for temporary occupancy by campers traveling by automobile or recreational vehicles, or use by tents or similar quarters.

18.06.210 Care facility.

"Care facility" is a general class of buildings and uses which includes day care, small day care, health, group, and residential care facilities, which variously serve the medical or nonmedical and institutional or noninstitutional needs of various sectors of the population, and which vary in the number of persons served.

18.06.220 Care facility, day.

"Day care facility" means any child care facility or home which regularly provides nonmedical care, protection, and supervision for more than six children for a period of less than twenty-four hours per day certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, on a foundation system pursuant to Section 18551 of the California Health and Safety Code. Manufactured dwelling is included within the meaning of dwelling unit, and any special architectural requirements imposed on the structure, exclusive of requirements for enclosures, shall be limited to siding material, roofing material, and roof overhang.

18.06.230 Care facility, group.

"Group care facility" means a twenty-four hour state or county authorized, certified, or licensed care or child placement facility serving more than six adults that are mentally disordered or physically handicapped, or more than six children that are mentally disordered, physically handicapped, dependent, or neglected. Such facility may be institutional or medical in nature. For the purposes of this title, "group care facility" also includes a state or county authorized or certified "shelter" which provides temporary accommodations to homeless persons.

18.06.240 Care facility, health.

"Health care facility" means a facility operated for the diagnosis, care, and treatment of human illness, physical or mental, including convalescence. Such facilities may include hospitals, convalescent homes, clinics, community clinics, and skilled nursing/intermediate care facilities providing twenty-four hour inpatient care, which may include skilled nursing, pharmaceutical services, and an activity program if more than six persons are served.

18.06.250 Care facility, residential.

"Residential care facility" means a facility serving six or fewer children or adults, which is state or county licensed, authorized, or certified, and which provides noninstitutional and nonmedical or limited nursing or rehabilitative services provided such care is available not more than eight hours per day. "Children" includes the children of the licensee and assistant that are under the age of twelve, and all other children under the age of eighteen.

18.06.260 Care facility, small day.

"Small day care facility" means a "day care facility" limited to six or fewer children.

18.06.270 Condominium.

"Condominium" means an estate in real property consisting of an undivided interest-in-common in a portion of a parcel of real property together with a separate interest in space in a residential, industrial, or commercial building on such property, such as an apartment, office, or store. Condominium may include a separate interest in other portions of the real property.

18.06.280 County.

"County" means Modoc County.

18.06.290 Density bonus.

"Density bonus" means an increase in density over the maximum density allowed by the zone in which the lot or parcel is located.

18.06.300 Dwelling, manufactured.

"Manufactured dwelling" means a structure, including a mobilehome, which is designed and equipped to contain a dwelling unit containing more than three hundred twenty square feet of floor space, and which is

18.06.310 Dwelling, multiple-family.

"Multiple-family dwelling" means one or more buildings or portions thereof, attached or detached, containing in total three or more dwelling units on one lot or parcel. "Multiple-family dwelling" includes a tri-plex, four-plex, apartments, or a group of multiple-family or two-family dwelling units on a lot or parcel having any yard in common; but excludes mobilehome parks, recreational vehicle parks, campgrounds, boarding houses, motels, and hotels.

18.06.320 Dwelling, one-family.

"One-family dwelling" means a detached building containing one dwelling unit (single-family dwelling).

18.06.330 Dwelling, principal.

"Principal dwelling" means the dwelling unit which exists on a lot at the time that a second dwelling, guest house, or other living quarters are constructed; or, the primary dwelling unit that exists such that any other dwelling on the same lot may be defined as a second dwelling, guest house, or other type of dwelling.

18.06.340 Dwelling, second.

"Second dwelling" means a detached one-family dwelling containing independent living, sleeping, kitchen, and sanitation facilities, located on the same lot as the principal dwelling unit. For the purposes of this title, an attached second dwelling is deemed to be a "two-family dwelling".

18.06.350 Dwelling, two-family.

"Two-family dwelling" means a building containing two independent dwelling units, under one roof (duplex).

18.06.360 Dwelling unit.

"Dwelling unit" means one or more habitable rooms designed for occupancy by one family, with living, sleeping, kitchen, and sanitation facilities. "Dwelling unit" may include a house, apartment, mobilehome, group of rooms, or single room occupied by one family as separate living quarters. "Dwelling unit" also includes a manufactured dwelling whether or not installed on a foundation. "Dwelling unit" does not include a tent, recreational vehicle, travel trailer or other vehicle defined in the California Vehicle Code.

18.06.370 Energy development or facilities, commercial.

"Commercial energy development or facilities" means the exploration, drilling, removal, or use of oil, gas, geothermal, biomass, hydroelectric, coal, wind, solar, and other forms of energy, or the production and transmission of energy by a person subject to the jurisdiction of the California Public Utilities Commission, when the use is not clearly accessory to a use permitted in the principal zone in which the use is located, or when the energy is intended for sale, resale, or distribution off the lot or parcel. "Commercial energy development or facilities" does not include private energy development.

18.06.380 Energy development, private.

"Private energy development" means exploration, drilling, removal, production or use of energy when accessory to, and for the benefit of, a use permitted in the principal zone in which the use is located, when the developer is not subject to the jurisdiction of the California Public Utilities Commission, and when such energy is not for sale, resale, or distribution off the lot or parcel.

18.06.390 Energy exploration, commercial.

"Commercial energy exploration" means the evaluation of an area to determine the presence and characteristics of oil, gas, geothermal, or other resources, including exploratory wells or observation wells. "Commercial energy exploration" is excluded from the meaning of private energy development.

18.06.400 Facility or facilities.

"Facility or facilities" means all contiguous land and structures, other appurtenances, access, and improvements on the land necessary for the use.

18.06.410 Family.

"Family" means one or more persons occupying premises and living as a single nonprofit housekeeping unit, as distinguished from a group occupying a boarding or lodging house, hotel, club, or similar dwelling for group use. "Family" includes bona fide servants employed by said family. "Family" includes the unrelated residents and operators of a residential care facility. "Family" shall not include a fraternal, religious, social, or business group.

18.06.420 Farm forestry.

"Farm forestry" means tree farming and timber production, including logging operations, but excluding any permanent facilities for timber or by-product processing.

18.06.430 Farm employee housing.

"Farm employee housing" means buildings or dwellings located on land owned by the farm employee's employer, inhabited solely by such persons and their families while employed in a bona fide agricultural operation on land owned by the farm employee's employer.

18.06.440 Feed lot, commercial.

"Commercial feed lot" means yards or other facilities used for the feeding of at least fifty head of livestock which are not accessory to a bona fide agricultural operation in which at least fifty percent of such livestock were produced. "Commercial feed lot" does not include any confined area used only for winter or occasional feeding, or any area where livestock are not maintained in close quarters.

18.06.450 Floor area, gross.

"Gross floor area" means the total interior floor area of all stories of a building or structure, including basements and any above-ground stories, while the parents or guardians are away. "Children" includes the children of the licensee and assistant that are under the age of twelve

and all other children under the age of eighteen.

18.06.460 General plan.

"General plan" means the general plan of Modoc County and all elements thereof.

18.06.470 Grade (ground level).

"Grade (ground level)" means the average of the finished ground level at the center of all walls of the building. Where walls are parallel to and within five feet of the street right-of-way, the ground level shall be the elevation of the crown of the street at a point opposite the center of such front wall.

18.06.480 Guest house.

"Guest house" means a detached building or portion thereof, containing less than three hundred twenty square feet, without cooking or kitchen facilities, designed or used as sleeping quarters for guests, but not more than one family, which is clearly accessory and incidental to the principle dwelling on the same 'lot.

18.06.490 Guest ranch.

"Guest ranch" means a commercial establishment, set in ranch-type setting, where patrons participate in outdoor, recreational, and ranching activities, for which the proprietors are compensated. It may contain guest rooms which are let or hired out. When fewer than twenty persons can be accommodated at any one time, a guest ranch may be included within the meaning of low intensity recreational uses.

18.06.500 Guest room.

"Guest room" means a room which is intended, arranged, or designed to be occupied by guests, but in which no provision is made for cooking.

18.06.510 Home occupation.

"Home occupation" means an accessory use of a dwelling unit or accessory building on the same lot for gainful employment involving the manufacture, provision, or sale of goods and/or services, when the use is conducted entirely within the dwelling or accessory building such that no outdoor storage or activity takes place, no persons other than the inhabitants of the dwelling are employed, and no advertising occurs on or near the premises except that one nameplate which does not exceed twelve inches by six inches containing the name and/or occupation may be attached on and flush with the dwelling or accessory building.

18.06 520 Hotel.

"Hotel" means a building which is designed, intended, or used for the accommodation of tourists, transients, and permanent guests for compensation, and in which no provision is made for cooking in individual rooms or suites of rooms.

18,06,530 Junk.

"Junk" means fabricated items which are either abandoned or no longer usable for the purpose for which they were made, and which are not presently being restored or repaired regardless of whether such items are being held for storage or sale. "Junk" does not include agricultural machinery, vehicles, or parts thereof when accessory to an agricultural operation as a permitted use.

18.06.540 Junkyard.

"Junkyard" means the use of more than two hundred square feet of the area on any lot, parcel or contiguous lots for the storage or keeping of junk, including scrap metal or other scrap materials, and/or for the dismantling or wrecking of automobiles or other vehicles or machinery; or three or more inoperable, unregistered vehicles when open to the public view, except in an RR, RH, RL or RT zone no unregistered or inoperable vehicles are permitted for more than thirty days when open to the public view. "Junkyard" does not include agricultural machinery, vehicles, or parts thereof when accessory to an agricultural operation as a permitted use.

18.06.550 Lot.

"Lot" means a legally created parcel or subdivision lot that (1) is used or intended to be used for the conduct of a use permitted or requiring a use permit together with its accessory uses, (2) provides an area upon which not more than one building site may be created, unless applicable zone regulations provide otherwise, or pursuant to an approved site plan, use permit, or similar entitlement, and (3) has its principal frontage on a street or other legal access. The terms "parcel" or "tract of land" may be used interchangeably with "lot" when the land conforms to this section. A lot or parcel designated on the assessor's maps is not necessarily a "parcel" or "lot" for the purposes of this title.

18.06.560 Lot, corner.

"Corner lot" means a lot abutting two or more streets, at their intersection.

18.06.570 Lot depth.

"Lot depth" means the average horizontal distance between the front lot line and the rear lot line.

18.06.580 Lot, flag.

"Flag lot" means an "L" shaped lot in which one arm of the lot, not less than sixty feet in width unless otherwise allowed, provides access frontage and is used solely as a driveway.

18.06.590 Lot, interior.

"Interior lot" means a lot other than a corner lot.

18.06.600 Lot line.

"Lot line" means the property line bounding a lot.

18.06.610 Lot line, front.

"Front lot line" means the lot line separating the lot from the street. In the case of a corner lot, the shortest lot line along a street, except, when a one-family dwelling faces the longest lot line along a street, such line shall be considered the front lot line.

18 06 620 Lot line, rear.

"Rear lot line" means a lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or other shaped lot, a line thirty feet in length within the lot parallel to and at a maximum distance from the front lot line.

18.06 630 Lot line, side.

"Side lot line" means any lot line not a front or rear lot line.

18.06.640 Lot size.

"Lot size" means the total horizontal area between lot lines. See Section 18.110.020 in reference to gross versus net area, and variations based on aliquot part sectional subdivisions.

18.06.650 Lot width.

"Lot width" means the average horizontal distance between lines, ordinarily the side lot measured parallel to the front lot line.

18.06.660 Mini-storage.

"Mini-storage" means any structure built with compartments to be used for individual storage of household items by three or more occupants.

18.06.670 Mobilehome.

"Mobilehome" means a manufactured dwelling, transportable in one or more sections,

designed and equipped to contain a dwelling unit containing more than three hundred twenty square feet of floor space, certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, on a foundation system pursuant to Section 18551 of the California Health and Safety Code, or which would be so defined if not on a foundation system. "Mobilehome" does not include any automobile, trailer, camp trailer, camper, house car, motor vehicle, recreational vehicle, or other vehicle defined in the California Vehicle Code.

18.06.680 Mobilehome park.

"Mobilehome park" means any area or tract of land where one or more mobilehome spaces or lots, each of which comprises a part of a lot or parcel, are rented, let, or held out for rent or lease to accommodate mobilehomes for human habitation, unless applicable regulations provide otherwise.

18.06.690 Motel.

"Motel" means a building or group of buildings on the same lot, containing guest rooms or suites of rooms, which rooms are intended to be or are used primarily for the accommodation of transient automobile travelers.

18.06.700 Nonconforming structure or use.

"Nonconforming structure or use" means a structure or use which was lawfully existing at the time the ordinance codified in this title became effective, or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.

18.06.710 Owner.

"Owner" means a person having title to real property, singly or jointly, in fee simple, life estate, or under a term of ten years or more.

18.06.712 Parking space

"Parking space means an accessible and usable space, which conforms to the area requirements in this title, located off the street and permanently reserved for the temporary storage of one automobile, accessory to a public utility located on the same parcel or lot, (2) distribution lines or systems, (3) public or quasi-public uses, or (4) solid or hazardous waste facilities.

18.06.730 Person.

"Person" means every natural person, firm, corporation or partnership, association, social or fraternal organization, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit.

18.06.740 Personal service.

"Personal service means services such as those of a barber, beautician, or cosmetologist; photographic studio; studios and schools of the arts, music and dance; or interior decorators not providing upholstery or repair services or retail sales on the premises.

18.06.750 Planning commission.

"Planning commission" means the planning commission of Modoc County.

18.06.760 Planning director.

"Planning director" means the planning director of Modoc County.

18.06.770 Professional office.

"Professional office" means the place of business of a person engaged in a profession, such as an accountant, architect, attorney, professional engineer, surveyor, insurance agent, real estate broker, landscape architect, medical doctor, or dentist.

18.06.780 Public Use.

"Public use" means those uses of land or buildings which are open to and/or serve the public at large, or often singularly meet a vital community need, as characterized in this section. For the purposes of this title public use includes, but is not limited to, public parks and recreation areas, reservoirs, schools, preschools employing teachers, human cemeteries, fire halls, community halls or centers, libraries, museums, administrative offices, and accessory corporation and equipment yards, and similar uses. A public use or building shall be determined by the nature of its use and not by ownership or management. "Public use" also includes uses such as parochial or private schools and other uses that are similar in nature and impact to uses typically operated as public uses. For the purposes of this title "public use" does not include (1) public utilities or quasi-public uses; (2) waste facilities, including solid or hazardous waste storage, treatment, transfer, disposal, or injection facilities; or (3) airports.

18.06.790 Public utility.

"Public utility" means the use of land or buildings for public utility purposes by a person providing pipeline, gas, electrical, telephone, telegraph, water, or sewage services that are subject to the jurisdiction of the California Public Utilities Commission. "Public utility" also includes the use of land for utility purposes whether or not owned, controlled, or operated by a public entity, when services are performed for, or commodities delivered to, the public or a portion thereof. Transmission relay, repeater, translator, and radio and television tower and equipment, and cable television, microwave towers, and similar communications equipment are also included. "Public utility" does not include (1) administration offices or maintenance

yards except when

18.06.800 Quasi-public use.

"Quasi-public use means a noncommercial building or use that is open to the public and/or serves an identified membership and/or partisan cause, including churches, sororities, fraternal organizations, offices for social, partisan, or political organizations, or unions. A quasi-public building or use is determined by the nature of use, not by ownership or management.

18.06.810 Recreational facility, commercial.

"Commercial recreational facility" means a recreational facility designed for use by twenty or more persons, regardless of whether the users are the general public, a club or organization, or the owners of the facility. "Commercial recreational facility" also includes riding stables, guest ranches, and camp sites, when designed or used by twenty or more people.

18.06.820 Recreational use, low intensity.

"Low intensity recreational use" means recreational uses that are clearly accessory and incidental to the permitted uses in the principal zone, where there is no noticeable change in the use of the land, and no new building sites are created, except as stated in the particular zone. A bed and breakfast guest facility may be used in connection with a low intensity recreational use. "Low intensity recreational use" includes, but is not limited to, hunting and fishing clubs, wildlife management, small scale guest ranch, equestrian activities, hiking, and nature experiences, or campground with *five* or fewer camp sites.

18.06.830 Recreational vehicle.

"Recreational vehicle" means a motorized or nonmotorized vehicle, not exceeding eight feet in width or forty feet in length, designed or used for temporary occupancy, and which does not require special permits for movement on the public highways.

18.06.840 Recreational vehicle park.

"Recreational vehicle park" means any area or tract of land where one or more spaces or lots are rented, let, or held out for rent or lease, to owners or users of recreational vehicles for temporary occupancy.

18.06.850 Recyclable material.

"Recyclable material" means reusable material, including but not limited to, metals, glass, plastic, paper, newspaper, bottles, cans, and containers which are intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. "Recyclable material" does not include refuse, hazardous materials, ash, industrial waste, demolition or

construction wastes, or appliances. "Recyclable material" may include used motor oil collected and transported as provided in the California Health and Safety Code, other enterprise or activity that exists or is sold, conducted, offered, maintained, or provided on the lot where the sign is located.

18.06.860 Recycling collection facility.

"Recycling collection facility" means a facility for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. A small recycling collection facility occupies an area of not more than five hundred square feet, and may include a mobile unit, a bulk reverse vending machine or grouping of reverse vending machines, kiosk type units which may include permanent structures, or unattended containers placed for the collection of recyclable materials. A large recycling collection facility occupies an area of more than five hundred square feet and may include permanent structures.

18.06.870 Recycling facilities.

"Recycling facilities" are a general class of buildings and uses for the collection and/or processing of recyclable materials. Recycling facilities include (1) recycling collection facilities such as reverse vending machines, small collection facilities, and large collection facilities, and (2) recycling processing facilities categorized as light or heavy. "Recycling facilities" does not include storage containers or processing activities located on the premises of a residential, commercial, or industrial use when used solely for the recycling of material generated by such residential, commercial, or industrial use.

18.06.880 Recycling processing facility.

"Recycling processing facility" means a building or enclosed space used for the collection and preparation of materials for efficient shipment, or to an end users specifications such as baling, crushing, compacting, mechanical sorting, shredding, cleaning, and remanufacturing of recyclable materials. A light recycling processing facility (1) occupies less than 45,000 square feet of gross collection, processing, and storage area, (2) has up to two outbound truck shipments per day, and (3) is limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting source-separated recyclable materials and repairing of reusable materials sufficient to quality as a certified processing facility. A light recycling processing facility shall not shred, compact, or bale ferrous metals other than food or beverage containers. A heavy recycling processing facility is any recycling processing facility other than a light processing facility.

18.06.890 Service station.

"Service station" means a building or use designed primarily for the supplying of motor fuel, oil, lubrication, and accessories to motor vehicles, but excluding major repair or overhaul.

18.06.900 Sign.

"Sign" means any visual device whatsoever and its support designed or used for communicating a message, or identifying or attracting attention to a premise, product, service, person, organization, business, or event. "Sign" does not include such devices when not visible from off the lot.

18.06.910 Sign, appurtenant.

"Appurtenant Sign" means any sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or

18.06.920 Sign, building.

"Building sign" means a sign of any attached parallel or painted on any exterior wallface building.

18.06.930 Sign, freestanding.

"Freestanding sign" means any sign permanently supported by one or more poles, braces, or other supports that are not attached to a building or other structure, whose principal function is other than the support of a sign.

18.06.940 Sign, nonappurtenant.

"Nonappurtenant sign" means a display that draws attention to, or communicates information about, a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is sold, conducted, offered, maintained, or provided at a location other than the lot where the sign is located.

18.06.950 Sign, temporary.

"Temporary sign" means a sign that is used in connection with a circumstance, situation, or event that is designed, intended, or expected to take place or be completed within a reasonably short period of time after placement of the sign; or a sign that is intended to remain on the location where it is placed for a period of not more than fifteen days. If a sign display area is permanent but the message displayed is subject to periodical changes, that sign shall not be regarded as temporary.

18.06.960 Story.

"Story" means that part of a building between the level of any floor and the level of the next floor above it, or the ceiling in the case of the uppermost floor. If the finished floor level above a basement or cellar is more than six feet above grade, such basement or cellar shall be

considered a story.

18.06.970 Street.

"Street" means a public thoroughfare more than twenty feet wide that affords the principal means of access to one or more lots.

18.06.980 Street frontage.

"Street frontage" means the portion of a lot abutting a street.

18.06.990 Structural alteration.

"Structural alteration" means any change to the supporting members of a building, including foundations, bearing walls, partitions, columns, beams, girders, or any structural change in the roof or the exterior walls.

18.06.1000 Structure.

"Structure" means anything constructed or erected, requiring placement on or in the ground directly or by means of another structure.

18.06.1010 Use.

"Use" means the purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

18.06. 1020 Use, sensitive.

"Sensitive use means a use that may be easily affected or impacted by external influences such as noise, dust, odors, or other factors due to the nature of the use and/or the population served including the elderly, infirm, handicapped, or children." Sensitive use" includes residential uses, mobilehome parks, nursing homes, schools, care facilities, and similar uses.

18.06. 1030 Waste facilities.

"Waste facilities" means facilities for the storage, storage for transfer, transfer, treatment, or disposal of wastes, including sewage treatment plants and ponds, hazardous waste handling, transfer, treatment, storage, injection, or disposal facilities, solid waste transfer, storage, treatment or disposal facilities, and other structures and facilities including injection wells for the management or disposal of wastes. "Waste facilities" includes recycling facilities, but excludes small recycling collection facilities when appropriately accessory to a permitted use or as otherwise specified. "Waste facilities" are excluded from the meaning of accessory use, except as otherwise specified.

18.06.1040 Waste facilities, hazardous.

"Hazardous waste facilities" means all contiguous land and structures, other appurtenances, and improvements used for the handling, transfer, treatment, storage, storage for transfer, or disposal of hazardous wastes.

18.06.1050 Wood or timber processing facilities, commercial.

"Commercial wood or timber processing facilities" means structures and facilities permanently located, or located for more than six months in any year or six consecutive months on the same lot, for the processing, manufacture, or remanufacture of timber, wood products, posts, poles, or other related products.

18.06.1060 Woodlot, commercial.

"Commercial woodlot" means an area for the storage, sawing, or splitting of wood for commercial distribution and sale, particularly firewood.

18.06.1070 Yard.

"Yard" means an open space on a lot, which is unobstructed from the ground upward except as otherwise provided in this title, exclusive of any portion of any road right-of-way, alley or street, and to a depth required by the zone in which the lot is located.

18.06.1080 Yard, front.

"Front yard" means a yard measured from the edge of an easement or right-of-way extending across the front of the lot between side lot lines and to a depth required by the zone in which the lot is located.

18.06.1090 Yard, rear.

"Rear yard" means a yard extending along the back of the lot between side lot lines and to a depth required by the zone in which the lot is located.

18.06.1100 Yard, side.

"Side yard" means a yard between the front yard and the rear yard to a depth required by the zone in which the lot is located.

18.06.1110 Zone, overlay.

"Overlay zone" means a zone which is applied to land in addition to the principal zone, "and which conveys regulations or restrictions that supersede specified provisions in the principal

zone, or that are imposed in addition to the regulations in the principal zone.

18.06.1120 Zone, principal.

"Principal zone" means the zone which is applied to every lot or parcel specifying the primary uses permitted, uses permitted with an administrative permit, uses permitted with a use permit, and development standards, and does not include overlay zones.

Chapter 18.10 **TIMBERLAND PRODUCTION (TP) ZONE**

Sections:

- 18.10.010 Purpose.
- 18.10.020 Regulations applicable.
- 18.10.030 Uses permitted.
- 18.10.040 Uses permitted with an administrative permit.
- 18.10.050 Uses permitted with a use permit.
- 18.10.060 Special criteria for rezoning.
- 18.10.070 Development standards.
- 18.10.080 Compliance with State law.

18.10.010 Purpose.

The purpose of the TP zone is to protect timber production as an integral part of the county's economy through the zoning of lands that meet the requirements of the California Timberland Productivity Act of 1982 (the "Act"), thereby limiting subdivision and the introduction of incompatible uses. The TP zone is equivalent to the Timberland Production Zone referred to in the Act. The TP zone is consistent with the timber protection general plan designation, and may also be applied to other areas that meet the criteria under the Act and this zone, provided there are no conflicts with the general plan.

18.10.020 Regulations applicable.

The land within the TP zone shall be subject to all the conditions and regulations contained in the Timberland Production Act of 1982, this chapter, and the provisions set out in Chapters 18.100 through 18.110 of this title.

18.10.030 Uses permitted:

- A. Management of land and forests primarily for the commercial production and harvest of trees, including grazing, watershed management, beekeeping, and other uses and structures directly incidental to, and wholly compatible with, the primary use, except as provided in this chapter;
- B. Portable and temporary wood or timber processing facilities, when accessory to a logging operation;
- C. Fish and wildlife enhancement projects (18.100.010); low intensity recreational uses;
- D. Public uses and public utilities which do not interfere with the primary purpose of the TP zone, excluding sensitive uses;

- E. Commercial energy exploration;
- F. Similar uses (18.100.010).

18.10.040 Uses permitted with an administrative permit subject to the provisions in Section 18.100.020:

- A. Assemblage of people.

18 10.050 Uses permitted with a use permit:

- A. Assemblage of people (18.100.030);
- B. Dwellings for persons employed on the premises and accessory uses, home occupation (18.100.030);
- c. Commercial wood or timber processing facilities, or any other use related to the primary purpose of the TP zone;
- D. Commercial energy facilities;
- E. Commercial recreational facilities;
- F. Mining (18. 100.030);
- G. Similar uses (18.100.030).

18.10.060 Development standards

Except as otherwise provided in Chapter 18.110:

- A. Minimum lot or parcel size: Single or contiguous parcels containing a minimum of eighty acres or one-quarter section in the ownership of one person as defined in Section 38106 of the Revenue and Taxation Code. For the purposes of this section "contiguous" means two or more parcels adjoining or sufficiently near to each other to be managed as a single forest unit.
- B. Access, parking, height limits, signs, other: As provided in Chapter 18.110.

18.10.060 Special criteria for rezoning.

The requirements of the California Timberland Productivity Act of 1982 shall be incorporated into any application to amend the zoning maps to or from TP. In addition to the application requirements in Chapter 18.136, every application for inclusion in the TP zone shall comply with

all the following criteria:

- A. A map shall be prepared, showing the legal description or the assessor's parcel number of the property desired to be zoned.
- B. A plan for forest management of the property must be prepared or approved as to content by a registered professional forester. Such plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan and approved by the board of supervisors.
- C. The parcel(s) shall currently meet the timber-stocking standards as set forth in Section 4561 of the Public Resources Code, and the forest practice rules adopted by the State Board of Forestry for the district in which the parcel is located, or the owner must sign an agreement with the board of supervisors to meet such stocking standards and forest practice rules by the fifth anniversary of the signing of such agreement. Failure to meet such stocking standards and forest practice rules within this time period shall be grounds for rezoning pursuant to Section 51121 of the California Government Code.
- D. The parcel(s) shall meet the lot regulations. The majority of land in the parcel(s) shall be of Site Quality IV or better as defined under Section 434 of the Revenue and Taxation Code. Site classifications shall be determined by a registered professional forester, who shall employ as nearly as possible the criteria set forth in Forest Research Note No. 28, California Forest and Range Experiment Station, December 1, 1942, entitled "A Site Classification for the Mixed-Conifer Selection Forests of the Sierra Nevada", by Duncan Dunning.

18.10.080 Compliance with State law.

This chapter shall comply with, or be preempted by, the provisions of California Government Code Sections 51100 et seq., and any applicable amendment or revision thereto.

Chapter 18.14 OPEN SPACE FORESTRY AND GRAZING (OFG) ZONE

Sections:

- 18.14.010 Purpose.
- 18.14.020 Regulations applicable.
- 18.14.030 Uses permitted--Public lands.
- 18.14.040 Uses permitted--Private lands.
- 18.14.050 Uses permitted with an administrative permit.
- 18.14.060 Uses permitted with a use permit.
- 18.14.070 Development standards.

18.14.010 Purpose.

The purpose of the OFG zone is long-term protection of public and privately owned lands in open space uses for the health, safety, welfare, comfort, and convenience of the public. By designating areas with aesthetic, cultural, natural resource, and similar values as open space, uses that would diminish these values can be prohibited or regulated, while allowing compatible uses. Areas that are subject to hazards such as flooding can be designated and regulated in order to protect the public safety and property investment. The OFG zone is consistent with the public lands, exclusive agriculture, and general agriculture general plan designations, and may also be applied in other areas for the purposes described when there is no conflict with the general plan.

