

CHAPTER 20.008 DEFINITIONS

Sec. 20.008.005 Declaration.

Provisions of this Chapter shall be known as the "definitions." The purpose of these provisions is to promote consistency and precision in the interpretation of the Zoning Code. The meaning and construction of words and phrases as set forth shall apply throughout the Zoning Code, except where the context of such words or phrases clearly indicates a different meaning or construction. Definitions contained in the Uniform Building Codes shall be applicable except when in conflict with definitions contained in the Zoning Code, in which case the Zoning Code definition shall prevail.

Sec. 20.008.010 General Rules For Construction of Language.

The following general rules of construction shall apply to the textual provisions of the Zoning Code:

- (A) Headings. Section and subsection headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any provision of the Zoning Code.
- (B) Illustration. In case of any difference of meaning or implication between the text of any provision and any illustration, the text shall control.
- (C) Shall and May. "Shall" is always mandatory and not discretionary. "May" is discretionary.
- (D) Tenses and Numbers. Words used in the present tense include the future, and words used in the plural, include the singular, unless the context clearly indicates the contrary.
- (E) Conjunctions. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 - (1) "And" indicates that the connected items or provisions apply.
 - (2) "Or" indicates that the connected items or provisions may apply singly or in any combination.
 - (3) "Either ... or" indicates that the connected items or provisions shall apply singly but not in combination.
- (F) All public officials, bodies, and agencies to which reference is made are those of the County of Mendocino unless otherwise indicated.

Sec. 20.008.015 General Terms.

- (A) "Department" means the Department of Planning and Building Services.
- (B) "Board" or "Board of Supervisors" shall have the same meaning.
- (C) "Commission" or "Planning Commission" shall have the same meaning.
- (D) "City" means any city in the County of Mendocino.
- (E) "County" means the County of Mendocino.
- (F) "Federal" means the Government of the United States of America.
- (G) "State" means the State of California.
- (H) "Used" includes "arranged for," "designed for," "occupied," or "intended to be occupied for."
- (I) "General Plan" means the Mendocino County General Plan.
- (J) "Director" means the Director of Planning and Building Services.
- (K) "Section" means a section of the Zoning Code unless otherwise indicated.

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(L) "Division" means the entire Zoning Code—Division I unless otherwise indicated.

Sec. 20.008.020 Definitions (A).

- (A) "Accessory building" means a detached subordinate structure, the use of which is incidental to the established primary use or main structure located on the same lot or building site; i.e., private garage, storage shed, farm out buildings, etc. In no case shall such accessory structure dominate, in area, extent or purpose, the principal lawful structure or use. Accessory buildings shall not contain any sleeping quarters or kitchen facilities and are therefore not intended for human occupancy. See Chapter 20.164 Accessory Use Regulations.
- (B) "Accessory Dwelling Unit-" ~~means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:~~
- ~~(1) An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.~~
- ~~(2) A manufactured home, as defined in Section 18007 of the Health and Safety Code. An attached or detached residential dwelling unit in compliance with Section 20.164.015, which provides complete independent living facilities for one (1) or more persons, and includes separate permanent provisions for entry, living, sleeping, eating, cooking and sanitation on the same parcel as a single-family dwelling. See Chapter 20.164 Accessory Use Regulations.~~
- (C) Accessory Structure. See Accessory Building.
- (D) "Accessory use" means a use of land or of a structure incidental or subordinate to the principal use located upon the same lot.
- (E) "Administrative Permit" means a permit granted pursuant to Chapter 20.192 by an agency of Mendocino County or the Zoning Administrator for a uses ~~specified as subject to an administrative permit in each zoning district of a temporary nature, a second residential unit, or farm employee housing.~~
- ~~(F) (N) "Affordable Housing" means housing capable of being purchased or rented by a household with extremely low, very low, low, or moderate income based on a household's ability to make payments necessary to obtain housing. Housing is considered affordable when a household pays less than thirty-five (35) percent of its gross monthly income for housing.~~
- ~~(O) "Affordable Housing Unit" means a dwelling unit which meets the standards in Section 20.238 of this Code and is affordable to households having extremely low, very low, low, or moderate income.~~
- Agricultural Employee ~~shall have the same meaning as provided in section 1140.4(b) of the California Labor Code. See Farm Employee.~~
- (G) "Airport" means any area of land, water or a structure which is used or intended for use for the landing and taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.
- (H) "Alley" means a public or private way permanently reserved as a secondary means of access to abutting property.
- (I) "Amendment" means any change, modification, deletion, or addition to the wording, text or substance of the Zoning Code, or any change, modification, deletion, or addition to the application of the Zoning Code to property within Mendocino County, including any alteration in the boundaries of a zone, when adopted by ordinance passed by the Board of Supervisors in the manner prescribed by law.
- (J) "Animals, large" is limited to bovine and equine animals, sheep, goats, swine and similar animals.

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(K) "Animals, small" means dogs, cats, birds, poultry, rabbits, chinchillas, hamsters, and other small domesticated animals other than a large animal.

~~(PL) "Antenna" means a device used in communications designed to radiate and/or capture electromagnetic signals.~~

~~(QM) "Antenna, building-mounted" means any antenna attached to and supported by a building or other structure more than ten (10) feet tall, other than an antenna tower, i.e., the exterior walls of a building, an existing parapet, the side of a water tank, the face of a church steeple, or the side of a freestanding sign.~~

~~(RN) "Antenna, roof-mounted" means an antenna directly attached to the roof of an existing building, water tank, tower or structure other than an antenna tower.~~

~~(SO) "Antenna tower" means any pole, tower, or other structure, over ten (10) feet tall, erected for the purpose of supporting one or more antennas.~~

~~(LP) "Apartment" means a portion of a building which is designed and built for occupancy by three (3) or more families living in separate dwelling units.~~

~~(Q) "Assisted Living Residential Care Facility" means the same as "family care home" a state-authorized, certified, or licensed family care home, foster home, group home serving six (6) or fewer mentally impaired or otherwise handicapped persons, persons recovering from alcoholism or drug addiction or dependent and neglected children. A family care home may provide care and service on a twenty-four-hour-a-day basis. No facility shall qualify as a family care home if it is operated in such a manner that facilities, activities, or events thereon are shared by more than six (6) mentally impaired or otherwise handicapped persons or dependent and neglected children.~~

(MR) "Automobile wrecking" means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of three (3) or more motor vehicles which for a period exceeding thirty (30) days have not been capable of operating under their own power, and from which parts have been or are to be removed for reuse or sale shall constitute prima facie evidence of an automobile wrecking yard.

~~(N) "Affordable Housing" means housing capable of being purchased or rented by a household with extremely low, very low, low, or moderate income based on a household's ability to make payments necessary to obtain housing. Housing is considered affordable when a household pays less than thirty five (35) percent of its gross monthly income for housing.~~

~~(O) "Affordable Housing Unit" means a dwelling unit which meets the standards in Section 20.238 of this Code and is affordable to households having extremely low, very low, low, or moderate income.~~

~~(P) "Antenna" means a device used in communications designed to radiate and/or capture electromagnetic signals.~~

~~(Q) "Antenna, building-mounted" means any antenna attached to and supported by a building or other structure more than ten (10) foot tall, other than an antenna tower, i.e., the exterior walls of a building, an existing parapet, the side of a water tank, the face of a church steeple, or the side of a freestanding sign.~~

~~(R) "Antenna, roof-mounted" means an antenna directly attached to the roof of an existing building, water tank, tower or structure other than an antenna tower.~~

~~(S) "Antenna tower" means any pole, tower, or other structure, over ten (10) feet tall, erected for the purpose of supporting one or more antennas.~~

Sec. 20.008.022 Definitions (B).

(A) "Bank" means an establishment for the custody, loan exchange, or issue of money, for the extension of credit, and for facilitating the transmission of funds.

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- (B) "Barn" means a building used for the shelter of livestock, the storage of agricultural products, or the storage and maintenance of farm equipment and agricultural supplies.
- (C) "Battery Energy Storage System (BESS)" means a type of energy storage system that uses batteries to store and distribute energy in the form of electricity. BESS enables energy from renewables such as solar and wind to be stored and released when needed to the grid.
- (GD) "Block" means all property fronting upon one side of a street between intersecting and intercepting streets, or between a street and a right-of-way, waterway, terminus of dead-end street, or city boundary. An intercepting street shall determine only the boundary of the block on the side of the street which it intercepts.
- (DE) "Boarding house" means a building or portion thereof, other than an inn or hotel, where regular meals are provided to persons for compensation or profit.
- (EF) Boarding Stable. See Stable.
- (FG) "Building" means a structure having a roof, and which is constructed in a permanent position upon the ground and is designed and intended to be used for the shelter or enclosure of persons, animals or property. This definition does not include any type of mobile home, recreational vehicle, boat, or tent.
- (GH) "Building, height of" means the vertical distance from the average ground level of the building to the highest point of the roof ridge or parapet wall.

Sec. 20.008.024 Definitions (C).

- (A) Camping Area, Incidental. See Incidental Camping Area.
- (B) "Campsite" means an area within an incidental camping area occupied by a camping party.
- (C) "Chimney" means a hollow shaft containing one (1) or more passages vertical or nearly so, for conveying products of combustion.
- (D) "Clinic" means any place, establishment or institution which operates under the name or title of clinic, dispensary, health center, medical center, or any other word or phrase of like or similar import, either independently or in connection with any other purpose, for the purpose of furnishing at the place, establishment, or institution, advice, diagnosis, treatment, appliances or apparatus, to persons or animals not residing or confined in the place, establishment, or institution, and who are afflicted with bodily or mental disease or injury.
- (E) "Cluster" means the grouping of dwellings or parcels in suitable areas so as to insure the preservation of the valuable site resources as opposed to even dispersal over the project area.
- (F) "College" means a college, junior college or university supported by public funds, or a private college, junior college or university which gives comparable general academic instruction and degrees.
- (G) "Combining district" means a district providing special regulations which supplement or add to basic zoning district regulations.
- (H) "Conservation easement" means a legally drafted and recorded agreement between a landowner and the County, land trust, or other qualified organization in which the owner agrees to place certain restrictions over all or portions of his/her land in perpetuity to retain it in a predominantly natural, scenic, agriculture or other open space condition. Except for the specific restrictions contained in the easement document, the owner retains all other rights in the property. The easement stays with the land and is therefore legally binding on present and future owners.
- (I) "Construction" means the placement of construction materials in their permanent position and fastened in a permanent manner.
- (J) "Contract zoning" means conditions to a rezoning which are not specified in the Zoning Ordinance but which conditions are binding to both the property owner and the County.

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- (K) Converted Mobile Home. See Mobile Home, Converted.
- (L) Community Design Guidelines. a set of standards regarding the aesthetics of development, including building appearance and character, colors, landscaping, location of parking, siting of structures on building sites, and other issues that are used to evaluate the suitability and appropriateness of individual projects in terms of overall visual appearance, capacity to unify streetscapes, expression of valued community themes, establishment of a "sense of place," and enhancement of community cohesiveness.
- (LM) Corner Lot. See Lot, Corner.
- (MN) "Cottage industry" means a small scale business operated in or around a residential use and which complies with Chapter 20.160.
- (NO) "Co-location" means the installation of antennas operated by different entities in close proximity so that use of substantial elements of the facility such as the antenna tower, equipment shelter or fenced enclosures are shared. Co-location includes replacement of an existing tower with one capable of supporting additional antennas provided the overall height of the facility is not increased.

Sec. 20.008.026 Definitions (D).

- (A) "Day Care Home - Small Family" means the same as "small family daycare home" as defined in California Health and Safety Code section 1596.78. a home providing day care for children under 18 years of age as defined by the California Health and Safety Code, but excluding overnight care
- (B) "Day Care Home - Large Family" means the same as "large family daycare home" as defined in California Health and Safety Code section 1596.78. a home providing day care for children under 18 years of age as defined by the California Health and Safety Code, but excluding overnight care.
- (C) "Dead storage" means the storage of the owner's or occupant's recreational vehicle on the site in such a manner that it is not connected to utilities and is not occupied as living quarters.
- (D) "Density" means the number of dwelling units per acre or square feet.
- (DE) "Detached bedrooms" means a separate incidental structure containing one (1) room only without a kitchen or sanitation facilities, designed for and intended to be used as a sleeping or living facility for family members to be used in conjunction with a main structure which includes kitchen and sanitation facilities. A detached bedroom shall be located no farther than one hundred Fifty (150) feet from the main structure, and shall not exceed five hundred (500) square feet of floor area. See Chapter 20.164 Accessory Use Regulations.
- (EF) "Development agreement" means an agreement between the County and an applicant entered into pursuant to Government Code Sections 65864 through 65869.5.
- (FG) "Dwelling" means a building or portion thereof used exclusively for residential purposes, including one-family, two-family and multiple dwellings, but not including hotels or boarding houses.
- (GH) "Dwelling, single-family" means a building containing not more than one (1) dwelling unit. Included is a converted mobile home and moveable tiny homes.
- (HI) "Dwelling, two family (duplex)" means a building containing two (2) dwelling units. Included is a converted mobile home.
- (IJ) "Dwelling, multifamily (apartment)" means a building or portion thereof containing three (3) or more dwelling units.
- (JK) "Dwelling group" means a group of two (2) or more dwelling units located on a parcel of land which is held in one (1) ownership.
- (KL) "Dwelling unit" means a single unit providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, and having only one (1) kitchen. Included in the definition of a dwelling unit is a "moveable tiny home", "Accessory Dwelling Unit" and "Junior Accessory Dwelling Unit".

Sec. 20.008.027 Definitions (E).

- (A) "Efficiency Kitchen" means a small food preparation area for a junior accessory dwelling unit or moveable tiny home that includes the following:
- (1) A cooking facility with appliances.
 - (2) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit. A sink with a maximum waste line diameter of one and one-half (1½) inches.
 - ~~(2) A cooking facility with appliances that do not require electrical service greater than one hundred twenty (120) volts, or natural or propane gas.~~
 - ~~(3) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.~~
- (B) "Emergency shelter" means a facility for the temporary shelter and feeding of indigents, disaster victims, or homeless persons that is limited to occupancy of six (6) months or less, as defined in Section 50801(b) of the California Health and Safety Code.
- (C) "Equity Sharing" means an agreement by which appreciation on the value of an affordable unit from the time of original purchase at an affordable price to the time of resale shall be shared between the owner and the County or its designated agency. Such an agreement will be a condition of financial assistance for income qualified households to purchase Affordable Housing Units.

Sec. 20.008.028 Definitions (F).

- (A) "Family" means one (1) 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" does not include a fraternal, religious, social or business group. ~~"Family" shall be deemed to include domestic servants employed by a family.~~
- (B) "Family care home" means the same as "Assisted Living Residential Care Facility" a state-authorized, certified, or licensed family care home, foster home, group home serving six (6) or fewer mentally impaired or otherwise handicapped persons, persons recovering from alcoholism or drug addiction or dependent and neglected children. A family care home may provide care and service on a twenty-four-hour-a-day basis. No facility shall qualify as a family care home if it is operated in such a manner that facilities, activities, or events thereon are shared by more than six (6) mentally impaired or otherwise handicapped persons or dependent and neglected children.
- (C) "Family care institution" means a state-authorized, certified, or licensed family care home, foster home, or group home which does not qualify as a family care home.
- (D) "Family care unit" means the temporary use of a building, structure or trailer coach to provide housing for:
- (1) Not more than two (2) adult persons who are sixty (60) years of age or older; or
 - (2) An immediate family member or members who require daily supervision and care; or
 - (3) A person or persons providing necessary daily supervision and care for the person or persons residing in the main residence.
- (E) "Farm employee" means the same as "agricultural employee" as defined in section 1140.4(b) of the California Labor Code. ~~any person who derives employment in the service of another person as an employee engaged in farming in any of its branches, including cultivation and tilling of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, fur-bearing animals, or poultry, and the preparation of farm products for market and delivery to storage or to market or to carriers for transportation to market. "Farm Employee" does not include persons solely engaged in construction, alteration, painting, or repair of a structure, logging, brush or timber clearing, land grading or leveling or land~~

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~~surveying, unless they are providing substantial improvements to the property and enhancing resource production.~~

- (F) "Flood plain" means an area subject to temporary inundation of normally dry land lying outside the normal stream channel as a result of one (1) or more of the following occurrences or conditions: the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.
- (G) "Floor area" means the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the useable area under the roof or floor above.
- (H) "Floor area, gross" means the total floor area including public areas such as hallways, lobbies, wash rooms, related storage areas and service rooms or areas, plus work areas, office space and sales floor.
- (I) "Floor area ratio" means the ratio of total building floor area to total site area, is a commonly used measure of commercial and industrial development intensity. It is typically expressed as a decimal, i.e. 0.50.
- (J) Freestanding sign. See Sign, Freestanding.
- (K) "Frontage" means that portion of a property line which abuts a legally accessible street right-of-way.
- (L) Front Yard. See Yard, Front.

Sec. 20.008.030 Definitions (G).

- (A) "Garage, private" means an accessory building or an accessory portion of the main building, designed and/or used for the shelter or storage of vehicles owned or operated by the occupants of the main building.
- (B) "Garage, public" means a building other than a private garage in which spaces or stalls are rented to the public for the shelter or storage of private automobiles and other forms of private transportation or recreational vehicles, and which may include as a use incidental thereto, the storage of personal effects and personal household articles.
- (C) "Grade" means the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.
- (D) Gross Floor Area. See Floor Area, Gross.
- (E) "Guest cottage" means a detached building (not exceeding six hundred forty (640) square feet of gross floor area), of permanent construction, without wet bar or kitchen or any provision for appliances for the storage and preparation of food, clearly subordinate and incidental to the primary dwelling on the same lot, and intended for use without compensation by guests of the occupants of the primary dwelling.

Sec. 20.008.032 Definitions (H).

- (A) "Home occupation" means an occupation which is accessory and incidental to a residential use and conducted entirely within the dwelling unit or accessory building(s) located on the premises. See Chapter 20.156, Home Occupations.
- (B) "Hospital" means an institution which specializes in giving clinical, temporary and emergency services of a medical or surgical nature to injured persons and which maintains and operates twenty-four (24) hour inpatient services for the diagnosis and treatment of patients. Any hospital shall be so licensed by the State Department of Health.
- (C) "Hotel" means any building or portion thereof containing three (3) or more guest rooms or suites each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation.

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- (D) "Household" means all the persons related, or unrelated, who occupy a single dwelling unit. Persons not living in households are classified as living in group quarters.
1. "Extremely Low-income Household" means a household with an annual income less than 30 percent of County mean income, adjusted by household size, as determined by the California State Department of Housing and Community Development.
 2. "Very Low-income Household" means a household with an annual income no greater than 50% of the County median income, adjusted by household size, as determined by the California State Department of Housing and Community Development.
 3. "Low-income Household" means a household with an annual income of at least 50% of the County median income, but less than 80% of the County median income, adjusted by household size, as determined by the California State Department of Housing and Community Development.
 4. "Moderate-income Household" means a household with an annual income of at least 80% of the County median income but less than 120% of the County median income, adjusted by household size, as determined by the California State Department of Housing and Community Development.
- (E) "Household pets" means animals or fowl ordinarily permitted in the house and kept for company or pleasure and not for profit such as dogs, cats, and birds but not including a sufficient number of animals to constitute a kennel.