18.14.020 Regulations applicable.

The regulations set out in this chapter shall apply in all OFG zones subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title; except, on lands under public jurisdiction they shall apply only to the extent that the county has jurisdiction over applicable land use matters.

18.14.030 Uses permitted--Public lands:

When land zoned OFG is under public ownership, lease, or control, all uses permitted on such lands shall conform to the existing management policies of the governmental agency having primary jurisdiction over such area, or the regulations in this chapter shall govern to the extent permitted by law or by the consent of, or agreement between, the county and public lands agency.

18.14.040 Uses permitted--Private lands:

- A. Farm forestry; forest management (18.100.010);
- B. Livestock grazing, farming, and the continuation of existing agricultural land uses. No

new residential uses shall be permitted;

C. Low intensity recreational uses;

D. Private heliport or airstrip as an accessory use;

E. Resource management activities compatible with the character of the land and the purpose of this zone, when approved by any agency having jurisdiction, such as flood plain management, fish and wildlife enhancement projects, recharge projects, and similar uses;

F. Public uses such as parks, reservoirs, low intensity recreational uses, equestrian trails, campgrounds, cross country skiing, hiking, and similar nonmotorized off-road experiences, and accessory structures;

G. Public utilities that require siting in the subject location for the orderly provision of services, provided the facilities do not occupy more than one-half acre and do not require human habitation for their operation outside of maintenance related activities, including but not limited to switching stations, wells, and communications structures; but excluding electrical substations, and transmission towers located outside of existing rights-of-way;

H. Similar uses (18.100.010).

18.14.050 Uses permitted with an administrative permit, subject to the provisions in Section 18.100.020:

A. Assemblage of people.

18.14.060 Uses permitted with a use permit:

A. Assemblage of people (18.100.030);

B. One one-family dwelling and accessory uses (18.100.030); or two or more dwelling units when clustered and an average density of two persons per acre is not exceeded; home occupation (18.100.030);

C. Mining (18.100.030);

D. Commercial energy development;

E. Commercial recreational facilities;

F. Commercial wood or timber processing facilities;

G. Airports or waste facilities;

- H. Public uses, quasi-public uses, and public utilities excluded from Section 18.14.040;
- 1. Similar uses (18.100.030).

18.14.070 Development Standards.

Except as otherwise provided in Chapter 18.110:

A. Minimum lot size: The OFG zone may be applied to any lot or parcel, or portion thereof, to achieve the purposes of this zone. Once land is zoned OFG no division shall occur which would create a parcel less than eighty acres, except as the result of a dedication or conveyance to or from a public entity or public utility.

B. Minimum yards:

- 1. Front, side street: Dwellings and nonfarm buildings: twenty feet; farm buildings: ten feet.
- 2. Rear, side: thirty feet.
- C. Access, parking, height limits, signs, other: As provided in Chapter 18.110.

Chapter 18.16 RESOURCE CONSERVATION (RC) ZONE

Sections:

- 18.16.010 Purpose.
- 18.16.020 Regulations applicable
- 18.16.030 Uses permitted.
- 18.16.040 Uses permitted with an administrative permit.
- 18.16.050 Uses permitted with a use permit.
- 18.16.060 Development standards.

18.16.010 Purpose.

The purpose of an RC zone is to permit very limited development which is compatible with severe environmental constraints, and to assure protection of wildlife and other natural resources. The RC zone is consistent with the public lands and exclusive agriculture general plan designations, and may be applied in other rural areas for the purposes described when there is no conflict with the general plan.

18.16.020 Regulations applicable.

The regulations set out in this chapter shall apply in all RC zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title.

18.16.030 Uses permitted:

- A. Uses in Subsections A through L of Section 18.24.030, excluding uses in Section 18.16.050;
- B. One one-family dwelling and accessory uses;
- C. Public uses and public utilities, excluding uses in Section 18.16.050;
- D. Similar uses (18.100.010).

18.16.040 Uses permitted with an administrative permit, subject to the provisions in Section 18.100.020:

- A. Assemblage of people;
- B. One second-dwelling;
- C. Guest house;

- D. Temporary family care dwelling.

18.16.050 Uses permitted with a use permit:

- A. Assemblage of people, one second-dwelling, guest house temporary family care dwelling, home occupation (18.100.030);
- B. Commercial agricultural storage facilities, commercial agricultural processing facilities, commercial feed lot;
- C. Farm employee housing;
- D. Commercial energy facilities;
- E. Airport, private airstrip;
- F. Commercial recreational facilities;
- G. Mining (18.100.030);
- H. Commercial wood or timber processing facilities;
- I. Waste facilities;
- J. Quasi-public uses, public uses that are sensitive uses; above-ground transmission facilities on land under irrigated cultivation at any time in the last five years;
- K. Similar uses (18.100.030).

18.16.060 Development standards, except as otherwise provided in Chapter 18.110:

- A. Minimum lot or parcel size: Eighty acres.
- B. Minimum yards:
 - 1. Front, side street: Dwellings and nonfarm buildings: twenty feet; farm buildings: ten feet.
 - 2. Rear, side: thirty feet.
- C. Access, parking, height limits, signs, other: As provided in Chapter 18.110.

Chapter 18.18 AGRICULTURAL-EXCLUSIVE (AE) ZONE

Sections:

- 18.18.010 Purpose.
- 18.18.020 Regulations applicable.
- 18.18.030 Uses permitted.
- 18.18.040 Uses permitted with an administrative permit.
- 18.18.050 Uses permitted with a use permit.
- 18.18.060 Development standards.
- 18.18.070 Development standards--Minimum lot size.

18.18.010 Purpose.

The purpose of an AE zone is to protect agriculture as an integral part of the county's economy and lifestyle by limiting incompatible land uses and reserving lands that have a combination of size, water availability, soils and location suited to agriculture as defined in the general plan. The AE zone is consistent with the exclusive agriculture general plan designation, and may be applied to other high quality agricultural lands, or lower quality lands that are an integral part of a ranch or farm operation, provided there are no conflicts with the general plan. The AE zone also provides for uses which support or complement agricultural uses and resource based uses such as mining, provided adverse impacts do not occur to agricultural uses in the vicinity and the siting of the use in the AE zone overrides the necessity of maintaining the land for agricultural uses.

18.18.020 Regulations applicable.

The regulations set out in this chapter shall apply in all AE zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title.

18.18.030 Uses permitted:

- A. The growing and harvesting of tree, vine, field, forage, and any other crops; nurseries, greenhouses, or, hydroponics;
- B. The maintaining, raising, breeding, and management of livestock, poultry, and specialty animals; aquaculture or apiaries;
- C. Agricultural management practices such as grading, soil preparation, erosion control, pest abatement, fertilizing, irrigation, aerial spraying, and other practices customary to the particular agricultural operation;
- D. Buildings and structures accessory to and customarily used in conjunction with an agricultural operation including those for the storage of equipment, supplies, produce, feed,

and petroleum products for use by the owner or occupant, equipment repair, storage tanks, irrigation structures, stock watering ponds, or reservoirs;

E. Storage and associated packaging and shipping of agricultural products accessory to a bona fide agricultural operation in which at least fifty percent of such products were produced;

F. Processing and associated packaging and shipping of agricultural products accessory to a bona fide agricultural operation in which at least fifty percent of such products were produced, or where the resulting product is consumed or used in the agricultural operation rather than marketed for direct or indirect compensation;

G. Roadside stands for the sale of agricultural produce grown on the parcel where the agricultural operation is located;

H. Farm forestry; forest management and fish and wildlife enhancement projects (18.100.010);

I. Flood control or ground water recharge projects;

J. Low intensity recreational uses;

K. Private energy development, commercial energy exploration;

L. Residential uses as follows:

1. When the parcel is at least seventy-five acres, one-family dwellings, farm employee housing, and accessory uses located on land engaged in a bona fide agricultural operation when such dwellings are necessary for the use of the owner or occupant and their guests or farm employees.

2. When the parcel is not at least seventy-five acres, one one-family dwelling and accessory uses.

M. Public uses and public utilities, when land is not taken out of production and the use does not conflict with the purpose of the AE zone, excluding uses in Section 18.18.050;

N. Similar uses (18.100.010).

18.18.040 Uses permitted with an administrative permit, subject to the provisions in Section 18.100.020 or as specified:

A. Assemblage of people;

B. When the parcel is not at least seventy-five acres, one second-dwelling, temporary

family care dwelling, guest house or farm employee housing;

C. The following uses provided the building site is located at least five hundred feet from all land zoned RH, RL, RR, or RT:

1. Private airstrip accessory to a bona fide agricultural operation.
2. Sale, rental or repair of agricultural machinery, implements, or equipment.
3. Storage or sale of farm supplies of all kinds including fertilizer, agricultural minerals and chemicals, feed, or fencing materials.
4. Agricultural services for the performance of earthwork, animal husbandry, horticultural services; services relating to the transportation of agricultural products including the maintenance and repair of such trucks.
5. Veterinarian services, kennels.
6. Commercial agricultural storage facilities.

18.18.050 Uses permitted with a use permit:

- A. Assemblage of people; home occupation; when the parcel is less than seventy-five acres one second-dwelling, temporary family care dwelling, guest house, farm employee housing (18.100.030);
- B. Uses in Section 18.18.040 when the criteria in that section are not met;
- C. All other agricultural uses necessary or appropriate to support the agricultural economy of the county when there are no conflicts with the general plan or this title; auction yard; commercial feed lot;
- D. Commercial timber or wood processing facilities;
- E. Above-ground public utilities transmission lines not located within an existing right-of-way; commercial energy facilities;
- F. Public uses that are sensitive uses;
- G. Mining (18.100.030); other resource-based industries;
- H. Commercial recreational facilities;
- I. Waste facilities;

- J. Similar uses (18.100.030).

18.18.060 Development standards.

Except as otherwise provided in Chapter 18.110:

- A. Minimum yards:
1. Front, side street: Dwellings and nonfarm buildings: twenty feet; farm buildings: ten feet.
 2. Rear, side: Dwellings: fifty feet.
- B. Maximum lot coverage: Ten percent, except parcels five acres or less shall not be subject to the ten percent restriction.
- C. Access, parking, height limits, signs, other: As provided in Chapter 18.110.

18.18.070 Development standards--Minimum lot size.

Eighty acres, except as provided in Section 18.110.020 and as follows:

- A. One acre, when all the following criteria are met. Evidence of compliance shall accompany all applications for division.
1. The proposed one acre minimum lot has situated on it a residential, industrial, or commercial facility which is at least ten years old on the date the application to divide the property is filed, the facility has a minimum current market value of at least \$10,000 as determined by the county assessor, and the facility has value as a viable and continuing use. This subsection shall allow for the one-time division of a dwelling from each agriculture operation such that an approximate density of one division per eighty acres is not exceeded.
 2. The existing parcel is at least seventy-five acres, and the proposed one acre minimum lot includes only the confined building site not to exceed five acres. The five acre maximum may be exceeded when it is demonstrated that the physical characteristics of the project site justify a larger parcel size.
 3. It is demonstrated that the division will not interfere with the agricultural viability of the remaining agricultural operation or agricultural operations in the area.
 4. Prior to recordation of the division, an application to apply the M zone to the one acre minimum lot and that portion of the remaining agricultural operation zoned AE which qualifies it for the division must be approved by the county to prohibit the future division of any future dwelling, second-dwelling, or farm employee housing pursuant to the one acre minimum

provision in this subsection.

B. Five acres, when all the following criteria are met. Evidence of compliance shall be included with all applications for division.

1. The existing parcel is at least eighty acres, and the total acreage proposed for division does not exceed ten percent of the existing parcel size.

2. It is demonstrated that the division(s) will not interfere with the agricultural viability of the remaining agricultural operation or agricultural operations in the area.

3. It is demonstrated that the land proposed for division is not suited to production due to the physical characteristics of the property and does not meet the criteria defining highest value or lower value exclusive agricultural land in the general plan.

4. Prior to recordation of the division, an application to apply the M zone to the five acre minimum lot and every portion of the remaining agricultural operation zoned AE which qualifies it for the division must be approved by the county to prohibit the future division of any dwelling, second-dwelling, farm employee housing, or other portion of the property pursuant to the provisions in this section.

Chapter 18.20 LOW INTENSITY CONSERVATION (LIC) ZONE

Sections:

- 18.20.010 Purpose.
- 18.20.020 Regulations applicable.
- 18.20.030 Uses permitted.
- 18.20.040 Uses permitted with an administrative permit.
- 18.20.050 Uses permitted with a use permit.
- 18.20.060 Development standards.

18.20.010 Purpose.

The purpose of the LIC zone is to permit very limited development and those uses which are appropriate given the environmental constraints (such as slope and soil factors) existing in the location to which the LIC zone is applied. The LIC zone is compatible with the public lands and general agriculture general plan designations and, may be applied in other rural areas when there is no conflict with the general plan.

18.20.020 Regulations applicable.

The regulations set out in this chapter shall apply in all LIC zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title.

18.20.030 Uses permitted:

- A. Uses in Subsections A through L of Section 18.24.030, excluding uses in Section 18.20.050;
- B. One one-family dwelling and accessory uses (18.100.010);
- C. Public uses and public utilities, excluding uses in Section 18.20.050;
- D. Similar uses (18.100.010).

18.20.040 Uses permitted with an administrative permit, subject to the provisions in Section 18.100.020:

- A. Assemblage of people;
- B. One second-dwelling;
- C. Guest house;
- D. Temporary family care dwelling.

18.20.050 Uses permitted with a use permit:

- A. Assemblage of people, one second-dwelling, guest house, temporary family care dwelling, home occupation (18.100.030);
- B. Farm employee housing;
- C. Airport, private airstrip;
- D. Commercial recreational facilities;
- E. Mining (18.100.030);
- F. Commercial wood or timber processing facilities;
- G. Commercial agricultural processing facilities, commercial agricultural storage facilities;
- H. Waste facilities;
- I. Quasi-public uses, and public uses that are sensitive uses; above-ground transmission facilities on land under irrigated cultivation at any time in the last five years;
- J. Similar uses (18.100.030).

18.20.060 Development standards. Except as provided in Chapter 18.110:

- A. Minimum lot or parcel size: Forty acres.
- B. Minimum yards:
 - 1. Front, side street: Dwellings and nonfarm buildings: twenty feet; farm buildings: ten feet.
 - 2. Rear, side: Ten feet.
- C. Access, parking, height limits, signs, other: As provided in Chapter 18.110.

Chapter 18.24 AGRICULTURAL GENERAL (AG) ZONE

Sections:

- 18.24.010 Purpose.
- 18.24.020 Regulations applicable.
- 18.24.030 Uses permitted.
- 18.24.040 Uses permitted with an administrative permit.
- 18.24.050 Uses permitted with a use permit.
- 18.24.060 Development standards.

18.24.010 Purpose.

The purpose of an AG zone is to designate lands which do not fall within the exclusive agriculture general plan designation, but which are used, or are appropriate, for grazing, dry land farming, and other nonintensive agricultural uses and accessory uses. The AG zone may include irrigated land and nonagricultural uses, including isolated residential and commercial development, although the emphasis is on agriculture. The AG zone is consistent with the general agriculture general plan designation.

18.24.020 Regulations applicable.

The regulations set out in this chapter shall apply in all AG zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title.

18.24.030 Uses permitted:

- A. The forage, and hydroponics;
- B. The maintaining; raising, breeding, and management of livestock, poultry, or specialty animals; aquaculture or apiaries;
- C. Agricultural management practices such as grading, soil preparation, erosion control, pest abatement, fertilizing, irrigation, aerial spraying, and other practices customary to the particular agricultural operation;
- D. Buildings and structures accessory to and customarily used in conjunction with an agricultural operation including those for the storage of equipment, supplies, produce, feed, and petroleum products for use by the owner or occupant, equipment repair, storage tanks, irrigation structures, stock watering ponds, or reservoirs;
- E. Storage and agricultural products operation in which at produced;
- F. Processing, and associated packaging and shipping, of agricultural products accessory to a bona fide agricultural operation in which such products were produced, or where the resulting product is consumed or used in the agricultural operation rather than marketed for direct or indirect growing and harvesting of tree, vine, field, any other crops; nurseries, greenhouses, or associated packaging and shipping of accessory to a bona fide agricultural least fifty percent of such products were compensation;

- G. Roadside stands for the sale of agricultural produce grown on the parcel where the agricultural operation is located;
- H. Private energy development;
- I. Flood control or ground water recharge projects;
- J. Farm forestry, forest management (18.100.010);
- K. Low intensity recreational uses;
- L. Fish and wildlife enhancement projects (18. 100~010);
- M. Residential uses as follows:
 - 1. When the parcel is at least forty acres, one-family dwellings, farm employee housing, and accessory uses when located on or within a ten mile radius of land engaged in a bona fide agricultural operation in the same ownership when such dwellings are necessary for the use of the owner or occupant and their guests and farm employees;
 - 2. When the parcel is less than forty acres, one one-family dwelling and accessory uses (18.100.010);
- N. Public uses, quasi-public uses, and public utilities, excluding uses listed in Section 18.24.050;
- O. Similar uses (18.100.010).

18.24.040 Uses permitted with an administrative permit, subject to the provisions in Section 18.100.020 or as specified:

- A. Assemblage of people;
- B. When the criteria in Section 18.24.030 are not met, one second-dwelling, temporary family care dwelling, guest house, or farm employee housing;
- C. The following uses provided the building site is located at least five hundred feet from all land zoned RH, RL, or RR:
 - 1. Private airstrip accessory to a bona fide agricultural operation.
 - 2. Sale, rental, or repair of agricultural machinery, implements, or equipment.
 - 3. Storage or sale of farm supplies of all kinds including fertilizer, agricultural minerals and chemicals, feed, or fencing materials.
 - 4. Agricultural services for the performance of earthwork, animal husbandry, horticultural services, services relating to the transportation of agricultural products including the maintenance and repair of such trucks.
 - 5. Veterinarian services, kennels.
 - 6. Commercial agricultural storage facilities.
 - 7. Commercial energy exploration.

18.24.050 Uses permitted with a use permit:

- A. Assemblage of people, one second-dwelling, temporary family care dwelling, guest house, farm employee housing, home occupation (18.100.030);
- B. Other uses in Section 18.24.040 when the criteria in that section are not met;
- C. All other agricultural uses necessary or appropriate to support the agricultural economy of the county when there are no conflicts with the general plan or this title; auction yard; commercial feed lot;
- D. Commercial timber or wood processing facilities;
- E. Above-ground public utilities transmission lines not located within an existing right-of-way; commercial energy facilities;
- F. Public uses that are sensitive uses;

- G. Mining (18.100.030); other resource-based industries;
- H. Commercial recreational facilities;
- I. Airports; waste facilities;
- J. Motel, hotel, mobilehome park, recreational vehicle park, multiple family dwellings, bed and breakfast inn;
- K. Convenience store;
- L. Care facilities;
- M. Similar uses (18.100.030).

18.24.060 Development Standards.

Except as provided in Chapter 18.110:

- A. Minimum lot size: Three acres, except as follows:
 - 1. Fifteen acres, when the land is adjacent to land designated exclusive agriculture in the general plan and zoned AE, provided that land in the AE zone conforms to the general plan criteria defining highest value or lower value exclusive agriculture lands.
 - 2. As a condition of development, the approving body may require a substantial increase in the minimum lot size for the purpose of mitigating impacts to resources and facilitating services, pursuant to the general plan and any applicable specific plan.
- B. Minimum yards:
 - 1. Front, side street: Dwellings and nonfarm buildings: twenty feet; farm buildings: ten feet.
 - 2. Rear, side: Five feet; except where an AG zone abuts an RH, RL, or RR zone, the yard for farm buildings shall be twenty feet; where an AG zone abuts an AE zone, the yard for dwellings shall be fifty feet.
- C. Access, parking, height limits, signs other: As provided in Chapter 18.110.
- D. Maximum lot coverage: Ten percent, excluding lots less than five acres.

Chapter 18.28 **LOW INTENSITY (LI) ZONE**

Sections:

- 18.28.010 Purpose.
- 18.28.020 Regulations applicable.
- 18.28.030 Uses permitted.
- 18.28.040 Uses permitted with an administrative permit.
- 18.28.050 Uses permitted with a use permit.
- 18.28.060 Development standards.

18.28.010 Purpose.

The purpose of an LI zone is to permit the integration of development with low intensity agricultural or other resource based uses, and to provide a transition from the LIC or similar zone to the RR zones. The LI zone is compatible with the general agriculture, public land, and rural residential general plan designations.

18:28.020 Regulations applicable.

The regulations set out in this chapter shall apply in all L1 zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title.

18.28.030 Uses permitted:

- A. Cultivation of crops, grazing, incidental agriculture; continuation of existing agricultural and forestry uses, excluding an increase in the intensity of use;
- B. Forest management, fish and wildlife enhancement projects (18.100.010);
- C. One one-family dwelling and accessory uses (18.100.010) ;
- D. Low intensity recreational uses when the parcel is forty acres or more;
- E. Public uses such as parks, reservoirs, low intensity recreational uses, equestrian trails, campgrounds, cross country skiing, hiking and similar nonmotorized off-road experiences, and accessory structures;
- F.
- G. Public utilities necessary in the location proposed for the orderly provision of services, which do not occupy more than one-half acre, and which do not normally require human habitation for their operation outside of maintenance related activities, including transmission lines, wells, communication structures, and switching stations; but excluding substations, and transmission towers not located in an existing right-of-way;
- H. Private energy development;
- I. Similar uses (18.100.010).

18.28.040 Uses permitted with an administrative permit, subject to the provisions in Section 18.100.020:

- A. Assemblage of people;
- B. One second-dwelling;
- C. Guest house;
- D. Temporary family care second dwelling.

18 28 050 Uses permitted with a use permit:

- A. Assemblage of people, one second-dwelling, temporary family care dwelling, guest house, home occupation (18.100.030);
- B. Public uses, quasi-public uses, and public utilities that are sensitive uses or do not meet the criteria in Section 18.28.030;
- C. Care facilities;
- D. Commercial recreational facilities;
- E. Commercial energy development;
- F. Mining (18.100.030);
- G. Agricultural support services;
- H. Private airstrip;
- I. Similar uses (18.100.030).

18.28.060 Development Standards.

Except as provided in Chapter 18.110:

- A. Minimum lot or parcel size: Twenty acres.
- B. Minimum yards:
 - 1. Front, side street: Dwellings and nonfarm buildings: twenty feet; farm buildings: ten feet.
 - 2. Rear, side: Ten feet.
- C. Access, parking, height limits, signs other: As provided in Chapter 18.110.

Chapter 18.30 **RURAL RESIDENTIAL (RR) ZONE**

Sections:

- 18.30.010 Purpose.
- 18.30.020 Regulations applicable.
- 18.30.030 Uses permitted.
- 18.30.040 Uses permitted with an administrative permit.
- 18.30.050 Uses permitted with a use permit.
- 18.30.060 Development standards.

18.30.010 Purpose.

The purpose of an RR zone is to permit residential development while maintaining a rural character, and to reduce residential development impacts on the environment which might occur with more intense development. The RR zone provides for a range of acreages from one to fifteen acres, inclusive. The RR zone is compatible with the rural residential, and to a limited degree, the general agriculture, general plan designations.

18.30.020 Regulations applicable. The regulations set out in this chapter shall apply in any RR zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title.

18.30.030 Uses permitted:

- A. One one-family dwelling and accessory uses (18.100.010) ;
- B. Recreational facilities incidental to planned development such as a swimming pool, tennis courts, or clubhouse; low intensity recreational uses when the parcel is forty acres or more;
- C. Care facilities for not more than twelve clients;
- D. Private energy development;
- E. Incidental crop cultivation or grazing, forest management, and fish and wildlife enhancement projects (18.100.010), provided there is no conflict with the residential character of the RR zone;
- F. Public uses and quasi-public uses which serve the immediate area and are compatible in a rural residential setting;
- G. Public utilities necessary in the locations proposed to support residential uses and which are compatible in a rural residential setting. Such uses are generally located and conducted within a building or screened from view and do not occupy more than one-half acre;
- H. Similar uses (18.100.010):

18.30.040 Uses permitted with an administrative permit, subject to the provisions in Section 18.100.020:

- A. One second-dwelling;
- B. Temporary family care dwelling.
- C. Guest house.

18.30.050 Uses permitted with a use permit:

- A. Assemblage of people, one second-dwelling, guest house, temporary family care dwelling, home occupation (18.100.030); Bed and breakfast guest facility, two-family dwellings, multiple-family dwellings;
- B. Care facilities for not more than twelve clients;
- C. Public uses, quasi-public uses, and public utilities that do not meet the criteria in Section 18.30.030;
- D. Similar uses (18.100.030).

18.30.060 Development Standards.

Except as provided in Chapter 18.110:

- A. Minimum lot size: One to fifteen acres, with the minimum lot size to be designated upon establishment of an RR zone, such that RR-5 means the minimum lot size is five acres; except, when no designation is made the minimum lot size shall be fifteen acres or any lesser size that may be established by ordinance of the board of supervisors in connection with an application to develop the property. No lot less than two acres shall be created unless public sewer is available and utilized.
- B. B. Minimum lot width: RR-1 zone, one hundred twenty feet; all other RR zones, one hundred fifty feet.
- C. C. Minimum yards:
 - 1. Front, side street: Twenty feet.
 - 2. Rear, side: Thirty feet.
- D. Access, parking, height limits, signs, other: As provided in Chapter 18.110.

Chapter 18.32 RESIDENTIAL-LOW DENSITY (RL) ZONE

Sections:

- 18.32.010 Purpose.
- 18.32.020 Regulations applicable.
- 18.32.030 Uses permitted.
- 18.32.040 Uses permitted with an administrative permit
- 18.32.050 Uses permitted with a use permit.
- 18.32.060 Development standards.

18.32.010 Purpose.

The purpose of an RL zone is to provide a lower density residential environment in terms of lot size and dwelling density than is available in the RH zone. The RL zone is consistent with the urban areas, urban residential, and rural residential general plan designations.

18.32 020 Regulations applicable.

The regulations set out in this chapter shall apply in all RL zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title.

18 32.030 Uses permitted:

- A. One one-family dwelling and accessory uses, and one second-dwelling (18.100.010);
- B. Recreational facilities incidental to a planned development, including a swimming pool, tennis courts, or clubhouse;
- C. Public uses and quasi-public uses which are conducted within a building, primarily serve the immediate area, and are compatible in the residential setting in which they are located; neighborhood park;
- D. Public utilities necessary in the locations proposed to support residential uses and which are compatible in a residential setting. Such uses are generally located and conducted within a building or completely screened from view, do not emit noise, electronic interference, or other influences detectable at the property boundary, and do not occupy more than one-half acre;
- E. Similar uses (18.100.010).

18.32.040 Uses permitted with an administrative permit, subject to the provisions in Section 18.100.020:

- A. One second-dwelling;
- B. Temporary family care dwelling.

- C. Guest house.

18.32.050 Uses permitted with a use permit:

- A. One second-dwelling, guest house, temporary family care dwelling, home occupation (18.100.030);
- B. Two-family dwellings, multiple-family dwellings, apartments, bed and breakfast guest facility, mobilehome park, boarding or rooming house;
- C. Recreational vehicle park, motel, hotel;
- D. Care facilities;
- E. Professional offices; personal services;
- F. Public uses, quasi-public uses, and public utilities that do not meet the criteria in Section 18.32.030 provided they are compatible in a residential setting;
- G. Similar uses (18.100.030).

18.32.060 Development standards:

Except as provided in Chapter 18.110:

- A. Minimum lot size and width:
 - 1. Ten thousand square feet, with a minimum width of seventy-five feet, when public water and sewer, or only public sewer, are available and utilized.
 - 2. Fifteen thousand square feet, with a minimum width of one hundred feet when only public water is available and utilized.
 - 3. Three acres, with a minimum width of one hundred fifty feet, when neither public water or public sewer is available or utilized. Lots created by division may be granted an exception by the planning commission, acting on a finding by the county health officer that a lesser size is adequate to accommodate the proposed water system and sewage disposal system without endangering any person. If granted, the minimum lot size shall not be less than fifteen thousand square feet with a minimum lot width of one hundred feet.
- B. Minimum yards:
 - 1. Front, side street: Dwellings and nonfarm buildings: twenty feet;
farm buildings: ten feet.
 - 2. Rear, side: Five feet.
- C. Maximum building height: Fifty feet.
- D. Maximum lot coverage: Sixty percent.
- E. Access, parking, signs other: As provided in Chapter 18.110.

Chapter 18.36 RESIDENTIAL-HIGH DENSITY (RH) ZONE

Sections:

18.36.010	Purpose.
18.36.020	Regulations applicable.
18.36.030	Uses permitted.
18.36.040	Uses permitted with an administrative permit.
18.36.050	Uses permitted with a use permit.
18.36.060	Development standards.
18.36.070	Animal restrictions.

18.36.010 Purpose.

The purpose of an RH zone is to promote the health, safety, and general welfare by providing sufficient space in appropriate locations for residential development of all densities to meet the varying housing needs of the existing and expected future population, and to provide appropriate space for public and quasi-public uses and other private uses necessary to serve the needs of the nearby residents, when such uses are compatible with residential uses. The regulations applicable to the RH zone are necessary to protect residential areas against fire, explosion, toxic and noxious substances, radiation, and other hazards, and against offensive noise, odors, vibrations, smoke, electronic interference, and other objectionable influences.

18.36.020 Regulations applicable.

The regulations set out in this chapter shall apply in all RH zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title. The regulations in the AR zone shall combine with the RH zone in every location in which the RH zone is applied.

18.36.030 Uses permitted:

- A. One one-family dwelling and accessory uses, (100.010); or one two-family dwelling when the minimum lot size is met;
- B. Recreational facilities incidental to a planned development, such as a swimming pool, tennis courts, or clubhouse;
- C. Public utilities necessary in the locations proposed to support residential uses, when compatible in a residential setting. Such uses are generally located and conducted within a building or completely screened from view, do not emit noise, electronic interference, or other influences detectable at the property boundary, and do not occupy more than one-half acre;
- D. Public uses and quasi-public uses which are conducted within a building, primarily serve the immediate area, and are compatible in the residential setting in which they are located; neighborhood park;
- E. Similar uses (18.100.010).

18.36.040 Uses permitted with an administrative permit, subject to the provisions in Section 18.100.020:

- A. One second-dwelling;
- B. Guest house;
- C. Temporary *family* care dwelling.

18.36.050 Uses permitted with a use permit:

- A. One second-dwelling, guest house, temporary *family* care dwelling, home occupation (18.100.030);
- B. Two-family dwellings, multiple-family dwellings, bed and breakfast guest facility, apartments, boarding or rooming house, mobilehome park, any other residential use;
- C. Recreational vehicle park, motel, hotel;
- D. Care facilities;
- E. Professional offices; personal services;
- F. Other public uses, quasi-public uses, and public utilities necessary to support residential uses and which are compatible in a residential setting;
- G. Similar uses (18.100.030).

18.36.060 Development standards.

Except as provided in Chapter 18.110:

- A. Minimum lot size and width:
 - 1. Six thousand square feet, with a minimum width of fifty feet, when public water and sewer, or only public sewer, are available and utilized.
 - 2. Fifteen thousand square feet, with a minimum width of one hundred feet, when only public water is available and utilized.
 - 3. Three acres, with a minimum width of one hundred fifty feet, when neither public water or public sewer are available or utilized. Lots created by division may be granted an exception by the planning commission, acting on a finding by the county health officer that a lesser size is adequate to accommodate the proposed water system and sewage disposal system without endangering any person. If granted, the minimum lot size and width shall not be less than fifteen thousand square feet with a minimum lot width of one hundred feet.
- B. Minimum yards:
 - 1. 1. Front, side street: Dwellings and nonfarm buildings: twenty feet;
farm buildings: ten feet.
 - 2. Rear, side: Five feet.
- C. Maximum height: Buildings: Two stories, not to exceed fifty feet;
other structures: fifty feet.
- D. Maximum lot coverage: Sixty percent.
- E. Access, parking, signs, other: As provided in Chapter 18.110.

18.36.070 Animal restrictions.

The AR zone shall by this reference overlay and combine with the RH zone in every area in which the RH zone is applied, and the provisions of the AR zone shall apply to the keeping of animals in the RH zone.

Chapter 18.40 RURAL TOWN (RT) ZONE

Sections:

- 18.40.010 Purpose.
- 18.40.020 Regulations applicable.
- 18.40.030 Uses permitted.
- 18.40.040 Uses permitted with an administrative permit.
- 18.40.050 Uses permitted with a use permit.
- 18.40.060 Development standards.

18.40.010 Purpose.

The purpose of an RT zone is to provide for a combination of residential, commercial, and agricultural uses that are compatible in a low density town setting. The RT zone is typically applied to the established unincorporated communities which lack well defined commercial and residential areas, and which historically have relatively stable or declining population and economic bases. The RT zone may also be applied to new mixed use development, provided there are no conflicts with the general plan. The RT zone is consistent with the urban areas and rural residential general plan designations.

18.40.020 Regulations applicable.

The regulations set out in this chapter shall apply in all RT zones and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title.

18.40.030 Uses permitted:

- A. Livestock grazing, cultivation of crops, continuation of existing agricultural uses;
- B. One one-family dwelling and accessory uses (18.100.010); or one two-family dwelling when the minimum lot size is met;
- C. Bed and breakfast guest facility;
- D. New and used retail sales, including limited ranch supply store when conducted within a building. An area not to exceed one-half the gross ground floor area may be used for outdoor storage and retail sales provided a six foot high screening fence is erected between the use and any existing residential uses on an adjacent lot;
- E. Service station, provided a six foot high screening fence is erected between the use and any existing residential use on an adjacent lot located within one hundred feet;
- F. Restaurant, restaurant with drive-in service, fast-food restaurant; any food establishment where alcoholic beverages may be consumed incidental to food service, excluding, a bar or lounge operated in conjunction with a food establishment;
- G. Personal services, professional offices;
- H. Care facilities for not more than twelve clients;
- I. Public uses and quasi-public uses primarily conducted within a building when similar to other uses in this section, such as offices, churches, community hall, or lodges;
- J. Public utilities necessary in the locations proposed to support residential uses and other

rural town uses when such uses which are compatible with the setting. Such uses are generally located and conducted within a building or screened from view, do not emit noise, electronic interference, or other influences detectable at the property boundary, and do not occupy more than one-half acre;

- K. Small recycling collection facility when accessory to an appropriate commercial or public use in this section, such as retail sales or automobile fuel service;
- L. Similar uses (18.100.010).

18.40.040 Use permitted with an administrative permit, subject to the provisions in Section 18.100.020:

- A. Assemblage of people;
- B. One second-dwelling;
- C. Guest house;
- D. Temporary family care dwelling.

18.40.050 Uses permitted with a use permit:

- A. Assemblage of people, one second-dwelling, guest house temporary family care dwelling, home occupation (18.100.030);
- B. Multiple-family dwellings, recreational vehicle park, mobilehome park, motel, hotel, boarding or rooming house;
- C. Care facilities for more than twelve clients;
- D. Public utilities that do not meet the criteria in Section 18.40.030; public uses and quasi-public uses such as fire hall, equipment yards, police station, hospital, or parks;
- E. Automobile or equipment sales, repair, or service;
- F. Bar, lounge, or any establishment where a principal activity is the on-premises consumption of alcoholic beverages rather than food service (includes a bar or lounge operated in conjunction with a food establishment);
- G. Outdoor new and used retail sales, outdoor storage, mini-storage;
- H. Small recycling collection facility not accessory to an appropriate use;
- I. Similar uses (18.100.030).

18.40.060 Development standards.

Except as provided in Chapter 18.100:

- A. Minimum lot size and width:
 - 1. Six thousand square feet, with a minimum width of fifty feet, when public water and public sewer, or only public sewer, are available and utilized.
 - 2. Fifteen thousand square feet, with a minimum width of one hundred feet, when only public water is available and utilized.
 - 3. Three acres, with a minimum width of one hundred fifty feet, when neither public water or public sewer is available. Lots created by division may be granted an exception by the planning commission, acting on a finding by the county health officer that a lesser size is adequate to accommodate the proposed water system and sewage disposal system without endangering any person. If granted, the minimum lot size shall not be less than fifteen thousand square feet with a minimum lot width of one hundred feet.
- B. Minimum yards:
 - 1. Front, side street: Dwellings and nonfarm buildings: twenty feet;
farm buildings: ten feet.

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2. Rear, side: Five feet, except
- (1) where the zone abuts an RH, RL, or RR zone, the yard for farm buildings shall be twenty feet, and
 - (2) where the zone abuts an RH, RL, or RR zone, or a RT zone with an existing or approved dwelling, the yard for commercial buildings and uses shall be ten feet.

C. Access, parking, signs other: As provided in Chapter 18.110.

D. Maximum structure height: Buildings: two stories not to exceed fifty feet;
other structures: fifty feet.

E. Maximum lot coverage: Sixty percent when any dwelling or residential use is located on the lot.

Chapter 18.44 COMMERCIAL (C) ZONE

Sections:

- 18.44.010 Purpose.
- 18.44.020 Regulations applicable.
- 18.44.030 Uses permitted.
- 18.44.040 Uses permitted with an administrative permit.
- 18.44.050 Uses permitted with a use permit.
- 18.44.060 Development standards.

18.44.010 Purpose.

The purpose of the C zone is to provide for a wide range of facilities for the sale of goods and services, including retail businesses, personal services, offices, businesses that support residential uses, and community facilities. Most uses are conducted within a building, but outdoor uses may be allowed as specified. The C zone is consistent with the urban areas and commercial general plan designations, and may be applied in other areas to support residential, public, or industrial uses when there are no conflicts with the general plan.

18.44.020 Regulations applicable.

The regulations set out in this chapter shall apply in all C zones, subject to the limitations and criteria in Chapters 18.100 through 18.110.

18.44.030 Uses permitted:

- A. Retail stores, shops, and services of a light commercial character, conducted within a building, including:
 - 1. Professional, business, or administrative offices; financial institution, insurance, or real estate offices;
 - 2. Repair shops for shoes, radios, televisions, and other domestic appliances;
 - 3. Personal services, barber or beauty shop, studios for conduct of classes, photo studio, laundromat, retail dry cleaners, mortuary;
 - 4. Food stores, convenience store, pharmacy, drug store, hardware store, book stores, clothing, used goods, pet shops, feed stores, agricultural products sales, plumbing, electrical and building supplies, furniture,
 - 5. Retail nursery or garden supply;
 - 6. Mini-storage for household items, limited to ten or fewer units;
 - 7. Restaurant, restaurant with drive-in service, fast-food restaurant, any food establishment where alcoholic beverages may be consumed incidental to food service, excluding a bar or lounge;
 - 8. Service station, excluding facilities for major repair and overhauls, or heavy equipment;
- B. Public uses and quasi-public uses whose principal conduct is within a building or buildings

when similar to uses in this section, such as offices, churches, community halls, lodges, elementary school, or other school serving a community area with a similar occupancy or character;

- C. Public utilities that require siting on the subject lot for the orderly provision of services, normally do not occupy more than one-half acre, and which do not normally require human habitation for their operation outside of maintenance related activities, such as wells and switching equipment; excluding transmission facilities and uses in Section 18.44.050;
- D. Small recycling collection facilities;
- E. Offsite parking lot for businesses in this section;
- F. Shopping center providing space for uses in this section;
- G. Motel, hotel, or recreational vehicle park with 10 or fewer units.
- H. Similar uses (18.100.010).
- I.

18.44.040 Uses permitted with a use permit, subject to the provisions in Section 18.100.020:

- A. Assemblage of people.

18.44.050 Uses permitted with a use permit:

- A. Assemblage of people (18. 100.030) ;
- B. One-family dwelling and accessory uses (18.100.030); two-family dwellings, multiple-family dwellings, recreational vehicle park, mobilehome park, motel, hotel, boarding or room houses, bed and breakfast guest facility;
- C. Care facilities;
- D. Public utilities such as transmission facilities; quasi-public uses and public uses that create noise, congestion or are not principally conducted within a building, when similar to uses in this section, such as fire halls, equipment yards, police stations, park, schools, or community centers; or sensitive uses;
- E. Service stations with major repair or overhaul facilities, car wash, truck stop, equipment repair shops, bulk fuel storage;
- F. Bar, lounge, or any establishment where a principal activity is the on-premises consumption of alcoholic beverages rather than food service (includes a bar or lounge operated in conjunction with a food establishment);
- G. Outdoor new and used retail sales, retail lumber yard, building materials sales yard; outdoor storage, mini-storage with more than ten units; new and used automobile, mobilehome, farm, or other heavy equipment rental, sales, and service; wholesale stores; wholesale nursery;
- H. Commercial amusement or recreational facilities such as roller rinks, bowling alley, golf courses; fairs, open air entertainment;
- I. Animal shelter or clinic;
- J. Similar uses (18. 100.030).

18.44.060 Development standards.

Except as provided Chapter 18.110:

- A. Minimum lot size and width: Six thousand square with a minimum width of sixty feet, except lots used residential purposes shall be subject to the minimum lot and width in Section 18.36.060.

- B. Minimum yards:
 - 1. Front, side street: Five feet.
 - 2. Rear, side: Five feet, except where the zone abuts an RH; RL, or RR zone, or an RT zone with an existing or approved dwelling, the yard shall be ten feet.
- C. Access, parking, height limits, signs other: As provided in Chapter 18.110.

Chapter 18.50 INDUSTRIAL-LIGHT (IL) ZONE

Sections:

- 18.50.010 Purpose.
- 18.50.020 Regulations applicable.
- 18.50.030 Uses permitted.
- 18.50.040 Uses permitted with a use permit.
- 18.50.050 Development standards.
- 18.50.060 Performance standards.
- 18.50.070 Performance standards—Administration.

18.50.010 Purpose.

The purpose of an IL zone is to provide areas where assembly, warehousing, wholesaling, and less noxious industrial activities may take place, particularly where heavy industry may not be appropriate. Such uses are generally conducted within a building, use materials which are in a processed form and do not emit unacceptable or injurious levels of any pollutant or by-product, such that this zone may be located in areas adjacent or in close proximity to residential areas. The IL zone also provides for a limited range of uses and activities which are accessory to permitted uses. The IL zone is consistent with the urban areas, light industrial, and general agriculture general plan designations, and may be applied to other areas when there are no conflicts with the general plan.

18.50.020 Regulations applicable.

The regulations set out in this chapter shall apply in all IL zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title.

18.50.030 Uses permitted:

- A. Combining, assembly, or packaging of the following when conducted within a building;
 - 1. Small equipment, instruments, or appliances such as medical, watches, clocks, and photographic (except film);
 - 2. Pharmaceuticals, drugs, toiletries, and cosmetics;
 - 3. Electronic and light electrical equipment, including radios, televisions, and computers;
 - 4. Food products, except those which may create smoke, odors objectionable to the normal senses at the property boundary, or other pollutants;
 - 5. Products from previously prepared material, such as cloth, plastic, paper, leather, wood, glass, metal, or stone;
- B. Professional, business, research, or administrative office when part of a permitted industrial use;
- C. Research and development laboratories, institutes, and trade schools when conducted

- within a building and not involving flammable, explosive; or hazardous materials;
- D. Vehicle and equipment repair services, garages, and body shops when conducted within a building;
- E. Miscellaneous repair shops and related services when conducted within a building;
- F. Welding, machine, wood working, and sheet metal shops when conducted within a building;
- G. Printing, engraving, lithographic, and publishing facilities;
- H. When conducted within a building, offsite construction supply, maintenance services, and contractors yards including building, electrical, plumbing, heating, roofing, painting, landscaping, excavation, and similar contractors; and janitorial, septic tank supply and similar services;
- I. Wholesale businesses and sales, warehouses, storage buildings, and distribution facilities, except those involving flammable, explosive, or hazardous materials, or materials which create dust, odors, or fumes;
- J. Nurseries and greenhouses; agricultural supply sales;
- K. Public uses and public utilities; excluding sensitive uses, recreational facilities, power plants, or other uses in conflict with the purpose of the IL zone;
- L. Retail sales related to permitted uses, when directly incidental to the principal use of the property; sales or rentals of agricultural or other heavy equipment;
- M. Outdoor storage provided the storage area is completely enclosed by a solid wall or screening fence not less than six feet in height, except where the zone abuts an IL, I, AE, or TP zone. No material shall be stored to a height greater than the height of the screening wall or fence. If the storage area abuts an RH, RL, RT, RR-1, RR-2, or RR-3 zone, the fence height shall be increased to eight feet. Fences shall be maintained in good repair at all times. "Outdoor storage" includes contractor's yards, but excludes the storage of flammable, explosive, or hazardous materials or materials which create dust, odors, or fumes;
- N. Recycling facilities, excluding recycling processing facilities;
- O. Assemblage of people;
- P. Continuation of existing agricultural uses;
- Q. Private energy production;
- R. Similar uses (18.100.010).

18.50.040 Uses permitted with a use permit:

- A. Businesses that provide support service to light industrial uses or that will be primarily used by employees of the industrial area;
- B. Repair of agricultural or other heavy equipment;
- C. Light manufacturing including manufacture of ceramic products using only previously pulverized clay, hand tools, kitchen utensils, electronic, and light electrical equipment;
- D. Animal pound, animal hospital or kennel, livestock auction yard;
- E. Outdoor storage that does not meet the storage criteria in Section 18.50.030;
- F. Caretakers residence, provided the use requires continued supervision of a caretaker, superintendent, or security persons, and the residence is to be occupied only by such person and family;
- G. Multifamily dwelling units, mobilehome park, or recreational vehicle park, provided the density does not exceed forty persons per acre;
- H. Truck yard, truck service station, truck terminals including accessory maintenance or repair facilities, or heavy equipment wash facilities;
- I. Light industrial condominiums;
- J. Light recycling processing facilities;

- K. Airport;
- L. Commercial recreational facilities such as race tracks, shooting ranges, or other uses which are generally conducted outdoors and which create dust, noise, glare, or fumes;
- M. Public uses and quasi-public uses excluded from Section 18.50.030;
- N. Public utilities; commercial energy facilities;
- O. O. Similar uses (18.100.030).

18.50.050 Development standards.

Except as provided in Chapter 18.110:

- A. Minimum lot size and width: Six thousand square feet with a minimum width of sixty feet, except lots used for residential purposes, excluding a caretaker's residence, shall be subject to the minimum lot size in Section 18.36.060.
- B. Minimum yards:
 - 1. Front, side street: Ten feet.
 - 2. Rear, side: Five feet, except where the zone abuts an RH, RL, RR or RT zone, the yard shall be twenty feet and shall be increased one foot for each foot of height exceeding fifty feet.
- C. Parking: As provided in Chapter 18.110. Yards which abut an RH or RL zone shall not be used for parking.
- D. Maximum structure height: Seventy-five feet, except when the lot abuts an RH, RL, RR or RT zone, it shall be fifty feet plus one foot of height for each foot the yard is increased over thirty feet. Height regulations may be modified when a use permit is approved.
- E. Access, signs, other: As provided in Chapter 18.110.

18.50.060 Performance standards.

The following requirements shall apply to all uses specified in this zone:

- A. Odors: No use shall create annoying odors readily detectable beyond the property line.
- B. Vibration: No use shall create vibration detectable without instruments at the property line.
- C. Electromagnetic interference: No use shall produce electromagnetic interference with normal radio or television reception in residential districts or with the function of electronic equipment beyond any property line.
- D. Glare: No use shall create intense light or glare that causes a nuisance or hazard at the property line.

18.50.070 Performance standards--Administration.

- A. In the IL zone, site plan review shall be conducted as provided in Chapter 18.120 for every application for which a building permit for the use, change of use, or extension of use is requested, or as part of a use permit or similar application. In addition to application information, the applicant shall submit a site plan, description of the proposed improvements and uses, and a list of all toxic, corrosive, flammable, explosive, hazardous, and extremely hazardous materials to be used in connection with the proposed use. The

planning department shall consult with the applicable county, local, state and federal agencies, to determine whether the improvements or uses require the imposition of more restrictive yard, building, fire, storage, disposal or other requirements than would apply if the specified standards of this title, or other applicable regulations or laws were applied, in order that the purposes of this zone and this title are met. In connection with the issuance of a building permit, any recommendation by the planning department relative to the imposition of more restrictive requirements may be appealed to the planning commission as provided in Chapter 18.120.

- B. Initial and continued compliance with performance standards is required for every use allowed as a permitted use or conditional use in the IL zone, and provisions for enforcement of noncompliance with performance standards shall be invoked pursuant to Chapter 18.158.

Chapter 18.54 INDUSTRIAL (I) ZONE

Sections:

- 18.54.010 Purpose.
- 18.54.020 Regulations applicable.
- 18.54.030 Uses permitted.
- 18.54.040 Uses permitted with a use permit.
- 18.54.050 Development standards.

Equipment, machinery, aircraft, and related automobiles and related components; boats, motors, and other products that require the use of heavy

18.54.010 Purpose.

The purpose of an I zone is to permit the normal operation of almost all types of industrial uses and their accessory uses, while limiting incompatible uses. Commercial and public uses such as offices, community buildings, and similar uses are generally excluded in order to preserve the limited supply of industrially zoned land for industrial uses. The I zone is consistent with heavy industrial, general agriculture, and exclusive agriculture general plan designations, and may be applied in the urban areas and other areas when there are no conflicts with the general plan.

18.54.020 Regulations applicable.

The regulations set out in this chapter shall apply in all I zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title.

18.54.030 Uses permitted:

- A. Manufacture and/or assembly of the following or similar products:
 - 1. components; mobilehomes, machinery;
 - 2. Small equipment, instruments, appliances, and electrical products such as clocks, watches, electrical appliances, computers, optical goods, and medical equipment;
 - 3. Refrigeration, heating and ventilation, sheet metal products, machine tools, and sheet metal products;
 - 4. Shoes, textiles, toys, sporting goods, musical instruments, and novelties;
 - 5. Ceramics, linoleum, and concrete products;
- B. Manufacture of products made from aluminum, batteries, boxes, paper, brass, cans, copper, glass, iron, linoleum, steel, tin, wool, cloth, tools, yarn, plastic, leather, or stone;
- C. Research activities, such as research and development laboratories, institutes, and trade schools which do not involve explosive, flammable, or hazardous materials;
- D. Manufacture, research assembly, testing and repair of components, devices, equipment and systems such as coils, semi-conductors, communication, navigation, metering, testing, photographic, optical, radio and television, scientific and mechanical equipment;

- E. Wholesaling, mini-storage and other flammable, explosive, objectionable materials garbage;
- F. Public uses such as a fire station, police station, or corporation yard; excluding sensitive public uses, recreational facilities, offices when not accessory to a permitted use, community buildings, and similar uses;
- G. Public utilities;
- H. Agricultural processing and storage facilities, nurseries, greenhouses, dairies, or creameries, excluding uses in Section 18.54.040;
- I. Bulk storage products;
- J. Automobile; truck, bus, trailer, mobilehome, and heavy equipment repair, maintenance, service, wash, terminals, and yards; rail sidings, repair, and maintenance; other miscellaneous repair and maintenance services;
- K. Construction supply, maintenance services and contractors yards including building, electrical, plumbing, heating, roofing, painting, landscaping, excavation, and similar contractors, and janitorial, septic tank supply, and similar services;
- L. Animal shelter or clinic; animal kennel;
- M. Caretaker's residence or night watchman's quarters, provided the use requires continued supervision of a caretaker, superintendent, or security persons and the residence is to be occupied only by such person and family;
- N. Recycling facilities, excluding heavy processing facilities;
- O. Light industrial condominiums that provide space for uses listed in this section;
- P. Commercial woodlot, wood working shops such furniture, and wood products, provided that when a router, molder or similar equipment is maintained, the such equipment shall be conducted within a building;
- Q. Businesses that provide accessory support services to uses permitted, when located on the same lot;
- R. Retail sales incidental and accessory to a permitted warehouses, distribution centers, storage, excluding those involving hazardous, or other potentially such as dead animals, sewage, or of propane, oil, gasoline, and similar recycling as box, plainer use of use;
- S. Heliport accessory to permitted uses;
- T. Private energy development, commercial energy exploration;
- U. Agricultural uses when a continuation of existing land use, excluding new residential uses;
- V. Assemblage of people;
- W. Similar uses (18.100.010).

18.54.040 Uses permitted with a use permit:

- A. Waste facilities;
- B. Airports;
- C. Junkyard, auto dismantling;
- D. Heavy recycling processing facility;
- E. Commercial feed lot, auction yard, facilities, bone distillation, tannery, or curing of slaughter raw hides;
- F. F. Manufacture of acids, alcohol, ammonia, asphalt, cellulose, cement, dyes, fertilizer, film, gelatin, glass, glue, tar, paint, plaster, gypsum, plastics, rubber, soap, vinyl floor covering, hazardous chemical products including acetylene, carbide, caustic soda, chlorine, cleaning and polishing preparations, creosote, exterminating agents, industrial gases, or explosives;
- G. G. Processing plants which may produce objectionable odors, such as breweries, wineries, food processing and canneries; incinerators, metal smelting, alloying, foundries, drop forges, rolling, or other types of ore reduction; rubber processing; petroleum refining, and

- related uses; concrete or batch plants;
- H. Storage of flammable, explosive, hazardous, or potentially objectionable materials such as dead animals, sewage, or garbage;
- I. Commercial energy facilities;
- J. Saw mills, pulp mills;
- K. Mining (18.100.030);
- L. Public uses such as offices, community buildings, and recreation facilities, when not accessory to a permitted use; but excluding sensitive uses;
- M. Similar uses (18.100.030).

18.54.050 Development standards.

Except as provided in Chapter 18.110:

- A. Minimum lot size and width: Three acres with a minimum width one hundred feet, .except uses similar to uses listed in Section 18.50.030 shall be permitted on lots with a lesser area.
- B. Minimum yards:
 - 1. Front, side street: Ten feet.
 - 2. Rear, side: Zero feet, except where the zone abuts an RH, RL, RR, or RT zone, the yard shall be fifty feet, and shall be increased one foot for each foot of height exceeding fifty feet. No storage, parking, or other outside activity shall be conducted in any yard abutting an RH, RL, RR, or RT zone.
- C. Maximum structure height: One hundred feet, except where the zone lot abuts an RH, RL, RR, or RT zone the height shall be fifty feet, plus one foot of height for each foot the yard is increased over fifty feet. Height regulations may be modified when a use permit is approved.
- D. Access, parking, signs, other: As provided in Chapter 18.110.

Chapter 18.60 **PLANNED DEVELOPMENT (PD) ZONE**

Sections:

- 18.60.010 Purpose.
- 18.60.020 Regulations applicable.
- 18.60.030 Uses permitted.
- 18.60.040 Uses permitted with an administrative permit.
- 18.60.050 Uses permitted with a use permit.
- 18.60.060 Development standards.
- 18.60.070 Special application provisions--Planned development permit.

18.60.010 Purpose.

The purpose of the PD zone is to provide for developments that, because of a mix of building types, land uses, or lot sizes, do not fit within the parameters of the principle zone districts. Planned developments are under unified control, comprehensively planned, and can provide a mix of uses that could otherwise create land use conflicts. Planned developments often cluster development in connection with open space or common areas and amenities. The PD zone is consistent with all general plan designations that provide for substantial residential, commercial, or industrial development, provided the design and proposed uses are consistent with the general plan designations within which the project is located.

18.60.020 Regulations applicable.

If an ordinance is adopted amending the zoning map to create a PD zone after approval of a planned development permit, the applicable parts of the planned development permit shall become part of the amending ordinance. In addition to the regulations adapted by ordinance, all other applicable provisions in this title which do not conflict with the adopted PD zone ordinance shall apply, unless otherwise stated. One or more overlay zones may combine with the PD zone. All PD zones need not have the same regulations.

18.60.030 Uses permitted.

The uses permitted in the PD zone may include any use or combination of uses which are arranged and designed in such a manner as to result in a development which is internally compatible, compatible with surrounding uses, and consistent with the general plan and any applicable specific plan. All PD zones need not have the same types of uses. Permitted uses in a particular PD zone shall include applicable uses approved as part of the planned development permit and adopted by ordinance.

18.60.040 Uses permitted with an administrative permit.

Any PD zone for a particular project may provide for uses subject to obtaining an administrative permit, including the limitations and criteria by which to determine conformance.

18.60.050 Uses permitted with a use permit.

Any PD zone for a particular project may provide for uses subject to obtaining a use permit.

18.60.060 Development standards.

The development criteria in this section shall apply to development approved under a planned development permit and adopted by ordinance in the PD zone.