Sec. 20.008.034 Definitions (I).

- (A) "Incidental camping area" means any area or tract of land where camping is incidental to the primary use of the land for agriculture, timber management, or water or power development purposes and where one (1) or more campsites used for camping are rented or leased or held out for rent or lease.
- (B) "Inclusionary Unit" means an affordable housing unit required to be provided by the developer of a residential housing project pursuant to the requirements of Section 20.238 of this code.
- (C) "Inn" means any building or portion thereof or group of buildings containing three (3) or more guest rooms or suites each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit, and where regular meals are provided for compensation or profit.

Sec. 20.008.036 Definitions (J).

- (A) "Junior Accessory Dwelling Unit-" means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure. A living space not exceeding five hundred (500) square feet in size and contained entirely within a fully permitted single-family dwelling. A junior accessory dwelling unit shall include an efficiency kitchen, and may include separate sanitation facilities or share sanitation facilities with the existing structure. See Chapter 20.164 Accessory Use Regulations.
- (B) "Junkyard" means any land, lot or portion thereof where there is more than: (1) one hundred (100) square feet for parcels less than forty thousand (40,000) square feet; or (2) four hundred (400) square feet for parcels greater than forty thousand (40,000) square feet of waste, discarded or salvaged materials bought, sold, exchanged, stored, baled, cleaned, packed, disassembled, or handled, and including used furniture and household equipment yards, house wrecking yards, used lumber yards, and the like; excepting a site on which such uses are conducted within a completely enclosed structure.

Sec. 20.008.038 Definitions (K).

- (A) "Kennel" means any lot, building, structure, enclosure or premises whereupon or wherein are kept seven (7) or more dogs, cats or similar small animals over eight (8) weeks of age, in any

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combination, for more than ten (10) days, whether such keeping is for pleasure, profit, breeding, or exhibiting, and including places where dogs or cats or similar small animals in any combination are boarded, kept for sale, or kept for hire.

- (B) "Kitchen" means any room or portion of a building used or intended or designed to be used for cooking or the preparation of food, including any room having a sink and cooking stove that has a flat top with plates or racks to hold utensils over flames or coils.

Sec. 20.008.040 Definitions (L).

- (A) "Large family daycare home" means the same as "large family daycare home" as defined in California Health and Safety Code section 1596.78.
- (B) "Live/work space" means a space where personal living space and professional workspace is combined in such a way that neither is compromised, such as in an artist's studio or where a loft or apartment is built above a store and/or office.
- (~~BC~~) "Live-work use" means a type of residential use that physically integrates the resident's commercial or manufacturing workspace within the same building or site.
- (D) "Living area" means the interior inhabitable area of a dwelling unit including basements and attics and shall not include a garage or any accessory structure.
- (~~GE~~) "Living unit" means any building or vehicle designed or used for human habitation, including, but not limited to a dwelling, guest house, accessory living quarters, farm employee housing, farm labor camp, or mobile home.
- (~~DF~~) Lodging House. See Hotel.
- (~~EG~~) "Lot" means a parcel or real property which, upon application, is eligible for a Certificate of Compliance.
- (~~FH~~) "Lot area" means the total area, within the boundary lines of a lot, exclusive of easements as required in the County Division of Land Regulations.
- (G) "Lot, corner" means a lot situated at the intersection of two (2) or more streets, which streets have an angle of intersection of not more than one hundred thirty-five (135) degrees.
- (~~HJ~~) "Lot coverage" means the percentage of net site area covered by the vertical projection of any structure.
- (~~IK~~) "Lot, double frontage" means a lot fronting on two (2) parallel or approximately parallel streets.
- (~~JL~~) "Lot depth" means the horizontal length of a straight line connecting the mid points of the front and rear lot lines.
- (~~KM~~) "Lot line, front" means the front of a lot shall be that face of a lot that abuts on a street: in the case of a double frontage road and a corner lot, the face abutting on either street. In a case of irregular frontage or access, the front lot line shall be determined by the Planning and Building Services Director.
- (~~LN~~) "Lot line, rear" means the most distant lot line opposite and parallel to the front lot line; in the case of an irregular lot, the line most closely paralleling the front lot line.
- (~~MO~~) "Lot line, side" means any lot line other than a front or rear lot line. A lot line separating a lot from a street shall be the street-side lot line.
- (~~NP~~) "Lot, key" means an interior lot adjacent to a corner lot, the side line of which is contiguous with the rear lot line of the corner lot.
- (~~OQ~~) "Lot, width" means the horizontal distance between side lot lines measured at the front yard setback line.
- (R) "Low Barrier Navigation Center" means the same as defined in California Government Code section 65660(a).

Sec. 20.008.042 Definitions (M).

- (A) "Main building" means a building which is devoted primarily to a principal use or uses; or, the only building on a lot or building site.
- ~~(B) "Major Use Permit. See Use Permit, Major."~~
- ~~(C) "Market Rate" means not restricted to an "affordable" housing price as defined in section 20.008.020 of this document, or an affordable rent.~~
- ~~(D) "Minor Use Permit. See Use Permit, Minor."~~
- (C) "Mixed Use" means the development of any permitted residential use in conjunction with at least one (1) commercial or civic use type within the same building, either vertically (i.e., different uses located on separate floors) or horizontally (i.e., different uses located side-by-side on the same floor), or in multiple buildings, located on one (1) or more parcels, that are developed with shared site improvements such as pedestrian walkways, landscaping, public spaces (e.g., courtyards and plazas), and vehicle parking and circulation.
- (D) Intentionally omitted.
- (E) "Mixing plant" means plant for mixing concrete or asphalt products (including batch plants).
- (F) "Mobile home" means a transportable structure built on a chassis for movement, and designed to be used as a dwelling without permanent foundation when connected to the required utilities. No such structure shall be deemed to be a mobile home which is less than eight (8) feet wide or forty (40) feet in length.
- (G) "Mobile home, converted" means a mobile home, certified under the National Mobile Home Construction and Safety Standards Act of 1974, on a foundation system pursuant to Section 18551 of the California Health and Safety Code.
- (H) "Mobile home lot" means an area or tract of land or portion of a mobile home park designated or used for one (1) mobile home.
- (I) "Mobile home park" means an area or tract of land where two (2) or more mobile home lots are rented or leased or held for rent or lease to accommodate mobile homes for human habitation; provided that mobile home park does not include:
 - (1) Premises on which any trailer coaches are parked for inspection and sale;
 - (2) Premises on which all but one (1) of the trailer coaches are used exclusively for temporary uses pursuant to Temporary Use Regulations in Chapter 20.168.
 - (3) Premises on which all but one (1) of the trailer coaches are used exclusively to provide farm employee housing or as a farm labor camp.
- (J) "Mobile home park, standard" means a mobile home park developed pursuant to the regulations of Chapter 20.172.
- (K) "Model home" means an unoccupied dwelling unit temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental for the first time in a particular subdivision or other residential development which may be comprised of one (1) family, two (2) family, or multiple dwellings, or a combination thereof.
- (L) "Motel" means any building or portion thereof or group of buildings containing three (3) or more guest rooms or suites where such rooms or suites are directly accessible from an outdoor parking area and where each is used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit.
- (M) "Moveable Tiny Home" means a dwelling unit utilized as a single family dwelling unit or accessory dwelling unit which complies with the standards found in Chapter 20.170.

Sec. 20.008.044 Definitions (N).

- (A) Nonconforming Sign. See Sign, Nonconforming.
- (B) Nonconforming Structure. See Structure, Nonconforming.
- (C) Nonconforming Use. See Use, Nonconforming.
- (D) "Nonconforming Zoning Condition" means a physical improvement on a property that does not conform to current zoning standards.
- (DE) Nonoperating Vehicles, Storage of. See Storage of Nonoperating Vehicles.

Sec. 20.008.046 Definitions (O).

- (A) "Off-site service providers" means businesses where the primary activity is conducted off-premises from the location of the business office or equipment, vehicle, or supply storage. Such business may include but is not limited to contractors, tradespeople, equipment servicers, or instructors.
- (B) Off-Site sign. See Sign, Off-Site.
- (C) On-Site sign. See Sign, On-Site.
- (D) "Open space easement" means an easement established pursuant to Section 51050 or Section 51080 of the Government Code or an easement which ensures the permanent retention of land in open space.
- (E) "Organized camp" means a site with program and facilities established for the primary purpose of providing an outdoor group living experience with social, spiritual, educational, or recreational objectives for five (5) days or more during one (1) or more seasons of the year.

The criteria to be used in identifying an organized camp are as follows:

- (1) Camp is located on a permanent site;
- (2) Camp has a well-defined program of organized supervised activity in which campers are required to participate;
- (3) There is present at the camp a qualified program director and a staff adequate to carry out the program;
- (4) A major portion of daily program activities are out of doors;
- (5) Establishments which rent or lease facilities on an individual, family, or group basis for the principal purpose of sporting or other unorganized recreational activities should be considered an organized camp;
- (6) Camps operated by organizations such as the Y.M.C.A., Y.W.C.A., Girl Scouts of America, Boy Scouts of America, Camp Fire Girls, Salvation Army, etc., are true prototypes of organized camps. Membership in one (1) of the following organizations is indicative of status as an organized camp:
 - (a) The American Camping Association,
 - (b) The Christian Camp and Conference Association,
 - (c) The California Association of Private Camps,
 - (d) The Association for Outdoor Education Inc., or
 - (e) Other similar camping associations.
- (F) "Original jurisdiction" refers to either the Zoning Administrator, Planning Commission or Board of Supervisors, whichever body has the initial authority to take action for approval or denial, regardless if that action is appealable or final.
- (G) "Owner Occupied Unit" means a unit that is the primary residence of its owner.

Sec. 20.008.048 Definitions (P).

- (A) "Parcel" means a unit of land or lot which, upon application, is eligible for a Certificate of Compliance.
- (B) "Parcel group" means a cluster of parcels, the maximum number determined by General Plan density.
- (C) "Parking space" means an unobstructed space or area at least nine (9) by twenty (20) feet, other than a street or alley which is permanently reserved and maintained for the parking of one (1) motor vehicle.
- (D) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.**
- ~~(DE)~~ "Permitted Use." For the purpose of this Division, a "permitted use" in any district shall include any use listed as a Permitted Use and shall further include uses subject to **an Administrative Permit and uses subject to a Minor Use Permit and uses subject to a Major Use Permit** for the particular district provided a use permit is obtained.
- ~~(EF)~~ "Person" means any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit.
- ~~(FG)~~ "Planned development" means the development of parcels in a single ownership, which are suitable for and of sufficient acreage to contain a planned community or development; or parcels in multiple ownerships, which are determined to have development limitations, and require that improvement plans be prepared before divisions of land occur, or use permits are approved.
- ~~(G) "Promises" means a lot, or contiguous lots or portions thereof with functions, characteristics or uses uncommon to the remainder of the lot or lots.~~
- (H) Portable Sign. See Sign, Portable.
- (I) ~~"Principal use(s)" means the primary use(s) for which land or a building is or may be intended, occupied, maintained, arranged or designed.~~ "Preliminary Development Plan" means a land use diagram that shows the proposed mixed use project will not prevent orderly future development of any undeveloped portion of the project parcel(s). This plan includes the general location and type of possible future uses, circulation, and utilities outside of the project area and shows the project's relationship with the remainder of the site as well as existing development on adjoining lots and streets.
- (J) "Premise" means a lot or contiguous lots or portions thereof with functions, characteristics or uses uncommon to the remainder of the lot or lots.
- (K) ~~(G) "Premises" means a lot, or contiguous lots or portions thereof with functions, characteristics or uses uncommon to the remainder of the lot or lots.~~
- ~~(KL) "Principal use(s)" means the primary use(s) for which land or a building is or may be intended, occupied, maintained, arranged or designed.~~
- ~~(LM) Private Garage. See Garage, Private.~~
- ~~(LN) Projecting Sign. See Sign, Projecting.~~
- (O) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.**
- ~~(MP) Public Garage. See Garage, Public.~~
- ~~(NQ) Public Stable. See Stable, Public.~~

Sec. 20.008.050 Definitions (R).

- (A) "Recreational vehicles" means a motor home, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, which is less than eight (8) feet wide or forty (40) feet in length.
- (B) "Recreational vehicle park" means an area where one (1) or more camping spaces are rented or leased or held for rent or lease for compensation or profit to owners or users of recreational vehicles or tents and which is intended to be occupied by one (1) or more camping party.
- (C) "Recycling centers" means places of business or public facilities for the collection or processing of recyclable materials which comply with Section 20.024.105.
- (D) "Recyclable material" means reusable material, including but not limited to metals, glass, plastic, or paper which are intended for reuse, reconstitution or remanufacture for the purpose of reusing the altered form. Recyclable materials does not include refuse or hazardous materials except as specifically allowed by a particular use type.
- (E) "Redemption centers" means small collection centers not exceeding three thousand (3,000) square feet for the acceptance and temporary storage of redeemable materials from the public by donation, redemption or purchase, which complies with Section 20.024.107.
- (F) "Refuse disposal site" means an area devoted to the collection, disposal, incineration or transfer of solid waste. Refuse disposal site includes sanitary landfills, transfer stations and containers sites, processing for efficient shipping, disposal or transfer, and accessory recycling and resource recovery facilities and uses.
- (G) "Rental Unit" means a housing unit that is occupied by a party or household that is not its owner, and who pays a fee for the use of the unit.
- (H) "Residential parcel (high density)" means parcels zoned S-R, R-1, R-2, R-3, R-R: L-I or R-C.
- (I) "Resort and recreational facilities" means an establishment comprised of permanent structures offering meals and lodging facilities for temporary or seasonal occupancy, defined as thirty (30) days or less and subject to Mendocino County Code Chapters 5.20 and 6.04, and having recreational facilities for one (1) or more activities such as water sports, tennis, golf, riding, hiking, hunting, fishing or similar uses.
- (J) Roof Sign. See Sign, Roof.
- (K) "Room and Board" means the renting of not more than two (2) rooms for occupancy by transient guests for compensation or profit.

Sec. 20.008.052 Definitions (S).

- (A) ~~(1)~~ "School" means a building or group of buildings which are used or intended to be used for occupancy and use by teachers and students engaged in the process of learning and the pursuit of knowledge. A public school is a free tax supported school controlled by a governmental authority.
- (B) ~~(2)~~ "Seat" or "seating area" means the actual seating capacity of an area based on the number of seats or one (1) seat per eighteen (18) inches on a bench or pew.
- ~~(C)~~ ~~(3)~~ "Second Residential Unit" means either a detached or attached dwelling unit, including a mobile home, which provides complete independent living facilities for one(1) or more persons. It shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel or parcels as the primary unit is situated.
- ~~(C)~~(D) "Setback" means a required, specified distance between a building or structure and a lot line or lines, measured perpendicularly to the lot line in a horizontal plane extending across the complete length of said lot line or lines.

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~~(D)~~(E) ~~(4)~~ — "Setback, front yard" means the building or structure setback applicable in the front yard of a lot.

~~(E)~~(F) ~~(5)~~ — "Setback, rear yard" means the building or structure setback applicable in the rear yard of a lot.

~~(F)~~(G) ~~(6)~~ — "Setback, side yard" means the building or structure setback applicable in the side yard of a lot.

~~(G)~~(H) ~~(7)~~ — "Shopping center" means any combination of three (3) or more separately owned or leased and operated retail businesses on a single or commonly owned or leased parcel, or a commercial complex including five (5) or more uses occupying a site of at least two (2) acres. A group of contiguous retail stores, service facilities and related uses utilizing common facilities such as parking, landscaping, signing and loading areas. This group does not necessarily have to be in one (1) ownership.

~~(H)~~(I) ~~(8)~~ — "Sign" means any metal, wood, paper, cloth, plastic, paint, material, structure or part thereof, device or other thing whatsoever which is located upon, placed, erected, constructed, posted, painted, tacked, nailed, glued, stuck, carved, fastened or affixed to any building or structure, on the outside or inside of a window or on any awning, canopy, marquee or similar appendage, or on the ground or on any tree, wall, bush, rock, post, fence or other thing whatsoever in such a manner as to be visible out-of-doors and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, symbol device, light, illuminated device, trademark, or other representation used as, or in the nature of, an announcement, advertisement, attention arrester, direction, warning, or designation of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise, or industry. "Sign" shall include any portable sign.

~~(I)~~(J) ~~(9)~~ — "Sign area" means the entire area within the smallest parallelogram, triangle, circle, or combination thereof, which can be delineated so as to encompass the extreme limits of all elements comprising an integral part of a sign display, including any frame or border, but not including essential structural elements, unless it is determined that such structural elements are an integral part of the total sign display; provided, however, that where the surface or face of a sign is curved, spherical, cylindrical or any other similar form, the area of such sign shall be computed on the basis of the projected configuration of that surface or face. The area of any double-faced sign shall be the area of the single face, unless otherwise provided. All other multiple-faced signs shall be the total area of all faces or panels. Sign area as it pertains to sign copy shall mean and be computed as the entire area within the smallest continuous perimeter of not more than eight (8) straight lines encompassing the extreme limit of all of the sign copy of a sign. In the case of a sign composed of individual letters or other devices mounted on a building wall, the copy area of such sign shall be the sum of the areas of the smallest rectangles encompassing each of the individual letters or other devices which comprise the sign copy.

~~(J)~~(K) ~~(10)~~ — "Sign face" means the surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.

~~(K)~~(L) ~~(11)~~ — "Sign, freestanding" means any sign mounted upon its own standard which is supported wholly by structural anchorage to the ground, or mounted upon any accessory structure which does not constitute a building; provided, however, that any such sign which projects over the roof of a building shall be considered to be a freestanding sign.

~~(L)~~(M) ~~(12)~~ — "Sign height" means the highest point of any sign face or structural support members, whichever is the greater.

~~(M)~~(N) ~~(13)~~ — "Sign, nonconforming" means a sign lawfully erected, established, and maintained prior to the effective date of the code codified in this Division, which because of the application of this Division, does not conform to applicable regulations.

~~(N)~~(O) ~~(14)~~ — "Sign, off-site" means any sign as herein defined other than an on-site sign.

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~~(O)~~(P) ~~(15)~~ — "Sign, on-site" means any sign which pertains and is accessory to a business or industrial use located on the same lot or which offers a lot or portion thereof for sale or lease.

~~(P)~~(Q) ~~(16)~~ — "Sign, portable" means a sign and its supporting structure not permanently affixed to the ground or any structure, or a sign located upon a vehicle or trailer placed or parked so as to be visible from the public right-of-way, for the basic purpose of providing advertisement of products or directing people to a business or activity. Portable signs shall not include business identification signs on vehicles, the primary purpose of which is identifying the business owning or operating the vehicle.

~~(Q)~~(R) ~~(17)~~ — "Sign, projecting" means any sign other than a wall sign which is attached to and projects from the wall or face of a building or structure including a marquee sign.