- A. The planned development permit shall identify the principal zones in this title which reflect to the greatest degree the type and intensity of uses and development proposed for the PD zone. Where it is possible to make such correlations, the regulations in each identified principal zone shall be considered for application within the PD zone. The plan shall also consider the special use and development standards in this chapter and title for application within the PD zone, unless more restrictive standards are proposed.
- B. Minimum development area: one acre.
- C. Open space areas, including land used for outdoor-oriented recreational uses, agriculture, resource protection, amenity buffers, and utility easements crossing open space; but excluding yards or lots occupied by dwelling units or adjacent to other buildings when not directly related to recreation areas, parking areas, roads and road easements: Access to open areas and facilities available to all residents of project, maintenance in natural or enhanced state, situated and clustered to provide a sense of openness and usable area.
- D. Yards/setbacks: Front, side and rear yards shall consider the overall plan for site development. Zero lot lines may be allowed when privacy, access, safety, circulation, and compatibility are provided for.
- E. Circulation and access design: Dwelling areas shall have only limited access to major traffic arteries; cul-de-sacs and short loop streets should be limited to minor streets; the ultimate development density and intensity should be considered in circulation patterns and improvements.
- F. The policies and development standards in the general plan and any applicable specific plan.

18.60.070 Special application provisions--Planned development permit.

Prior to making application for an amendment to this title to adopt a PD zone ordinance, a planned development permit shall be obtained as provided in Chapter 18.126. The permit shall encompass the entire project site and all proposed uses. No development in anticipation of rezoning to the PD zone, including grading or other site development, shall be commenced prior to approval of a planned development permit, for a particular project may provide for uses obtaining a use permit.

Chapter 18.62 PUBLIC FACILITIES (PE) ZONE

Sections:

- 18.62.010 Purpose.
- 18.62.020 Regulations applicable.
- 18.62.030 Uses permitted.
- 18.62.040 Uses permitted with a use permit.
- 18.62.050 Development standards.

18.62.010 Purpose.

To be applied to lands upon which public uses or public utilities are operated. The PE zone is consistent with all general plan land use designations.

18.62.020 Regulations applicable.

The regulations set out in this chapter shall apply in all PF zones subject to the provisions and limitations set out in Chapters 18.100 through 18.112 of this title.

18.62.030 Uses permitted:

The following uses are permitted in a PF zone if operated as a public use or public utility:

- A. Office; administration offices;
- B. Neighborhood park or recreation use;
- C. School or college, educational facilities;
- D. Public utility switching equipment;
- E. Employee housing for employees and their families when accessory to a use permitted on the same lot;
- F. Public facilities not listed in Section 18.62.040 that (1) do not emit dust, smoke, odor, bright light, vibration, or unacceptable levels of noise or traffic, or which do not involve dangerous or hazardous materials; and (2) are conducted within a building or within an area which is fenced and completely screened from view;
- G. Similar uses (18.100.010).

18.62.040 Uses permitted with a use permit:

The following uses are permitted in a PF zone when operated as a public use or public utility subject to obtaining a use permit:

- A. Solid waste facility;
- B. Sewage treatment facilities;
- C. Correctional institution;

- D. Care facilities that serve more than twelve clients;
- E. Human cemetery;
- F. Fire station, corporation yard;
- G. Fairground;
- H. Transmission facilities; other public facilities and uses that do not meet the criteria in Section 18.62.030;
- I. Similar uses (18.100.030).

18.62.050 Development standards.

- A. Minimum lot size: None.
- B. Minimum yards:
 - 1. Front, side street: Twenty feet.
 - 2. Side, rear: Zero, except where the PF zone abuts an RH, RL, RR or RT zone, the yard shall be ten feet, and shall be increased one foot for each foot of height exceeding fifty feet.
- C. Maximum structure height: One hundred feet, except where the zone abuts an RH, RL, RR, or RT zone, it shall be fifty feet, plus one foot of height for each foot the yard is increased over thirty feet.
- D. Other: As provided in Chapter 18.110.

Chapter 18.66 **UNCLASSIFIED (U) ZONE**

Sections:

- 18.66.010 Purpose
- 18.66.020 Regulations applicable.
- 18.66.030 Uses permitted.
- 18.66.040 Uses permitted with an administrative permit.
- 18.66.050 Uses permitted with a use permit.
- 18.66.060 Development standards.

18.66.010 Purpose.

To be applied as a holding zone until a precise zoning district has been adopted for the property. All new uses in this zone shall be consistent with applicable policies in the general plan.

18.66.020 Regulations applicable.

In the interim period while property is zoned U, the regulations in this chapter shall apply, subject to the provisions and limitations in Chapters 18.100-18.112.

18.66.030 Permitted uses.

The following uses are permitted provided no use shall conflict with applicable general plan policies:

- A. Uses specified in Section 18.24.030, Subsections A through L, N and O.
- B. Residential uses specified in Section 18.24.030 M; provided that for lands designated exclusive agriculture on the general plan land use map, Section 18.18.030, Subsection L shall apply.

18.66.040 Uses permitted with an administrative permit, subject to the provisions in Section 18.100.020 or as specified:

- A. Assemblage of people.
- B. Guest house.
- C. One second dwelling or farm employee housing, subject to the provisions in Section 18.100.020, Subsection B or G; provided that for lands designated exclusive agriculture on the general plan land use map, Section 18.100.020, Subsection C or F shall apply.
- D. The uses in Section 18.24.040, Subsection C subject to the specified criteria; provided that this subsection shall not apply to property located in any area designated urban areas or rural residential on the general plan land use plan, and the property is not located on the

general plan Alturas area land use map.

18.66.050 Conditional uses .

The following uses may be considered with a use permit, provided the use does not conflict with the applicable general plan policies:

- A. Administrative permit uses when the criteria are not met;
- B. Uses in Section 18.66.040 which are not otherwise prohibited by law.

18.66.060 Development Standards.

Except as provided in Chapter 18.110:

- A. Minimum lot size: Three acres, except as follows:
 - 1. As a condition of development, the approving body may require a substantial increase in minimum lot size for the purpose of mitigating impacts to resources and facilitating services, pursuant to the general plan and *any* applicable specific plan.
- B. Minimum yards:
 - 1. Front, side street: Dwellings and nonfarm buildings: twenty feet; farm buildings: ten feet.
 - 2. 2. Rear, side: Five feet; except where an U zone abuts an RH, RL, or RR zone, the yard for farm buildings shall be twenty feet; where an U zone abuts and AE zone, the yard for dwellings shall be fifty feet.
- C. Access, parking, height limits, signs, other: as provided in Chapter 18.110.
- D. Maximum lot coverage: Ten percent, excluding lots less than five acres.

Chapter 18.70 **FLOOD HAZARD (FH) ZONE**

Sections:

18.70.010	Purpose.
18.70.020	Regulations applicable.
18.70.030	Liability--Warning and disclaimer.
18.70.040	Definitions.
18.70.050	Development application.
18.70.060	Actions.
18.70.070	Development standards.
18.70.080	Appeals.
18.70.090	Administrative variances.
18.70.100	Variances.

18.70.010 **Purpose.**

The FH zone is an overlay zone and is applied in combination with principal zones to minimize or avoid hazards to life and property from flooding in the special flood hazard areas established by the Federal Emergency Management Agency (FEMA), and in other areas of significant flood hazard designated by the county. The FH zone is consistent with all general plan land use designations.

18.70.020 **Regulations applicable**

The regulations set out in this chapter shall apply in all FH zones, and shall supersede conflicting or less restrictive regulations of the zones which they overlay. The FH zone includes all areas designated "Zone A, AE, AH, AO, A1-30, or A99" on the adopted Flood Insurance Rate Maps and *any* amendments thereto, and may be additionally applied to other areas of significant flood hazard designated on the zoning maps by the county.

18.70.030 **Liability--Warning and disclaimer.**

The adoption of this ordinance does not imply that land outside the FH zone will be free from flooding or flood damages. Larger floods can occur and flood heights can be increased by man-made or natural causes. This ordinance shall not create liability on the part of the county or *any* person for *any* flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

18.70.040 **Definitions.**

The words and phrases set out in this section shall have the designated meanings in this

chapter.

- A. "Area of shallow flooding" means the designation AO or AH on the Flood Insurance Rate Map. The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and undetermined; and velocity flow may be evident.
- B. "Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood").
- C. "Basement" means any area of the building having its floor subgrade (below ground level) on all sides.
- D. "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations located within the area of special flood hazard.
- E. "Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of flood waters, and/or the unusual and rapid accumulation or runoff of surface waters from any source.
- F. "Flood Boundary Map" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated the areas of flood hazard.
- G. "Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the special flood hazard areas and the risk premium zones applicable to the community.
- H. "Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the FIRM, the Flood Boundary Map, and the water surface elevation of the base flood. Each flood insurance study which accompanies an adopted FIRM shall be hereby adopted by reference.
- I. "Flood plain or flood-prone area" means any land area susceptible to being inundated by water from any source (see "flooding").
- J. "Flood plain administrator" means the county official responsible for carrying out the duties associated with the permit for which an application has been made.
- K. "Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. A floodproofed structure means that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water, and structural components are capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- L. "Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this title.
- M. "Manufactured dwelling" also includes camp trailers, travel trailers and other similar vehicles when placed on a site for more than one hundred eighty consecutive days.
- N. "Manufactured dwelling park or subdivision" means a parcel (or contiguous parcels) of

- land divided into two or more manufactured home lots for sale or rent.
- O. "Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
 - P. "New construction" means structures for which the "start of construction" commenced on or after the effective date of a flood plain regulation adopted by the county.
 - Q. "One hundred year flood" or "100-year flood". See Base flood.
 - R. "Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured dwelling on a foundation. Permanent construction does not include (1) land preparation, such as clearing, grading and filling, (2) installation of streets or walkways, (3) excavation for a basement, footings, piers, or foundations or the erection of temporary forms, or (4) installation of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.
 - S. "Special flood hazard area" means an area having special flood hazards, shown on the FIRM as Zone A, AE, AO, AI-30, or A99, and is equivalent to the FH zone.
 - T. "Structure" means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling.
 - U. "Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure (1) before the improvement or repair is started, or (2) if the structure has been damaged, and is being restored, before the damage occurred. "Substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. "Substantial improvement" does not include (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

18.70.050 Development application.

Applications for building permits and all land use entitlements in the FH zone shall include plans and specifications for all proposed construction and the following:

- A. Proposed elevation in relation to mean sea level of the lowest floor (including basement) of all structures.
- C. Proposed elevation in relation to mean sea level to which any structure will be floodproofed.
- D. Location and type of drainage facilities, amount of fill or storage, and the extent to which any watercourse will be altered or relocated.

- E. All appropriate certifications required by this chapter.
- F. Subdivision and use permit applications shall identify the flood hazard area and elevation of the base flood.
- G. Any other information deemed necessary by the building or planning department in order to carry out the purposes of this chapter, and as necessary to make the determinations required by this chapter.

18.70.060 Actions.

- A. Findings: No building permit or other land use entitlement shall be granted unless the approving body makes the following findings:
 - 1. That the requirements in Section 18.70.070 have been met.
 - 2. That the development is reasonably safe from flooding.
 - 3. Drainage has been designed to reduce exposure of proposed and anticipated development to flood hazards.
 - 4. That all subdivision and use permit proposals are consistent with the need to minimize flood damage.
- B. Use of other base flood data: When elevation data base flood has not been provided by FEMA, the flood plain administrator shall obtain, review, and reasonably utilize the best data available from any source, including high water marks, floods of record and private engineering reports.
- C. Elevation certificates: The flood plain administrator shall obtain and maintain the elevation certifications necessary to confirm that the elevation requirements in Section 18.70.070 have been met.
- D. Watercourse modification: The flood plain administrator shall notify adjacent communities and the Department of Water Resources prior to any permitted alteration or relocation of a watercourse.

18.70.070 Development standards.

All uses in the FH zone shall comply with the following standards and restrictions:

- A. Other permits. All permits from governmental agencies whose approval of development in the FH zone is required by federal or state law shall be obtained prior to commencement of any construction or installation of any structure, water supply or sewage disposal system.
- B. Anchoring. All new construction and substantial improvements shall be designed or anchored to prevent flotation, collapse, or lateral movement of the structure due to flooding.
- C. Construction materials and methods. All construction materials shall be resistant to flood damage, construction methods and practices which will minimize flood damage shall be used, and all public utilities shall be located and constructed to minimize flood damage.
- D. Sewage disposal and water supply. All replacement water supply and sewage disposal systems designed and installed to prevent infiltration new shall from and be and discharge

into flood waters.

- E. Heating, electrical, plumbing facilities. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located to prevent water from entering or accumulating within the components during flooding.
- F. Elevation of residential structures. For all residential structures or substantial improvements to existing residential structures:
 - 1. In FIRM Zone AH or AO: The lowest floor, including the basement, shall be elevated above the highest adjacent grade or at least as high as the depth number specified in feet on the FIRM, or at least two feet if no depth number is specified, and certified as such by a registered professional engineer or surveyor, or verified by the flood plain administrator as being properly elevated.
 - 2. In FIRM Zone A, AE, Ai-30, or A99: The lowest floor, including the basement, shall be at or above the base flood elevation, and certified as such by a registered professional engineer or surveyor, or verified by the flood plain administrator as being properly elevated.
- G. Elevation of nonresidential structures. Nonresidential construction shall either be elevated in conformance with Subsection F, or shall be floodproofed below the base flood level and certified as such by a registered professional engineer or architect.
- H. Enclosed areas below lowest floor. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- I. Manufactured dwellings in manufactured dwelling parks or subdivisions.
 - 1. When a manufactured dwelling located in an existing manufactured dwelling park or manufactured dwelling subdivision is damaged as the result of a flood, requiring substantial improvement or replacement, all future placements or substantial improvements on that site shall be elevated to or above the base flood elevation. The elevation shall be certified by a registered professional engineer or surveyor.
 - 2. All other manufactured dwellings placed or substantially improved in existing manufactured dwelling parks or subdivisions must be elevated on reinforced piers or other foundation elements that are at least three feet in height above grade or have their lowest floor at or above the base flood in making a determination, shall consider all technical and standards specified in elevation if this allows for a lower foundation. The elevation shall be certified by a registered professional engineer or surveyor.
- J. Subdivisions and use permits. When the base flood elevation is not provided by FEMA, subdivision and use permit applications shall provide the location of the flood hazard area

and the elevation of the base flood. Final subdivision and use permit plans shall provide the elevation of the proposed structure(s) and pads, and if the site is filled above the base flood elevation, the final pad elevation shall be certified by a registered professional engineer or surveyor.

- K. Watercourse alteration or relocation. No work that alters or relocates any portion of a watercourse shall diminish the flood carrying capacity of the altered or relocated portion of the watercourse.

18.70.080 Appeals.

Any person may appeal the decision of the flood plain administrator as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.060, or if the appeal is heard in conjunction with a decision on a proposed land use entitlement, the appeal may follow the same procedures as an appeal to the land use entitlement being considered. In granting an appeal the factors in Subsection C of Section 18.70.100 shall be considered.

18.70.090 Administrative variances.

In interpreting the provisions of this chapter, the flood plain administrator may on his or her own motion allow modifications or exceptions, provided that the flood plain administrator assumes the responsibilities of the planning commission under Subsections C-F of Section 18.70.100.

18.70.100 Variances.

- A. Application. Applications for variances from the provisions of this chapter shall be made pursuant to Chapter 18.132 and this section.
- B. Variances permitted.
1. Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of uses requiring proximity to water, provided that the provisions of this section are met and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats of public safety.
 2. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided the factors in Subsection C of this section have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- C. Factors to be considered. the commission (or appellate body) evaluations, all relevant factors this chapter, and the following:
1. The danger that materials may be swept into other lands and injure others.
 2. The danger to life and property due to flooding.

3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 4. The importance of the services provided by the proposed facility to the community.
 5. The necessity to the facility of a waterfront location, where applicable.
 6. Availability of alternative locations for the proposed use which are not subject to flood damage.
 7. Compatibility of the proposed use with existing and anticipated development.
 8. The relationship of the proposed use to the general plan and flood plain management program for that area.
 9. Safety of access to the property in time of flood for ordinary and emergency vehicles.
 10. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.
 11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, electrical, and water systems, and streets and bridges.
- D. Findings. In addition to the findings in Chapter 18.132, no variance shall be granted unless the planning commission finds that (1) the variance allowed is the minimum necessary, considering the flood hazard, to afford relief, and (2) the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- E. Conditions. In granting a variance the planning commission may attach conditions deemed necessary to further the purposes of this chapter and this title.
- F. Effect of Action. An applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. A copy of the notice shall be directed to be recorded by the flood plain administrator in the office of the county recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

Chapter 18.74 ENVIRONMENTAL PROTECTION (EP) ZONE

Sections:

- 18.74.010 Purpose.
- 18.74.020 Applicability.
- 18.74.030 Lot regulations.
- 18.74.040 Density bonus.
- 18.74.050 Special provisions.

18.74.010 Purpose.

The EP zone is an overlay zone and is intended to be applied in combination with specified zones for the purpose of protecting and conserving wildlife habitat, environmentally sensitive areas, or other environmental resources while providing options for development on those portions of property that are less sensitive, provided there are no conflicts with the general plan. The EP zone may also be applied to protect the health, safety, and welfare of the public by restricting development in areas with environmental hazards. The EP zone is supported by the M zone.

18.74.020 Regulations applicable.

The regulations set out in this chapter shall apply in all EP zones, and shall provide for the modification of the minimum lot size regulations and densities of the principle zone which it overlays as specified in this chapter. The EP zone may be applied in combination with the LI, LIC, AE, RC, OFG, RR, and AG zones, for the express purposes of environmental protection or protection of the public from environmental hazards as described in Section 18.74.010. The M zone shall also be applied in areas to which the EP zone is applied.

18.74.030 Development standards.

The following criteria shall apply to the establishment of the EP zone:

- A. The area proposed for restricted development shall include the environmentally sensitive or hazardous area, and must encompass at least twenty acres. Land proposed for development restriction must have environmental value or encompass a hazard.
- B. The minimum lot size in the subject principal zone shall establish the average density, meaning either parcels or dwelling units. The number of parcels or dwelling units that may be proposed for development shall not exceed the total number of acres proposed for inclusion in the EP zone divided by the average density, except as provided in Section 18.74.040.
- C. The minimum lot size in the area proposed for development shall be not less than the carrying capacity of the land when all environmental factors are considered and mitigated below a significant level, nor less than one acre.

- D. When any lot proposed in the EP zone is less than three acres, public water or public sewer shall be available and utilized. Except, an exemption from the requirement of this subsection may be granted by the planning commission, acting finding establishing the necessity for the protection of the specified environmental resource or protection of the public from an environmental hazard upon a finding by the county health officer that a lesser size is adequate to accommodate the proposed water system and sewage disposal system without endangering the health of any person or the environment.
- E. The M zone shall be applied to all areas proposed to be zoned EP, including the development area and restricted development area, wherein future division shall be prohibited or restricted upon application of the M zone. When the proposal consists of multiple dwelling units instead of individual lots, the appropriate application must also be approved order to allow a multiple dwelling unit project.
- F. When the county determines it to be in the public interest it may require, as a condition of land use entitlement, that notice of the establishment of the EP zone and M zone be recorded in the office of the county recorder in reference to the subject property.
- G. Development in the EP zone shall be consistent with the policies and provisions of the general plan and any applicable specific plan.

18.74.040 Density bonus.

In determining the number of parcels or dwelling units allowed, the average density may be increased as provided in this section, provided the development is clustered and other features are incorporated into the project to the degree necessary to reduce the significant environmental effects below a level of significance, or substantially below the level that would occur if the development were not clustered.

- A. The average density of the project site may be increased twenty-five percent when the restricted development area equals at least forty acres or is at least fifty percent of the total area to which the EP zone is to be applied, whichever yields the greater acreage.
- B. The average density may be increased fifty percent when the restricted development area equals at least eighty acres or is at least fifty percent of the total area to which the EP zone is applied, whichever yields the greater acreage.
- C. When seventy-five percent of the project site will be included in the restricted development area under the EP zone, but not less than eighty acres, the density of development on the remaining twenty-five percent may equal, but not exceed, the carrying capacity.

18.74.050 Special provisions.

- A. Application: In addition to the application requirements in Chapter 18.134, an application for an amendment to apply the EP zone shall identify the nature and location of the environmental resource or constraint which makes the property eligible for inclusion in the EP zone, the location and number of acres proposed for development and restricted development, and a request to apply the M zone to the property proposed to

be included in the EP zone. If the proposal consists of a multiple dwelling unit project instead of the division of individual lots then an application for a use permit shall also be required.

- B. Finding for approval: In addition to the requirements in Chapter 18.134, the board of supervisors shall make a written finding establishing the necessity for the protection of the specified environmental resource or protection of the public from an environmental hazard.

Chapter 18.78 **MIGRATION PROTECTION (MP) ZONE**

Sections

- 18.78.010 Purpose.
- 18.78.020 Regulations applicable.
- 18.78.030 Restriction determination.
- 18.78.040 Development standards.
- 18.78.050 Exception from development standards.

18.78.010 Purpose.

The MP zone is an overlay zone and is intended to be applied in combination with other zones to protect key antelope migration routes, antelope migration corridors, and deer migration corridors by limiting encroachments by new structures and uses, subdivision, and other development, provided there are no conflicts with the general plan.

18.78.020 Regulations applicable.

The regulations set out in this chapter shall apply in all MP zones.

18.78.030 Restriction determination.

A. When an application for development in the MP zone is received by the planning department, the planning director shall determine whether the regulations in this chapter apply to the proposed development. The applicant shall supply information regarding the characteristics of the subject property as required by the director for the purpose of making a determination. If the boundary of the MP zone in relation to the proposed development is uncertain, an onsite visit shall be conducted including the director or designee, applicant or agent, and representative from the State Department of Fish and Game.

B. The determination by the director may be appealed to the planning commission as provided in Chapter 18.120, or may be processed with a project application.

18.78.040 Development standards.

In the MP zone, the following standards and limitations shall apply:

A. The configuration of the MP may be varied in response to site specific conditions. Generally the EP zone shall be situated to form a continuous corridor. When a migration route can be specifically identified, the EP zone is generally a maximum one-quarter mile wide area along each side of the migration route.

B. The design, improvement, and location of development requiring a land use entitlement or building permit, including new building sites, structures, uses, and increased human activity,

shall be consistent with the intent to minimize encroachment on and interference with key antelope migration routes, antelope migration corridors, or deer migration corridors within the MP zone.

C. The modification, enlargement, or change of use of a building or developed site which is legally existing at the time the MP zone is applied and which does not substantially increase encroachment or intense human activity within the MP zone shall be exempt from the provisions of this chapter.

D. When fencing is required or regulated as a condition of approval of a subdivision, use permit, or other land use entitlement, such fencing may be required to conform to antelope fencing specifications. Otherwise, existing fences, including the reconstruction, modification, relocation, or placement of new fencing, shall be exempt from the provisions of this chapter.

E. When the county determines it to be in the public interest, it may require, as a condition of a land use entitlement approval, that notice of the establishment of the **MP** zone be recorded in the office of the county recorder in reference to the subject property.

18.78.050 Exception from development standards.

An exception from the provisions of Section 18.78.040 may be granted by the body making determinations on a land use entitlement if it makes a written finding that either the conditions in Subsections A, B and C of this section exist, or that the condition in Subsection D of this section exists.

A. The natural and man-made characteristics of the project site and its development will not cause impediments to the ability of the migrating animals to vary their migration route through the subject area, and the integrity and continuity of the key antelope migration route will not be compromised.

B. The approval of the proposed development in the **MP** zone will not compromise the objectives and purposes of the general plan, any applicable specific plan, and this chapter.

C. The physical characteristics of the subject property are unique and are not generally applicable to other land in the MP zone which is traversed by the same key antelope migration route as the subject property.

D. Strict adherence to the provisions of the MP zone would prohibit or substantially prohibit all permitted uses in the principal zone which it overlays, particularly because the subject property is substantially located within the MP zone or constraints exist to development of the subject property located outside the MP zone.

Chapter 18.82 MINIMUM LOT SIZE (M) ZONE

Sections:

- 18.82.010 Purpose.
- 18.82.020 Regulations applicable.
- 18.82.030 Development standards—Lot regulations.

18.82.010 Purpose.

The M zone is an overlay zone and is intended to be applied in combination with other zones for the purpose of protecting resources, reducing environmental impacts, and preserving the character of a particular area, through the restriction of subdivision.

18.82.020 Regulations applicable.

The regulations in this chapter shall apply in all M zones, in addition to the regulations in the principal zone which the M zone overlays provided that the M zone shall specify the minimum lot size in lieu of that designated for the zone which it overlays.

18.82 030 Development standards--Lot regulations.

In an M zone, the minimum lot size shall be the size of the property to which the M zone is applied; or alternatively, the minimum lot size shall be designated upon application of the M zone such that M-20 shall designate a twenty acre minimum lot size. Notwithstanding any other provision herein, any lot or parcel in the M zone may be increased in size through a lot line adjustment or merger when necessary for health, welfare or safety reasons.

Chapter 18.86 ANIMAL RESTRICTIONS (AR) ZONE

Sections:

- 18.86.010 Purpose.
- 18.86.020 Regulations applicable.
- 18.86.030 Lot size determinations.
- 18.86.040 Minimum lot size.
- 18.86.050 Setbacks.
- 18.86.060 Nuisance conditions.
- 18.86.070 Nuisance complaints.

18.86.010 Purpose.

The AR zone is an overlay zone and is intended to be applied in combination with other zones for the purpose of protecting the public health, safety, welfare, comfort, and convenience by restricting the keeping of animals in areas reserved for medium or high density residential uses. The AR zone *may* also be applied in other situations or areas where uses or densities *may* not be compatible with more permissive animal controls.

18.86.020 Applicability.

The regulations set out in this chapter shall apply in all AR zones, and shall by this reference apply in all areas to which the RH zone is applied. The regulations set forth in this chapter governing the keeping of animals shall apply to the following uses:

- A. The keeping of all animals, except dogs, cats, or other common domestic pets, except as provided under Subsection C of this section. For the purposes of this zone, animal-keeping includes housing, stabling, or feeding of animals, whether on a full-time~ part-time, occasional, or temporary basis.
- B. When the circumstances of the property do not allow animal-keeping, the regulations in this chapter shall not preclude the use of the property for limited periods of time in anyone day for the grooming, riding, training, or similar activities involving animals under the ownership of persons owning, renting, or leasing the subject property, provided such use shall not create a nuisance.
- C. Notwithstanding Subsection A of this section, the keeping of dogs, cats, or other common domestic pets shall not create a nuisance and shall be subject to the provisions of Sections 18.86.050 through 18.86.070 of this chapter.
- D. The use of property for the purposes and uses described in Subsections A, Band C of this section *may* be vacated, pursuant to Section 18.86.070.

18.86.030 Lot size determinations.

For the purpose of complying with Section 18.86.040, the following criteria shall apply to the lot

size determination:

- A. All areas included in public use roads or road easements shall be excluded.
- B. The area included shall consist of a contiguous area with a minimum width of at least fifty feet. For the purposes of this section, portions of the subject property shall not be deemed "contiguous" if separated by public use roads or road easements, railroad rights-of-way, natural or man-made watercourses, or other impediments which cause a barrier between portions of the property.
- C. All contiguous land under the legal ownership, lease, or rent by the same person may be included.

18.86.040 Minimum lot size.

- A. One adult horse, steer, cow, mule, or similar size animal shall require a minimum lot size of one acre. Each additional adult horse, steer, cow, mule, or similar size animal shall require an additional ten thousand square feet. The offspring borne to each adult animal on the subject property shall be allowed until the age of six months. In connection with the keeping of animals as provided in this subsection, an enclosure shall be required as follows:
 - A. An area approximately fifty feet by fifty feet, excluding structures, shall be required for the keeping of one adult horse, steer, cow, mule, or similar size animal. The enclosure area shall be doubled for each additional adult animal allowed by this subsection. The keeping of animals as provided in this subsection shall extend only to animals under the ownership of persons owning, renting, or leasing the subject property.
 - B. One adult goat, swine, sheep, or similar size animal shall require a minimum lot size of ten thousand square feet. Each additional adult goat, swine, sheep, or similar size animal shall require an additional five thousand square feet. The number of young, under six months of age, shall not exceed one litter or brood borne to each adult animal on the subject property. In connection with the keeping of animals as provided in this subsection, an enclosure shall be required as follows:
 - C. An area approximately twenty-five feet by twenty-five feet, excluding structures, shall be required for the keeping of not more than two goats, swine, sheep, or similar size animal. The enclosure area shall be increased by an area of approximately twenty-five feet by twenty-five feet for each additional adult animal allowed by this subsection.
 - D. One adult turkey, chicken, duck, goose, rabbit, or similar size animal shall require a minimum lot size of five thousand square feet, provided that when the minimum lot size requirement is met, the keeping of not more than five adult turkeys, chickens, ducks, geese, rabbits; or similar size animals shall be permitted. Each additional adult turkey, chicken, duck, goose, rabbit, or similar size animal shall require an additional five hundred square feet. The number of young, under six months of age, shall not exceed one litter or brood borne to each adult animal on the subject property.
 - E. Snakes, reptiles, or wild or exotic animals, or any other animal which is not normally domesticated in the State of California shall be regulated as provided in this subsection and pursuant to the animal restrictions in this chapter. Animals which are similar in size to the classes of animals set forth in this section shall be regulated in the number set forth

for such similar animals in this section. The maximum number of other animals regulated by this subsection which do not fall within the size classes in this section shall be five, except that the keeping of bees shall not be allowed in the RH zone. Such other animals shall be kept caged at all times.