~~(R)~~(S) ~~(18)~~ — "Sign, roof" means any sign erected, painted upon, against, or directly above a roof or on top of or above the parapet of a building, and which is supported wholly or in part by said building. Any sign mounted upon its own standard which is supported wholly by structural anchorage to the ground, or mounted upon any accessory structure which does not constitute a building, shall be considered a roof sign where such sign projects over the roof of a building.

~~(S)~~(T) Any roof, the slope of which varies not more than forty-five (45) degrees from a vertical plane, shall be considered wall space for the purpose of placement of wall signs.

~~(T)~~(U) ~~(19)~~ — "Sign, wall" means any sign painted or mounted on a wall or of solid construction located as to be approximately parallel with the face of a building not to extend eighteen (18) inches from the face of a building or structure.

~~(V)~~ ~~(20)~~ — Single-Family Residence. See Dwelling, Single-Family.

~~(U)~~(W) "Small family daycare home" means the same as "small family daycare home" as defined in California Health and Safety Code section 1596.78.

~~(V)~~(X) ~~(21)~~ — "Stable" means a stable used for the boarding, breeding, training, or raising of horses, including horses not owned by the occupants of the premises.

~~(W)~~(Y) ~~(22)~~ — "Stable, public" means a stable or arena used for the riding, training and performing of horses by other than the occupants of the premises or their nonpaying guests, but excluding boarding or breeding stables.

~~(X)~~(Z) ~~(23)~~ — Standard Mobile Home Park. See Mobile Home Park, Standard.

~~(Y)~~(AA) ~~(24)~~ — "Storage of nonoperating vehicles." The storage of "nonoperating motor vehicles" shall not include automobile wrecking. The presence on any lot or parcel of land of three (3) or more motor vehicles which for a period exceeding thirty (30) days have not been capable of operating under their own power, and from which no parts have been or are to be removed for reuse or sale shall constitute prima facie evidence of the storage of nonoperating motor vehicles.

~~(Z)~~(BB) ~~(25)~~ — "Street" means a County road, State highway, public road, street or alley, or private thoroughfare or easement not less than ten (10) feet in width connecting with a County road, State highway, public road, street or alley which affords primary access to an abutting lot.

~~(AA)~~(CC) ~~(26)~~ — "Structural alterations" means any change in the supporting members of a building such as bearing walls, columns, beams or girders and floor joists, ceiling joists or roof rafters.

~~(BB)~~(DD) ~~(27)~~ — "Structure" means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground; excepting tents, recreational vehicles and fences less than six (6) feet in height.

~~(CC)~~(EE) ~~(28)~~ — "Structure, nonconforming" means a building, structure or facility, or portion thereof, which was lawfully erected or altered or maintained, but which, because of the application of this ordinance to it, no longer conforms to the specific regulations applicable to the zone in which it is located.

~~(DD)~~~~(FF)~~ ~~(29)~~—"Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, as defined in California Government Code Section 65582, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community, as defined in Section 50675.14 of the California Health and Safety Code. Supportive housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

~~(EE)~~~~(GG)~~ ~~(30)~~—"Swap lot" means a building, structure, enclosure lot or other area into which persons are admitted to display, exchange, barter, sell or bargain for new or used merchandise.

~~(FF)~~~~(HH)~~ ~~(31)~~—"Swimming pool" means a pool, pond, or open tank, capable of containing water to a depth greater than one and one-half (1½) feet at any point and designed or used for wading or swimming.

Sec. 20.008.054 Definitions (T).

(A) "Tandem Parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(B) "Tasting room" means an area devoted to the sampling and sales thereof of wine or beer produced on or off the premises. Sale of food is prohibited, however, the incidental provision of food without compensation is allowed.

(BC) "Timberland" means privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least fifteen (15) cubic feet per acre.

(GD) "Trailer coach" means any vehicle, with or without motive power, designed or used for human occupancy for residential, recreational, industrial, professional or commercial purposes and shall include mobile home and recreational vehicle.

~~(DE)~~ "Transient Guest" means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days.

(F) "Transient Habitation" means establishments primarily engaged in the provision of lodging services for a period of thirty (30) consecutive calendar days or less with incidental food, drink and other sales and services intended for the convenience of guests.

(DG) "Transitional housing" means rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months, and in no case more than two (2) years, as defined in Section 50675.2 of the California Health and Safety Code. Transitional housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

~~(EH)~~ Travel Trailer. See Recreational Vehicle.

Sec. 20.008.056 Definitions (U).

(A) "Uniform Building Code (UBC)" means the UBC in use by Mendocino County.

(B) "Usable open space" means one (1) or more open areas adjacent to residential uses, the purpose of which is to provide an outdoor area designed for outdoor recreation.

(C) "Use" means the purpose for which land or a building is occupied, arranged, designed or intended, or which land or a building is or may be occupied or maintained.

(D) Use, Accessory. See Accessory Use.

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- (E) "Use classification" means a system of classifying uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics. All use types are grouped into the following categories: Residential, Civic, Commercial, Industrial, Agricultural, and Extractive.
- (F) Use Group. See Use Classification.
- (G) "Use, nonconforming" means the use of a building, structure, or site, or portion thereof, which was lawfully established and maintained, but which, because of the application of this ordinance to it, no longer conforms to the specific regulations applicable to the zone in which it is located: Eligibility shall include one (1) of the following permits issued prior to March 24, 1982:
 - (1) Prior Use Permit;
 - (2) County Business License;
 - (3) State Resale Permit.
- (H) "Use Permit" means a permit which may be granted by the appropriate Mendocino County authority to provide for the accommodation of land uses with special site or design requirements, operation characteristics, or potential adverse effects on surroundings, which are not permitted by right but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the permit granting authority.
- ~~(I) "Use Permit, Major" means use permit under the original jurisdiction of the Planning Commission.~~
- ~~(J) "Use Permit, Minor" means use permit under the original jurisdiction of the Zoning Administrator.~~
- ~~(K)~~ Use Type. See Use Classification.

Sec. 20.008.058 Definitions (V).

- (A) "Variance" means a departure from the specific requirements, excluding uses, of the Zoning Code which may be granted by the appropriate Mendocino County authority when the literal enforcement of these requirements would result in practical difficulties, unnecessary hardship, or results inconsistent with the general purposes of this Division.

Sec. 20.008.060 Definitions (W).

~~(A)~~ ~~(A)~~ Wall Sign. See Sign, Wall.

~~(A)~~~~(B)~~ "Water Extraction for Bulk Sale" means extraction of water from a parcel, whether from a well, spring, watercourse or any other source of water, that is not done by a water district, where the water is sold for use on a different property than where it was extracted, including any transportation of water in containers including but not limited to bottles or tank trucks.

- ~~(B)~~ "Wireless communication facility" means structures and/or equipment, including antennas, antenna towers, equipment cabinets, buildings, generators, fencing, access roads and the land upon which they are situated, associated with wireless communications.

Sec. 20.008.062 Definitions (Y).

- (A) "Yard" means an open, unoccupied space, other than a court, unobstructed from the ground to the sky, except as otherwise provided by this Division, on the lot on which a building is situated.
- (B) "Yard, front" means the yard between a front lot line or lines and the line defined by the required front yard setback extending to the side lot lines.
- (C) "Yard, rear" means the yard between a rear lot line or lines and the line defined by a required rear yard setback extending to the side lot lines.
- (D) "Yard, side" means the yard between a side lot line or lines and the line defined by a required side yard setback, extending from the front yard to the rear yard.
- (E) "Yard, side, exterior" means a side yard abutting a street.

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(F) "Yard, side, interior" means any side yard other than an exterior side yard.

Sec. 20.008.064 Definitions (Z).

- (A) "Zone" means an area to which a uniform set of regulations relating to use of the land and the size of and location of buildings on the land, in order to assure the health, safety and general welfare of the County applies.
- (B) "Zoning Administrator" means the Planning and Building Services Director or designated representative who shall have authority to render decisions on ~~minor use permits, variances and~~ administrative permits.
- (C) "Zoning Map" means a map displaying zone district boundaries which is kept and maintained by the Planning and Building Services Department.

CHAPTER 20.012 USE CLASSIFICATIONS

Sec. 20.012.005 General Intent of the Use Classifications.

The purpose of these provisions is to classify uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics, thereby providing a basis for regulation of uses in accordance with criteria which are directly relevant to the public interest. These provisions shall apply throughout this Division.

Sec. 20.012.010 Listing of Use Classifications.

All uses are hereby classified into the following use types, which are described in Section 20.016.005 through Section 20.036.010, inclusive. See Section 20.012.015 for classification of combinations of uses resembling different types. The names of these use types start with capital letters throughout this Division.

(A) Residential Use Types.

- (1) Assisted Living Residential Care Facility;
- (2) Day Care Facility;
- (3) Employee Housing;
- (4) Family residential—single-family;
- (5) Family residential—two-family;
- (6) Family residential—multifamily;
- (7) Family residential—dwelling groups;
- (8) Family residential—cluster development;
- ~~(6) Farm employee housing;~~
- ~~(7) Industrial caretaker housing;~~
- ~~(8) Industrial employee housing;~~
- ~~(9) Farm labor housing;~~
- (9) Low Barrier Navigation Center
- ~~(10) Mobile home park residential;~~
- (11) Supportive Housing;
- (12) Transitional Housing.

(B) Civic Use Types.

- (1) Administrative services, government;
- (2) Ambulance services;
- (3) Cemetery services;
- (4) Clinic services;
- (5) Community recreation;
- (6) Cultural exhibits and library services;
- (7) Day care facilities/small schools;

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- ~~(7)~~(8) Educational facilities;
- ~~(8)~~(9) Essential services;
- ~~(9)~~(10) Fire and police protection services;
- ~~(10)~~(11) Group care;
- ~~(11)~~(12) Lodge, fraternal and civic assembly;
- ~~(12)~~(13) Major impact facilities;
- ~~(13)~~(14) Major impact services and utilities;
- ~~(14)~~(15) Minor impact utilities;
- ~~(15)~~(16) Religious assembly.

(C) Commercial Use Types.

- (1) Administrative and business offices;
- (2) Agricultural sales and services;
- (3) Animal sales and services—auktioning;
- (4) Animal sales and services—household pets;
- (5) Animal sales and services—horse stables;
- (6) Animal sales and services—kennels;
- (7) Animal sales and services—stockyards;
- (8) Animal sales and services—veterinary. (large animals);
- (9) Animal sales and services—veterinary (small animals);
- (10) Automotive and equipment—cleaning;
- (11) Automotive and equipment—fleet storage;
- (12) Automotive and equipment—parking;
- (13) Automotive and equipment—gasoline sales;
- (14) Automotive and equipment—repairs, light;
- (15) Automotive and equipment—repairs, heavy;
- (16) Automotive and equipment—sales/rentals;
- ~~(17)~~ Automotive and equipment—storage, nonoperating vehicles;
- ~~(17)~~(18) Automotive and equipment—storage, recreational vehicles and boats;
- ~~(18)~~(19) Building maintenance services;
- ~~(19)~~(20) Business equipment sales and services;
- ~~(20)~~(21) Commercial recreation—indoor sports and recreation;
- (22) Commercial recreation—outdoor sports and recreation;
- ~~(24)~~(23) Commercial recreation – outdoor sports and recreation—limited;
- ~~(22)~~(24) Commercial recreation—indoor entertainment;
- ~~(23)~~(25) Commercial recreation—outdoor entertainment;
- ~~(24)~~(26) Communications services;

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~~(25)~~(27) Construction sales and services;
~~(26)~~(28) Cottage industries—limited;
~~(27)~~(29) Cottage industries—general;
~~(28)~~(30) Eating and drinking establishments;
~~(29)~~(31) Financial, services;
~~(30)~~(32) Food and beverage retail sales;
~~(31)~~(33) Food and beverage preparation—without consumption;
~~(32)~~(34) Funeral and interment services;
~~(35)~~ ___ Laundry services;
~~(33)~~(36) Mail order businesses;
~~(34)~~(37) Medical services;
~~(35)~~(38) Personal services;
~~(39)~~ ___ Recycling centers;
~~(36)~~(40) Redemption centers
~~(37)~~(41)(38) — Repair services, consumer;
~~(38)~~(42)(39) — Research services;
~~(39)~~(43)(40) — Retail sales, general;
~~(40)~~(44)(41) — Scrap operations;
~~(41)~~(45)(42) — Swap meets;
~~(42)~~(46)(43) — Transient habitation—campground;
~~(43)~~(47)(44) — Transient habitation—lodging—limited;
~~(48)~~ ___ ~~(45)~~ — Transient habitation—lodging;
Transient habitation—low intensity camping;
~~(44)~~(49)(46) — Transient habitation—resort and recreational facilities;
~~(45)~~(50)(47) — Wholesaling, storage and distribution—mini-warehouses;
~~(46)~~(51)(48) — Wholesaling, storage and distribution—light;
~~(47)~~(52)(49) — Wholesaling, storage and distribution—heavy.

(D) Industrial Use Types.

- (1) Custom manufacturing;
- (2) Explosives storage;
- (3) General industrial;
- (4) Heavy industrial.

(E) Agricultural Use Types.

- (1) Horticulture;
- (2) Row and field crops;
- (3) Tree crops;
- (4) Animal raising—general agriculture;

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- (5) Animal raising—personal;
- (6) Animal waste processing;
- (7) Packing and processing—limited;
- (8) Packing and processing—winery;
- ~~(9)~~ Packing and processing—general;
- ~~(9)~~~~(10)~~ Packing and processing—commercial cooerage;
- ~~(10)~~~~(11)~~ Forest production and processing—limited;
- ~~(11)~~~~(12)~~ Forest production and processing—general;
- ~~(12)~~ Forest production and processing—commercial woodlots;
- ~~(12)~~~~(14)~~ Forest production and processing – portable sawmills.

(F) Extractive Use Types.

- (1) Mining and processing.

Sec. 20.012.015 Classification of Combination of Principal Uses.

The following rules shall apply where a lot contains uses which resemble two (2) or more different use types and which are not classified either as accessory uses or as permitted secondary uses.

- (A) Separate Classification of Several Establishments. The principal uses conducted on a lot by two (2) or more individual establishments, managements, or institutions shall be classified separately into use types.
- (B) Classification of Different Uses Conducted by Individual Establishment. If principal uses conducted on a lot by an individual establishment, management, or institution resemble two (2) or more different use types all such principal uses shall be classified in the use types whose description most closely portrays the nature of such uses. However, when the principal uses have any of the characteristics of the following list of use types, all such principal uses shall be classified in one (1) or more of the use types on the list:
 - (1) Animal sales and services: auctioning;
 - (2) Animal sales and services: stockyards-,
 - (3) Animal waste processing;
 - (4) Explosive storage:
 - (5) General industrial:
 - (6) Heavy industrial;
 - (7) Major impact services and utilities;
 - (8) Mining and processing;
 - (9) Scrap operations;
 - (10) Wholesaling, storage and distribution: heavy.

Sec. 20.012.020 Classifying Uses.

Uses will be classified into use types upon the description of the use types as contained in Section 20.016.005 through Section 20.036.010, inclusive, and upon common functional, product, or compatibility characteristics with other uses already classified within the use type, subject to the applicable provisions of Section 20.012.015 with respect to combinations of uses. A list of common uses and the use types into which they are classified shall be maintained by the Director. The Director shall have the authority to

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classify common uses according to use types. The classification of a use is subject to the right of appeal pursuant to the administrative appeal procedure in Chapter 20.208.

CHAPTER 20.016 RESIDENTIAL USE TYPES

Sec. 20.016.005 General Description of Residential Use Types.

Residential use types include the occupancy of living accommodations on a wholly or primarily nontransient basis; ~~but exclude institutional living arrangements involving those providing twenty-four (24) hour skilled nursing or medical care for seven (7) or more individuals unrelated to the resident, owner, or operator and those providing forced residence, such as asylums and prisons.~~ They also include certain uses accessory to the above, as specified in Chapter 20.164, Accessory Use Regulations.

Sec. 20.016.010 Assisted Living Residential Care Facility

~~A state-authorized, certified, or licensed family care home, foster home, group home serving six (6) or fewer mentally impaired or otherwise handicapped persons, persons recovering from alcoholism or drug addiction, or dependent and neglected children. A family care home may provide care and service on a twenty-four-hour-a-day basis. No facility shall qualify as a family care home if it is operated in such a manner that facilities, activities, or events thereon are shared by more than six (6) mentally impaired or otherwise handicapped persons or dependent and neglected children.~~

Sec. 20.016.010-015 Family Residential.

The family residential use type refers to the residential occupancy of dwelling units by families on a monthly or longer basis. Typical uses include occupancy of dwelling or apartment. The following are family residential use types:

- (A) Family Residential—Single-family. The use of a parcel for only one (1) dwelling unit including if said unit is a moveable tiny home consistent with Chapter 20.170;
- (B) Family Residential—Two-family. The use of a parcel for two (2) dwelling units within a single building;
- (C) Family Residential—Multifamily. The use of a parcel for three (3) or more dwelling units in one (1) building;
- (D) Family Residential—Dwelling Groups. The use of a parcel for more than one (1) but not more than four (4) single family dwellings, except on R-2 zoned properties, no more than four (4) dwelling units. On the agriculture, range land, forest land, and timber land production districts, open space easements or other methods may be required on all open space land not included in the residential development area:
- (E) Family Residential—Cluster Development. The use of a parcel for more than four (4) dwelling units when clustered to enhance and protect the agriculture or natural resources of a site. Typical uses are single-family, two (2) family, or multiple-family units which shall meet the requirements in Chapter 20.116 Cluster Combining District.

Sec. 20.016.020 Day Care Facility

The use of a dwelling unit as a “small family daycare home” or “large family daycare home” as defined in California Health and Safety Code section 1596.78. “Small family daycare home” or “large family daycare home” includes a detached single-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multifamily dwelling in which the underlying zoning allows for residential uses. A small family daycare home or large family daycare home is where the family daycare provider resides and includes a dwelling or dwelling unit that is rented, leased, or owned. Pursuant to California Health and Safety Code section 1597.45 Day Care Facilities are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

Sec. 20.016.015-025 Farm Employee Housing.

~~Occupancy by a farm employee and his/her family within a single family dwelling, or trailer coach which occurs exclusively in association with the performance of agricultural labor for a bona-fide agricultural operation. Farm employee housing shall be limited to one (1) unit per ownership, shall be required to obtain an administrative permit and shall not be required to meet density requirements. Housing for more than one (1) farm employee and his/her family is classified as farm labor housing. Employee Housing consistent with the Employee Housing Act as specified in California Health and Safety Code sections 17000 through 17062.5.~~

Sec. 20.016.020 Farm Labor Housing.

~~Occupancy on a parcel in one (1) or more dwelling units or trailer coaches by more than one (1) farm employee and his/her families which occurs exclusively in association with the performance of agricultural labor. Farm labor housing shall not be required to meet density requirements.~~

Sec. 20.016.025 Industrial Caretaker Housing.

~~One (1) single family dwelling or a single trailer coach may be permitted on a lot or building site when a commercial or industrial use is existing on the premises or a permit has been issued for the industrial use and zoned 1-1, 1-2 or A-V when occupied exclusively by a caretaker or superintendent of such industrial use and his/her family.~~

Sec. 20.016.030 Industrial Employee Housing.