18.86.050 Setbacks and yards.

No enclosure, corral, barn, stable, coop, or similar accessory structure used or intended to be used for animal shelter or feeding, or the storage of feed, or in conjunction with the keeping of animals regulated by this chapter, shall be placed or erected less than one hundred feet from any well, unless a lesser distance is approved by the health department in individual cases. The yard regulations in Section 18.110.050 shall also apply.

18.86.060 Nuisance conditions.

The keeping of every animal regulated by this chapter shall be in a manner which does not cause a nuisance resulting from any of the conditions set forth in this section. The provisions of Section 18.86.070 shall apply when a nuisance is alleged to exist.

- A. The accumulation of manure or urine, improper storage or use of feed, neglect of animals, or other improper maintenance of the property in connection with the keeping of animals which causes odors, vectors, or other nuisance conditions; or
- B. Eyesore conditions due to the disrepair of structures in connection with the keeping of animals; or
- C. The degradation of water resources or pollution of any property caused by unhealthy conditions or runoff; or
- D. Any other practice causing any condition which otherwise poses a health hazard or a physical danger to the public, or interferes with the comfortable enjoyment of property in the vicinity.

18.86.070 Nuisance complaints.

The use of property for the purposes described in Subsections A and B of Section 18.86.060 in a manner which causes a nuisance is unlawful. Nuisance complaints may be pursued as specified in this section.

- A. A written complaint that a nuisance is alleged to exist, describing in detail the nature of the nuisance, may be filed with the planning department by any person.
- B. Upon presentation of such written complaint, the planning commission shall hold a hearing at its next regular meeting after due notice, to determine the merit of the complaint. Notice of hearing shall be as provided in Section 18.140.050.
- C. When the planning commission determines a nuisance exists, the keeping of any animal which constitutes a legal use under the provisions of this chapter shall not be vacated by the planning commission on the first offense by the same property owner; but instead, the primary remedy shall be the correction of such nuisance condition in the manner and

within the time period imposed by the commission. If the requirements imposed by the commission are not complied with, the continuation of the nuisance shall constitute a violation of this title, and the commission may, upon its own motion, place the item on the agenda for further consideration after due notice, and may as an additional remedy require the removal of the animal(s) which are the cause of the nuisance conditions which continue to exist.

- D. The decision of the commission may be appealed to the board of supervisors as provided in Chapter 144. Notice shall be given as provided in Section 18.140.050.

Chapter 18.90 **AIRPORT HAZARD (AH) ZONE**

Sections:

18.90.010	Authority and purpose.
18.90.020	Definitions.
18.90.030	Zoning maps.
18.90.040	Height limits.
18.90.050	Adin Airport.
18.90.060	Alturas Airport.
18.90.070	California Pines Community Services District Airport.
18.90.080	Cedarville Airport.
18.90.090	Eagleville Airport.
18.90.100	Fort Bidwell Airport.
18.90.110	Tulelake Airport.
18.90.120	Use restrictions.
18.90.130	Nonconforming uses.
18.90.140	Permit requirements.
18.90.150	Conflicting regulations.
18.90.160	Violation--Deemed public nuisance--Prosecution.

18.90.010 **Authority and purpose.**

This chapter is adopted pursuant to the authority conferred by the California State Airport Approaches Zoning Law. It is hereby found that an airport hazard endangers the lives and property of users of the airports referenced in this chapter, and property or occupants of land in its vicinity, and also, if of the obstruction type, in effect reduces the size of the area available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the airports referenced in this chapter and the public investment therein. Accordingly, it is declared that:

- A. The creation or establishment of an airport hazard is a public nuisance and an injury to the region served by the airports referenced in this chapter.
- B. It is necessary, in the interest of the public health, public safety, and general welfare, that the creation or establishment of airport hazards be prevented; and
- C. The prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.
- D. The prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which the county may raise and expend public funds and acquire land or interests in land.

18.90.020 **Definitions.**

The words and phrases in this section shall have the designated meanings in this chapter, unless the context otherwise requires:

- A. "Airport" means any of the following: Adin Airport, Alturas Airport, California Pines Community Services District Airport, Cedarville Airport, Eagleville Airport, Fort Bidwell Airport, Tulelake Airport.
- B. "Airport hazard" means any structure, tree, or use of land, which obstructs the airspace required for the flight of aircraft in landing or taking off at the airport, or which is otherwise hazardous to such landing or taking off of aircraft.
- C. "Airport zoning commission" means a commission consisting of the members of the Modoc County planning commission.
- D. "Landing area" means the area of the airport used for the landing, takeoff, or taxiing of aircraft.
- E. "Nonconforming use" means any structure, tree, or use of land which does not conform to a regulation prescribed in this chapter or an amendment thereto, as of the effective date of such regulation.
- F. "Person" means any individual, firm, copartnership, corporation, company, association, joint stock association, city, county, or district, and includes any trustee, receiver, or assigns.
- G. "Structures" means any object constructed or installed by man, including but not limited to buildings, towers, smokestacks, and overhead lines.
- H. "Tree" means any object of natural growth.

18.90.030 Zoning maps.

In order to carry out the purposes of this chapter, there are hereby created and established airport hazard zones which include all of the land lying within the approach zones, transitional zones, horizontal zones, and conical zones as they apply to each particular airport. Such zones are shown on the airport zoning map or maps for each airport referenced in this chapter. The airport zoning maps are incorporated herein by reference as if set forth in full, subject to amendments pursuant to Chapter 18.134 and State law. The department of public works shall recommend revisions to the airport zoning maps as required to comply with applicable laws.

18.90.040 Height limits.

- A. Except as otherwise provided, no structure or tree shall be erected, altered, maintained, or allowed to grow in any AH zone, including each approach zone, transitional zone, horizontal zone, or conical zone, to a height in excess of the height limit established in this chapter for each zone.
- B. For the purposes of determining the height limits referenced in this section and chapter, the United States Coast and Geodetic Survey has established the official elevation references of the airports referenced in this chapter, and all height limits are established with reference to the official elevations, as set forth in Sections 18.90.050 through 18.90.110.

18.90.050 Adin Airport.

The following official elevation reference and height limits are established in the AH zone-Adin Airport:

- A. Official elevation reference, four thousand two hundred twenty-eight feet;
- B. Horizontal zone, one hundred fifty feet; as designated on Adin height greater than continuing to an
- C. Conical zone, one hundred fifty feet at the inner perimeter and increasing in height at the ratio of 20: 1 to the outer perimeter;
- D. Runway Approach Zones 09 and 27, Airport Zoning Map, shall not exceed a permitted by a 20: 1 glideslope, and intersection with the horizontal surface;
- E. Transition zones, the height to be determined within the boundaries of the transition zone by reference to the Adin Airport Zoning Map, at a ratio of 7: 1, commencing at the boundary of the landing area.

18.90.060 Alturas Airport.

The following official elevation reference and height limits are established in the AH zone-Alturas Airport:

- A. Official elevation reference, four thousand three hundred seventy-five feet;
- B. Horizontal zone, one hundred fifty feet above
- A. established airport elevation, or at four thousand five hundred twenty-five feet;
- B. Conical zone, one hundred fifty feet at the inner perimeter and increasing in height at the ratio of 20: 1 for four thousand feet to the outer perimeter, or at four thousand five hundred twenty-five feet at the inner perimeter increasing in height at the ratio of 20: 1 for four thousand feet to the outer perimeter at four thousand seven hundred twenty-five feet;
- C. Runway Approach Zones 03, 13, 21, and 31, as designated on the Alturas Airport Zoning Map, shall not exceed a height greater than permitted by a 20: 1 glideslope, and continuing to an intersection with the horizontal surface;
- D. Transition zone, the height to be determined within the boundaries of the transition zone by reference to the Alturas Airport Zoning Map, at a ratio of 7: 1, commencing at the boundary of the primary surface;

18.90.070 California Pines Community Services District Airport.

The following official elevation reference and height limits are established in the AH zone-California Pines Community Services District Airport:

- A. Official elevation reference, none;
- B. Primary zone. A surface longitudinally centered on a runway, one hundred twenty-five feet on each side of the centerline and extended two hundred feet beyond each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline;

- C. Visual approach zone. A surface longitudinally centered on the extended runway centerline 5 and 23, as designated on the California Pine~ Community Services District Airport Zoning Map, and extending outward and upward from each end of the primary surface. The inner edge of this approach coincides with the width (two hundred fifty feet) of each primary surface, and extends outward at a 10: 1 flare on each side, and upward at a 20: 1 slope to its intersection with the horizontal surface;
- D. Horizontal zone. A horizontal plane one hundred fifty feet above established airport elevation, or at four thousand five hundred forty-five feet, the perimeter of which established by swing arcs of five-thousand-foot radii from the center of each end of the primary surface at each end of the runway, and connecting the adjacent arcs by lines tangent to those arcs;
- E. Conical zone. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20: 1 for a distance of four thousand feet, and a height of three hundred fifty feet above the airport elevation, or at four thousand seven hundred forty-five feet;
- F. Transition zones. These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7: 1, from the sides of the primary surface and from the sides of the approach surfaces, to where they intersect the horizontal and conical surfaces.

18.90.080 Cedarville Airport.

The following official elevation reference and height limits are established in the AH zone- Cedarville Airport:

- A. Official elevation reference, four thousand six hundred twenty-three feet;
- B. Horizontal zone, one hundred fifty feet above established airport elevation, or at four thousand seven hundred seventy-three feet;
- C. Conical zone, at one hundred fifty feet at the inner perimeter, and increasing in height at the ratio of 20: 1 for four thousand feet to the outer perimeter, or at four thousand seven hundred seventy-three feet at the inner perimeter, increasing in height at the ratio of 20: 1 for four thousand feet to the outer perimeter at four thousand nine hundred seventy-three feet;
- D. Runway Approach Zones 01 and 19 as designated on the Cedarville Airport Zoning Map shall not exceed a height greater than permitted by a 20: 1 glideslope, and continuing to an intersection with the horizontal surface;
- E. Transition zones, the height to be determined within the boundaries of the transition zone by reference to the Cedarville Airport Zoning Map at a ratio of 7: 1, commencing at the boundary of the primary surface;
- F. For additional runways, Runway Approach Zones 06 and 24, as designated on the Cedarville Airport Zoning Map, shall not exceed a height greater than permitted by a 20:1 glideslope, and continuing to an intersection with the horizontal surface.

18.90.090 Eagleville Airport.

The following official elevation reference and height limits are established in the AH zone-

Eagleville Airport:

- A. Official elevation reference, hundred ninety-seven feet;
- B. Horizontal zone, one hundred fifty feet above established airport elevation, or at four thousand six hundred forty-seven feet;
- C. Conical zone, perimeter, elevation four and increasing in height to the outer perimeter, four thousand four one hundred fifty feet at the inner thousand six hundred forty-seven feet, at a 20:1 ratio for four thousand feet elevation .four thousand eight hundred forty-seven feet;
- D. Runway Approach Zones 18 and 36 as designated on the Eagleville Airport Zoning Map shall not exceed a height greater than permitted by a 20: 1 glideslope, and continuing to an intersection with the horizontal surface;
- E. Transition zones, the height to be determined within the boundaries of the transition zone by reference to the Eagleville Airport Zoning Map at the ratio of 7: 1, commencing at the boundary of the primary surface;
- F. For additional runways, runway approach zone, and as designated in the Eagleville Airport Zoning Map, shall not exceed a height greater than permitted by a 20: 1 glideslope, and continuing to an intersection with the horizontal surface.

18 90.100 Fort Bidwell Airport.

The following official elevation reference and height limits are established in the AH zone-Fort Bidwell Airport:

- A. Official elevation reference, four thousand six hundred two feet;
- B. Horizontal zone, one hundred fifty feet above established airport elevation, or at four thousand seven hundred fifty-two feet;
- C. Conical zone, one hundred fifty feet at the inner perimeter, and increasing in height at the ratio of 20: 1 for four thousand feet to the outer perimeter, or at four thousand seven hundred fifty-two feet at the inner perimeter and increasing in height at the ratio of 20: 1 for four thousand feet to the outer perimeter at four thousand nine hundred fifty-two feet;
- D. Runway Approach Zones 16 and 24 as designated on the Fort Bidwell Airport Zoning Map shall not exceed a height greater than permitted by a 20: 1 glideslope, and continuing to an intersection with the horizontal surface;
- E. Transition zones, the height to be determined within the boundaries of the transition zone by reference to the Fort Bidwell Airport Zoning Map at a ratio of 7: 1, commencing at the boundary of the primary surface.

18.90.110 Tulelake Airport.

The following official elevation reference and height limits are established in the AH zone-Tulelake Airport:

- A. Official elevation reference, four thousand forty-eight feet;
- B. Horizontal zone, one hundred fifty feet above established airport elevation, or at four

- thousand one hundred ninety-eight feet;
- C. Conical zone, one hundred fifty feet at the inner perimeter, and increasing in height at the ratio of 20: 1 for four thousand feet to the outer perimeter, or at four thousand one hundred ninety-eight feet at the inner perimeter, increasing in height at the ratio of 20: 1 for four thousand feet to the outer perimeter at four thousand three hundred ninety-eight feet;
 - D. Runway Approach Zones 11 and 29 as designated on the Tullake Airport Zoning Map shall not exceed a height greater than permitted by a 20: 1 glideslope, and continuing to an intersection with the horizontal surface;
 - E. Transition zone, the height to be determined within the boundaries of the transition zone by reference to the Tullake Airport Zoning Map at a ratio of 7: 1, commencing at the boundary of the primary surface.

18.90.120 Use restrictions.

No use shall be made of land within any AH zone including any approach zone, horizontal zone, conical zone, or transition zone, in such a manner as to create an electrical interference with radio communication between the airport and aircraft, making it difficult for pilots to distinguish between airport lights and other lights, resulting in glare in the eyes of the pilots using the airport, impairing visibility in the vicinity of the airport, or otherwise endangering the landing, takeoff, or maneuvering of aircraft.

18.90.130 Nonconforming uses.

- A. The regulations prescribed by' this chapter shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of these regulations, or otherwise interfere with the continuance of any nonconforming use. Nothing contained in this chapter shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of airport zoning regulations and is diligently pursued and completed within a reasonable time.
- B. Notwithstanding Subsection A of this section, the owner of any existing nonconforming structure or tree may be required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by Modoc County to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the county.

18.90.140 Permit requirements.

- A. Nonconforming uses: Before any nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher, or replanted, a permit must be secured from the planning commission. No permit shall be granted that would

allow the establishment or creation of an airport hazard, or permit a nonconforming structure or tree or nonconforming use to be made or become higher or become a greater hazard to air navigation than it was on the effective date of airport zoning regulations or any amendments thereto, or than it is when the application for a permit is made. Except as provided herein, all applications for such permits shall be granted. No such permit shall be required to make maintenance repairs to or to replace parts of existing structures which do not enlarge or increase the height of the existing structure. Application for such permits shall be made and processed in the same manner as an application for a variance pursuant to Chapter 18.132.

- B. Variances: Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use his property in violation of airport zoning regulations adopted under this chapter, may apply to the planning commission for a variance from such regulations. Such variances shall be allowed where it is found that a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship, and the relief granted would not be contrary to the public interest but will do substantial justice, and be in accordance with the spirit of this chapter; provided that any variance may be allowed subject to reasonable conditions necessary to effectuate the purpose of this chapter.
- C. Conditions: Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the county, at the expense of the permittee, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to pilots the presence of any airport hazard.

18.90.150 Conflicting regulations.

Where there exists a conflict between any regulations or limitations set out in this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent regulation or limitation shall apply.

18.90.160 Violation--Deemed public nuisance--Prosecution.

Every violation of this chapter is declared a public nuisance and the provisions in Chapter 18.158 shall apply.

Chapter 18.94 SPECIFIC PLAN (SP) ZONE

Sections:

- 18.94.010 Purpose.
- 18.94.020 Regulations applicable.
- 18.94.030 Designation of adopted specific plan.

18.94.010 Purpose.

The SP zone is an overlay zone intended to be applied in combination with a principal zone for the purpose of identifying areas where a specific plan is adopted.

18.94.020 Regulations applicable.

In an SP zone, all regulations set out in the principal zone, overlay zones, and this title which are applicable to the subject land shall apply, provided the uses and regulations are consistent with the applicable specific plan.

18.94.030 Designation of adopted specific plan.

Upon the adoption of any specific plan, the zoning maps shall be amended to apply the SP zone to the land encompassed by the specific plan.

Chapter 18.100 **SPECIAL USES**

Sections:

- 18.100.010 Uses permitted in certain zones— Limitations and criteria.
- 18.100.020 Uses permitted with an administrative permit in certain zones—Limitations and criteria.
- 18.100.030 Uses permitted with a use permit in certain zones- Limitations and criteria.
- 18.100.040 Temporary use of mobilehome or recreational vehicle during construction.
- 18.100.050 Mobilehomes--Residential use.
- 18.100.060 Recreational vehicles.

18.100.010 Uses permitted in certain zones--Limitations and criteria.

When any zone permits any use in this section, the applicable limitations and criteria shall apply. Certain uses which are an integral part of county's economy and lifestyle must locate at the site of a particular resource. Other uses depend on varying geographic and locational requirements and must be reviewed on a case by case basis. Yet other uses are specified as accompanying uses to common uses.

- A. Forest management. In any zone that allows agricultural operations or farm forestry, forest management activities as described in the California Forest Practices Act are permitted, provided that the regulations of the Forest Practices Act and all other applicable laws are met and there are no conflicts with the general plan or any applicable specific plan.
- B. Fish and wildlife enhancement projects. Fish and wildlife enhancement projects approved by the California Department of Fish and Game are permitted in any zone, provided they are compatible with the purpose of the zone in the specific location, and there are no conflicts with the general plan or any applicable specific plan.
- C. Public utilities. Except as otherwise specified, public utility transmission lines and distribution poles and lines, whether above-ground or under-ground, are permitted uses in any zone.
- D. Uses permitted with one-family dwelling. In any zone that allows a one-family dwelling as a permitted use, the following accessory buildings or uses are also permitted, unless otherwise specified by a particular zone. No building or structure permitted by this section shall encroach into any yard required by the zone in which the building is located.
 - 1. Accessory structures: Structures accessory to residential uses such as attached or detached garage, private shop, private greenhouse, or a combination of accessory buildings. When a manufactured dwelling is permitted for use as an accessory structure, a document shall be recorded in the office of the county recorder stating such building is not a dwelling and shall not be used for human habitation.
 - 2. Residential care facility: The use of the principal dwelling as a residential care facility.
 - 3. Small day care facility: The use of the principal dwelling as a small day care facility provided any advertising is limited to one nameplate not more than six inches by

twelve inches attached on and flush with the dwelling.

4. Boarding: In addition to the habitation of the principal dwelling by one family, a portion of the bedrooms or living area may be rented or let to boarders, provided:
 - a. There is one, and only one, dwelling on the lot, or if there exists a second dwelling or guest house then the principal dwelling may not be used for the purposes in this subsection when the second dwelling or guest house is also occupied. Each bedroom in a guest house may substitute for one guest room.
 - b. Quarters for boarders shall be limited to no more than two guest rooms with no more than two persons per guest room.
 - c. Parking shall be provided as specified in Chapter 18.110 and all other requirements of the zone in which the lot is located shall be complied with.
5. Limited home occupation: One limited home occupation may be established accessory to a dwelling unit on the same lot, provided the following criteria are met:
 - a. The home occupation shall be conducted within the dwelling or accessory building and no outdoor storage or activity shall take place.
 - b. No persons other than the inhabitants of the principal dwelling located on the same lot shall be employed in the home occupation.
 - c. No advertising shall occur on or near the premises, except that one nameplate which does not exceed twelve inches by six inches containing the name and/or occupation may attached on and flush with the dwelling or accessory building.
 - d. The appearance of the dwelling unit or accessory building shall not be altered, nor shall the occupation within the dwelling unit or accessory building be conducted in a manner which would cause the premises to differ from the surrounding residential character by use of colors, materials, construction, lighting, signs, or the emission of sounds, noises, vibrations or the items set forth in Subsection 5.e of this section.
 - e. No equipment or process shall be used in the home occupation which creates noise in excess of fifty-five decibels measured at the lot line (measured with a sound meter using the A-weighted scale and the "slow" response according to the manufacturer's instructions), vibration, glare, fumes, odors, dust, or electrical interference detectable to the normal senses at the boundary of the premises, or fire hazard.
 - f. Except for articles produced on the premises, stock-in-trade which may be sold shall be clearly incidental to principle purpose of the home occupation and no display of products shall be visible from outside the dwelling unit or accessory building.
 - g. The home occupation shall not cause an increase in the use of any utility (such as water, sewage disposal, electricity or garbage), such that the combined total for the residential use and home occupation exceeds the average for similar residential use in the neighborhood or similar type of area.
 - h. When the home occupation includes the conduct of group classes or other group activities, such activities shall be limited to two times per week, and

not more than five customers, clients, or pupils shall come to the premises during the same time period. When such activity is conducted one or fewer times per week, not more than ten customers, pupils, or clients shall come to the premises during the same time period. For the purposes of this subsection, "group" means two or more persons which come to the premises during the same time period for a specified or scheduled activity.

- i. When the home occupation involves customers, clients, or pupils coming to the premises, other than the conduct of group classes or other group activities, not more than eight customers, clients, or pupils shall come, or be scheduled to come, to the premises for service or products in anyone day, and the schedule shall be staggered over the course of the day.
- j. The use of a dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. Not more twenty-five percent of the gross floor area of the dwelling shall be used for the home occupation.
- k. No vehicular traffic may be generated in connection with the home occupation between the hours of ten p.m. and eight a.m.

- E. Uses similar to uses permitted. In any zone, a use not listed as a use permitted in the subject zone may be allowed by right upon the presentation of substantial evidence and a written finding by the planning director that the use is compatible with the purpose of the zone and is similar in character and impact to specified uses permitted in the subject zone.

18.100.020 Uses permitted with an administrative permit in certain zones--Limitations and criteria.

When any zone permits any use in this section, subject to obtaining an administrative permit, the applicable limitations and criteria shall apply. Administrative permit applications shall comply with the requirements in Chapter 18.124. The applicant shall provide information required to determine conformance with the criteria in this section applicable to the proposed use.

- A. Assemblage of people. When assemblage of people is permitted subject to obtaining an administrative permit the following shall apply. The planning director shall transmit a copy of the application to applicable county departments such as roads, sheriff, and emergency services and any other agency which may be affected. The administrative permit shall not be approved unless the promoter takes measures to assure that adequate ingress and egress is provided to avoid traffic congestion and provide access by emergency vehicles, and that adequate controls or measures will be taken to prevent offensive noise, light, or other effects adverse to the subject property or its surroundings.
- B. Second dwelling--AG, LI, RT, RR, RH, or RL zone. When an administrative permit is required, one second-dwelling may be allowed in addition to one one-family dwelling provided the criteria in this subsection are met. When the criteria are not met, one second dwelling may be allowed subject to obtaining a use permit, as provided in Section 18.100.030. The purpose of providing for second dwellings is to encourage the efficient use of residential zones and to provide housing opportunities for low and moderate

income and other disadvantaged persons as well as providing equal opportunity for all persons, while protecting the character, property values, health, safety, and services of the surrounding area and its residents.

1. The particular location in which the second dwelling is proposed to be sited is not within the EP or MP zone.
 2. The size of the subject lot is two times the minimum lot size required by the subject zone. When the lot is contiguous to the AE zone the lot size shall be a minimum of thirty acres, except when the lot is between fifteen and thirty acres a second dwelling may be allowed, provided that prior to granting an administrative permit the owner shall execute and cause to be recorded in the office of the county recorder a restriction binding on the owners, their heirs, successors, and assigns, stating that the second dwelling is accessory to the principal dwelling and shall not be divided separate from the principal dwelling. For the purpose of this section "contiguous" includes land separated by roads or rights-of-way.
 3. A second dwelling shall not be allowed if there exists a guest house or other dwelling on the lot, in addition to the principal dwelling.
 4. The principal dwelling and second dwelling shall each have separate onsite sewage disposal systems or public sewage service connections.
 5. The principal and second same domestic water supply when all provided there is adequate area for the separate water supply systems.
 6. Each dwelling, together with its improvements, is situated in such a way as to create two building sites that each meet the minimum requirements of the zone in which the lot is dwellings may use the requirements are met, future establishment of located.
 7. All requirements of this title and all applicable laws are met for both dwellings.
- C. Second dwelling—AE, RC or LIC zone: When an administrative permit is required, one second-dwelling may be allowed in addition to one one-family dwelling, provided the criteria in this subsection are met. When the criteria are not met, one second dwelling may be allowed subject to obtaining a use permit, as provided in Section 18.100.030.
1. The size of the subject lot or parcel is at least seventy-five acres;
 2. The second dwelling shall be clustered within the confined building site occupied by the principal dwelling;
 3. All requirements of this title and all applicable laws are met for both dwellings.
- D. Guest house. One guest house may be allowed in addition to one one-family dwelling or one two-family dwelling, provided the criteria in this subsection are met. When the criteria are not met, one guest house may be allowed subject obtaining to a use permit, as provided in Section 18.100.030.
1. The guest house must be less than three hundred two square feet, without cooking or kitchen facilities, and conform to the definition of guest house.
 2. The minimum lot size required by the subject zone and all other requirements of this title and applicable laws are met.
 3. A guest house shall not be allowed if there exists a second dwelling on the lot.
- E. Temporary family care dwelling. In any zone that permits a one-family dwelling, a temporary family care dwelling may additionally be allowed subject to obtaining an

administrative permit, provided the criteria and limitations in this section are met. These regulations provide administrative relief from the provisions of this title, for the purpose of providing temporary in-home or transition care for family members with medical needs or social needs related to age or physical or developmental handicaps, in cases when a second dwelling would not otherwise be allowed or is not desired.

1. The temporary dwelling is for the exclusive use and temporary in-home care of a grandparent(s), parent(s), siblings, children, or grandchildren of the occupant of the principal dwelling, or other family relation. The principal dwelling may be designated as the family care dwelling, in which case the temporary dwelling shall be utilized by the relative providing the care.
2. The health officer and a licensed physician, licensed social worker, or a public welfare or mental health agency have in writing confirmed that there is an existing medical or social need for such temporary in-home care.
3. The intended occupants of the family care dwelling cannot reasonably be housed in the principal dwelling, based on a floor plan and information substantiating the need for a family care dwelling.
4. The principal dwelling is lawfully established and all requirements of the health and building departments are met for both dwellings.
5. The family care dwelling, typically a mobilehome, shall remain mobile and the axle shall remain on the unit. Skirting may be affixed to the unit for energy conservation, but no skirting or other improvement which may limit its mobility shall be affixed to or placed adjacent to the unit.
6. The term of the administrative permit issued pursuant to this section shall be one year. The permit shall be renewable annually for not more than two additional one-year terms, except when a trailer or recreational vehicle is approved for use as the family care dwelling, the term of the permit shall be one year, and shall not be renewable. Application for renewal shall be presented to the planning director prior to expiration of the permit, and may include a renewal fee, and shall include confirmation by the health officer and a licensed physician, licensed social worker, or a public welfare or mental health agency that there is a continuing medical or social need for in-home care for the occupant(s) of the family care dwelling.
7. The family care dwelling shall be removed from the property within thirty days after the date of permit expiration or termination of the use prior to expiration, and the unit shall not be occupied during that period.

F. Farm employee housing--AE zone. When an administrative permit is required, farm employee housing may be allowed in addition to other permitted dwellings, provided the criteria in this subsection are met. When the criteria are not met, farm employee housing may be allowed subject to obtaining a use permit as provided in Section 18.100.030.