~~Occupancy of three (3) or fewer trailer coaches by industrial employees or a caretaker and his/her families, which occurs exclusively on industrial-zoned property by employees or caretaker and their families of the industrial use on the site. The installation of units for this purpose shall not exceed one (1) unit per six thousand (6,000) square feet.~~

Sec. 20.016.030 Low Barrier Navigation Center

A Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing, as further defined in California Government Code section 65660(a).

Sec. 20.016.035-035 Mobile Home Park.

The mobile home park use type refers to the residential occupancy of mobile homes by families on a monthly or longer basis. Typical uses include mobile home parks.

Sec. 20.016.040 Supportive Housing.

Housing with no limit on length of stay, that is occupied by the target population, as defined in California Government Code Section 65582, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community, as defined in Section 50675.14 of the California Health and Safety Code. Supportive housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

Sec. 20.016.045 Transitional Housing.

Rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future

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point in time, which shall be no less than six (6) months, and in no case more than two (2) years, as defined in Section 50675.2 of the California Health and Safety Code. Transitional housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

CHAPTER 20.020 CIVIC USE TYPES

Sec. 20.020.005 General Description of Civic Use Types.

Civic use types include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other uses which are strongly vested with public or social importance. They also include certain uses accessory to the above, as specified in Chapter 20.164, Accessory Use Regulations.

Sec. 20.020.010 Administrative Services Government.

"Administrative services government" means consulting, recordkeeping, clerical or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include Federal, State, County, city or special district offices.

Sec. 20.020.015 Ambulance Services.

"Ambulance services" means transportation of ill or injured persons to and from treatment facilities together with incidental storage and maintenance of necessary vehicles.

Sec. 20.020.020 Cemetery.

"Cemetery" means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Sec. 20.020.025 Clinic Services.

"Clinic services" means providing nonprofit medical services to persons afflicted with bodily or mental disease or injury without provision for on-site residence or confinement.

~~Sec. 20.020.023 Child Day Care Facility.~~

~~Child Day Care Facility - means a facility that provides for non-medical care for children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24 hour basis. Child day facility includes day care centers, nurseries, employer-sponsored childcare and family day care homes.~~

Sec. 20.020.030 Community Recreation.

"Community recreation" means recreational, social or multipurpose uses owned or operated by a public entity. Typical uses include public parks, sports facilities, senior citizen centers, nature centers, teen centers, playhouses, auditoriums and recreational centers.

Sec. 20.020.035 Cultural Exhibits and Library Services.

"Cultural exhibits and library services" means nonprofit, museum-like preservation and exhibition of objects of permanent interest in one (1) or more of the arts and sciences, gallery exhibition of works of art or library collection of books, manuscripts, etc., for study and reading.

Sec. 20.020.040 Day Care Facilities/Small Schools.

"Day Care Facility/small schools" means care or education of seven (7) or more, but not to exceed twenty-five (25) persons regardless of age or handicap but excluding overnight care or uses classified as group care or other facilities exempted by the California Health and Safety Code, e.g. Day Care Homes - Small and Large, or major impact services and utilities. A Day Care Home - Large is subject to an

Administrative Permit in all zoning districts that permit the Family Residential use types. Typical uses include day nurseries for children, child day care facilities, or day care for elderly, and small schools.

Sec. 20.020.045 Educational Facilities.

"Educational facilities" means public and private schools providing education for more than twenty-five (25) persons.

Sec. 20.020.050 Essential Services.

"Essential services" means services which are necessary to support principal development and involve only minor structures such as lines and poles which are necessary to support principal development.

Sec. 20.020.055 Fire and Police Protection Services.

"Fire and police protection services" means facilities for conduct of public safety services, including police and fire protection services.

Sec. 20.020.060 Group Care.

"Group care" means services provided in facilities authorized, certified or licensed by the State to provide board, room and personal care to seven (7) or more, but not to exceed twenty-five (25) elderly, or mentally impaired or otherwise handicapped persons or dependent and neglected children but excluding those uses classified under major impact services and utilities. Typical uses include emergency shelters, intermediate care facilities and rest homes.

Sec. 20.020.065 Lodge, Fraternal and Civic Assembly.

"Lodge, fraternal and civic assembly" means meetings and activities conducted primarily for their members by nonprofit organizations which are tax exempt pursuant to Section 501(c) of the Internal Revenue Code. Excluded from this use type are uses classified as group care, or transient habitation (all types). Typical uses include meeting places for civic clubs, grange halls, lodges, or fraternal or veterans organizations.

Sec. 20.020.070 Major Impact Facilities.

"Major impact facilities" means services or facilities which may have a substantial impact. Typical uses include airports, hospitals, group care for more than twenty-five (25) persons, detention and correction institutions, and corporation yards.

Sec. 20.020.075 Major Impact Services and Utilities.

"Major impact services and utilities" means services or utilities which may have a substantial impact. Such uses may be conditionally permitted when the public interest supersedes the usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community wide interest. Typical places or uses are power generating facilities, **Battery Energy Storage Systems**, sewage disposal facilities, septage disposal facilities and sites, sanitary landfills and water treatment plants, and radio, telephone and other commercial communication transmission towers and antennas.

Sec. 20.020.080 Minor Impact Utilities.

"Minor impact utilities" means public utilities which have a local impact on surrounding properties and are necessary to provide essential services. Typical uses are electrical and gas distribution substations and transmission distribution lines. Radio, telephone and other commercial communication transmission towers and antennas are not included.

Sec. 20.020.085 Religious Assembly.

"Religious assembly" means religious services involving public assembly such as customarily occurs in synagogues, temples, and churches.

CHAPTER 20.024 COMMERCIAL USE TYPES

Sec. 20.024.005 General Description of Commercial Use Types.

Commercial use types include the distribution and sale or rental of goods; and the provision of services other than those classified as civic uses. They also include certain uses accessory to the above, as specified in Chapter 20.164, Accessory Use Regulations.

Sec. 20.024.010 Administrative and Business Offices.

"Administrative and business offices" means offices of private firms or organizations which are primarily used for the provision of professional, executive, management, or administrative services. Typical uses include administrative offices, and services including real estate, insurance, property management, investment, travel, secretarial services, telephone answering, photocopy and reproduction, and other activities when the service rendered is that customarily associated with administrative office services. Excluded are banks.

Sec. 20.024.015 Agricultural Sales and Services.

"Agricultural sales and services" means establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, pesticides and similar goods or in the provision of agriculturally related services with incidental storage on lots other than where the services are rendered. Typical uses include nurseries, hay, feed and grain stores, crop dusting, or tree service firms.

Sec. 20.024.020 Animal Sales and Services.

"Animal sales and services" means establishments or places of business primarily engaged in animal related sales and services. The following are animals sales and services use types:

- (A) Animal Sales and Services—Auctioning. Auctioning of livestock on a wholesale or retail basis with incidental storage of animals produced off property not exceeding seventy-two (72) hour periods. Typical uses include animal auctions or livestock auction yards.
- (B) Animal Sales and Services—Household Pets. Retail sales and grooming of dogs, cats, birds, fish and similar small animals customarily used as household pets. Typical uses include pet stores, dog bathing and clipping salons, or pet grooming shops.
- (C) Animal Sales and Services—Horse Stables. Boarding, breeding or raising of horses not owned by the occupants of the premises or riding of horses by other than the occupants of the premises or their nonpaying guests. Typical uses include boarding stables or public stables.
- (D) Animal Sales and Services—Kennels. Kennel services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels or dog training centers.
- (E) Animal Sales and Services—Stockyards. Stockyard services involving the temporary keeping of transient livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales yards.
- (F) Animal Sales and Services—Veterinary (Large Animals). Veterinary services for large animals. Typical uses include animal hospitals (large animals) and veterinary hospitals (large animals). Typical uses include clinics for the treatment of sheep, cattle, horses, goats and similar large animals.
- (G) Animal Sales and Services—Veterinary (Small Animals). Veterinary services for small animals provided that overnight care shall be within a fully enclosed building or structure. Typical uses include pet clinics, dog and cat hospitals or animal hospitals treating small animals.

Sec. 20.024.025 Automotive and Equipment.

"Automotive and equipment" means establishment or places of business primarily engaged in automotive related or heavy equipment sales or services. The following are automotive and equipment use types:

- (A) Automotive and Equipment—Cleaning. Washing and polishing of automobiles. Typical uses include auto laundries or car washes.
- (B) Automotive and Equipment—Fleet Storage. Storage or parking of one (1) or more vehicles used regularly in business operations. Excluded from this use type are automotive and equipment—sales/rentals, and the incidental parking of vehicles as an accessory use to a permitted use on the same premises. Typical uses include taxi fleets, mobile catering truck storage or delivery truck fleets.
- (C) Automotive and Equipment—Parking. Parking of motor vehicles on a temporary basis within a public or privately owned off-street parking area with or without a fee. Typical uses include commercial parking lots or commercial garages.
- (D) Automotive and Equipment—Gasoline Sales. Establishments or places of business primarily engaged in the retail sale, from the premises, of petroleum products with incidental sale of tires, batteries, and replacement items, lubricating services and minor repair services. Typical uses include automobile service stations, filling stations or truck stops.
- (E) Automotive and Equipment—Repairs, Light (Under Six Thousand (6,000) Pounds). Repairs of automobiles, pick-up trucks, recreational vehicles, farm equipment and boats (less than twenty-four (24) feet in length) and the sale, installation and servicing of automobile equipment and parts but excluding body repairs and painting. Typical uses include muffler shops, auto repair garages, auto glass shops or auto parts stores.
- (F) Automotive and Equipment—Repairs, Heavy (Six Thousand (6,000) Pounds and Over). Repair of motor vehicles such as aircraft, boats, (twenty-four (24) feet or longer) heavy construction equipment, trucks, or major truck terminals etc., as well as the sale, installation and servicing of automotive equipment and parts together with body repairs, painting and steam cleaning. Typical uses include truck transmission shops, body shops or motor freight maintenance groups.
- (G) Automotive and Equipment—Sales/Rentals. Sale, retail or wholesale and/or rental from the premises of auto, trucks, motorcycles, mobile homes, motor homes, trailers, construction equipment, farm equipment and aircraft together with incidental maintenance. Typical uses include auto dealers, car rental agencies, aircraft dealers, boat dealers, construction equipment dealers, or mobile home dealers.
- (H) Automotive and Equipment—Storage, Nonoperating Vehicles. Storage of nonoperating motor vehicles. Typical uses include storage of private parking towaways or impound yards.
- (I) Automotive and Equipment—Storage, Recreational Vehicles and Boats. Storage of recreational vehicles and boats. Typical uses include the collective storage of personal recreational vehicles or boats.

Sec. 20.024.030 Building Maintenance Services.

"Building maintenance services" means establishments primarily engaged in the provision of maintenance and custodial services to firms rather than individuals. Typical uses include janitorial, landscape maintenance, or window cleaning services.

Sec. 20.024.035 Business Equipment Sales and Services.

"Business equipment sales and services" means establishments or places of business primarily engaged in the sale, rental or repair of equipment and supplies used by office, professional and service establishments to the firms themselves rather than to individuals, but excludes automotive, construction

and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms.

Sec. 20.024.040 Commercial Recreation.

"Commercial recreation" means establishments or places primarily engaged in the provision of sports, entertainment, or recreation for participants or spectators. The following are commercial recreation use types:

- (A) **Indoor Sports and Recreation.** Uses conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice and roller skating rinks, penny arcades.
- (B) **Outdoor Sports and Recreation.** Uses conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, golf courses, swimming pools, water slides, tennis courts, racquetball courts. Shooting ranges and motorcycle parks shall require a use permit.
- (C) **Outdoor Sports and Recreation—Limited.** Recreational activities that are compatible with and not detrimental to the agricultural use of the property, specifically meaning the use of land by the public, with or without charge, for any of the following recreational uses: Walking, hiking, picnicking, swimming, boating, fishing, hunting, equestrian uses or other outdoor games such as golf driving ranges, tennis courts (grass only), par course (physical fitness) and athletic fields (football, soccer and batting practice range). This recreational use is limited as follows:
 - (1) A duration of two (2) years, subject to renewal.
 - (2) No permanent structures may be constructed to support this use.
 - (3) No soil shall be moved to support this use.
 - (4) Use must be in compliance with Williamson Act contract restrictions and with the use as specified in Mendocino County Code Section 22.08.071.
- (D) **Indoor Entertainment.** Predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters, meeting halls, dance halls and auditoriums.
- (E) **Outdoor Entertainment.** Predominantly spectator uses conducted in open facilities. Typical uses include sports arenas, racing facilities, amusement parks.

Sec. 20.024.045 Communications Services.

"Communications services" means establishments primarily engaged in the provisions of broadcasting and other information relay services accomplished through the use of electronic mechanisms but excludes those classified as major or minor impact services and utilities. Typical uses include television studios, telecommunication service centers or telegraph service offices.

Sec. 20.024.050 Construction Sales and Services.

"Construction sales and services" means establishments or places of business primarily engaged in construction activities and incidental storage on lots other than construction sites as well as the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures other than retail sale of paint, fixtures and hardware; but excludes those classified as one of the automotive and heavy equipment use types. Typical uses include building materials stores, tool and equipment rental or sales, retail lumber, contractors storage yard, furniture manufacturing or cabinet shops.

Sec. 20.024.055 Cottage Industries—Limited.

"Cottage industries—limited" means use types conducted in compliance with Chapter 20.160.

Sec. 20.024.060 Cottage Industries—General.

"Cottage industries—general" means use types conducted in compliance with Chapter 20.160.

Sec. 20.024.065 Eating and Drinking Establishments.

"Eating and drinking establishments" means establishments or places of business primarily engaged in the sale of prepared food and beverage for on-premises consumption. Typical uses include restaurants, short order eating places, ~~or~~ bars, or tasting rooms when not associated with a Packaging and Processing—winery use type.

Sec. 20.024.070 Financial Services.

"Financial services" means establishments primarily engaged in the provision of financial services and banking. Typical uses include banks, savings and loan institutions, loan and lending activities, and similar services.

Sec. 20.024.075 Food and Beverage Retail Sales.

"Food and beverage retail sales" means establishments or places of business primarily engaged in the retail sale of food and beverage for home consumption. Typical uses include grocery stores, liquor stores, delicatessens or retail bakeries.

Sec. 20.024.080 Food and Beverage Preparation—Without Consumption.

"Food and beverage preparation—without consumption" means establishments or places of business primarily engaged in the preparation of food and beverage and which no consumption of the products occur on the premises. Typical uses include catering.

Sec. 20.024.085 Funeral and Interment Services.

"Funeral and interment services" means establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead. Typical uses include funeral homes or mortuaries.

Sec. 20.024.090 Laundry Services.

"Laundry services" means establishments primarily engaged in the provision of laundering, dry cleaning or dyeing services other than those classified as personal services. Typical uses include laundry agencies, diaper services or linen supply services.

Sec. 20.024.092 Mail Order Businesses.

"Mail order businesses" means the storage, sale and delivery of goods and merchandise produced on or off the premises to retail or wholesale consumers by way of the mails, delivery services, or in any other manner in which visitation to the premises by the wholesale or retail consumers is strictly incidental.

Sec. 20.024.095 Medical Services.

"Medical services" means establishments primarily engaged in the provision of personal health services ranging from prevention, diagnosis and treatment or rehabilitation services provided by physicians, dentists, nurses and other health personnel as well as the provisions of medical testing and analysis services, but excludes those classified as any civic use type. Typical uses include medical offices, dental laboratories or health maintenance organizations.

Sec. 20.024.100 Personal Services.

"Personal services" means establishments or places of business primarily engaged in the provision of services of a personal nature. Typical uses include beauty and barber shops, seamstress, tailor, self-

service laundry, photography studios, driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.

Sec. 20.024.105 Recycling Centers.

"Recycling centers" means places of business or public facilities for the collection or processing of recyclable materials, including but not limited to metals, glass, plastic, paper, appliances or white metals. Appliances and white metals shall be limited to twenty-five (25) percent of the floor area devoted to the storage of recyclable materials but not more than four hundred (400) square feet. Recycling centers exclude automobile wrecking yards, junk yards, and the collection of refuse or hazardous materials except recyclable batteries, or paint, oil or antifreeze limited to one thousand (1,000) gallons of each fluid. Recycling centers may process recyclable materials for efficient shipping or to an end-user's specifications by baling, bunching, crushing, smashing, separation, shredding or similar action. The recycling of materials excluded from recycling centers may be permitted as an industrial use type. See Chapter 20.164 for exemptions classified as accessory recycling.

Sec. 20.024.107 Redemption Centers.

"Redemption centers" means small collection centers for the acceptance and temporary storage of redeemable recyclable materials from the public by donation, redemption or purchase. A redemption center may include reverse vending machine(s) or a mobile recycling unit. A redemption center shall not exceed three thousand (3,000) square feet, and if not contained within a permanent structure shall be contained behind a minimum six (6) foot high view-obstructing fence secure from unauthorized entry. Processing is limited to preparing the accumulated recyclable material for efficient shipping or to an end-user's specifications, including baling, compacting, crushing, mechanical sorting, or shredding, provided that the noise level does not exceed fifty (50) dBA Leq at the property line adjacent to a residential or similar noise sensitive use or sixty (60) dBA Leq at the property line adjacent to a commercial use. All processing shall be conducted between the hours of 9:00 a.m. and 6:00 p.m., Monday through Saturday. Recycling which exceeds the limits of a redemption center may be permitted under recycling centers. See also Chapter 20.164 for accessory recycling.

Sec. 20.024.110 Repair Services, Consumer.

"Repair services, consumer" means establishments primarily engaged in the provision of repair services to individuals and households rather than firms, but excluding automotive and equipment use types. Typical uses include appliance repair shops, watch or jewelry repair, apparel repair firms or musical instrument repair firms.

Sec. 20.024.115 Research Services.

"Research services" means establishments primarily engaged in research of an industrial or scientific nature which is provided as a service or which is conducted by and for a private firm, but excludes medical testing and analysis and product testing. Typical uses include electronics research laboratories, space research and development firms or pharmaceutical research labs.

Sec. 20.024.120 Retail Sales, General.

"Retail sales, general" means sale or rental of commonly used goods, and merchandise for personal or household use, but excludes those classified more specifically in Sections 20.024.005 to 20.024.115 and Sections 20.024.125 to 20.024.140 (all other commercial use types) inclusive. Typical uses include department stores, apparel stores, furniture stores, or establishments providing the following products or services: household cleaning and maintenance products; drugs, cards, and stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, and handcrafted items; apparel, jewelry, fabrics, and like items; cameras, photography services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, carpeting and floor covering, interior decorating

services, office supplies; bicycles; automotive parts and accessories (excluding service and installation) or hardware stores (excluding lumber storage or sales).

Sec. 20.024.125 Scrap Operations.

"Scrap operations" means places of business primarily engaged in the storage, sale dismantling or other processing of used or waste materials which are not intended for reuse in their original form. Typical uses include automotive wrecking, and junk yards.

Sec. 20.024.130 Swap Meets.

"Swap meets" means display, exchange, barter or sale of new or used common household items or office equipment and furnishings, provided that such activity is carried on in a swap lot. Typical uses include flea markets where clothing, personal effects, household furnishings and household appliances are sold or otherwise exchanged.

Sec. 20.024.135 Transient Habitation.

"Transient habitation" means establishments primarily engaged in the provision of lodging services on a less than monthly basis with incidental food, drink and other sales and services intended for the convenience of guests. The following are transient habitation use types:

- (A) Transient Habitation—Campground. Campground services involving transient habitation areas for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks or campgrounds. Uses within this use type are subject to Chapter 20.176, Recreational Vehicle Parks and Campgrounds.
- (B) Transient Habitation—Lodging (Limited). Lodging services involving the provision of room and/or board. Typical uses include hotels, motels, inns, or transient boarding houses with three (3) to six (6) rooms.
- (C) Transient Habitation—Lodging. Lodging services involving the provision of room and/or board. Typical uses include hotels, motels, inns, or transient boarding houses with seven (7) or more rooms.
- ~~(D) Transient Habitation—Low Intensity Camping. Camping for transient guests involving recreational vehicles or tents which is incidental to the primary residential or agricultural use of the site. Low Intensity Camping is subject to the requirements of section 20.176.020.~~
- (D) Transient Habitation—Resort and Recreational Facilities. Resort services including the provision of extensive outdoor recreation and entertainment services especially for vacationers. Typical uses include resort and recreational facilities, health spas, resort hotels and motels, guest ranch, inns or organized camps.

Sec. 20.024.140 Wholesaling, Storage and Distribution.

"Wholesaling, storage and distribution" means establishment or places of business primarily engaged in wholesaling, storage, distribution and handling of materials and equipment other than live animals. The following are wholesaling, storage and distribution use types:

- (A) Wholesaling, Storage and Distribution—Mini-Warehouses.
Storage or warehousing service within a building(s) primarily for individuals to store personal effects and by businesses to store material for operation of an industrial or commercial enterprise located elsewhere. Incidental uses in a mini-warehouse facility function as an independent retail, wholesale, business or service use. Individual storage spaces within a mini-warehouse shall have a maximum gross floor area of four hundred (400) square feet and shall not be used for workshops, hobbyshops, manufacturing or similar uses and human occupancy of said spaces shall be limited to that required to transport, arrange, and maintain stored materials. Driveways between mini-

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warehouse buildings on the same site shall have a minimum width of twenty-four (24) feet to accommodate the temporary parking of vehicles during loading and unloading operations.

- (B) Wholesaling, Storage and Distribution—Light. Wholesaling, storage and warehousing services within enclosed structures. Typical uses include wholesale distributor, storage warehouses or moving and storage firms.
- (C) Wholesaling, Storage and Distribution—Heavy. Open-air storage, distribution and handling of materials and equipment. Typical uses include monument or stone yards, grain elevators, propane providers, or open storage yards.

CHAPTER 20.040 ESTABLISHMENT OF ZONING DISTRICTS

Sec. 20.040.005 Zoning Districts Established.

Mendocino County is divided into zoning districts to allow for orderly, planned development and to implement the General Plan. Table 20.040-A (Zoning Districts Implementing the General Plan) identifies the zoning districts established by this Division and the General Plan land use classifications the zoning districts implement. Table 20.040-A shall be utilized in determining the compatibility of zoning districts with General Plan land use classifications. The minimum parcel size allowed by zoning may not be smaller than the minimum parcel size specified by the General Plan Classification. The several classes of districts, and into which the County may be divided, are designated as follows:

- S-R Suburban Residential;
- R-R Rural Residential;
- A-G Agricultural;
- U-R Upland Residential;
- R-L Rangeland;
- F-L Forest Land;
- T-~~PPZ~~ Timberland Production;
- R-1 Single-family Residential;
- R-2 Two-family Residential;
- R-3 Multiple-family Residential;
- R-C Rural Community;
- MU-2 General Mixed Use District
- MUNS Mixed Use North State Street
- MUBST Mixed Use Brush Street Triangle
- C-1 Limited Commercial;
- C-2 General Commercial;
- I-1 Limited Industrial;
- I-2 General Industrial;
- P-I Pinoleville Industrial;
- O-S Open Space;
- P-F Public Facilities.

Table 20.040-A – Zoning Districts Implementing the General Plan and Compatibility Chart

| <u>Zoning District Symbol</u> | <u>Zoning District Name</u> | <u>General Plan Land Use Designations Implemented by Zoning District and Compatible with Zoning District</u> |
|--|-----------------------------|--|
| <u>Zoning Districts</u> | | |
| <u>Agricultural and Resource Conservation Zoning Districts</u> | | |

| <u>Table 20.040-A – Zoning Districts Implementing the General Plan and Compatibility Chart</u> | | |
|---|--|--|
| <u>A-G</u> | <u>Agricultural District</u> | <u>Remote Residential; Agricultural Lands</u> |
| <u>R-L</u> | <u>Rangeland District</u> | <u>Rangelands; Remote Residential</u> |
| <u>F-L</u> | <u>Forest Land District</u> | <u>Remote Residential; Rangelands; Forest Lands; Remote Resource Lands</u> |
| <u>T-P</u> | <u>Timberland Production District</u> | <u>Remote Residential; Rangelands; Forest Lands; Remote Resource Lands</u> |
| <u>Residential Zoning Districts</u> | | |
| <u>R-R</u> | <u>Rural Residential</u> | <u>Rural Residential</u> |
| <u>U-R</u> | <u>Upland Residential</u> | <u>Remote Residential</u> |
| <u>S-R</u> | <u>Suburban Residential</u> | <u>Rural Community; Suburban Residential</u> |
| <u>R-1</u> | <u>Single-Family Residential</u> | <u>Rural Community; Suburban Residential</u> |
| <u>R-2</u> | <u>Two-Family Residential</u> | <u>Rural Community; Mixed-Use, Suburban Residential</u> |
| <u>R-3</u> | <u>Multiple-Family Residential</u> | <u>Rural Community; Mixed-Use; Suburban Residential</u> |
| <u>Mixed Use Zoning Districts</u> | | |
| <u>MU-2</u> | <u>Mixed-Use 2</u> | <u>Mixed Use</u> |
| <u>MUNS</u> | <u>Mixed Use North State</u> | <u>Mixed Use; Mixed Use North State Street (see Ukiah Valley Area Plan)</u> |
| <u>MUBST</u> | <u>Mixed Use Brush Street Triangle</u> | <u>Mixed Use; Mixed Use Brush Street Triangle (see Ukiah Valley Area Plan)</u> |
| <u>Commercial Zoning Districts</u> | | |
| <u>C-1</u> | <u>Limited Commercial</u> | <u>Suburban Residential; Commercial; Mixed Use, Rural Community</u> |
| <u>C-2</u> | <u>General Commercial</u> | <u>Rural Community; Mixed Use; Commercial</u> |
| <u>R-C</u> | <u>Rural Community</u> | <u>Rural Community</u> |
| <u>Industrial Zoning Districts</u> | | |
| <u>I-1</u> | <u>Limited Industrial</u> | <u>Rural Community; Industrial</u> |

| <u>Table 20.040-A – Zoning Districts Implementing the General Plan and Compatibility Chart</u> | | |
|---|---------------------------|---|
| <u>I-2</u> | <u>General Industrial</u> | <u>Rural Community; Industrial</u> |
| <u>Public/Quasi-Public Zoning Districts</u> | | |
| <u>O-S</u> | <u>Open Space</u> | <u>Rural Community; Suburban Residential; Rural Residential; Remote Residential; Agricultural Lands; Rangelands; Forest Lands; Remote Resource Lands; Public Lands; Open Space; and Public Services</u> |
| <u>P-F</u> | <u>Public Facilities</u> | <u>Rural Community; Mixed-Use; Suburban Residential; Rural Residential; Remote Residential; Industrial; Commercial; Agricultural Lands; Public Lands; Public Services</u> |

Sec. 20.040.010 Combining Districts.

A combining district supplements the zoning district for the purpose of establishing special use or development regulations for a particular area in addition to the provisions of the underlying zoning district. In the event of conflict between the zoning district regulations and the combining district regulations, the provisions of the combining district shall apply. In the event of conflict between multiple overlapping combining districts, the most stringent regulations shall apply unless an applicable code section explicitly states otherwise. In addition to the districts enumerated in Section 20.040.005, Combining districts may be established and designated as follows, subject to the procedures contained in Chapter 20.212:

- "AHAZ" Special Airport Height-Zone Combining District;
- "C" Cluster Combining District;
- "CA" Cannabis Accommodation Combining District;
- "CC" Community Character Combining District;
- "CP" Commercial Cannabis Prohibition Combining District;
- "FP" Special Flood Plain Combining District;
- "IS" Isolated Service Combining District;
- "L" Special Minimum Lot Size Combining District;
- "MP" Mineral Processing Combining District;
- "POPD" Planned Development Combining District;
- "P" Plan Combining District;
- "R" Commercial Resort Combining District;
- "SS" Seismic Study Combining District.
- ~~"SH" Special Hazards Combining District.~~

Sec. 20.040.015 Location and Boundaries of Districts.

The designation, location and boundaries of the aforesaid districts shall be by written description, assessors parcel or by delineation on zoning maps which may be hereafter be adopted as provided in

Chapter 20.212, Amendments and Alterations. Said maps and all notations, references, data and other information shown thereon shall become a part of this Division and subject thereto, and all such written descriptions and maps shall constitute Section 20.040.020 (next section) hereof.

Sec. 20.040.020 Zoning Maps of the County of Mendocino.

This Section consists of the document entitled "Computer Print Out of Zoning Designation by Assessors Parcel Number." Said document is hereby adopted and incorporated herein by reference. Copies of said document shall be maintained by the Clerk of the Board and by the Department of Planning and Building Services. Said document shall not be codified.

Sec. 20.040.025 Determining Uncertain Boundaries.

The Director of the Department of Planning and Building Services shall determine the boundaries of zoning districts when there is uncertainty. The Director's determination may be appealed to the Planning Commission pursuant to Chapter 20.208. Where uncertainty exists with respect to The Director shall utilize the following rules in making determinations regarding zoning district boundaries the boundaries of the various zones, the following rules shall apply:

- (A) **Streets or Alleys.** Where the indicated zoning boundaries are approximately street or alley lines, the center lines of such street or alley shall be construed to be the boundaries of such zone.
- (B) **Lot Lines.** Where the zoning boundaries are not shown to be streets or alleys, and where the property has been or may hereafter be divided into blocks, lots, or assessors parcels, the zoning boundaries shall be construed to be lot lines or assessors parcels; and where the indicated boundaries are approximately lot lines or assessors parcels, said lot lines or assessors parcels shall be construed to be the boundaries of said zone, unless said boundaries are otherwise indicated.
- (C) **Scale of Map; Determination by Commission.** Where the property is indicated on a zoning map or maps as acreage and not divided into lots, blocks, or assessors parcels or where the zone boundary lines are not approximately street, alley or lot lines, the zone boundary line shall be determined by use of the scale on the map unless dimensions are shown thereof by figures. ~~In the event property shown as acreage on the zoning map or maps has been or is subsequently subdivided into lots or blocks by a duly recorded subdivision map and the lot and block arrangement does not conform to that anticipated when the zone boundaries were established or property is resubdivided into a different arrangement of lots and blocks than shown on the zone map, the Planning Commission, after notice to the owners of the property affected thereby, may interpret the zone maps and make minor readjustments in the zone boundaries in such a way as to carry out the intent and purpose of these regulations and conform to the street, block and lot layout on the ground. Such interpretation shall be by written decision, and thereafter the copies of the zoning maps in the Planning and Building Services Department shall be changed to conform thereto.~~
- (D) **Vacated Street or Alley.** In the event a dedicated street or alley shown on the zoning map or maps is vacated by resolution or amendment of any section of this Code, the property formerly in said street or alley shall be included within the zone of the adjoining property on either side of said vacated street or alley. In the event said street or alley was a zone boundary between two (2) or more different zones, the new zone boundary shall be the former center line of the vacated street or alley.
- ~~(E) **In the event further uncertainty exists the Planning Commission upon written application or upon its own motion, shall determine the location of such boundaries.**~~

CHAPTER 20.044 "S-R" SUBURBAN RESIDENTIAL DISTRICT

Sec. 20.044.005 Intent.

This district is intended to create and enhance neighborhoods where a mixture of residential, public facilities and services and community oriented commercial uses are desired. Typically the S-R District would be one in which a few specific types of convenience commercial services would be permitted in a residential area. Commercial uses are to be subordinate to the dominant residential character of the area. Areas designated Suburban Residential should be served by a publicly-maintained road network, and should be located within public service districts or logical extensions thereof.

Sec. 20.044.010 Permitted Uses.

The following use types are permitted in the S-R District:

(A) Residential Use Types (See Chapter 20.016).

Assisted Living Residential Care Facility

Day Care Facility

Employee Housing

Family residential-single-family.

Low Barrier Navigation Center

Supportive Housing

Transitional Housing

(B) Civic Use Types (See Chapter 20.020).

Administrative services, government;

Cemetery;

Clinic services;

Community recreation;

Cultural exhibits and library services;

Essential services;

Fire and police protection services;

Lodge, fraternal and civic assembly;

Minor impact utilities;

Religious assembly.

~~(C) Commercial Use Types (See Chapter 20.024).~~

~~Transient Habitation—Low Intensity Camping~~

~~(C)~~(D) Agricultural Use Types (See Chapter 20.032).

Animal raising—general agriculture;

Animal raising—personal;

Forest production and processing—limited;

Horticulture;

Packing and processing—limited;

Row and field crops;

Tree crops.

~~(D)(E)~~ **Accessory uses as provided in Chapter 20.164.**

Sec. 20.044.015 Uses Subject to a ~~Minor-Use~~ Administrative Permit.

The following use types are permitted in the S-R District upon issuance of a ~~Minor-Use~~ Administrative Permit:

(A) Residential Use Types (See Chapter 20.016).

Family residential—two-family;

Family residential—multifamily;

Family residential—dwelling group.

(B) Civic Use Types (See Chapter 20.020).

Day care facilities/small schools;

Group care.

Small schools.

(C) Commercial Use Types (See Chapter 20.024).

Administrative and business offices;

Cottage industries—Limited;

Medical services;

Personal services;

Redemption centers;

Repair services, consumer.

Sec. 20.044.020 Uses Subject to a ~~Major-Use~~ Permit.

The following use types are permitted in the S-R District upon issuance of a ~~Major-Use~~ Permit:

(A) Residential Use Types (See Chapter 20.016).

Mobile home residential.

(B) Civic Use Types (See Chapter 20.020).

Educational facilities;

Major impact facilities;

Major impact service and utilities.

(C) Commercial Use Types (See Chapter 20.024).

Agricultural sales and services;

Animal sales and services—veterinary (large animals);

Animal sales and services—veterinary (small animals);

Automotive and equipment—gasoline sales;

Commercial recreation—indoor sports and recreation;

Commercial recreation—outdoor sports and recreation;

Commercial recreation—indoor entertainment;
Eating and drinking establishments;
Food and beverage retail sales;
Transient habitation—Lodging (limited).

(D) Agricultural Use Types (See Chapter 20.032).

Packing and processing winery.

(E) Extractive Use Type (See Chapter 20.036).

Mining and processing.

Sec. 20.044.025 Minimum Lot Area.

(A) For parcels within water and sewer districts:

Mobile home and manufactured home subdivisions: 4,000 square feet;

Single-family residential or other uses: 6,000 square feet.

(B) For parcels within water or sewer districts: 12,000 square feet.

(C) For parcels not in a water or sewer district: 40,000 square feet.

~~Six thousand (6,000) square feet. Four thousand (4,000) square feet for mobile home parks and manufactured home subdivisions.~~

Sec. 20.044.030 Maximum dwelling density.

One (1) single-family per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group use type and shall be consistent with the below density standards. The following density standards apply where there is adequate lot area to accommodate higher density:

(A) For parcels within water and sewer districts:

Single-family; one (1) unit per six thousand (6,000) square feet.

Two-family, multifamily residential: one (1) unit per one thousand five hundred (1,500) square feet.

Mobile home park: one (1) unit per four thousand (4,000) square feet.

(B) For parcels within water or sewer district:

Single-family; one (1) unit per twelve thousand (12,000) square feet.

Two-family, multifamily residential: one (1) unit per twelve thousand (12,000) square feet.

(C) For parcels not in a water or sewer district:

Single-family: one (1) -unit per forty thousand (40,000) square feet. Multiple family dwelling units not permitted.

~~(A) Single-family; one (1) unit per six thousand (6,000) square feet.~~

~~(B) Two-family, multifamily residential: one (1) unit per one thousand five hundred (1,500) square feet.~~

~~(C) Mobile home residential: one (1) unit per four thousand (4,000) square feet.~~

Sec. 20.044.035 Minimum Front and Rear Yards.

Twenty (20) feet each. See setback exceptions in section 20.152.015.

Sec. 20.044.040 Minimum Side Yards.

Six (6) feet each. [See setback exceptions in section 20.152.015.](#)

Sec. 20.044.045 Building Height Limit.

Thirty-five (35) feet. [See height exceptions in section 20.152.025.](#)

CHAPTER 20.048 "R-R" RURAL RESIDENTIAL DISTRICT

Sec. 20.048.005 Intent.

This district is intended to create and enhance residential areas where agricultural use compatible with a permanent residential use is desired. Typically the "R-R" District would be applied to rural or semi-rural areas where urban levels of service are not available and where large lots are desired.

Sec. 20.048.010 Permitted Uses.

The following use types are permitted in the RR District:

(A) Residential Use Types (See Chapter 20.016).

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family residential—single-family.

(B) Civic Use Types (See Chapter 20.020).

Cemetery;

Community recreation;

Cultural exhibits and library services;

Essential services;

Fire and police protection services;

Minor impact utilities.

~~(C)~~ Commercial Use Types (See Chapter 20.024).

~~Transient Habitation—Low Intensity Camping.~~

~~(C)~~(D) Agricultural Use Types (See Chapter 20.032).

Animal raising—general agriculture;

Animal raising—personal;

Forest production and processing—limited;

Horticulture;

Packing and processing—limited;

Row and field crops;

Tree crops.

~~(D)~~(E) Accessory uses as provided in Chapter 20.164.

Sec. 20.048.015 Uses Subject to ~~a Minor Use~~ an Administrative Permit.

The following use types are permitted in the R-R District upon issuance of ~~a Minor Use~~ an Administrative Permit.

(A) Residential Use Types (See Chapter 20.016).

Family residential—dwelling groups;

[Low Barrier Navigation Center](#)

[Supportive Housing](#)

[Transitional Housing](#)

(B) Civic Use Types (see Chapter 20.020);

Administrative services, government;

Ambulance services;

Clinic services;

Day care facilities/small schools;

Group care;

Lodge, fraternal and civic assembly;

Religious assembly;

Small schools;

(C) Commercial Use Types (See Chapter 20.024).