1. Upon request of the planning director, the applicant shall present evidence justifying the need for each farm employee house, such as crop type, acreage, and number of dwellings used by farm employees. The planning director may consult with any persons deemed necessary in this matter.
2. Farm employee housing shall be located adjacent to the confined building site occupied by the principal dwelling but shall have a septic system separate from that

of the principal dwelling, or if not clustered shall be limited to not more than one farm employee house per approximately eighty acres in the same agricultural operation.

3. All requirements of this title and all applicable laws are met for both dwellings.
4. Prior to granting an administrative permit the owner shall execute and cause to be recorded in the office of the county recorder, a restriction binding on the owners, their heirs, successors, and assigns, stating that the farm employee housing is deemed to be accessory to the agricultural operation and shall be retained with the agricultural operation if the property is subdivided.

G. Farm employee housing--AG zone. When an administrative permit is required, farm employee housing may be allowed in addition to other permitted dwellings, provided the criteria in this subsection are met. When the criteria are not met, farm employee housing may be allowed subject to obtaining a use permit as provided in Section 18.100.030.

1. Upon request of the planning director, the applicant shall present evidence justifying the need for each farm employee house, such as crop type, acreage, and number of dwellings used for farm employees. The planning director may consult with any persons deemed necessary in this matter.
2. Farm employee housing to serve a single agricultural operation may be located or clustered on one or more parcels which is (are) engaged in said agricultural operation, provided the total number of farm employee houses shall not exceed an average density of one per forty acres engaged in said agricultural operation, located within a ten mile radius.
3. All requirements of this title and all applicable laws are met for both dwellings.

18.100.030 Uses permitted with a use permit in certain zones--Limitations and criteria.

When any zone permits any use in this section subject to" obtaining a *use* permit, the applicable limitations and criteria shall apply. Use permit applications shall comply with the requirements in Chapter 18.128. The applicant shall provide information required to determine conformance with the criteria in this section applicable to the proposed *use*.

- A. Uses that do not conform to the provisions in Section 18.100.020. When any use or application for an administrative permit does not conform to the provisions in Section 18.100.020 for the particular use, the use may be permitted subject to obtaining a use permit. In granting the use permit the planning commission shall do the following, in addition to the requirements of Chapter 18. 128.
 1. The commission shall impose the criteria required for the *use* under an administrative permit to the maximum extent feasible and practical.
 2. When a use permit is requested for one second-dwelling, the requirements of the zone in which the property is located, including minimum lot size, shall be met.
- B. Second dwelling in hardship case: Notwithstanding Subsection A, the planning commission may grant a use permit to allow one second-dwelling if it makes the following findings in addition to the findings required by Chapter 18.128.
 1. The *use* cannot be approved as a temporary family care dwelling as provided in Section 18.100.020.

2. A hardship exists which justifies the issuance of the use permit, documented by substantial evidence, such as confirmation from the health officer and a licensed physician, licensed social worker, or public welfare or mental health agency that there is a long-term need that cannot otherwise be satisfied.
 3. The intended occupants of the second dwelling cannot reasonably be housed in the principal dwelling. The applicant shall provide a floor plan and information regarding the number of occupants that substantiates the need for the second unit.
 4. The second dwelling is provided with water and sewage disposal services in compliance with health department requirements, and no other services will be impaired.
 5. The commission may place conditions on the issuance restricting the size, placement, or other features to assure to the maximum extent that the dwelling is used for the purpose intended. The commission shall require, to the maximum extent feasible, that the location and establishment of the second dwelling meets the criteria for second dwellings in the zone in which the lot is located.
- C. Uses accessory to one-family dwelling when a use permit is required.
- D. In any zone that allows a one-family dwelling subject to obtaining a use permit, the uses described in Subsection D of Section 18.100.010 shall also be permitted, unless specific provisions are modified as a condition of the use permit. .
- E. Home occupation. One home occupation may be permitted as an accessory use to a dwelling, subject to obtaining a use permit. When the use conforms to the criteria for a limited home occupation in Subsection D of Section 18.100.010, the use may be established without a use permit. Every home occupation shall strictly conform to the definition of a home occupation set forth in this title. The purpose of provisions for home occupations is to promote economic growth while protecting against adverse effects to neighborhood character, property values and public services, and to provide equal protection for persons locating in commercial or industrial zones.
- F. Surface mining. This subsection shall apply to any zone which permits mining. Surface mining as defined in the Surface Mining and Reclamation Act of 1975 ("Act"), Public Resources Code Section 2710 et seq., shall be subject to all the requirements of the Act.
1. Surface mining permit and reclamation plan requirements of the Act shall be implemented through the use permit process. Use permit applications shall include a reclamation plan on a form prescribed by the planning director and any other information necessary to determine conformance with the Act. The California Division of Mines and Geology shall be notified of any application for surface mining operations, and shall be provided with a copy of every approved permit and reclamation plan.
 2. Conditions of approval: In addition to any other condition of approval, a schedule of periodic inspections to evaluate continuing compliance with the permit and reclamation plan shall be established. The planning commission may require a lien, surety bond, or other security guarantee acceptable to the county, conditioned upon faithful execution of the reclamation plan, including administrative costs and the estimated cost of inspections by a qualified professional. Any surety may be revised as necessary to maintain an amount equal to the cost of completing the

remaining reclamation as described in an approved or amended reclamation plan, required inspection costs, and administrative costs.

- G. Uses similar to uses permitted with a use permit. In any zone, a use not listed as a use permitted with a use permit may be approved subject to obtaining a use permit, upon presentation of substantial evidence and a finding by the planning commission that the use is compatible with the purpose of the zone and is similar in character and impact to specified uses permitted with a use permit in the subject zone.

18.100.040 Temporary use of mobilehome or recreational vehicle during construction of dwelling.

Notwithstanding any other provision of law, a mobilehome or recreational vehicle may be temporarily placed on a lot for human habitation for a period not to exceed one year, in conjunction with the construction of a permanent dwelling on the same lot when the criteria in this section is met.

- A. Prior to the installation of the mobilehome or use of the recreational vehicle, an administrative permit shall be obtained as provided in Chapter 18.124, and all required permits shall be obtained from the building department. No permit shall not be issued until the applicant presents evidence that a building permit for a permanent dwelling on the same lot or parcel has been or will be issued by the building department, all health department requirements for potable water and sewage disposal have been met, and all other requirements are met.
- B. The term of the administrative permit shall be one year. The permit shall be renewable annually for not more than one additional one-year term. Application for renewal shall be presented to the planning director prior to expiration of the administrative permit. The planning director shall verify that all requirements are met and that the building permit for the permanent dwelling has also been renewed.
- C. When the permit expires or the use terminates prior to expiration, the mobilehome or recreational vehicle shall cease to be used for human habitation and the mobilehome shall be removed from the property within thirty days after the date of expiration or termination.

18.100.050 Mobilehomes--Residential use.

Due to the transportable nature of mobilehomes and their impact on the community when not properly regulated, it is necessary to provide additional regulations and clarifications which apply to mobilehomes, in addition to any other requirement of law.

- A. A mobilehome, as defined in this title, shall be deemed to be a one-family dwelling, and shall be subject to the regulations for one-family dwellings set out in this title, except as otherwise specified.
- B. No mobilehome shall be parked on a public street or highway for more than twenty-four hours, nor occupied or used for sleeping purposes while parked on a public street or highway.

- C. No mobilehome may be stored on any lot. No mobilehome shall be placed on any lot, including a mobilehome park space, unless and until all requirements of this title are met, and until a mobilehome installation permit or other required permit is issued by the building department. Mobilehomes located on a mobilehome sales lot for the purpose of sale or lease are exempt from the requirements of this subsection.
- D. Temporary use during construction of a dwelling on the same lot, subject to obtaining an administrative permit as provided in Section 18.100.040.
- E. Use of a mobilehome as a temporary family care dwelling, as provided in Section 18.100.020.
- F. Mobilehomes located in mobilehome parks shall comply with all applicable requirements of this title and of law, and with all conditions placed on the issuance of a use permit.
- G. Mobilehome used as accessory building or for nonresidential use: As a condition of site plan review and issuance of a building permit, the structure shall comply with all zoning and building codes for the proposed use, and the owner shall execute and cause to be recorded in the office of the county recorder, a restriction binding on the owners. Their heirs, successors, and assigns, stating that the mobilehome has not been permitted as a dwelling and shall not be used for human habitation.

18. 100.060 Recreational vehicles.

Due to the transportable nature of recreational vehicles and the potential for adverse effects on health, safety, and community character, it is necessary to specify additional regulations and clarifications which apply to recreational vehicles, in addition to any other requirement of law. The use of recreational vehicles, as defined in this title, shall be as provided in this section.

- A. No recreational vehicle shall be parked on a public street or highway for more than twenty-four hours, nor occupied or used for sleeping purposes while parked on a public street or highway.
- B. Temporary occupancy: In any zone except the I, IL, or C zone, recreational vehicles may be located on a lot or parcel for occasional temporary occupancy as provided in this section. This section shall not apply to recreational vehicles located in a recreational vehicle park or on a recreational vehicle sales lot. No use under this section shall cause a nuisance or health hazard.
 - 1. Use in RR-4 through RR-15, LIC RC, TP, AE, or AG zone: Recreational vehicles may be used for occasional human habitation for a period not to exceed thirty consecutive days, or ninety calendar days, in anyone year.
 - 2. Use in RR-I through RR-3, RH, RL, or RT zone: Recreational vehicles shall be strictly limited to occasional occupancy, not to exceed thirty days in anyone year. No recreational vehicle may be stored in a required front yard.
 - 3. In the AE, AG, RC, LIC, TP, or OFG zone a recreational vehicle may be used for a period not to exceed one hundred eighty consecutive days in anyone year, subject to approval of an administrative permit and a finding that all requirements of the health department have been met, the use is desirable in connection with a bona fide agricultural operation or resource protection activity, and the temporary use furthers the purpose of the subject zone and general plan policies. The term of the

administrative permit may vary but shall not exceed five years. Any extension beyond five years shall require a use permit.

- C. Temporary occupancy during construction of dwelling on same lot, subject to obtaining an administrative permit as provided in Section 18.100.040.
- D. Use of recreational vehicle as a temporary family care dwelling, as provided in Section 18.100.020.
- E. Recreational vehicles located on a recreational vehicle sales lot shall not be used for human habitation.
- F. Storage of recreational vehicles: Recreational vehicles may be stored indefinitely on any lot, provided they are not used for human habitation. In an RH, RL, RR or RT zone, no recreational vehicle shall be stored in a required front yard. Recreational vehicle sales lots are exempt from this subsection.
- G. Recreational vehicle parks: Recreational vehicles located in recreational vehicle parks shall comply with all applicable requirements of this title and of law, and with any conditions of issuance of a use permit. No recreational vehicle shall remain in a recreational vehicle park for more than six months in one calendar year, unless modified by the conditions of an approved use permit.

Chapter 18.110 GENERAL DEVELOPMENT STANDARDS

Sections:

- 18.110.010 Regulations applicable.
- 18.110.020 Building sites--Lot size and width.
- 18.110.030 Access frontage.
- 18.110.040 Offstreet parking and loading.
- 18.110.050 Yards and special setbacks.
- 18.110.060 Height limits.
- 18.110.070 Signs.

18.110.010 Regulations applicable.

The regulations set out in this chapter shall apply in all zones unless a provision or exception is limited to certain zones, or unless the standard would conflict with the specific zone regulations, in which case the more specific or restrictive regulation shall apply.

18.110.020 Building sites--Lot size and width.

- A. Substandard building sites: A legally created lot which contains less area and/or width than is required by the applicable zone, and is not merged pursuant to the State Subdivision Map Act and/or local ordinance, may be developed as permitted by the zone in which the lot is located if:
 - 1. The owner has not, within the last one year, owned contiguous property which could be adjusted or combined with the substandard building site.
 - 2. The lot and proposed use otherwise meet all requirements of this title and law, and the criteria for the use in the zone in which is located does not specifically require the minimum lot size to be met.
- A. Lot size determination: The lot size shall be the gross area of a lot which is held in fee title by the lot owner, except when the minimum lot size is one acre or less all road easements, whether prescriptive or dedicated, along any property boundary shall be excluded. When the minimum lot size is five acres or more, a variation not to exceed two percent less than the minimum lot size shall be allowed for any parcel based on an aliquot part sectional subdivision. The true aliquot part sectional subdivision shall be determined in accordance with the procedures described in the current Manual of Surveying Instructions published by the Bureau of Land Management.
- B. Exception--Public entity or public utility: The minimum lot size and width required in any zone shall not apply to any public entity or public utility, provided the proposed use meets all other requirements of this title and law. Wherever a portion of a lot to be conveyed to a public entity for public use or public utility purposes does not meet the minimum lot size, the county may require the lot to be rezoned to the PF zone.
- C. Exception- Public health, safety, and welfare: Notwithstanding any other provision in this

title, no building or use shall be approved, erected, or constructed on a lot which does not meet the required lot size or width, and which could thereby endanger the public health, safety, or welfare. Such a determination made in writing to the applicant by any county official or body with jurisdiction to approve or grant a permit or other land use entitlement under this title shall be grounds for denial. The applicant or any interested person may appeal the decision to the appellate body as provided in Chapter 18.144. Notice and hearing shall be in the manner required for any permit or entitlement under consideration, or if none, as required for administrative permits.

18.110.030 Access frontage.

In any zone, each parcel shall have sixty feet of access frontage, except as otherwise provided in this title or approved by the body granting a permit or entitlement.

18.110.040 Offstreet parking and loading.

This section specifies offstreet parking and loading regulations for all land uses for the purposes of minimizing street congestion and traffic hazards, and assuring safe and convenient access to residences, businesses, and public places.

- A. Regulations applicable: Every building hereinafter installed or constructed, enlarged, or structurally altered, and every use of land hereinafter established or expanded, shall comply with the provisions of this section, except as follows:
 - 1. When a legal nonconforming permitted use or structure is extended or enlarged, this chapter shall apply only to the portion that is extended or enlarged.
 - 2. When a legally existing permitted use is changed to another permitted use, the new permitted use shall conform to this chapter, except the number of offstreet parking spaces may be reduced by five.
- B. Joint use parking areas: The joint use of offstreet parking areas may be authorized by the planning director in connection with site plan review, or by the planning commission in connection with a use permit application, subject to the following limitations and criteria:
 - 1. It is determined that there will be no conflict between the principal operating hours of the buildings or uses for which joint use of offsite parking is proposed. The affected owners shall execute and cause to be recorded in the office of the county recorder an agreement or conveyance approved as to form by county counsel and binding on their heirs, successors, and assigns guaranteeing that joint use of offsite parking will be available to serve the use for its duration.
 - 2. Up to fifty percent of the offstreet parking area required for "nighttime" or weekend uses, such as theaters, bowling alleys, bars, auditoriums, or churches may be supplied by the parking area required for daytime uses, such as banks, offices, retail sales, and personal service establishments; and up to fifty percent of the offstreet parking area for daytime uses may be supplied by the parking area for nighttime or weekend uses.
 - 3. Parking in the C, IL, I, or PF zone may be located offsite, within five hundred feet of

the use which it serves.

- C. Offstreet parking: The following parking requirements apply in all zones. The required parking is in addition to company operated vehicles. All computed numbers shall be rounded up to a whole number.
1. Dwelling units: One bedroom or second-dwelling unit: One space per unit. Two or more bedrooms: Two spaces per unit.
 2. Hotels, motels, boarding house, bed and breakfast inn: One space for each guest room plus one space per two employees, plus applicable required parking for additional uses.
 3. Mobilehome park: One and one-half spaces per unit, plus one recreational vehicle parking space for each four units.
 4. Nursing home, group care homes, convalescent hospitals: One space for each three beds.
 5. Hospitals: One space per bed.
 6. Church, social hall, club, community center, theater, or other place of public assembly: One space for each four seats in the principal seating area, or one space for every forty square feet in the principal seating area, whichever is greater.
 7. Libraries, museums: One space for each three hundred square feet of gross floor area.
 8. Schools: Grades K-8: One space per employee plus ten additional spaces. Grades 9 and over: One space for each five students plus one space for every two employees.
 9. Business or professional offices, including banks and other financial institutions, medical offices and clinics: One space for each three hundred square feet of gross floor area.
 10. Personal services: One space for each two hundred square feet of gross floor area.
 11. Bowling alley: Two spaces for each lane plus one space for each two hundred square feet of gross floor area devoted to accessory uses.
 12. Golf course: Two spaces per hole plus applicable required parking for accessory uses.
 13. Furniture and appliance stores or repair shops and similar uses which handle only bulky merchandise: One space for each six hundred square feet of gross floor area.
 14. Automobile or machinery sales and service garages, building materials supply, nursery or farm supply: One space for each five hundred square feet of gross floor area, plus one space for each two thousand square feet of outdoor sales or service area.
 15. Retail stores, second hand shops: Except as otherwise specified herein, one space for each two hundred square feet of gross floor area.
 16. Shopping center: One space for each two hundred square feet of gross floor area.
 17. Restaurants, bars: One space for each four seats. Drive-in restaurants: One space for each one hundred square feet of gross floor area plus one space for every two employees.
 18. Warehouses, storage buildings, wholesale and manufacturing operations: One space for each two hundred square feet of gross floor area, plus one space for each two employees on the largest shift, plus additional parking as required for retail uses if applicable.

19. Laboratories and research facilities: One space for each three hundred square feet of gross floor area.
20. Uses- not specified. Parking for uses not specified in this section shall be required in the number of spaces required for similar uses in this section, in terms of type, human activity, and traffic generation.
- D. Offstreet loading requirements: Offstreet loading requirements for uses which involve the handling of goods, materials and equipment: One offstreet loading space for the first ten thousand square feet of gross floor area, plus one space for each additional thirty five thousand-square feet of gross floor area.
- E. Parking areas--Design requirements:
 1. All parking areas which access onto a county road shall be reviewed by the county road department. All parking area which access onto a state highway shall be reviewed by the California Department of Transportation.
 2. All parking area designs shall limit direct access to and from adjacent public roads to a minimum number of encroachments.
 3. Commercial parking area encroachment: Twenty-four foot minimum travel width for two-way traffic; twelve foot minimum travel width for one-way traffic.
 4. Parking area design shall take into account natural drainage, slope, and other physical features of the site.
 5. Offstreet parking and loading spaces shall not occupy any part of any right-of-way or sight distance area.
 6. Minimum parking or loading space sizes:
 - a) Parking: Nine feet by eighteen feet.
 - b) Handicapped parking: Twelve feet by eighteen feet.
 - c) Parallel parking: Nine feet by twenty-four feet.
 - d) Loading: Twelve feet by twenty-two feet.

18.110.050 Yards.

The regulations for yards shall apply in all zones unless different yards are shown or described on a recorded final map, parcel map, an adopted plan or ordinance, or in the PD zone, except as otherwise provided, no building or structure shall be permitted within any required yard area. Wherever the minimum yard requirement of the zone in which the lot is located differs from the requirement in this section, the more restrictive requirement shall apply, unless otherwise specified.

- A. Preexisting buildings: Buildings which existed prior to the effective date of this section which do not conform to all of the yard requirements of the zone in which they are located may be enlarged or modified, provided the expansion or modification does not increase the degree of nonconformance.
- B. Measurement from right-of-way lines: Yards shall be measured from existing lot lines, or from the right-of-way lines, whether dedicated or prescriptive, of every road, highway, alley, access easement, or railroad if the lot lines are within such right-of-way.
- C. Lot with front and rear bounded by road: Where the front and rear lot lines both have road frontage, the front and rear yards shall meet the minimum front yard requirement

for the zone in which the lot is located, unless the lot is less than one acre. For purposes of this subsection, "road" does not include "alley."

- D. Lot with public road frontage:
 - 1. The yard for land abutting any street, road, or highway in the county road system or dedicated to public use shall be as provided in Title 12 of the Modoc County Code, and any variances shall be obtained pursuant to that title.
 - 2. For all highways and major roads shown as arterials or collectors in the Modoc County general plan, forty feet, or seventy feet from the right-of-way centerline, whichever is greater.
- E. Setback from land zoned TP. All buildings shall be set back one hundred feet from land zoned TP, except where no timber is located on and within one hundred feet of the boundaries of the subject TP zoned land, the setback may be eliminated.
- F. Setback from waste facilities. All structures and uses designed for human occupancy, and wells, shall be set back at least one thousand feet from existing waste disposal facilities, expansion areas for which environmental studies or permit applications have been filed, future sites designated in the general plan; or closed land disposal sites.
- G. Flag lots: For flag lots, the front yard shall be the yard which is located adjacent to the lot line which either intersects the flag lot driveway or which is a continuation of the driveway lot line.
- H. Architectural features or structural appendages: Cornices, eaves, canopies, and similar architectural features may extend into any required yard not more than two feet. Uncovered porches, stairways, fire escapes, or landing places may extend into any required yard not more than three feet.
- I. Modification in PD zone: The yard requirements in this chapter may be reduced, modified, or deleted in a PD zone.
- J. Distance between buildings: Each building shall be at least ten feet from every other building on the same lot, unless modifications to the building are made pursuant to the Uniform Fire Code.
- K. Dwelling or main building facing side yard: Where the dwelling or main building is located with the main entrance facing a side lot line, the minimum side yard shall be ten feet on the main entrance side.
- L. Buildings which house animals: Barns, stables, chicken houses, and similar buildings, and residential accessory buildings which house animals shall not be located closer than ten feet from side or rear lot lines, excluding lot lines adjacent to an alley or street; nor closer than twenty feet from any dwelling on the same or adjacent lot.
- M. Public utilities: Public utility telephone and electric distribution lines, and sidewalks, may be located in a required yard.
- N. Height limits: Yards may be required to be increased when height limits are exceeded when required by the zone in which the use is located, Section 18.110.060, or as a condition of a permit or entitlement.

18.110.060 Height limits.

Except as otherwise provided in this title, the following height limits shall apply in all zones:

- A. Roof structure: Roof structures for the housing of, elevators, stairways, tanks, ventilating fans, solar equipment, and similar equipment required to operate and maintain the building, and flagpoles, vents, chimneys, skylights, television and radio antennae, and similar structures, may be erected to a greater height than the height limit, provided no roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space. The maximum height limit for churches shall be seventy-five feet, provided that each yard shall be increased one foot for each foot in excess of the height limit for the zone in which the church is located.
- B. Signs: As provided in Section 18.110.070.
- C. Slope: Where the average grade under any dwelling exceeds fifteen percent, the maximum height limit shall be increased by fifteen feet on the downhill side of the building.
- D. Public utilities: Height limits shall not apply to public utility electric and telephone transmission and distribution lines and towers.
- E. Use permit: Except as otherwise provided, any structure in any zone may be erected to a height greater than the limit established for the zone in which the structure is located, provided that a use permit is first obtained.
- F. AH zone: The height limits in the AH zone shall supersede all other height regulations, whenever the AH zone regulation is more restrictive.

18.110.070 Signs.

Except as otherwise provided in this title or section, the following sign regulations shall apply in all zones.

- A. Sign type: In any zone, the following signs shall be permitted subject to the limitations and criteria in this section and the subject zone. Nonappurtenant signs shall be subject to any other regulations under the California Outdoor Advertising Act. All signs described in this section may locate without regard to distances from other signs, except as specifically provided.
 - 1. Noncommercial/official signs: The following signs shall not be regulated by this title: Official signs of a noncommercial nature erected by, on behalf of, or pursuant to the authority of public utilities or public entities; flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial drive or used as an advertising device; or signs proclaiming religious, political, or other noncommercial messages limited to one per abutting street provided each sign area does not exceed sixteen square feet.
 - 2. Community identification signs: Signs placed near a city or county boundary identifying such city or county and the names of civic, fraternal, or religious organizations located therein, limited to not more than four per community provided each sign area does not exceed sixty-four square feet and the sign location is not zoned RH, RL, or RR.
- B. 3. Private traffic signs: Signs directing and guiding traffic on private property provided each sign does not exceed four square feet in area and bears no advertising matter.

3. Appurtenant real estate for sale, lease, or rent (including buildings) signs: One sign per abutting street, plus one additional sign along each two hundred feet of continuous street frontage, provided each sign area does not exceed thirty-two square feet; except in the RH, RL, or RR zone, or RT zone with a dwelling, each sign area shall not exceed six square feet. In addition, for each five lots for sale or lease, one onsite and one offsite sign provided each sign area does not exceed thirty-two square feet.
4. Temporary signs: One sign per lot provided each sign area does not exceed thirty-two square feet, except in the RH, RL, or RR zone the total temporary sign area shall not exceed four square feet.
5. Appurtenant construction site identification signs: One sign per abutting street, plus one additional sign along each two hundred feet of lot line provided each sign area does not exceed thirty-two square feet. Such signs shall not be erected prior to the issuance of a building permit and shall be removed within fifteen days after the issuance of the final occupancy permit.
6. Appurtenant accessory residential signs: Signs customarily associated with residential use provided each sign area does not exceed four square feet and bears no advertising matter, such as property identification, warning, private parking, or noncommercial organization affiliations signs. In the RH, RL, or RR zone the aggregate sign area shall not exceed sixteen square feet under this subsection. In addition to the above, for a subdivision of five or more lots, a multiple-family development, or common facilities for use by occupants of such developments, one or more signs identifying the subdivision, common facilities, or multiple-family development may be located at each entrance provided the aggregate sign area at each entrance does not exceed thirty-two square feet.
7. Home occupation: When any sign is used in connection with a home occupation, it shall be limited to one nameplate attached on and flush with the dwelling or accessory building not to exceed six inches by twelve inches. No use permit or variance may be issued which would allow an increase in the number or size of the sign as provided in this subsection.
8. Appurtenant signs in It, I, or C zone, or RI zone with no dwelling: (a) One freestanding sign along each one hundred lineal feet of street frontage provided where there is less than one hundred lineal feet each sign area does not exceed thirty-two square feet, and where there is more than one hundred feet each sign area does not exceed sixty-four square feet, and (b) Building signs provided the aggregate building sign area does not exceed the greater of one foot in area for each lineal foot of building frontage or sixty-four square feet, This subsection shall also apply to a lot occupied by three or more business enterprises that are integrated with a common access, such as a shopping center, or one or more buildings with spaces for multiple businesses.
9. Appurtenant signs in specified zones: In any zone except the RR, RL, RR, RT with a dwelling, C, IL, or I zone, one along each abutting street, provided each sign area does not exceed thirty-two square feet. Where the lot or parcel abuts a street for a continuous distance of more than four hundred feet one sign may be erected along

each four hundred foot segment.

- C. Determination of number: Each display device whose elements are organized, related, or composed to form a unit shall be counted as one sign. Where matter is displayed in a random manner without organized relationship of elements, each element shall be counted as one sign. A two-sided or multi-sided sign shall be counted as one sign provided the maximum distance between the backs of each face of the sign do not exceed five feet.
- D. Use permit: Except as otherwise provided, signs that exceed the size or number criteria in this section may be permitted subject to obtaining a use permit.
- E. Sign area: Sign area means the sum of the area enclosed within the sign frame, or measured to the outside boundary perimeter around the outer limits of the sign elements including any voids within such perimeter. For a two-sided or multi-sided sign, each side shall be allowed the permitted sign area.
- F. Sign area--Lot without street frontage: For a lot without street frontage a portion of the aggregate permitted sign area, including that portion which would be permitted if the lot had street frontage calculated as the lineal footage of the lot line facing the street providing access, may be allocated to one nonappurtenant sign located at or along each street frontage that provides access to the lot, provided the proposed location is not zoned RH, RL, or RR. Each sign area shall not exceed the applicable sign area that would apply if the lot had street frontage.
- G. Animation or movement: No blinking, flashing, rotating, or animated signs, or signs that change intensity or color or emit smoke, noise, odors, etc., shall be permitted, except to display the date, time and weather information.
- H. Color: No red, green, or amber lights, or illuminated signs shall be located in such position that they could reasonably be expected to interfere or be confused with any official traffic control device, signal, or directional signs.
- I. Illumination: Lights used to illuminate signs or advertising structures shall be installed so as to concentrate the illumination of the sign or advertising structure and minimize glare or direct illumination upon a public street or adjacent lot.
- J. Heights: Building mounted signs shall not extend above the roof line of the building to which they are attached, except to display the time, date, and weather information. Freestanding signs shall not exceed the maximum building height in the zone in which the sign is located.
- K. Clearance: Each freestanding sign or building sign that projects more than twelve inches from the face on which it is attached shall have at least eight feet of clearance between the sign and the underlying surface.
- L. Clearance--Public right-of-way: No sign shall be permitted in or over a public right-of-way, unless an encroachment permit has been obtained from the appropriate agency, except signs attached to the face of a building located within such right-of-way shall be located at least twelve feet above the surface of the right-of-way. Attached signs and floodlights placed within any public right-of-way shall have at least twelve feet of clearance between the sign and surface of said right-of-way and shall also comply with Chapter 12.04 of the Modoc County Code.
- M. Maintenance: All signs shall be maintained in a safe and readable condition and shall advertise a valid operating activity, including seasonal activities. A sign shall be considered

unreadable when twenty percent or more of the face is removed or indistinguishable.