Animal sales and service—auctioning;

Animal sales and service—horse stables;

Animal sales and service—kennels;

Animal sales and service—veterinary (all types);

Cottage industries—limited (R-R:L-1; R-R:L-2);

Cottage industries—general (R-R:L-5; R-R:L-10).

(D) Agricultural Use Type (See Chapter 20.032).

Forest production and processing—commercial woodlots.

Sec. 20.048.020 Uses Subject to a Major Use Permit.

The following use types are permitted in the R-R District upon issuance of a Major Use Permit.

(A) Residential Use Types (See Chapter 20.016).

Family residential—cluster development.

(B) Civic Use Types (See Chapter 20.020).

Educational facilities;

Major impact facilities;

Major impact services and utilities.

(C) Commercial Use Types (See Chapter 20.024).

Commercial recreation—outdoor sports and recreation;

Transient habitation—lodging (limited).

(D) Agricultural Use Types (See Chapter 20.032).

Packing and processing—winery.

(E) Extractive Use Type (See Chapter 20.036).

Mining and processing.

Sec. 20.048.025 Minimum Lot Area.

- (A) R-R:L-1: forty thousand (40,000) square feet;
- (B) R-R:L-2: eighty thousand (80,000) square feet;
- (C) R-R:L-5: five (5) acres;
- (D) R-R:L-10: ten (10) acres.

Sec. 20.048.030 Maximum Dwelling Density.

One (1) single-family per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group or Family Residential—Cluster Development use types and shall be consistent with the below density standards. The following density standards apply where there is adequate lot area to accommodate higher density:

- (A) R-R:L-1: one (1) unit per forty thousand (40,000) square feet;
- (B) R-R:L-2: one (1) unit per eighty thousand (80,000) square feet;
- (C) R-R:L-5: one (1) unit per five (5) acres;
- (D) R-R:L-10: one (1) unit per ten (10) acres.

Sec. 20.048.035 Minimum Front and Rear Yards.

- (A) R-R:L-1; RR:L-2: twenty (20) feet each; See setback exceptions in section 20.048.045.
- (B) R-R:L-5: thirty (30) feet each; See setback exceptions in section 20.048.045.
- (C) R-R:L-10: fifty (50) feet each. See setback exceptions in section 20.048.045.

Sec. 20.048.040 Minimum Side Yards.

- (A) R-R:L-1; R-R:L-2: six (6) feet each; See setback exceptions in section 20.048.045.
- (B) R-R:L-5: thirty (30) feet each; See setback exceptions in section 20.048.045.
- (C) R-R:L-10: fifty (50) feet each. See setback exceptions in section 20.048.045.

Sec. 20.048.045 Setback Exception.

Any nonconforming parcel which is less than five (5) acres and which is zoned R-R:L-5 or R-R:L-10 shall observe a minimum front, side and rear yard of twenty (20) feet. Additional setback exceptions for certain types of structures or improvements are located in section 20.152.015.

Sec. 20.048.050 Building Height Limit.

Thirty-five (35) feet. See height exceptions in section 20.152.025.

CHAPTER 20.052 "A-G" AGRICULTURAL DISTRICT

Sec. 20.052.005 Intent.

This district is intended to create and preserve areas for the raising of crops and animals. Processing of products produced or raised on the premises would be permitted as would certain commercial activities associated with crop and animal raising. Typically the A-G District would be applied to lands subject to ~~Type I~~ Agricultural Preserve contracts, land having present or future potential for significant agricultural production, and contiguous or intermixed smaller parcels on which noncompatible uses could jeopardize the agricultural use of surrounding lands.

Sec. 20.052.010 Permitted Uses.

The following use types are permitted in the A-G District:

(A) **Residential Use Types (See Chapter 20.016).**

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family residential—single-family.

(B) **Civic Use Type (See Chapter 20.020).**

Community recreation;

Essential services;

Fire and police protection services;

Minor impact utilities.

~~(C) **Commercial Use Types (See Chapter 20.024).**~~

~~Transient Habitation—low intensity camping~~

~~(C)(D) **Agricultural Use Types (See Chapter 20.032).**~~

~~Animal raising—general agriculture;~~

~~Animal raising—personal;~~

~~Forest production and processing—limited;~~

~~Horticulture;~~

~~Packing and processing—limited;~~

~~Packing and processing—winery;~~

~~Row and field crops;~~

~~Tree crops.~~

~~(D)(E) **Accessory uses as provided in Chapter 20.164.**~~

Sec. 20.052.015 Uses Subject to an Administrative Permit.

The following use types are permitted in the A-G District upon issuance of an Administrative Permit:

(A) **Residential Use Types (See Chapter 20.016).**

~~Farm Employee Housing.~~ Farm labor housing;

~~Family residential—dwelling group;~~

~~Low Barrier Navigation Center;~~

~~Supportive Housing;~~

~~Transitional Housing;~~

(B) **Civic Use Types (See Chapter 20.020).**

Day care facilities/small schools.

(C) Commercial Use Types (See Chapter 20.024).

~~Agricultural sales and services;~~

~~Animal sales and services—auktioning;~~

~~Animal sales and services—horse stables;~~

~~Animal sales and services—kennels;~~

~~Animal sales and services—stockyards;~~

~~Animal sales and services—veterinary (large animals);~~

~~Cottage industries—general.~~

(D) ~~(D)~~—Agricultural Use Types (See Chapter 20.032).

~~Packing and processing—general;~~

~~Forest production and processing—commercial woodlots;~~

~~Forest production and processing—portable sawmills.~~

~~Sec. 20.052.020 Uses Subject to a Minor Use Permit.~~

~~The following use types are permitted in the A-G District upon issuance of a Minor Use Permit:~~

~~(A) Residential Use Types (See Chapter 20.016).~~

~~Farm labor housing;~~

~~Family residential—dwelling group.~~

Sec. 20.052.025-020 Uses Subject to a Major Use Permit.

The following use types are permitted in the A-G District upon issuance of a Major Use Permit:

(A) **Residential Use Types (See Chapter 20.016).**

Family residential—cluster development.

(B) **Civic Use Types (See Chapter 20.020).**

Educational facilities;

Major impact facilities;

Major impact services and utilities.

(C) **Commercial Use Type (See Chapter 20.024).**

Commercial recreation—outdoor sports and recreation (limited).

Transient habitation—lodging (limited).

(D) **Agricultural Use Types (See Chapter 20.032).**

Animal waste processing.

(E) **Extractive Use Type (See Chapter 20.036).**

Mining and processing.

Sec. 20.052.030-025 Minimum Lot Area.

Forty (40) acres.

Sec. 20.052.035-030 Maximum Dwelling Density.

One (1) single-family dwelling per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group or Family Residential—Cluster Development use types and shall be consistent with the following density standard: One (1) unit per forty (40) acres.

Sec. 20.052.040-035 Minimum Front and Rear Yards.

Fifty (50) feet each. See setback exceptions in section 20.052.045.

Sec. 20.052.045-040 Minimum Side Yards.

Fifty (50) feet each. See setback exceptions in section 20.052.045.

Sec. 20.052.050-045 Setback Exceptions.

Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet. Additional setback exceptions for certain types of structures or improvements are located in section 20.152.015.

Sec. 20.052.055-050 Building Height Limit.

Fifty (50) feet. See height exceptions in section 20.152.025.

Sec. 20.052.060-055 Lot Splits in Agricultural Preserves for Farmworker Housing.

- (A) In compliance with Government Code 51230.2, a two (2)-way division of a parcel of land that is currently subject to a Williamson Act contract may be allowed, if all of the following apply:
- (B) The resulting parcel is to be sold or leased for agricultural employee ("farmworker") housing, and is not more than five (5) acres in size. For the purposes of this section, "agricultural employee" shall have the same meaning as defined by subdivision (b) of Section 1140.4 of the Labor Code.
- (C) The parcel shall be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency, for the sole purpose of the provision and operation of farmworker housing. A lessee that is a nonprofit organization shall not sublease that parcel without the written consent of the landowner, and shall notify the county of such sublease.
- (D) The parcel to be sold or leased shall be subject to a deed restriction that limits the use of the parcel to farmworker housing facilities for not less than thirty (30) years. The deed restriction shall also provide, through reversionary or similar provision, that the parcel shall automatically revert to and be merged with the parcel from which it was subdivided when the parcel ceases to be used for farmworker housing for a period of more than one (1) year. The deed restriction shall be in a form satisfactory to county counsel.
- (E) There is a written agreement between the parties to the sale or lease of the parcel and their successors to operate the parcel to be sold or leased under joint management of the parties, subject to the terms and conditions and for the duration of the Williamson Act contract.
- (F) The parcel to be sold or leased is contiguous to one (1) or more parcels that are located within a designated urban service area, and which are zoned for and developed with urban residential, commercial, or industrial land uses.

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- (G) The farmworker housing project shall include provisions designed to minimize potential impacts on surrounding agricultural and rural residential land uses.

A subdivision of land pursuant to this section shall not affect any Williamson Act contract executed pursuant to Article 3 (commencing with Section 51240) of the Government Code, and the parcel to be sold or leased shall remain subject to that contract.

CHAPTER 20.056 U-R UPLAND RESIDENTIAL DISTRICT

Sec. 20.056.005 Intent.

This district is intended to create and enhance farming and low-density agricultural/residential uses. Typically the U-R District would be applied to nonprime production lands which have constraints to commercial agriculture, timber production or grazing but which are absent of such limitations as inadequate access, unacceptable hazard exposure or incompatibility with adjoining resource lands.

Sec. 20.056.010 Permitted Uses.

The following use types are permitted in a U-R District:

(A) **Residential Use Types (See Chapter 20.016).**

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family residential—single-family.

(B) **Civic Use Types (See Chapter 20.020).**

Cemetery;

Community recreation;

Essential services;

Fire and police protection services;

Minor impact utilities.

(C) **Commercial Use Types (See Chapter 20.024).**

Animal sales and services—stables—~~i~~

Transient Habitation—Low intensity camping;

(D) **Agricultural Use Types (See Chapter 20.032).**

Animal raising—general agriculture;

Forest production and processing—limited;

Horticulture;

Packing and processing—limited;

Row and field crops;

Tree crops.

(E) **Accessory uses as provided in Chapter 20.164.**

Sec. 20.056.015 Uses Subject to an Minor Use Administrative Permit.

The following use types are permitted in the U-R District upon issuance of an Administrative ~~Minor Use~~ Permit:

(A) **Residential Use Types (See Chapter 20.016).**

Family residential—dwelling group~~i~~;

Low Barrier Navigation Centers;

Supportive Housing;

Transitional Housing.

(B) **Civic Use Types (See Chapter 20.020).**

Day care facilities/small school;

Group care;

Lodge, fraternal and civic assembly;

Religious assembly

(C) **Commercial Use Types (See Chapter 20.024).**

Animal sales and services—auction;

Animal sales and services—kennel;

Animal sales and services—veterinary (large animals);

Cottage industries—general.

(D) **Agricultural Use Types (See Chapter 20.032).**

Forest production and processing—portable sawmills.

Sec. 20.056.020 Uses Subject to a ~~Major~~ Use Permit.

The following use types are permitted in the U-R District upon issuance of a ~~Major~~ Use Permit:

(A) **Residential Use Types (See Chapter 20.016).**

Family residential—cluster development.

(B) **Civic Use Types (See Chapter 20.020).**

Educational facilities;

Major impact facilities;

Major impact services and utilities.

(C) **Commercial Use Types (See Chapter 20.024).**

Transient habitation—campground;

Transient habitation—lodging (limited);

Transient habitation—resort and recreational facilities.

(D) **Agricultural Use Types (See Chapter 20.032).**

Animal waste processing;

Packing and processing—winery.

(E) **Extractive Use Type (See Chapter 20.036).**

Mining and processing.

Sec. 20.056.025 Minimum Lot Area.

(A) U-R:L-20: twenty (20) acres.

(B) U-R:L-40: forty (40) acres.

Sec. 20.056.030 Maximum Dwelling Density.

One (1) single-family per legally created parcel, except as provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group or Family Residential—Cluster Development use types and shall be consistent with the below density standards. The following density standards apply where there is adequate lot area to accommodate higher density:

- (A) U-R:L-20: one (1) unit per twenty (20) acres.
- (B) U-R:L-40: one (1) unit per forty (40) acres.

Sec. 20.056.035 Minimum Front and Rear Yards.

Fifty (50) feet each. See setback exceptions in section 20.056.045.

Sec. 20.056.040 Minimum Side Yards.

Fifty (50) feet each. See setback exceptions in section 20.056.045.

Sec. 20.056.045 Setback Exception.

Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet. Additional setback exceptions for certain types of structures or improvements are located in section 20.152.015.

Sec. 20.056.050 Building Height Limit.

Thirty-five (35) feet. See height exceptions in section 20.152.025.

CHAPTER 20.060 R-L RANGELAND DISTRICT

Sec. 20.060.005 Intent.

This district is intended to create and preserve areas for (A) the grazing of livestock, (B) the production and harvest of natural resources, and (C) the protection of such natural resources as watershed lands from fire, pollution, erosion, and other detrimental effects. Processing of products produced on the premises would be permitted as would certain commercial activities associated with crop and animal raising. Typically the R-L District would be applied to lands for incorporation into Type H Agricultural Preserves, other lands generally in range use, and intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of rangelands.

Sec. 20.060.010 Permitted Uses.

The following use types are permitted in the R-L District:

(A) **Residential Use Types (See Chapter 20.016).**

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family residential—single-family.

(B) **Civic Use Types (See Chapter 20.020).**

Cemetery;

Community recreation;

Essential services;

Fire and police protection services;

Minor impact utilities;

(C) **Commercial Use Types (See Chapter 20.024).**

Animal sales and services—horse stables;

Animal sales and services—kennels;

Animal sales and services—stockyards;

Transient habitation—low intensity camping.

(D) **Agricultural Use Types (See Chapter 20.032).**

Animal raising—general agriculture;

Animal raising—personal;

Animal waste processing;

Forest production and processing—limited;

Forest production and processing—portable sawmills;

Horticulture;

Packing and processing—limited;

Packing and processing—winery;

Row and field crops;

Tree crops.

- (E) **Accessory uses as provided in Chapter 20.164.**

Sec. 20.060.015 Uses Subject to an Administrative Permit.

The following use types are permitted in the R-L District upon issuance of an Administrative Permit:

- (A) **Residential Use Type (See Chapter 20.016).**

~~Farm employee housing.~~

~~**Sec. 20.060.020 Uses Subject to a Minor Use Permit**~~

~~The following use types are permitted in the R-L District upon issuance of a Minor Use Permit:~~

- ~~(A) **Residential Use Types (See Chapter 20.016).**~~

~~Family residential—dwelling groups;~~

~~Low Barrier Navigation Center;~~

~~Supportive Housing;~~

~~Transitional Housing.~~

~~Farm labor housing.~~

- (B) **Civic Use Types (See Chapter 20.020).**

~~Day care facilities/ small schools Small schools.~~

- (C) **Commercial Use Types (See Chapter 20.024).**

Agricultural sales and services;

Animal sales and services—auctioning;

Animal sales and services—veterinary (large animals);

Cottage industries—general.

- (D) **Agricultural Use Types (See Chapter 20.032).**

Packing and processing—general.

Sec. 20.060.025-020 Uses Subject to a ~~Minor~~ Major Use Permit.

The following use types are permitted in the R-L District upon issuance of a ~~Minor~~ Major Use Permit:

- (A) **Residential Use Types (See Chapter 20.016).**

Family residential—cluster development.

- (B) **Civic Use Types (See Chapter 20.020).**

Educational facilities;

Lodge, fraternal and civic assembly;

Major impact services and utilities;

Religious assembly.

- (C) **Commercial Use Types (See Chapter 20.024).**

Commercial recreation—outdoor sports and recreation;

Commercial recreation—outdoor entertainment;

Transient habitation—campground;

Transient habitation—lodging (limited);

Transient habitation—resort and recreational facilities.

(D) **Agricultural Use Types (See Chapter 20.032).**

Packing and processing—commercial ~~cooperate~~cooperage.

(E) **Extractive Use Types (See Chapter 20.036).**

Mining and processing.

Sec. 20.060.~~030-025~~ Minimum Lot Area.

One hundred sixty (160) acres.

Sec. 20.060.~~035-030~~ Maximum Dwelling Density.

One (1) single-family dwelling per legally created parcel, except as separately provided below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group or Family Residential—Cluster Development use types and shall be consistent with the following density standard: One (1) unit per one hundred sixty (160) acres.

Sec. 20.060.~~040-035~~ Minimum Front and Rear Yards.

Fifty (50) feet each. See setback exceptions in section 20.060.045.

Sec. 20.060.~~045-040~~ Minimum Side Yards.

Fifty (50) feet each. See setback exceptions in section 20.060.045.

Sec. 20.060.~~050-045~~ Setback Exception.

Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet. Additional setback exceptions for certain types of structures or improvements are located in section 20.152.015.

Sec. 20.060.~~055-050~~ Building Height Limit.

Thirty-five (35) feet. See height exceptions in section 20.152.025.

Sec. 20.060.~~060-055~~ Lot Splits in Agricultural Preserves for Farmworker Housing.

In compliance with Government Code 51230.2, a two (2)-way division of a parcel of land that is currently subject to a Williamson Act contract may be allowed, if all of the following apply:

- (A) The resulting parcel is to be sold or leased for agricultural employee ("farmworker") housing, and is not more than five (5) acres in size. For the purposes of this section, "agricultural employee" shall have the same meaning as defined by subdivision (b) of Section 1140.4 of the Labor Code.
- (B) The parcel shall be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency, for the sole purpose of the provision and operation of farmworker housing. A lessee that is a nonprofit organization shall not sublease that parcel without the written consent of the landowner, and shall notify the county of such sublease.
- (C) The parcel to be sold or leased shall be subject to a deed restriction that limits the use of the parcel to farmworker housing facilities for not less than thirty (30) years. The deed restriction shall also provide, through reversionary or similar provision, that the parcel shall automatically revert to and be merged with the parcel from which it was subdivided when the parcel ceases to be used for farmworker housing for a period of more than one (1) year. The deed restriction shall be in a form satisfactory to county counsel.

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- (D) There is a written agreement between the parties to the sale or lease of the parcel and their successors to operate the parcel to be sold or leased under joint management of the parties, subject to the terms and conditions and for the duration of the Williamson Act contract.
- (E) The parcel to be sold or leased is contiguous to one (1) or more parcels that are located within a designated urban service area, and which are zoned for and developed with urban residential, commercial, or industrial land uses.
- (F) The farmworker housing project shall include provisions designed to minimize potential impacts on surrounding agricultural and rural residential land uses.

A subdivision of land pursuant to this section shall not affect any Williamson Act contract executed pursuant to Article 3 (commencing with Section 51240) of the Government Code, and the parcel to be sold or leased shall remain subject to that contract.

CHAPTER 20.064 F-L FOREST LAND DISTRICT

Sec. 20.064.005 Intent.

This district is intended to create and preserve areas suited for the growing, harvesting and production of timber and timber-related products. Processing of products produced on the premises would be permitted as would certain commercial activities associated with timber production and the raising of livestock. Typically the F-L District would be applied to lands not zoned Timberland Production but which have the present or future potential for timber production, intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection of efficient management of timber resource lands.

Sec. 20.064.010 Permitted Uses.

The following use types are permitted in the F-L District:

(A) **Residential Use Types (See Chapter 20.016).**

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing

Family residential—single-family.

(B) **Civic Use Types (See Chapter 20.020).**

Cemetery;

Community recreation;

Essential services;

Fire and police protection services;

Minor impact utilities.

(C) **Commercial Use Types (See Chapter 20.024).**

Animal sales and services—horse stables.

Animal sales and services—kennels.

Transient Habitation—low intensity camping

(D) **Agricultural Use Types (See Chapter 20.032).**

Animal raising—personal;

Animal raising—general agriculture;

Animal waste processing;

Forest production and processing—limited;

Forest production and processing—portable sawmills;

Horticulture;

Packing and processing—limited;

Packing and processing—winery;

Row and field crops;

Tree crops.

(E) **Accessory uses as provided in Chapter 20.164.**

Sec. 20.064.015 Uses Subject to an Administrative Permit.

The following use types are permitted in the F-L District upon issuance of an Administrative Permit:

(A) **Residential Use Types (See Chapter 20.016).**

Family residential—dwelling Groups;

Low Barrier Navigation Center;

Supportive Housing;

Transitional Housing;

~~Farm-employee housing.~~

(B) **Civic Use Types (See Chapter 20.020)**

Day care facilities/small schools. **Day care facilities/small schools.**

(C) **Commercial Use Types (See Chapter 20.024).**

Animal sales and services—auktioning;

Animal sales and services—stockyard;

Cottage industries—general.

(D) **Agricultural Use Types (See Chapter 20.032).**

Forest production and processing—general.

Forest production and processing—commercial woodlots;

Packing and processing—general.

~~Sec. 20.064.020 Uses Subject to a Minor Use Permit.~~

~~The following use types are permitted in the F-L District upon issuance of a Minor Use Permit.~~

~~(A) **Residential Use Types (See Chapter 20.016).**~~

~~Family residential—dwelling Groups;~~

~~Farm labor housing.~~

~~(B) **Civic Use Types (See Chapter 20.020)**~~

~~Day care facilities/small schools.~~

~~(C) **Commercial Use Types (See Chapter 20.024).**~~

~~Animal sales and services—auktioning;~~

~~Animal sales and services—stockyard;~~

~~Cottage industries—general.~~

~~(D) **Agricultural Use Types (See Chapter 20.032).**~~

~~Forest production and processing—general.~~

~~Forest production and processing—commercial woodlots;~~

~~Packing and processing—general.~~

Sec. 20.064.025-020 Uses Subject to a Major Use Permit.

The following use types are permitted in the F-L District upon issuance of a **Major Use** Permit:

- (A) **Residential Use Types (See Chapter 20.016).**
Family residential—cluster development.
- (B) **Civic Use Types (See Chapter 20.020).**
Educational facilities;
Lodge, fraternal and civic assembly;
Major impact services and utilities;
Religious assembly.
- (C) **Commercial Use Types (See Chapter 20.024).**
Commercial recreation—outdoor sports and recreation;
Commercial recreation—outdoor entertainment;
Transient habitation—campground;
Transient habitation—lodging (limited);
Transient habitation—resort and recreational facilities.
- (D) **Extractive Use Type (See Chapter 20.036).**
Mining and processing.

Sec. 20.064.030-025 Minimum Lot Area.

One hundred sixty (160) acres.

Sec. 20.064.035-030 Maximum Dwelling Density.

One (1) single-family dwelling per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group or Family Residential—Cluster Development use types and shall be consistent with the following density standard: One (1) unit per one hundred sixty (160) acres.

Sec. 20.064.040-035 Minimum Front and Rear Yards.

Fifty (50) feet each. See setback exceptions in section 20.064.045.

Sec. 20.064.045-040 Minimum Side Yards.

Fifty (50) feet each. See setback exceptions in section 20.064.045.

Sec. 20.064.050-045 Setback Exceptions.

Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet. Additional setback exceptions for certain types of structures or improvements are located in section 20.152.015.

Sec. 20.064.055-050 Building Height Limit.

Thirty-five (35) feet.

Sec. 20.064.060-055 Lot Splits in Agricultural Preserves for Farmworker Housing.

In compliance with Government Code 51230.2, a two (2)-way division of a parcel of land that is currently subject to a Williamson Act contract may be allowed, if all of the following apply:

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- (A) The resulting parcel is to be sold or leased for agricultural employee ("farmworker") housing, and is not more than five (5) acres in size. For the purposes of this section, "agricultural employee" shall have the same meaning as defined by subdivision (b) of Section 1140.4 of the Labor Code.
- (B) The parcel shall be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency, for the sole purpose of the provision and operation of farmworker housing. A lessee that is a nonprofit organization shall not sublease that parcel without the written consent of the landowner, and shall notify the county of such sublease.
- (C) The parcel to be sold or leased shall be subject to a deed restriction that limits the use of the parcel to farmworker housing facilities for not less than thirty (30) years. The deed restriction shall also provide, through reversionary or similar provision, that the parcel shall automatically revert to and be merged with the parcel from which it was subdivided when the parcel ceases to be used for farmworker housing for a period of more than one (1) year. The deed restriction shall be in a form satisfactory to county counsel.
- (D) There is a written agreement between the parties to the sale or lease of the parcel and their successors to operate the parcel to be sold or leased under joint management of the parties, subject to the terms and conditions and for the duration of the Williamson Act contract.
- (E) The parcel to be sold or leased is contiguous to one (1) or more parcels that are located within a designated urban service area, and which are zoned for and developed with urban residential, commercial, or industrial land uses.
- (F) The farmworker housing project shall include provisions designed to minimize potential impacts on surrounding agricultural and rural residential land uses.

A subdivision of land pursuant to this section shall not affect any Williamson Act contract executed pursuant to Article 3 (commencing with Section 51240) of the Government Code, and the parcel to be sold or leased shall remain subject to that contract.

CHAPTER 20.068 TPZ TIMBERLAND PRODUCTION ZONING DISTRICT

Sec. 20.068.005 Intent.

This district is intended to be applied to areas of the County which because of their general soil types, location and timber growing capabilities are suited for and should be devoted to the growing, harvesting, and production of timber and timber related products and are taxed as such.

Sec. 20.068.010 Permitted Uses.

The following compatible use types are permitted in the TPZ District:

(A) **Residential Use Types (See Chapter 20.016).**

Assisted Living Residential Care Facility

Day Care Facility

Employee Housing

Family residential—single-family.

~~Farm employee housing.~~

(B) **Civic Use Types (See Chapter 20.020).**

Community recreation;

Essential services;

Fire and police protection services;

Minor impact utilities.

~~(C)~~ **Commercial Use Types (See Chapter 20.024)**

~~Transient Habitation—Low Intensity Camping~~

~~(C)~~(D) **Agricultural Use Types (See Chapter 20.032).**

Animal raising—personal;

Animal raising—general agriculture;

Forest production and processing—all types;

Horticulture;

Packing and processing—limited,

Row and field crops;

Tree crops.

~~(D)~~(E) **Accessory uses as provided in Chapter 20.164.**

Sec. 20.068.015 Uses Subject to an Administrative Permit.

The following use types are permitted in the TPZ District upon issuance of an Administrative Permit:

(A) **Residential Use Type (See Chapter 20.016).**

~~Farm employee housing—Family residential—dwellings groups;~~

Low Barrier Navigation Center;

Supportive Housing;

Transitional Housing.

Farm labor housing.

(B) Commercial Use Types (See Chapter 20.024).

Cottage industries—general.

~~Sec. 20.068.020 Uses Subject to a Minor Use Permit.~~

~~The following use types are permitted in the TPZ District upon issuance of a Minor Use Permit:~~

~~(B) Residential Use Types (See Chapter 20.016).~~

~~Family residential—dwellings groups;~~

~~Farm labor housing.~~

~~(C) Commercial Use Types (See Chapter 20.024).~~

~~Cottage industries—general.~~

Sec. 20.068.025-020 Uses Subject to a Major Use Permit.

The following use types are permitted in the TPZ District upon the issuance of a Major Use Permit:

(A) Residential Use Types (See Chapter 20.016).

Family residential—cluster development.

(B) Civic Use Types (See Chapter 20.020).

Major impact services and utilities.

(C) Commercial Use Types (See Chapter 20.024).

Transient habitation—campground;

Transient habitation—lodging (limited).

(D) Agricultural Use Type (See Chapter 20.032).

Animal waste processing.

(E) Extractive Use Type (See Chapter 20.036).

Mining and processing.

Sec. 20.068.030-025 Special Provisions.

No use permit shall be granted in a TPZ District until a specific finding has been made that the proposed use is compatible with the growing and harvesting of timber and timber products.

Sec. 20.068.035-030 Minimum Lot Area.

One hundred sixty (160) acres.

Sec. 20.068.040-035 Maximum Dwelling Density.

One (1) single-family dwelling per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group or Family Residential—Cluster Development use types and shall be consistent with the

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following density standard: One (1) unit per one hundred sixty (160) acres, ~~maximum of four (4) for the total ownership.~~

Sec. 20.068.~~045~~ 040 Minimum Front and Rear Yards.

Fifty (50) feet each. [See setback exceptions in section 20.068.050.](#)

Sec. 20.068.~~050~~ 045 Minimum Side Yards.

Fifty (50) feet each. [See setback exceptions in section 20.068.050.](#)

Sec. 20.068.~~055~~ 050 Setback Exception.

Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet. [Additional setback exceptions for certain types of structures or improvements are located in section 20.152.015.](#)

Sec. 20.068.~~060~~ 055 Building Height Limit.

Thirty-five (35) feet. [See height exceptions in section 20.152.025.](#)

CHAPTER 20.072 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

Sec. 20.072.005 Intent.

This district is intended to create and enhance neighborhoods where a topography, access, utilities and public services make the land suitable and desirable for single-family home development and community services appurtenant thereto.

Sec. 20.072.010 Permitted Uses.

The following use types are permitted in the R-1 District:

(A) Residential Use Types (See Chapter 20.016).

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family residential—single-family.

(B) Civic Use Types (See Chapter 20.020).

Community recreation;

Essential services;

Fire and police protection services;

Minor impact utilities.

~~**(C) Commercial Use Types (See Chapter 20.024).**~~

~~Transient Habitation—Low Intensity Camping~~

~~**(C)(D) Agricultural Use Types (See Chapter 20.032).**~~

Animal raising—personal;

Forest production and processing—limited;

Horticulture;

Packing and processing—limited;

Row and field crops;

Tree crops.

~~**(D)(E) Accessory uses as provided in Chapter 20.164.**~~

Sec. 20.072.015 Uses Subject to an Administrative Minor Use Permit.

The following use types are permitted in the R-1 District upon issuance of an Administrative Minor Use Permit:

(A) Residential Use Types (See Chapter 20.016).

Family residential—dwelling groups—;

Low Barrier Navigation Center;

Supportive Housing;

Transitional Housing.

(B) Civic Use Types (See Chapter 20.020).

Cemetery;

Day care facilities/small schools;

Group care;

Lodge, fraternal and civic assembly;

Religious assembly.

Sec. 20.072.020 Uses Subject to a ~~Major~~ Use Permit.

The following use types are permitted in the R-1 District upon issuance of a ~~Major~~ Use Permit:

(A) Residential Use Types (See Chapter 20.016).

Mobile Home Park.

(B) Civic Use Types (See Chapter 20.020).

Major impact services and utilities.

(C) Commercial Use Types (See Chapter 20.024).

Commercial recreation—outdoor sports and recreation;

Transient habitation—lodging (limited).

(D) Extractive Use Types (See Chapter 20.036).

Mining and processing.

Sec. 20.072.025 Minimum Lot Area.

(A) For parcels within water and sewer districts:

4,000 square feet for mobile home parks;

6,000 square feet for single-family residential use.

(B) For parcels within water or sewer districts: 12,000 square feet.

~~(A) For parcels not in a water or sewer district: 40,000 square feet. Six thousand (6,000) square feet.~~

Sec. 20.072.030 Maximum Dwelling Density.

One (1) single-family dwelling per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group use type and shall be consistent with the following density standards:

(A) For parcels within water and sewer districts:

One (1) single family dwelling per 4,000 square feet of lot area in mobile home parks.

One (1) single family dwelling per 6,000 square feet of lot area.

(B) For parcels within water or sewer districts:

One (1) single-family dwelling per 12,000 square feet of lot area.

(C) For parcels not in a water or sewer district:

One (1) single family dwelling per 40,000 square feet of lot area.

~~(A) Single family: one (1) unit per six thousand (6,000) square feet.~~

~~(B) Mobile home park: one (1) unit per four thousand (4,000) square feet.~~

Sec. 20.072.035 Minimum Front and Rear Yards.

Twenty (20) feet. [See setback exceptions in section 20.152.015.](#)

Sec. 20.072.040 Minimum Side Yards.

Six (6) feet each. [See setback exceptions in section 20.152.015.](#)

Sec. 20.072.045 Building Height Limit.

Thirty-five (35) feet. [See height exceptions in section 20.152.025.](#)

CHAPTER 20.076 R-2 TWO-FAMILY RESIDENTIAL DISTRICT

Sec. 20.076.005 Intent.

This district is intended to create and enhance certain medium-density residential areas, where a compatible mingling of single-family units, dual-unit dwellings and community services appurtenant thereto are likely to occur.

Sec. 20.076.010 Permitted Uses.

The following use types are permitted in the R-2 District:

(A) Residential Use Types (See Chapter 20.016).

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family residential—single-family;

Family residential—two-family;

Low Barrier Navigation Center;

Supportive Housing;

Transitional Housing.

(B) Civic Use Types (See Chapter 20.020).

Community recreation;

Essential services;

Fire and police protection services;

Minor impact utilities.

~~**(C) Commercial Use Types (See Chapter 20.024).**~~

~~Transient Habitation—Low Intensity Camping~~

~~**(D)**~~ **(D) Agricultural Use Types (See Chapter 20.032).**

Animal raising—personal;

Forest production and processing—limited;

Horticulture;

Packing and processing—limited;

Row and field crops;

Tree crops.

~~**(D)**~~ **(E) Accessory uses as provided in Chapter 20.164.**

Sec. 20.076.015 Uses Subject to an Minor Use Administrative Permit.

The following use types are permitted in the R-2 District upon issuance of an Minor Use Administrative Permit:

(A) Residential Use Types (See Chapter 20.016)

Family residential—dwelling groups.

(B) Civic Use Types (See Chapter 20.020)

Cemetery;

Day care facilities/small schools;

Group care;

Lodge, fraternal and civic assembly;

Religious assembly.

Sec. 20.076.020 Uses Subject to a Major-Use Permit.

The following use types are permitted in the R-2 District upon issuance of a Major-Use Permit:

(A) Residential Use Types (See Chapter 20.016).

Mobile Home Park.

(B) Civic Use Types (See Chapter 20.020).

Major impact services and utilities;

(C) Commercial Use Types (See Chapter 20.024).

Commercial recreation—outdoor sports and recreation;

Transient habitation—lodging (limited).

(D) Extractive Use Types (See Chapter 20.036).

Mining and processing.

Sec. 20.076.025 Minimum Lot Area.

(A) For parcels within water and sewer districts:

4,000 square feet for mobile home parks;

6,000 square feet for single-family or two-family residential use.

(B) For parcels within water or sewer districts: 12,000 square feet.

For parcels not in a water or sewer district: 40,000 square feet. ~~Six thousand (6,000) square feet.~~

(C) _____

Sec. 20.076.030 Maximum Dwelling Density.

One (1) single-family per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group use type and shall be consistent with the below density standards. The following density standards apply where there is adequate lot area to accommodate higher density:

(A) For parcels within water and sewer districts:

(A) — Single-family: one (1) unit per six thousand (6,000) square feet.

(B) — Two-family: ~~two (2) one (1) two-family~~ units per six thousand (6,000) square feet.

(C) — Mobile home park: one (1) unit per four thousand (4,000) square feet.

(B) For parcels within water or sewer districts:

Single-family: one (1) unit per twelve-thousand (12,000) square feet.

Two-family: one (1) two-family unit per twelve-thousand (12,000) square feet.

(C) For parcels not in a water or sewer district:

Single-family: one (1) unit per 40,000 square feet.

Two-family: one (1) two-family unit per 40,000 square feet.

~~(A) Single family: one (1) unit per six thousand (6,000) square feet.~~

~~(B) Two family: two (2) units per six thousand (6,000) square feet.~~

~~(C) Mobile home park: one (1) unit per four thousand (4,000) square feet.~~

Sec. 20.076.035 Minimum Front and Rear Yards.

Twenty (20) feet each. See setback exceptions in section 20.152.015.

Sec. 20.076.040 Minimum Side Yards.

Six (6) feet each. See setback exceptions in section 20.152.015.

Sec. 20.076.045 Building Height Limit.

Thirty-five (35) feet. See height exceptions in section 20.152.025.

CHAPTER 20.080 R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Sec. 20.080.005 Intent.

This district is intended to create and enhance areas suitable for higher density residential uses, and for professional offices and institutional uses.

Sec. 20.080.010 Permitted Uses.

The following use types are permitted in the R-3 District:

(A) Residential Use Types (See Chapter 20.016).

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family residential—multi-family;

Low Barrier Navigation Center

Supportive Housing;

Transitional Housing.

(B) Civic Use Types (See Chapter 20.020).

Administrative services, government;

Clinic services; Community recreation;

Cultural exhibits and library services;

Day care facilities/small schools;

Essential services;

Fire and police protection services;

Group care;

Lodge, fraternal and civic assembly;

Minor impact utilities;

Religious assembly.

(C) Commercial Use Types (See Chapter 20.024).

Administrative and business offices;

Community recreation—outdoor sports and recreation;

Medical services;

Personal services;

Transient Habitation—Low Intensity Camping.

(D) Agricultural Use Types (See Chapter 20.032).

Animal raising—personal;

Forest production and processing—limited;

Horticulture;

Packing and processing—limited;

Row and field crops;

Tree crops.

(E) Accessory uses as provided in Chapter 20.164.

Sec. 20.080.015 Uses Subject to a ~~Minor Use~~ an Administrative Permit.

The following use types are permitted in the R-3 District upon issuance of a ~~Minor Use~~ an Administrative Permit:

(A) Residential Use Types (See Chapter 20.016).

Family residential—single family;*

Family residential—two family;*

~~*(The above use types may be permitted with an Administrative Permit if the subject property can be shown to have development constraints such as size, topography, or infrastructural deficiencies such as water or sewer availability. The purpose of this provision is to preserve the intent of the multi-family zoning designation.)~~

Family residential—dwelling groups.

(B) Civic Use Types (See Chapter 20.020).

Cemetery.

(C) Commercial Use Types (See Chapter 20.024).

Automotive and equipment—parking.

Sec. 20.080.020 Uses Subject to a ~~Major~~ Use Permit.