Chapter 18.120 SITE PLAN REVIEW

Sections:

- 18.120.010 Purpose.
- 18.120.020 Applicability.
- 18.120.030 Application.
- 18.120.040 Planning director action.
- 18.120.050 Appeal and hearing.
- 18.120.060 Effect of action.

18.120.010 Purpose.

The purpose of site plan review is to assure consistency of all development with the provisions of this title, the general plan, and any applicable specific plan.

18.120.020 Applicability.

Site plan review shall be conducted for all land use entitlements requiring site plan review as specified by this title, as provided in this chapter. Every application for a building permit to construct, reconstruct, relocate, erect, place, enlarge, or extend a building or structure, or to alter or otherwise modify a building or structure for the purpose of changing the use thereof, shall require site plan review. Site plan review, and any action, condition, determination, or appeal relating to site plan review, is determined to be an administrative action and does not require public notice and hearing.

18.120.030 Application.

- A. **Form and contents:** Each application for a permit, building permit, or entitlement requiring site plan review shall include (1) a detailed site plan, drawn to scale, showing the existing and proposed uses, buildings, improvements, and other development of the entire lot, including parking, setbacks, heights, and yards, easements, roads and any other information required to determine compliance with this title, and (2) applicable fees.
- B. **Completeness:** Within thirty days of receiving an application, the planning department shall provide the applicant with written notice of any deficiencies. Each resubmittal shall again commence the review and submittal procedures described in this subsection. Failure of the applicant to respond within thirty days to any written notice that the application is incomplete, or to any request to amplify, clarify, correct, or otherwise supplement the application, shall be deemed to be an abandonment of the application and no further action shall be taken on it. The applicant may, within ten days of receiving a notice of deficiency, appeal the determination of the planning department to the planning commission, and subsequently the board of supervisors as provided Chapter

18.144. Notice of hearing shall be given as provided in Section 18.140.060.

18.120.040 Planning director action.

Within twenty days after accepting an application as complete, the planning director shall determine its compliance with the provisions of this title, the general plan, and any applicable specific plan, and shall then approve, approve subject to conditions, or deny the application. Any conditions imposed shall be limited to (1) terms, conditions, or modifications to the project to conform it to the provisions of this title, the general plan, or any applicable specific plan, and (2) the recording of a document, on a form prescribed by the planning director and approved by county counsel, in the office of the county recorder, providing notice of terms or conditions of the land use entitlement.

18.120.050 Appeal and hearing.

Any interested person may appeal the decision of the planning director as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.060. The planning commission shall not grant any approval that would otherwise require a use permit, variance or administrative permit without the proper application and procedures for such. The decision of the commission shall be final.

18.120.060 Effect of action.

- A. No building permit, mobilehome installation permit, or other permit issued by the county for any entitlement for which site plan review is required shall be issued or used until the site plan has been approved, revised to conform with the conditions of approval, and finally approved, or unless and until any appeal results in an approved site plan. No building permit, mobilehome installation permit, or other entitlement requiring site plan review shall be issued which is not in conformance with the approved site plan.
- B. Every approved site plan expires and becomes null and void within one year from the date of approval, or affirmation of approval upon appeal, without any further action by Modoc County, unless a building permit or entitlement for the proposed activity, use, or building has been legally issued and the building, use, or activity has been substantially commenced prior to the expiration date, or the permittee shows that conditions beyond the control of the applicant prevented substantial progress. Such declaration by the applicant shall be submitted to the planning director prior to the expiration date. Within thirty days the director shall make a decision and provide written notice thereof to the applicant who may appeal the decision of the planning director as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.060. The decision of the planning commission shall be final.

Chapter 18.124 ADMINISTRATIVE PERMITS

Sections:

- 18.124.010 Applicability.
- 18.124.020 Application.
- 18.124.030 Planning director action.
- 18.124.040 Permit conditions and terms.
- 18.124.050 Appeals.
- 18.124.060 Revocation of permit.
- 18.124.070 Expiration by inaction.
- 18.124.080 Surrender of permit.

18.124.010 Applicability.

An administrative permit may be granted for any of the uses for which administrative permits are required by this title, as provided in this chapter. Administrative permits and any action, condition, determination, or appeal relating thereto is determined to be an administrative action and does not require public notice and hearing.

18 124 020 Application.

- A. **Form and contents:** An application for an administrative permit shall be made in writing on a form prescribed by the planning director, and shall be accompanied by (1) a clear and concise description of the proposed use and accompanying activities; (2) plans, maps, or other documents, reproducible and drawn to scale, showing the project location and details of the proposed use, buildings, and facilities; (3) information demonstrating compliance with provisions applicable to the proposed uses and this title; (4) written authorization of the property owner; and (5) fees.
- B. **Completeness:** No application shall be accepted as complete until all fees, the application form and all required information are filed with and accepted as complete by the planning department. Within thirty days after receiving an application the planning department shall provide the applicant with written notice of any deficiencies. Each resubmittal shall again commence the review and submittal procedures described in this subsection. Failure of the applicant to respond within thirty days to any written notice that the application is incomplete, or to any request to amplify, clarify~ correct, or otherwise supplement the application, shall be deemed to be an abandonment of the application and no further action shall be taken on it. Within ten days of receiving a notice of deficiency, the applicant may appeal the determination to the planning commission and subsequently the board of supervisors as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.060.

18.124.030 Planning director action.

- A. Within twenty days after accepting an application as complete, the planning director shall determine its compliance with the provisions of this title, the general plan, and any applicable specific plan, and shall give written notice to the applicant of the decision to approve, approve subject to conditions, deny, or refer the application to the planning commission. If referred, the commission shall make its determination within sixty days from the date the application is accepted as complete.
- B. If the director or commission determines the application complies with all criteria applicable to the proposed use, the administrative permit shall be approved. Reasonable conditions may be imposed as required to conform the proposed uses to applicable criteria in this title. If it is determined the application does not meet all applicable criteria and cannot reasonably be made to conform to the requirements through the imposition of conditions, the application shall be denied.

18.124.040 Permit conditions and terms.

- A. The granting of any administrative permit may be conditioned upon (1) minor modifications to the proposal to conform it criteria applicable to the proposed uses and this title, (2) the recording of a document, on a form prescribed by the planning director and approved by county counsel, in the office of the county recorder, providing notice of terms or conditions of the administrative permit, and (3) any security or fees required to assure continued compliance.
- B. Any administrative permit granted may be limited to a term set when the administrative permit is approved, and when renewed if applicable. The establishment, maintenance, or operation of any use pursuant to this chapter shall cease at the end of the term, if any, of the administrative permit.

18.124.050 Appeal and hearing.

The applicant may appeal the decision of the planning director to the planning commission. The decision of the commission shall be final, or if the application was referred to the commission its decision may be appealed to the board of supervisors, as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.060. The commission or board shall not grant any approval that would otherwise require a use permit or variance without the proper application and procedures for such.

18.124.060 Revocation of permit.

Every administrative permit issued pursuant to this chapter is revocable, as provided in this section.

- A. Whenever the planning director or planning commission determines that one or more ground exists for revocation of an administrative permit, the planning commission may revoke the administrative permit after notice given as provided in Section 18.140.060.

Grounds for revocation include, but are not limited to:

1. Noncompliance with permit conditions.
 2. Violation of any law relating to the permit.
 3. Expansion of the use that is the subject of the permit without an amendment or new permit.
 4. Exercising or conducting the use in a manner that threatens or is injurious to public health or safety or constitutes a nuisance.
 5. False or erroneous information in the record as to a material matter or significant issue regarding the use.
- B. After the hearing the planning commission may revoke the permit, or decline to revoke the permit. In lieu of revocation, the commission may amend existing conditions of approval or impose additional conditions, to the extent allowed by this title and any other law. No conditions shall be imposed which would have the effect of granting a variance, except as provided in this title, unless the appropriate application is made.

18.124.070 Expiration by inaction

- A. Every administrative permit expires and is null and void without further action by Modoc County if the activity for which the permit was granted has not been actively and substantially commenced within one year from the date of its approval, or affirmation on appeal. The planning director has the authority to declare, based on length of time and operation of law, the permit abandoned, and therefore null and void, unless an extension is granted as provided in Subsection B.
- B. The planning director may extend the time for commencement of the use or activity for which an administrative permit was granted, if a written request for an extension of time stating the grounds therefor is submitted to the planning director prior to the expiration of the permit: A reasonable extension of time shall be approved if the permittee shows that circumstances beyond the permittee's control have prevented the permittee from taking sufficient action. Notice of the decision shall be mailed or delivered to the applicant.
- C. The decision of the director on the request for an extension may be appealed to the planning commission as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.050.

18.124.080 Surrender of permit

The holder of an administrative permit may surrender it to the planning department at any time and thereafter shall cease to engage in, operate, or maintain the use.

Chapter 18.126 **PLANNED DEVELOPMENT PERMIT**

Sections:

- 18.126.010 Purpose.
- 18.126.020 Applicability.
- 18.126.030 Incorporation of specific plan or tentative map.
- 18.126.040 Application.
- 18.126.050 Planning commission action.
- 18.126.060 Appeals.
- 18.126.070 Legal requirements.
- 18.126.080 Expiration by inaction.
- 18.126.090 Extension of time.
- 18.126.100 Amendment of permit.
- 18.126.110 Revocation.

18.126.010 Purpose.

A planned development permit provides a process whereby the county may consider comprehensive development proposed in connection with the rezoning of land to the PD zone. The county may accept applications for a planned development permit in locations where a proposed development is consistent with the general plan and any applicable specific plan.

18.126.020 Applicability.

The regulations in this chapter shall apply whenever a planned development permit is required by this title. Every planned development permit shall fully describe all uses and buildings existing on the lot on the date the application is approved, and thereafter, development, uses and buildings permitted shall be those which conform to the planned development permit.

18.126.030 Incorporation of specific plan or tentative map.

- A. A tentative subdivision map, when applicable, shall constitute a major element of the planned development permit application. All maps shall be consistent with the proposed application. The processing of all maps shall comply with all applicable laws and ordinances pertaining to such maps. The tentative approval of any map shall be conditioned upon approval of the associated planned development permit.
- B. When applicable, specific plans may be incorporated by inclusion or reference into a planned development permit application, provided that all provisions of this chapter are adequately addressed and that, in the event that the planned development permit is granted, all findings and conditions of approval specified in this chapter are effected.

18.126.040 Application.

- A. Pre-application: Prior to making an application, the planning department may arrange a conference with the applicant and all applicable county departments to review the proposal concept, design, and related issues. At the request of the applicant or agent, or action of the planning director, the project concept may be referred to the planning commission for interpretive actions.
- B. Form and contents: An application for a planned development permit shall be made to the planning department on a form prescribed by the planning director, and shall be accompanied by:
 - 1. A clear and concise description of the existing and proposed uses and accompanying activities.
 - 2. Plans, maps, or other documents, reproducible and drawn to scale, showing the project location and details of the proposed uses, buildings, facilities, and legal boundary of the project.
 - 3. General topography, at contour intervals of ~~ten~~ feet, plus all natural drainage features.
 - 4. Proposed street system, parking and lot design, and existing right-of-way lines and other easements.
 - 5. Areas proposed to be dedicated or reserved for parks, playgrounds, school sites, public or quasi-public buildings, and similar uses, and locations and description of project amenities held in common.
 - 6. Areas proposed for specified uses, such as multiple-family dwellings, equestrian stables, etc. and all other uses proposed to be established within the zone district.
 - 7. General elevations and representative architectural drawings of proposed buildings and structures.
 - 8. The extent, location, and general arrangement of all open space and landscaping.
 - 9. The sequence of development if the project is proposed to be developed in phases, and the sequence of services.
 - 10. A plan for financing the construction, maintenance and operation of the development.
 - 11. Other data and information which may be deemed necessary by the planning commission or the planning department for proper consideration of the application, including consistency with the general plan and the provisions of this title, and environmental review information.
 - 12. Fees.
- C. Completeness: No application shall be accepted as complete until all fees, the application form and all required information are filed with and accepted as complete by the planning department. Within thirty days of receiving an application the planning department shall provide the applicant with written notice of any deficiencies. Each resubmittal shall again commence the review and submittal procedures described in this subsection. Failure of the applicant to respond within thirty days to any written notice that the application is incomplete, or to any request to amplify, clarify, correct, or otherwise supplement the application, shall be deemed to be an abandonment of the application and no further

action shall be taken on it. The applicant may, within ten days of receiving a notice of deficiency, appeal the determination of the planning department to the planning commission and subsequently the board of supervisors as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.060.

- D. Environmental review: All applications shall be reviewed pursuant to and for compliance with the California Environmental Quality Act (CEQA) under procedures established by the board of supervisors. Conditions of approval recommended pursuant to CEQA review shall be transmitted to the planning director.
- E. Planning director's report: All applications shall be reviewed by the planning director, who may consult with any persons for the purpose of technical review. The report of the planning director, including any recommended conditions of approval, shall be transmitted to the planning commission and applicant at least five days prior to hearing on the application.

18.126.050 Planning commission action.

- A. Public hearing: The planning commission shall hold a public hearing as provided in Chapter 18.140 on each application for a planned development after the application is accepted as complete. Notice of hearing shall be given by the planning director as provided in Section 18.140.050.
- B. Action: After the hearing the planning commission may approve, approve subject to conditions, or deny the application for a planned development permit. The approval shall clearly describe the plan for development, set forth all conditions, and include the findings and requirements in this section.
- C. Findings: In addition to any other finding required for concurrent applications, the planning commission shall make the following written findings addressing in which respects the development would or would not be in the public interest, including conclusions on the following:
 - 1. In which respects the development plan and/or applicable specific plan is not consistent with the provisions and purposes of the PD zone and the general plan.
 - 2. The extent to which the development or specific plan varies from zoning and subdivision regulations otherwise applicable to the particular property or the type of development proposed.
 - 3. The physical design of the development plan and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further amenities of light and air, recreation and visual enjoyment.
 - 4. The relationship, beneficial or adverse, of the proposed planned development to the area in which it is proposed to be established.
 - 5. In the case of a plan proposed for development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the development and the integrity of the development plan.
- D. Elements of permit: Any approval of a planned development permit shall specify the

following:

1. The incorporation, by reference or attachment, of all associated specific plans, subdivision maps and certificates.
 2. All conditions of approval, including all permitted uses and densities of usage with their specific locations.
 2. Clarification of the sequence of development if the project is proposed to be developed in phases.
 3. Any architectural design plans or features required, or landscaping.
 4. The type of security proposed to construct and maintain all improvements, and the form of all performance bonds, if any.
 5. Clarification of the location and use of all open space and/or common property areas and easements.
 6. The requirement to rezone lands to the PD zone if applicable, and the incorporation of the appropriate provisions of each approved planned development permit as a part of the ordinance to accomplish the rezoning.
- E. Conditions: The granting of any planned development permit may be conditioned upon (1) terms, conditions, or modifications to the proposal for the purpose of assuring that the proposal complies with all criteria applicable to the proposed development, (2) dedication of land or posting of a bond to 'guarantee the installation of public improvements which are reasonably related to the uses for which the permit is granted, (3) the recording of a document, on a form as prescribed by the planning director and approved by county counsel, in the office of the county recorder, providing notice of the terms and/or conditions of granting the permit, or (4) security, fees, agreements, or other assurances deemed necessary to insure compliance with any conditions imposed.

18.126.060 Appeals:

Any interested person may appeal the decision of the planning commission provided in Chapter as 18.144. Notice of hearing shall be given as provided in Section 18.140.050.

18.126.070 Legal requirements.

In a planned development containing areas of common ownership, the subdivision map, dedication, covenants, and other recorded legal agreements must meet the following criteria. Where any of the following may not be applicable, the developer may substitute alternative suggestions for consideration. All legal documents required by this chapter shall be approved as to legal form and effect by county counsel.

- A. Legally create an automatic-membership, non-profit, home or property owners association, district, or similar instrument.
- B. Place title to the common property in the home or property owners association or district.
- C. Place responsibility for operation and maintenance of the common property in the home or property owners association or district, or give definite assurance that it automatically will be so placed within a reasonable definite time.
- D. Appropriately and permanently limit the use of the common property, and give each lot

- owner the right of use and enjoyment of the common property.
- E. Place an association charge on each lot in a manner which will assure sufficient funds, such charge to be a lien on the property, and provide adequate safeguards for the lot owners against undesirable high charges; or create appropriate assessment districts.
 - F. Restrict the use of the property to the uses specified by the planned development permit.

18.126.080 Expiration by inaction.

Every planned development permit expires and is null and void without further action by Modoc County if the adoption of the ordinance to apply the PD zone has not occurred within three years from the date the planned development permit was approved, or affirmation of approval on appeal, unless an extension of time is granted as provided in this chapter. The planning director has the authority to declare, based on length of time and operation of law, the planned development permit abandoned, and therefore null and void.

18.126.090 Extension of time for commencement.

In addition to the provisions in this section, the requirements in Sections 18.126.040 through 18.126.070 shall apply to an application for an extension made subsequent to approval.

- A. The planning commission may extend the time for commencement of development in accordance with the approved permit if an application for an extension of time is made to the planning director prior to expiration of the planned development permit, or upon its own motion. The commission shall hold a public hearing. Notice shall be given as provided in Section 18.140.050.
- B. The planning commission may approve or deny the extension. The amount of time to commence the use or activity shall not extend, in total, more than five years from the date the permit is approved, or affirmation of approval on appeal, or such longer time as is consistent with the time limits for the expiration of an approved tentative map. In lieu of denying an extension, the commission may amend existing conditions of approval or impose additional conditions, if the grounds which justify denial can be corrected or cured by such modifications. Any extension of time shall be approved without modification of conditions, except as required for health or safety, if the permittee shows that circumstances beyond the permittee's control have prevented the permittee from taking sufficient action.
- C. The decision by the commission relating to the request for an extension of time may be appealed to the board of supervisors as provided in Chapter 18.144. Notice shall be given as provided in Section 18.140.050.

18.126.100 Amendment of permit.

- A. Any significant alteration or expansion of a planned development for which a planned development permit was obtained shall require amendment to the approved permit. Plans adequately detailing the amendment shall be submitted to the planning department

for determination of appropriate processing.

18.126.110 Revocation.

Every planned development permit issued under this chapter is revocable as provided in this section.

- A. Whenever the planning director or planning commission determines that one or more ground exists for revocation of a planned' development permit, the planning commission may pursue the matter by holding a public hearing. Notice shall be given as provided in Section 18.140.050, for the purpose of revoking the permit. The grounds for revocation include, but are not limited to:
 - 1. Noncompliance with permit conditions.
 - 2. Violation of any law relating to the permit.
 - 3. Expansion of the use that is the subject of the permit without an amendment or new permit.
 - 4. 4. Exercising or conducting the use in a manner that threatens or is injurious to public health or safety or constitutes a nuisance.
 - 5. False or erroneous information in the record as to a material matter or significant issue regarding use.
- B. The planning commission may revoke or decline to revoke the permit. In lieu of revocation, the commission may amend existing conditions of approval, or impose additional conditions~ if the grounds which justify revocation can be corrected or cured by such modifications.
- C. The decision of the commission may be appealed to the board of supervisors, as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.050.
- D. If the permit is revoked, the county may initiate as application to rezone the property from the PD zone if applicable.

Chapter 18.128 **USE PERMITS**

Sections:

- 18.128.010 Applicability.
- 18.128.020 Application.
- 18.128.030 Planning commission action.
- 18.128.040 Appeals.
- 18.128.050 Effect of action/Appeal waiting period.
- 18.128.060 Expiration by inaction.
- 18.128.070 Extension of time for commencement.
- 18.128.080 Amendment of use permit.
- 18.128.090 Revocation.
- 18.128.100 Surrender of permit.

18.128.010 **Applicability.**

A use permit may be granted for any of the uses or purposes for which use permits are required in this title, as provided in this chapter. Every use permit shall fully describe all uses and buildings existing on the lot on the date the application is approved, and thereafter, the only uses and buildings permitted on the lot are those described in the use permit.

18.128.020 **Application.**

- A. Form and contents: An application for a use permit shall be made to the planning department on a form prescribed by the planning director, and shall be accompanied by (1) a clear and concise description of the existing and proposed uses and accompanying activities, (2) plans, maps, or other documents, reproducible and drawn to scale, showing the project location and details of the proposed use, buildings, and facilities, (3) information demonstrating compliance with provisions applicable to the proposed uses and this title, (4) written authorization of the property owner, (5) fees, and (6) environmental review forms.
- B. Completeness: No application shall be accepted as complete until all fees, the application form and all required information are filed with and accepted as complete by the planning department. Within thirty days after receiving an application the planning department shall provide the applicant with written notice of any deficiencies. Each resubmittal shall again commence the review and submittal procedures described in this subsection. Failure of the applicant to respond within thirty days to any written notice that the application is incomplete, or to any request to amplify, clarify, correct, or otherwise supplement the application, shall be deemed to be an abandonment of the application and no further action shall be taken on it. The applicant may, within ten days of receiving a notice of deficiency, appeal the determination of the planning department to the planning commission and subsequently the board of supervisors as provided in Chapter

18.144. Notice of hearing shall be given as provided in Section 18.140.060.

- C. Environmental review: All applications shall be reviewed pursuant to and for compliance with the California Environmental Quality Act (CEQA) under procedures established by the board of supervisors. Conditions of approval recommended pursuant to CEQA review shall be transmitted to the planning director.
- D. Planning director's report: All applications shall be reviewed by the planning director, who may consult with any persons for the purpose of technical review. The report of the planning director, including any recommended conditions of approval, shall be transmitted to the planning commission and applicant at least five days prior to hearing on the application.

18.128.030 Planning commission action.

- A. Public hearing: The planning commission shall hold a public hearing on each application for a use permit as provided in Chapter 18.140 after the application is accepted as complete. Notice of public hearing shall be given by the planning director as provided in Section 18.140.050.
- B. Action: After the hearing the planning commission may approve, approve subject to conditions, or deny the application for a use permit. The approval shall clearly describe the uses permitted, set forth all conditions, and identify which conditions, if any, must be met prior to use of the use permit. In approving the use permit, the commission may extend the one year time period for commencement of the uses or activities for an additional year.
- C. Findings: No use permit shall be granted unless written findings are made that the establishment, maintenance, or operation of the proposed use, building, or facilities (1) will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the vicinity of the proposed use, (2) will not be detrimental or injurious to property in the vicinity, or to the general welfare of the county, (3) the purposes of this title would not be better achieved by changing the zone rather than by issuing the use permit, and (4) the proposed use, at the location proposed, is consistent with the purpose of the zone in which it is located. Findings shall additionally be made as required by other provisions of this title when applicable to the proposed uses.
- D. Conditions: The granting of any use permit may be conditioned upon (1) terms, conditions, or modifications to the proposal for the purpose of assuring that the proposal complies with criteria applicable to the proposed uses and this title, (2) dedication of land or posting of a bond to guarantee the installation of public improvements which are reasonably related to the use for which the use permit is granted, (3) the recording of a document, on a form prescribed by the planning director and approved by county counsel, in the office of the county recorder, providing notice of the terms and/or conditions of granting the use permit, (4) security, fees, agreements, or other assurances deemed necessary to insure continued compliance with any conditions imposed, or (5) a limitation on the administrative or permitted uses listed in the zone in which the use is located.

18.128.040 Appeals.

Any interested person may decision of the planning commission as provided 18.144. Notice of public hearing shall be given as Section 18.140.050, appeal the in Chapter provided in

18.128.050 Effect of action/Appeal waiting period.

- A. No building permit, mobilehome installation permit, or other entitlement issued by the county, for a use requiring a use permit shall be issued until the appeal period has expired and any appeal results in the granting of the use permit.
- B. Executed use permit: After the appeal period has expired, or affirmation of approval on appeal, the planning director _ shall mail the applicant a copy of the executed use permit authorizing the conduct of the uses and activities described, provided any precedent conditions imposed by Subsection D of Section 18.128.030, or on appeal, have been met.

18.128.060 Expiration by inaction.

Every use permit expires and is null and void without further action by Modoc County if the activity for which the permit was granted has not been actively and substantially commenced within one year from the date of approval, or affirmation of approval on appeal, unless an extension of time is granted as provided in this chapter. The planning director has the authority to declare, based on length of time and operation of law, the use permit abandoned, and therefore null and void.

18.128.070 Extension of time for commencement.

In addition to the provisions in this section, the requirements in Sections 18.128.030 through 18.128.050 shall apply to an application for an extension made subsequent to approval.

- A. The planning director may extend the time for commencement of the use or activity for an initial one year period if an application for an extension of time is made prior to expiration of the use permit, substantiating that circumstances beyond the permittee's control have prevented the permittee from taking sufficient action. An extension granted under this subsection is determined to be an administrative action and does not require public notice and hearing. Within ten days of the decision, the applicant may appeal the decision to the planning commission as provided in Chapter 18.144. Notice shall be given as provided in Section 18.140.060.
- B. When the criteria under Subsection A is not met or the extension exceeds one year, the planning commission may extend the time for commencement of the use or activity if an application for an extension of time is made to the planning director prior to expiration of the use permit. The commission shall hold a public hearing. Notice of public hearing shall be given as provided in Section 18.140.050.
- C. The planning commission may approve or deny the extension. In lieu of denying an

extension, the commission may amend existing conditions of approval or impose additional conditions, if the grounds which justify denial can be corrected or cured by such modifications. Any extension(s) of time that does not extend in total more than three years from the date the use permit is approved, or affirmed on appeal, shall be approved without modification of conditions, except as required for health or safety, if the permittee shows that circumstances beyond the permittee's control have prevented the permittee from taking sufficient action.

- D. The decision by the commission relating to the request for an extension of time may be appealed to the board of supervisors as provided in Chapter 18.144. Notice of public hearing shall be given as provided in Section 18.140.050.

18.128.080 Amendment of use permit.

Any use permit may be amended. The provisions of Sections 18.128.020 through 18.128.060 shall apply to any application to amend a use permit.

18.128.090 Revocation.

Every use permit issued under this chapter is revocable as provided in this section.

- A. Whenever the planning director, or planning commission, determines that one or more ground exists for revocation of a use permit, the planning commission may pursue the matter by holding a public hearing, noticed as provided in Section 18.140.050, for the purpose of revoking of the use permit. The grounds for revocation include, but are not limited to:
1. Noncompliance with permit conditions.
 2. Violation of any law relating to the permit.
 3. Expansion of the use that is the subject of the permit without an amendment or new permit.
 4. Exercising or conducting the use in a manner that threatens or is injurious to public health or safety or constitutes a nuisance.
 5. False or erroneous information in the record as to a material matter or significant issue regarding the use.
- B. The planning commission may revoke or decline to revoke the use permit. In lieu of revocation, the commission may amend existing conditions of approval, or impose additional conditions, if the grounds which justify revocation can be corrected or cured by such modifications.
- C. The decision of the commission in the matter of the revocation may be appealed to the board of supervisors as provided in Chapter 18.144. Notice of public hearing shall be given as provided in Section 18.140.050.

18.128.100 Surrender of permit.

The holder of a use permit may surrender it to the planning department at *any* time and

thereafter shall cease to engage in, operate, or maintain the use.

Chapter 18.132 VARIANCE

Sections:

- 18.132.010 Applicability.
- 18.132.020 Application.
- 18.132.030 Planning commission action.
- 18.132.040 Appeals.
- 18.132.050 Effect of action/Appeal waiting period.
- 18.132.060 Expiration by inaction.
- 18.132.070 Extension of time for commencement.
- 18.132.080 Revocation.
- 18.132.090 Surrender of permit.

18.132.010 Applicability.

Variances from the terms of any regulation established by this title may be approved as provided in this chapter unless specifically preempted.

18.132.020 Application.

- A. **Form and contents:** An application for a variance shall be made to the planning department on a form prescribed by the planning director, and shall be accompanied by (1) plans, maps, or other documents, reproducible and drawn to scale, describing the location and details of the proposed variance, (2) statements and evidence verifying the required findings and compliance with this title, (3) written authorization of the property owner, (4) environmental review forms, and (5) fees.
- B. **Completeness:** No application shall be accepted as complete until all fees, the application form and all required information are filed with and accepted as complete by the planning department. Within thirty days after receiving an application the planning department shall provide the applicant with written notice of any deficiencies. Each resubmittal shall again commence the review and submittal procedures described in this subsection. Failure of the applicant to respond within thirty days to any written notice that the application is incomplete, or to any request to amplify, clarify, correct, or otherwise supplement the application, shall be deemed to be an abandonment of the application and no further action shall be taken on it. The applicant may, within ten days of receiving a notice of deficiency, appeal the determination of the planning department to the planning commission and subsequently the board of supervisors as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.050.
- C. **Environmental review:** All applications shall be reviewed pursuant to and for compliance with the California Environmental Quality Act (CEQA) under procedures established by the board of supervisors. Conditions of approval recommended pursuant to CEQA review shall be transmitted to the planning director.
- D. **Planning director's report:** All applications shall be by the planning director, who may

consult with any for the purpose of technical review. The report of the reviewed persons planning director, including any recommended conditions of approval, shall be transmitted to the planning commission and applicant at least five days prior to the hearing on the application.

18.132.030 Planning commission action.

- A. Public hearing: The planning commission shall hold a public hearing on each application for a variance as provided in Chapter 18.140 after the application is accepted as complete. Notice of hearing shall be given by the planning director as provided in Section 18.140.050.
- B. Action: Following the public hearing, the planning commission may approve, approve subject to conditions, or deny the application for a variance. The approval shall clearly describe the variance, set forth all conditions, and identify which conditions, if any, must be met prior to use of the variance. Any variance granted shall be subject to such conditions as will assure that the adjustment shall not constitute a grant of special privileges inconsistent with the limitations on other property in the vicinity and zone in which the property is located.
- C. Findings: No variance shall be granted unless written findings are made affirming the following, in addition to any other findings required by law.
 - 1. There are special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, and as a consequence of these circumstances, the strict application of the zoning regulations deprives the property of privileges enjoyed by other property in the vicinity and under identical zone classification; and
 - 2. The variance will not, under the circumstances of the particular case, adversely affect the health or safety of persons residing or working in the vicinity of the subject property, and will not be materially detrimental to the public welfare or injurious to property or improvements in the vicinity of the subject property.
- D. Conditions: Any variance granted shall be subject to such conditions as will assure that the adjustment shall not constitute a grant of special privileges inconsistent with the limitations on other property in the vicinity and zone in which the property is located. The granting of any variance may be conditioned upon (1) dedication of land or posting of a bond to guarantee the installation of public improvements which are reasonably related to the use for which the variance is granted, (2) the recording of a document, on a form prescribed by the planning director and approved by county counsel, in the office of the county recorder, providing notice of the terms or conditions of granting the variance, or (3) security, fees, agreements or assurances deemed necessary to insure compliance with any conditions imposed.

18.132.040 Appeals.

Any interested person may appeal the decision of the planning commission as provided in

Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.050.

18.132.050 Effect of action/Appeal waiting period.

- A. No building permit, mobilehome installation permit, or other permit issued by the county for which a variance is required shall be issued until the appeal period has expired, or until affirmation of approval on appeal.
- B. Executed variance: After the appeal period has expired, or affirmation of approval on appeal, the planning director shall mail the applicant a copy of the executed grant of variance authorizing the applicant to vary from the applicable zoning regulations to the extent authorized, provided any precedent conditions imposed by Subsection D of Section- 18.132.030 or on appeal, have first been met.

18.132.060 Expiration by inaction.

Every variance expires and is null and void without further action by Modoc County if the activity for which the permit was granted has not been actively and substantially commenced within one year from the of the date of its approval, or affirmation of approval on appeal, unless an extension of time is granted as provided in this chapter. The planning director has the authority to declare, based on length of time and operation of law, the use permit abandoned, and therefore null and void.

18.132.070 Extension of time for commencement.

In addition to the provisions in this section, the requirements in Sections 18.132.030 through 18.132.050 shall apply to an application for an extension made after the variance is granted.

- A. The planning director may extend the time for commencement of the use or activity for an initial one year period if an application for an extension of time is made prior to expiration of the variance, substantiating that circumstances beyond the permittee's control have prevented the permittee from taking sufficient action. An extension granted under this subsection is determined to be an administrative action and does not require public notice and hearing. Within ten days of the decision, the applicant may appeal the decision to the planning commission as provided in Chapter 18.144. Notice shall be given as provided in Section 18.140.060.
- B. When the criteria under Subsection A is not met or the extension exceeds one year, the planning commission may extend the time for commencement of the use or activity if an application for an extension of time is made to the planning director prior to expiration of the use permit. The commission shall hold a public hearing. Notice of public hearing shall be given as provided in Section 18.140.050.
- C. The decision by the commission relating to the request for an extension of time may be appealed to the board of supervisors as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.050.

18.132.080 Revocation.

Every variance issued under this chapter is revocable as provided in this section.

- A. Whenever the planning director, or planning commission, determines that one or more grounds exist for revocation of a variance, the planning commission may pursue the matter by holding a public hearing, Notice of hearing shall be given as provided in Section 18.140.050 for the purpose of revoking the variance. The grounds for revocation include, but are not limited to:
 - 1. Noncompliance with permit conditions.
 - 2. Violation of any law related to the permit.
 - 3. Expansion of the activity that is the subject of the permit without an amendment or new permit.
 - 4. Exercising or conducting the use in a manner that threatens or is injurious to public health or safety or constitutes a nuisance.
 - 5. False or erroneous information in the record as to a material matter or significant issue regarding the use.
- B. The planning commission may revoke or decline to revoke the variance. In lieu of revocation, the commission may amend existing conditions of approval, or impose additional conditions, if the grounds which justify revocation can be corrected or cured by such modifications.
- C. The decision of the planning commission in the matter of the revocation of the variance may be appealed to the board of supervisors as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.050.

18.132.090 Surrender of permit.

The holder of a variance may surrender it to the planning department at any time and thereafter shall cease to engage in, operate, or maintain the use.

Chapter 18.136 AMENDMENTS

Sections:

- 18.136.010 Applicability.
- 18.136.020 Application.
- 18.136.030 Planning commission recommendation.
- 18.136.040 Board of supervisor's action/referral.
- 18.136.050 Abandonment.

18.136.010 Applicability.

The regulations in this title established by ordinance of the board of supervisors may be amended as provided in this chapter, by changing the boundaries of districts, reclassifying land from one district to another district or districts or combinations thereof, or by changing any other provision whenever the amendment will further the public necessity, convenience, or welfare.

18.136.020 Application.

- A. **Form and contents:** An amendment to this title may be initiated by resolution of the board of supervisors or planning commission, or by the planning director or any person by filing an application with the planning department. All resolutions shall be accompanied by, and all applications shall be on, a form prescribed by the planning director, including (1) statements, plans, or maps, reproducible and drawn to scale, required to show the necessity for and the scope of the proposed amendment, (2) information demonstrating compliance with provisions of this title, (3) when the county is not the applicant, written authorization of the property owner or a petition requesting the county to initiate an amendment when the authorization of the property owner is not obtained, (4) fees, and (5) environmental review forms.
- B. **Completeness:** No application shall be accepted as complete until all fees, the application form and all required information are filed with and accepted as complete by the planning department. Within thirty days after receiving an application the planning department shall provide the applicant with written notice of any deficiencies. Each resubmittal shall again commence review and submittal procedures described in this subsection. Failure of the applicant to respond within thirty days to any written notice that the application is incomplete, or to any request to amplify, clarify, correct, or otherwise supplement the application, shall be deemed to be an abandonment of the application and no further action shall be taken on it. The applicant may, within ten days of receiving a notice of deficiency, appeal the determination of the planning department to the planning commission and subsequently the board of supervisors as provided in Chapter 18.144. Notice of hearing shall be given as provided in Section 18.140.060.
- C. **Environmental review:** All applications shall be reviewed pursuant to and for compliance

with the California Environmental Quality Act (CEQA) under procedures established by the board of supervisors. Conditions of approval recommended pursuant to CEQA review shall be transmitted to the planning director.

- D. Planning director's report: All applications shall be reviewed by the planning director, who may consult with any persons for the purpose of technical review. The report of the planning director, including an analysis of the consistency of the proposed amendment with the general plan and any applicable specific plan, and with any recommended conditions of approval, shall be transmitted to the planning commission and applicant at least five days prior to the hearing on the application.

18.136.030 Planning commission recommendation.

- A. Public hearing: The planning commission shall hold a public hearing on a proposed amendment after the application is accepted as complete. Notice of hearing shall be given by the planning director as provided in Section 18.140.040, or as provided in 18.140.050 when the proposed amendment affects the permitted uses of real property.
- B. Action: After the hearing the planning commission shall render its decision in the form of a written resolution, which shall include a recommendation to the board of supervisors for action on the proposed amendment, the reasons for the recommended action, any proposed conditions, and the relationship of the proposed amendment to the general plan and any applicable specific plan. When the commission recommends denial of an amendment to rezone property from one zone to another, its decision shall be final unless a hearing is requested as provided in Section 18.136.050. If appealed, the planning director shall cause a report of the commission's action to be filed with the clerk of the board of supervisors within ten working days after the commission's decision.
- C. Conditions: The approval or recommendation to approve an amendment or ordinance may be conditioned on reasonable requirements related to development anticipated to occur on the property which is the subject of a rezoning, its effect on surrounding property, or as required to implement the general plan or any applicable specific plan. No condition shall be adopted requiring the automatic reversion of land to a former zone, but may require reversion contingent on notice and hearing in the manner required for the adoption of an amendment, and adoption of an ordinance rescinding the prior action or amending this title.

18 136 040 Board of supervisor's action/referral.

- A. If the planning commission has recommended approval of the proposed amendment, the board of supervisors shall hold a public hearing. When the commission recommends denial of a proposed amendment to change property from one zone to another, the board of supervisors need take no further action on it unless an interested person files a written request for a hearing with the clerk of the board within five days after the commission's recommendation is filed with the clerk. Notice of public hearing shall be given as provided in Section 18.140.040 or 18.140.050.

- B. The board of supervisors may approve or disapprove any recommendation of the planning commission, provided any modification of the proposed amendment or ordinance which was not considered by the commission during its hearing shall first be referred to the commission for its recommendation. The commission shall not be required to hold a public hearing thereon. If the planning commission fails to render its recommendation within forty days after referral, or any longer period the board may set, the modification shall be deemed approved by the commission. After receiving the commission's recommendation, or if there is none, the board shall adopt an ordinance amending this title, or shall decline to do so.

18.136.050 Abandonment.

Any applicant may withdraw or abandon an application for a proposed amendment at any time, provided that any public hearing on the amendment for which notice has been given is first held and the amendment is not required as a condition of approval of a development permit.

Chapter 18.140 HEARINGS

Sections:

- 18.140.010 Applicability.
- 18.140.020 Notice of hearing--Contents of.
- 18.140.030 Request for notice or record.
- 18.140.040 Notice of public hearing by publication.
- 18.140.050 Notice of public hearing--Other procedures.
- 18.140.060 Notice of administrative hearing.
- 18.140.070 Failure to receive notice.
- 18.140.080 Hearing continuation.

18.140.010 Applicability.

The provisions of this chapter shall apply to every hearing or public hearing required by this title, or pursuant to this chapter.

18.140.020 Notice of hearing-- Contents of.

Except as otherwise required, whenever a notice of hearing or public hearing is required, or whenever a hearing or public hearing is required, written notice shall be given, including the date, time, and place of a hearing, the identity of the hearing officer or body, a general explanation of the matter to be considered, and a general description in text or by diagram of the location of the real property, if any, that is the subject of the hearing.

18.140.030 Request for notice or record.

- A. A request by any interested person for notice of any hearing conducted pursuant to this title shall be made in writing to the planning director, or clerk of the board of supervisors who shall transmit a copy to the director. A fee which is reasonably related to the cost of providing the service to the public may be charged for each notice individually or annually.
- B. A copy of the record of hearing in the manner such record is customarily maintained by the hearing body shall be provided to any person requesting such record and may include a fee. Any person may file with the planning director at least three working days prior to hearing, a written request that any hearing conducted pursuant to this title be tape recorded. A nonrefundable deposit and fee upon delivery which is reasonably related to the cost of providing the service may be required.

18.140.040 Notice of public hearing by publication.

When a provision of this title requires notice of a public hearing to be given pursuant to this section, notice shall be given in all of the following ways:

- A. Notice shall be published in at least one newspaper of general circulation within the county, at least ten days prior to the date of the hearing.
- B. Notice shall be mailed or delivered at least ten days prior to the hearing to any person who has filed a written request with the clerk of the board of supervisors or the planning director.
- C. Notice may also be given in any other manner the county deems necessary or desirable.

18.140.050 Notice of public hearing--other procedures.

When a provision of this title requires notice of a public hearing to be given pursuant to this section, notice shall be given in all of the following ways:

- A. Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant.
- B. Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to each local agency expected to provide water, sewage, streets, roads, schools, or other essential services to the project whose ability to provide those facilities and services may be significantly affected.
- C. Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to all owners of real property as shown on the latest equalized assessment roll or more current records of the county assessor or tax collector, within three hundred feet of the real property that is the subject of the hearing. If such owners number more than one thousand, notice may alternatively be given by advertisement as provided by state law.
- D. Notice of the hearing shall be either published in at least one newspaper of general circulation in the county at least ten days prior to the hearing, or be posted at least ten days prior to the hearing in three public places within the county, including one public place in the area directly affected by the proceeding.
- E. Notice shall be mailed or delivered at least ten days prior to the hearing to any person who has filed a written request with the clerk of the board of supervisors or the planning director.
- F. Notice may also be given in any other manner the county deems necessary or desirable.

18.140.060 Notice of administrative hearing.

When a provision of this title requires notice of hearing to be given pursuant to this section, or requires an administrative hearing or any other hearing which is not a public hearing, notice shall be given as provided in this section. The board of supervisors declares that no

administrative hearing is required to be a public hearing unless otherwise stated.

- A. Notice of hearing shall be mailed or delivered at least ten days prior to hearing to the owner of the subject real property or duly authorized agent, or the project applicant or duly authorized agent, and any person who has caused the hearing to be held.
- B. Notice of hearing shall be mailed or delivered at least ten days prior to hearing to any other person who filed a written request to be notified of such matter, and to each agency that may be significantly affected.
- C. Notice may also be given in any other manner, to any other persons, the county deems necessary or desirable.
- D. The ten day notice period required by this section may be decreased upon the written consent of the county, the person who caused the hearing to be held, and any other affected party.

18.140.070 Failure to receive notice.

The failure of any person or entity to receive notice given pursuant to this chapter shall not invalidate the action taken by the county for which the notice was given and shall not constitute grounds for any court to invalidate the actions of the county for which the notice was given.

18.140.080 Hearing continuation.

Any public hearing or hearing conducted pursuant to this title may be continued from time to time, and no further notice shall be required unless otherwise required by law.

Chapter 18.144 APPEALS

Sections:

- 18.144.010 Appellate body determined.
- 18.144.020 Timely appeal--Contents of.
- 18.144.030 Appellate body hearing.

18.144.010 Appellate body determined.

Any determination, interpretation, recommendation, or decision ("action") of the planning director, planning commission, building official, or any other body, person, or official vested with the duty or authority to take such action pursuant to the provisions of this title may be appealed by the applicant, owner, or any interested person. Except as otherwise provided in this title, an appeal from any action of the planning director, building official, or other county official shall be heard by planning commission, and an appeal from any action of the planning commission shall be heard by the board of supervisors.

18.144.020 Timely appeal--Contents of.

Except as otherwise provided in this title, every appeal filed pursuant to this chapter shall be made in writing including the grounds therefor, and shall be received by the appropriate county office within ten days from the date the action which is the subject of the appeal is taken. An appeal from an action by the planning director or other county official shall be filed with the planning director, and an appeal from an action by the planning commission shall be filed with the clerk of the board of supervisors.

18.144.030 Appellate body hearing.

The appellate body shall hold a noticed hearing or public hearing and shall render its determination within sixty days from the date a timely filed appeal is received by the county, except as otherwise provided. In making its determination to reverse or affirm, wholly or partly, or modify the decision or determination appealed from, or make such other order, requirement, decision or determination as it deems appropriate, the appellate body shall be subject to all duties, responsibilities, and provisions applicable to the hearing body, including the confirmation or making of findings and application of conditions.

Chapter 18.150 **INTERPRETIVE ACTIONS**

Sections:

- 18.150.010 Applicability.
- 18.150.020 Interpretive action--General.
- 18.150.030 General plan and specific plan consistency.
- 18.150.040 Zone boundary interpretations.
- 18.150.050 Interpretation of uses allowed--Construction.
- 18.150.060 More than one use.

18.150.010 Applicability.

The provisions in this chapter shall apply throughout this title.

18.150.020 Interpretive action--General.

Whenever requested by any person, the planning director or planning commission may consider written requests for interpretations of this title. The director may alternatively refer a request to commission. The written interpretation shall be delivered or mailed to the person making the request. The determination of the director may be appealed to the commission as provided in Chapter 18.144. The commission shall notify the appellant of the hearing as provided in Section 18.140.060, and shall render its decision in writing to the planning director and appellant. The procedures in this section are determined to be administrative and no public hearing or notice is required.

18.150.030 General plan and specific plan consistency.

Where any of the regulations specified in this title are inconsistent with the general plan or an applicable specific plan, the general plan or specific plan shall prevail. All interpretations of this title shall conform to the general plan and any applicable specific plan to the greatest extent possible.

18.150.040 Zone boundary interpretations.

- A. Unless otherwise shown or specified, zone district boundaries are lot lines, the centerlines of streets, alleys, or railroad rights-of-way, or such lines extended. 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.
- B. When a principal zone boundary divides a lot or parcel into two zones, unless otherwise specifically designated, the entire lot or parcel shall be placed into the zone that accounts for the greater area of the lot, provided the boundary adjustment is for a distance of less

than twenty feet.

- C. In all other cases or when uncertainty exists the planning commission shall, upon written request or upon its own motion, determine the location of zone boundaries.

18.150.040 Interpretation of uses permitted--Construction.

The various chapters, sections, and parts thereof, set out in this title are interrelated. The construction of uses permitted, uses permitted with an administrative permit, and uses permitted with a use permit in the principal zones and overlay zones is as follows:

- A. Within each zone district, uses permitted with an administrative or use permit shall not be allowed as permitted uses, whether excluded from a listing of permitted uses by direct reference or by inference. Uses which might otherwise be allowed accessory to a permitted use shall not be allowed accessory to a permitted use when listed as a use permitted with an administrative or use permit. Uses which would otherwise be included within a general class of uses listed as permitted uses shall not be allowed as permitted uses when listed as a uses permitted with an administrative or use permit.
- B. In any chapter, section, or part thereof, which sets out a purpose, the construction and permissibility of all uses, actions and conditions shall fully consider the overlying purpose of the zone or regulation.
- C. Within each zone district, any use which is listed as a use permitted with an administrative or use permit shall not be allowed as a use similar to a permitted use under Section 18.100.060. Within each zone district, any use which is part of a general class of uses listed as a use permitted with an administrative or use permit shall not be allowed as a use similar to a permitted use under Section 18.100.060, except when similar uses in the class are specifically listed as permitted uses.
- D. When not otherwise specified, the general use and development standards and meanings set out in the definitions shall prevail when interpreting zone district regulations. For example, the definition of "public use" excludes airports. It is presumed that certain accessory uses, not otherwise regulated, have an integral relationship to the conduct of uses permitted, and uses permitted with an administrative or use permit, as characterized under the definition of accessory uses. However, when a use which would otherwise be an accessory use is specifically listed as a use permitted with an administrative or use permit, then the applicable regulations apply.
- E. Overlay zone regulations modify and supersede the principal zone district regulations applicable to a particular lot, to the extent specified by the overlay zone.
- F. When a use permit has been approved for a particular lot, the planning commission may restrict future permitted and administrative uses to those specified in the use permit.

18.150.050 More than one use.

More than one permitted use may be established on one lot in any zone district, provided there is no conflict with the applicable zone requirements and all other provisions of this title and law are met. When a use permit is approved for a particular lot, the planning commission may

restrict future permitted and administrative uses to those specified in the use permit.

Chapter 18.154 NONCONFORMING USES AND STRUCTURES

Sections:

- 18.154.020 Regulations applicable.
- 18.154.030 Use permit required.
- 18.154.040 Nonconforming buildings and structures.

18.154.020 Regulations applicable.

The regulations in this chapter shall apply to all legally established nonconforming structures and uses. Nothing in this chapter shall be construed to prohibit any additions or alterations to a nonconforming structure or use as may be necessary to comply with any lawful order of any public authority made in the interest of the public health, safety, welfare, or morals.

18.154.030 Use permit required.

Every structure and use for which this title requires a use permit shall be considered nonconforming and shall not be enlarged, altered, or extended except as provided in this chapter, unless and until a use permit is obtained.

18.154.040 Nonconforming buildings and structures.

- A. Previously approved building permit: Nothing in this chapter shall be deemed to require any change in the plans, construction, or designated use for which a building permit has been legally issued and upon which construction or preparation for placement was legally begun prior to the effective date of the ordinance, or amended ordinance, which makes the structure nonconforming. If the designated structure or use is not in existence or operation within two years from the date of issuance of the building permit, it shall be considered a discontinued use, unless the permittee or owner substantiates that construction or work required for construction has been diligently carried on during the prior two years.
- B. Maintenance and repairs: Normal maintenance and repairs may be made to any nonconforming structure.
- C. Enlargement: A nonconforming structure may not be added to or enlarged such that the increase in floor area exceeds twenty-five percent of the existing floor area, unless the structure, its use, and enlargement are all made to conform to the regulations of the zone in which the use is located, or unless and until a use permit is obtained.
- D. Replacement: If any nonconforming structure is damaged or destroyed by any cause to an extent which exceeds seventy-five percent of the market value during the fiscal year of the destruction as determined by the county assessor, no repair or reconstruction shall be made unless every portion of the structure or use conforms to the regulations of the zone in which the structure is located, or unless and until a use permit is obtained. Any dwelling

unit which was legally constructed or placed prior to the adoption of an ordinance prohibiting its establishment shall be exempt from this subsection.

- E. Use of nonconforming structure: The use of a nonconforming structure may continue, or may be changed to any use which is permitted in the zone in which the use is located, except as otherwise provided. The nonconforming use of a portion of a building may be extended to other parts of the building provided that the extension shall not increase the floor area of the nonconforming use by more one hundred percent, or unless and until a use permit is obtained.
- F. Change of use: A legally established nonconforming use may continue, but when it is changed, it shall be changed to a use conforming to the regulations of the zone in which it is located.
- G. Abandonment: When any nonconforming use, excluding any dwelling unit, is discontinued for a continuous period of more than one year, unless the owner can furnish proof to the contrary, the use shall be considered abandoned, and future use of the lot shall conform the zone in which it is located. When a nonconforming use is not allowed by the zone in which the lot is located, the previous nonconforming use may be reestablished within five years from the date of discontinuance if a use permit is obtained. In determining to approve a use permit under this section, the planning commission shall, in addition to the findings required by Chapter 18.128, find that the improvements on the property are particularly suited to the use and represent a substantial investment, and the use is suited to the location proposed.

Chapter 18.158 ENFORCEMENT

Sections:

- 18.158.010 General provisions.
- 18.158.020 Administrative limitations.
- 18.158.030 Enforcement authority.
- 18.158.040 Violation--Penalty.
- 18.158.050 Enforcement procedure.
- 18.158.060 Right of entry.
- 18.158.070 Enforcement costs.

18.158.010 General provisions.

Notwithstanding any other provision in this title, the following shall apply:

- A. No person shall use any real property in violation of the regulations of this title, or any approval or conditions thereof pursuant to this title, that are applicable to the property. The erection, placement, construction, alteration, enlargement, conversion, movement, maintenance, establishment, or operation of any building, structure, premise, or use contrary to the provisions of this title is unlawful and a violation of this part. Every violation of any regulatory or prohibitory provision of this title is expressly declared to be a nuisance, both public and private.
- B. All facilities and appurtenances required as a condition of any permit or entitlement pursuant to this title shall be maintained in good repair at all times, and the failure to do so shall be deemed to be a public nuisance.
- C. All actions, covenants, conditions and restrictions, agreements, or acknowledgments or similar documents required as a condition of approval of any permit or entitlement pursuant to this title may be enforced by the county. Every document required pursuant to this title, or as a condition of an approval or entitlement pursuant to this title, shall be on in a form as required by the county, and shall be binding on the signators, and their heirs, successors and assigns. No such document shall be recorded, rerecorded, modified, assigned, amended or otherwise changed without the express review and consent of the county,
- D. The county may, as a condition of the approval or grant of any permit or entitlement pursuant to this title, require that full compliance with all county, state, and federal laws in connection with all existing and proposed uses or activities is first achieved.

18.158.020 Administrative limitations.

All county officers, departments, and employees vested with the duty or authority to issue permits, licenses, or other entitlements shall do so subject to the requirements of this title. No permit, license, or other entitlement shall be issued or approved for any purpose or in any manner which conflicts with the provisions of this title. Any permit, license, or other

entitlement issued in conflict with any provision of this title is null and void as of the date of issuance or approval.

18 158.030 Enforcement authority.

A. The planning director, building official, and other county law enforcement agencies shall enforce the provisions of this title. Any administrative decision of the planning director regarding any interpretation of the provision of this title or any condition of approval imposed pursuant to this title shall be made in writing whenever requested by any person interested in the interpretation. The written interpretation shall be delivered personally or by mail to that person.

B. The director's decision may be appealed to the planning commission within ten days of the date of delivery or mailing of the decision by filing a written appeal with the planning department. The appeal shall specifically set forth the grounds upon which it is based. The commission shall hear the appeal and the appellant shall be given a reasonable opportunity to be heard and to present evidence at the hearing. The commission shall render its decision in writing to the planning director and shall concurrently mail a copy of its decision to the appellant. A public hearing is not required for any appeal heard under this subsection. Pendency of any appeal shall not affect the filing of any legal action or pursuit of any other remedy to enforce the provisions of this division or any condition imposed pursuant to this division.

18.158.040 Violation--Penalty.

Any person violating or causing a violation of the provisions of this title, or permitting such a violation on land or in a structure owned, rented, or controlled by them, is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the county jail for a term not to exceed six months, or by both such fine and imprisonment. Each day any such violation continues shall constitute a separate offense punishable as provided in this section.

18.158,050 Enforcement procedure.

A. Every enforcing officer may use administrative processes, such as notices of noncompliance, warning letters, stop orders, or cease and desist orders, in lieu of or prior to enforcing any provision of this code, if the officer determines that the process may result in compliance with this code at less expense to the County. The planning commission may, by a resolution of intent to record a notice of violation of this title, after notice and hearing as provided in Section 18.140.060, record a notice of violation of this title in the office of the county recorder.

B. Pursuant to Penal Code Section 19d and the provisions of Section 836.5 and Chapter 5c (commencing with Sections 853.5) of Title 3 of part 2 of the Penal Code, every enforcing officer may cite any person for violation of this code whenever the officer has reasonable cause to

believe that the person has caused, committed, continued, or permitted any violation of this code.

18 158.060 Right of entry.

In the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the lawful use of the land by those persons lawfully entitled to the possession thereof (Authority: California Government Code Section 65105).

18.158.070 Enforcement costs.

Whenever a judicial action or proceeding is brought to abate or enjoin any violation of this division, the county may recover in that action or proceeding all costs and expenses incurred in detecting, investigating, abating, and prosecuting the violation.

Chapter 18.162 FEES

Sections:

18.162.010 Fee schedule.

18.162.020 Fees--Exemption for public agencies.

18.162.010 Fee schedule.

A fee in accordance with a schedule adopted by ordinance or resolution of the board of supervisors and on file at the planning department shall be charged for all applications, permits, administrative actions, and all other actions required by this title. No application shall be accepted as complete until the required fees are paid, and no part of any fee shall be refunded upon the abandonment or denial of an application, or for any other reason, unless specifically approved by the board of supervisors.

18.162.020 Fees--Exemption for public agencies.

Except as otherwise provided, all fees required by this title are waived for applications, permits and administrative actions by, or on land owned, leased, or otherwise controlled by, all agencies or units of every city, county, school district, special district, the State of California, or the United States.

No index entries found.