The following use types are permitted in the R-3 District upon issuance of a ~~major~~ use permit:

(A) Residential Use Types (See Chapter 20.016).

Mobile home ~~residential~~ park.

(B) Civic Use Types (See Chapter 20.020).

Educational facilities;

Major impact facilities;

Major impact services and utilities.

(C) Commercial Use Types (See Chapter 20.024).

Commercial recreation—indoor entertainment;

Transient habitation—campground;

Transient habitation—lodging (limited).

(D) Extractive Use Type (See Chapter 20.036).

Mining and processing.

Sec. 20.080.025 Minimum Lot Area.

(A) For parcels within water and sewer districts:

4,000 square feet for mobile home parks;

6,000 square feet for all other residential use.

(B) For parcels within water or sewer districts: 12,000 square feet.

~~(C) For parcels not in a water or sewer district: 40,000 square feet.~~

~~Six thousand (6,000) square feet. Four thousand (4,000) square feet for mobile home parks and manufactured home subdivisions.~~

Sec. 20.080.030 Maximum Dwelling Density.

~~(A) For parcels within water and sewer districts:~~

~~Single-family and Mobile Home Parks: one (1) unit per four thousand (4,000) square feet.~~

~~Two-family; multi-family: one (1) unit per one thousand five hundred (1,500) square feet.~~

~~(B) For parcels within water or sewer districts:~~

~~Single-family: one (1) unit per twelve-thousand (12,000) square feet.~~

~~Two-family; Multi-family: one (1) units per twelve-thousand (12,000) square feet.~~

~~(C) For parcels not in a water or sewer district:~~

~~Single-family: one (1) unit per 40,000 square feet.~~

~~Two-family; Multi-family: not permitted.~~

~~(A) Single-family; Mobile Home Residential: one (1) unit per four thousand (4,000) square feet.~~

~~(B) Two-family; Multifamily Residential: one (1) unit per one thousand five hundred (1,500) square feet.~~

Sec. 20.080.035 Minimum Front and Rear Yards.

Twenty (20) feet each. See setback exceptions in section 20.152.015.

Sec. 20.080.040 Minimum Side Yards.

Six (6) feet each. See setback exceptions in section 20.152.015.

Sec. 20.080.045 Building Height Limit.

Fifty (50) feet. See height exceptions in section 20.152.025.

CHAPTER 20.084 R-C RURAL COMMUNITY DISTRICT

Sec. 20.084.005 Intent.

This district is intended to maintain and enhance existing rural communities where a mixture of residential, commercial, and limited industrial uses are desired. Such a mixture may include commercial uses occupying the ground floor with residential uses above, or limited industrial uses abutting commercial uses with appropriate buffering to achieve compatibility with adjacent uses. The regulations of this Chapter are intended to insure that new developments, particularly commercial and limited industrial uses, are compatible in scale, function and character in those communities where this district is applied.

Sec. 20.084.010 Permitted Uses.

The following uses types are permitted in the R-C Districts:

(A) Residential Use Types (See Chapter 20.016).

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family residential—single-family;

Low Barrier Navigation Center;

Supportive Housing;

Transitional Housing.

(B) Civic Use Types (See Chapter 20.020).

Administrative services, government;

Cemetery;

Clinic services;

Community recreation;

Cultural exhibits and library services; Essential services;

Fire and police protection services;

Lodge, fraternal and civic assembly;

Minor impact utilities;

Religious assembly.

~~(C)~~ Commercial Use Types (See Chapter 20.024).

~~Transient Habitation—Low Intensity Camping~~

~~(C)~~(D) Agricultural Use Types (See Chapter 20.032).

Animal raising—general agriculture;

Animal raising—personal;

Forest production and processing—limited;

Horticulture;

Packing and processing—limited;

Row and field crops;

Tree crops.

~~(D)(E)~~ Accessory uses as provided in Chapter 20.164.

Sec. 20.084.015 Uses Subject to a ~~Minor Use~~ Administrative Permit.

The following uses are permitted in the R-C District upon issuance of a ~~minor use~~ Administrative permit:

(A) Residential Use Types (See Chapter 20.016).

Family residential—two family;
Family residential—multifamily;
Family residential—dwelling groups.

(B) Civic Use Types (See Chapter 20.020).

Day care facilities/small schools;

Group care.

(C) Commercial Use Types (See Chapter 20.024).

Agricultural sales and services;
Animal sales and services—all types;
Automotive and equipment—all types;
Building maintenance services;
Business equipment sales and services;
Communication services;
Construction sales and services;
Cottage industries—limited;
Eating and drinking establishments;
Financial services;
Food and beverage retail sales;
Funeral and interment services;
Laundry services;
Mail order businesses;
Medical services;
Personal services;
Recycling centers;
Redemption centers;
Repair services, consumer;
Research services;
Retail sales, general;
Swap meets;
Wholesaling, storage and distribution—all types.

Sec. 20.084.020 Uses Subject to a ~~Major~~ Use Permit.

The following use types are permitted in the R-C District upon securing a ~~Major~~-Use Permit:

- (A) **Residential Use Types (See Chapter 20.016).**
Mobile home residential.
- (B) **Civic Use Types (See Chapter 20.020).**
Educational facilities;
Major impact facilities;
Major impact services and utilities.
- (C) **Commercial Use Types (See Chapter 20.024).**
Commercial recreation (all types);
Scrap operations;
Transient habitation—all types.
- (D) **Industrial Use Types (See Chapter 20.028).**
Custom manufacturing.
- (E) **Agricultural Use Types (See Chapter 20.032).**
Packing and processing—winery;
Packing and processing—general;
Forest production and processing—commercial woodlots;
Forest production and processing—general.
- (F) **Extractive Use Type (See Chapter 20.036).**
Mining and processing.

Sec. 20.084.025 Minimum Lot Area.

- (A) For parcels within water and sewer districts:
Commercial Use: None
Mobile Home Parks: four thousand (4,000) square feet
Residential: six thousand (6,000) square feet.
- (B) For parcels within water or sewer districts: twelve thousand (12,000) square feet
- (C) For parcels not in a water or sewer district: forty thousand (40,000) square feet.
- ~~(A) Commercial: none.~~
- ~~(B) Residential: six thousand (6,000) square feet. Four thousand (4,000) square feet for mobile home subdivisions and manufactured home subdivisions.~~

Sec. 20.084.030 Maximum Dwelling Density.

One (1) single-family dwelling per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential—Dwelling Group use type and shall be consistent with the below density standards. The following density standards apply where there is adequate lot area to accommodate higher density:

- (A) For parcels within water and sewer districts:

Single-family: one (1) unit per six thousand (6,000) square feet.

Two-family; Mobile Home Residential: one (1) unit per four thousand (4,000) square feet.

Multi-family: one (1) unit per one thousand five hundred (1,500) square feet.

(B) For parcels within water or sewer district:

Single-family; Two-family; Multi-family: one (1) unit per twelve thousand (12,000) square feet.

(C) For parcels not in a water or sewer district:

Single-family: one (1) unit per forty thousand (40,000) square feet.

Two-family; Multi-family: not permitted.

~~(A) Single-family: one (1) unit per six thousand (6,000) square feet.~~

~~(B) Two-family; Mobile Home Residential: one (1) unit per four thousand (4,000) square feet.~~

~~(C) Multifamily: one (1) unit per one thousand five hundred (1,500) square feet.~~

Sec. 20.084.035 Minimum Front and Rear Yard.

Twenty (20) feet each. See setback exceptions in section 20.152.015.

Sec. 20.084.040 Minimum Side Yards.

Six (6) feet each. See setback exceptions in section 20.152.015.

Sec. 20.084.045 Building Height Limit.

Thirty-five (35) feet. See height exceptions in section 20.152.025.

CHAPTER 20.085 MU-2 GENERAL MIXED USE DISTRICT

20.085.005 Intent.

The intent of the Mixed Use General zoning district is to promote greater efficiency and economy in providing public services, conserve agriculture and resource lands, preserve the rural character of the County, and provide more opportunities for affordable housing. It will also encourage more walking and biking, benefiting community health. This zoning district implements the mixed use land use classification contained in both the General Plan and Ukiah Valley Area Plan and is intended to accomplish the following general objectives.

- (A) The Mixed Use General zoning district is intended to allow multiple story mixed use developments with commercial uses encouraged at street level. Uses may be mixed vertically or horizontally (stacked or linearly) on the site.
- (B) Mixed use developments should combine at least two (2) of the permitted uses listed in Section 20.085.010 and are encouraged to include public open space and facilities.
- (C) Multi-family and live/work uses shall be encouraged but should be designed and sited in a manner that is compatible with and protects the ability of on-site and adjacent commercial and light industrial uses to operate and expand.
- (D) Single-use residential or commercial projects shall be discouraged.
- (E) Promote higher density mixed use development along the State Street Corridor to support public transit.

20.085.006 Definitions.

~~See definitions for "Community Design Guidelines", "Floor area ratio", "Live-work use", "Mixed-Use" and "Preliminary Development Plan" in Chapter 20.008. "Community Design Guidelines" means a set of standards regarding the aesthetics of development, including building appearance and character, colors, landscaping, location of parking, siting of structures on building sites, and other issues that are used to evaluate the suitability and appropriateness of individual projects in terms of overall visual appearance, capacity to unify streetscapes, expression of valued community themes, establishment of a "sense of place," and enhancement of community cohesiveness.~~

~~"Floor area ratio" means the ratio of total building floor area to total site area, is a commonly used measure of commercial and industrial development intensity. It is typically expressed as a decimal, i.e. 0.50.~~

~~"Live-work use" means a type of residential use that physically integrates the resident's commercial or manufacturing workspace within the same building or site.~~

~~"Mixed Use" means the development of any permitted residential use in conjunction with at least one (1) commercial or civic use type within the same building, either vertically (i.e., different uses located on separate floors) or horizontally (i.e., different uses located side-by-side on the same floor), or in multiple buildings, located on one (1) or more parcels, that are developed with shared site improvements such as pedestrian walkways, landscaping, public spaces (e.g., courtyards and plazas), and vehicle parking and circulation.~~

~~"Preliminary Development Plan" means a land use diagram that shows the proposed mixed use project will not prevent orderly future development of any undeveloped portion of the project parcel(s). This plan includes the general location and type of possible future uses, circulation, and utilities outside of the project area and shows the project's relationship with the remainder of the site as well as existing development on adjoining lots and streets.~~

20.085.010 Permitted Uses.

The following use types are permitted uses provided the development of any permitted residential use occurs in conjunction with at least one (1) different permitted commercial or civic use type on the same property, as a live-work use, or is part of a mixed use project:

(A) Residential Use Types (See Chapter 20.016).

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family Residential — single-family;

Family Residential — two-family;

Family residential—multifamily;

Low Barrier Navigation Center;

Supportive Housing;

Transitional Housing;

(B) Civic Use Types (See Chapter 20.020).

Administrative services, government;

Clinic services;

Cultural exhibits and library services;

Day care facilities/small schools;

Essential services;

Group care;

Lodge, fraternal and civic assembly;

Religious assembly

Small schools.

(C) Commercial Use Types (See Chapter 20.024).

Administrative & Business Offices;

Communication Services;

Eating and Drinking Establishments;

Food and Beverage Retail Sales;

Medical Services;

Personal Services;

Repair Services, Consumer;

Retail Sales, General.

(D) Accessory uses as provided in Chapter 20.164.

20.085.015 Uses Subject to a ~~Minor Use~~ Administrative Permit.

The following uses are permitted in a mixed use project upon issuance of a ~~Minor Use~~ Administrative Permit:

(A) Agricultural Use Types (See Chapter 20.032).

Animal Raising — Personal.

(B) Civic Use Types (See Chapter 20.020).

Ambulance services;

Fire and police protection services;

Minor impact utilities;

Community Recreation.

(C) Commercial Use Types (See Chapter 20.024).

Laundry services;

Redemption Centers.

20.085.020 Uses Subject to a ~~Major Use~~ Permit.

The following use types are permitted in a mixed use project upon securing a ~~Major Use~~ Permit:

(A) Civic Use Types (See Chapter 20.020).

Educational facilities;

Major impact facilities;

Major impact services and utilities.

(B) Industrial Use Types (See Chapter 20.028).

Custom manufacturing.

20.085.025 Minimum Lot Area.

Twelve thousand (12,000) square feet, except smaller lot sizes may be permitted upon approval of a mixed use site development plan.

20.085.030 Maximum Dwelling Density.

Residential Use: one (1) unit per one thousand five hundred (1,500) square feet, except that a density bonus may be granted for the provision of affordable housing in accordance with ~~Section 20.238.045 (Density Bonus and Other Incentives) Chapter 20.234 of the County Code.~~

20.085.035 Minimum Front and Rear Yard.

(A) Residential Use: Twenty (20) feet.

(B) Non-Residential Use: None, except that a rear yard contiguous with a residential zoning district shall not be less than twenty (20) feet.

20.085.040 Minimum Side Yard.

(A) Residential Use: Six (6) feet.

(B) Non-Residential Use: None, except that a five (5) foot side yard is required adjoining any district other than commercial or industrial.

20.085.045 Building Height Limit.

Fifty (50) feet.

20.085.050 Building Floor Area Ratio.

(A) Residential Use: None

(B) Non-Residential Use: Three-tenths (0.3) minimum; One (1.0) maximum.

20.085.055 Mixed Use Compatibility Standards.

All permitted mixed use projects shall be consistent with the Mixed Use Compatibility Standards and are encouraged to incorporate design principles and examples contained in the Community Design Guidelines to the extent feasible. Any permitted mixed use project determined to be inconsistent with these standards shall be subject to a discretionary permit as described in Section 20.085.060, Mixed Use Development Review.

(A) Land Use: Structures and site improvements associated with mixed use projects shall be developed and operated according to the following land use standards.

(1) Site Improvements: Building siting and orientation, and landscape improvements shall integrate pedestrian circulation. Site and landscape improvements shall incorporate outdoor pedestrian use areas such as courtyards and plazas (which could include amenities such as trellises, raised planters, and landscaped berms) and other structures that create semi-protected outdoor spaces. Pedestrian use areas shall be visible from street corridors and pedestrian access routes.

(2) Separation: Separation between use types, whether the uses are located on the same parcel or not, shall apply in addition to minimum side and rear yards specified in this chapter.

a) Residential uses shall be separated from non-residential uses as follows:

- No less than three hundred (300) feet from any industrial use on the same site or from an industrial zoning district.

- No less than eleven (11) feet from any commercial or civic use on the same site, except that a residential use may be located in the same or abutting structure containing a commercial and/or civic use.

b) Where residential and non-residential separation is required, landscape areas shall be provided in the separation area (including property lines setbacks) to prevent noise, lighting, and privacy intrusion. Pedestrian activity areas and circulation improvements are allowed; trash enclosures are prohibited.

c) Notwithstanding the minimum side and rear yard setbacks of this chapter, a fifty (50) foot setback and a fence or wall no less than six (6) feet high is required along a side or rear property line of an adjacent parcel within Agricultural Land, as defined by Section 10A.13.010 of the Mendocino County Code, or a parcel developed with an Agricultural Use Type (Chapter 20.032) exceeding one (1) acre in size.

d) No portion of a wall or fence should be used for advertising or display. No barbed wire or concertina wire may be used as fencing material.

(3) Utilities:

a) All utilities including but not limited to electrical power, telecommunications, and cable television shall be placed underground to the extent practicable, taking into account economic and environmental factors.

b) If utilities, communications towers, and devices must be above ground they shall be designed and located to minimize visual impact and clutter, using techniques such as screening and shared use of facilities.

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- c) When available, connection to public water and sewer services is required for development.
- (4) Land Use Limitations:
 - a) All outdoor industrial use operations, excluding delivery docks, shall be enclosed within a building.
 - b) Commercial loading areas, trash enclosures, utility meters, and mechanical and electrical equipment shall be located as far as possible from residential uses and shall be screened from view from the residential portion of the project and any adjoining residential use.
 - c) Non-residential uses shall not be open to the public between the hours of 11:00 p.m. and 6:00 a.m.
 - d) All new uses shall comply with General Plan Noise Policy (Development Element, Chapter 3, DE-93 to DE-110).
- (B) Parking: Notwithstanding the applicable provisions of Chapter 20.180 Off-Street Parking, the following additional off-street parking and circulation requirements shall apply.
 - (1) On-site circulation and parking shall be provided and continuously maintained according to an approved parking plan illustrating the location, number and configuration of parking spaces for vehicles and bicycles, vehicle and pedestrian circulation improvements, truck loading areas and travel path, and emergency vehicle access, public transit stops, and public areas.
 - (2) The number and configuration of parking and circulation shall be consistent with parking standards (Chapter 20.180 Off-Street Parking) except that a reduction in the number of off-street parking spaces, consistent with Section 20.180.010-~~E~~ and 20.180.101-~~F~~ of the County Code, may be granted when the project includes shared parking facilities, affordable housing, and transit improvements.
 - (3) Shared driveway access between neighboring uses and parcels shall be encouraged. Wherever possible, driveway access shall be provided at the property boundary to permit future negotiations of shared access agreements when adjoining parcels are developed. Where shared access is provided, a ten (10) percent reduction in the required parking spaces for all commercial uses shall be permitted for each participating parcel.
 - (4) Instead of locating a single parking lot on the street frontage, separate parking areas shall be established throughout the mixed use project, away from the street frontage and, to the extent possible, not located between building groups. When feasible, parking within or under buildings is encouraged.
 - (5) All new development shall be required to provide sidewalks along any street frontage and shall provide on-site pedestrian walkways that directly link all parking areas with building entrances, off-site transportation facilities, established sidewalks, and adjacent public rights-of-way. The walkway shall be a minimum of five (5) feet in width and shall be constructed of concrete, pavers, or similar sidewalk material that is firm, stable, and slip-resistant walkways may be located within the landscaping/walkway corridors of the public rights-of-way. The specific location of pedestrian walkways shall be determined by each property owner. However, narrow linear strips of landscaping between walkways and streets shall be discouraged. Required walkways shall connect to existing walkways on adjacent properties, and where such adjacent walkways have not been developed, the required walkways shall be located in areas where the future continuation of the walkway across adjoining properties is feasible.
- (C) Landscape: Utilizing climate adapted plants supported by low volume irrigation systems, landscape improvements shall be provided and continuously maintained throughout and along the perimeter of the mixed use development site, subject to State of California Water Conservation in Landscape Act of 1990 and the following standards.

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- (1) No less than ten (10) percent of the gross parking and circulation area shall be dedicated to and continuously maintained as landscape areas.
 - (2) Parking lot shade trees, selected from the Mixed Use Design Guideline Master Tree List, shall be provided and continuously maintained at a minimum rate of one (1) tree per five (5) parking spaces.
 - (3) Drainage swales and similar stormwater retention features shall be integrated with the design and location of landscape improvements.
 - (4) Planting areas, no less than ten (10) feet wide, shall separate parking lots from property lines and buildings.
 - (5) A landscape improvement bond or another form of surety acceptable to the Planning Director shall be offered prior to the issuance of a building permit to commence construction of the project and will be released three (3) years after the completion of the landscape installation upon demonstrating the landscaping is established and maintained according to the approved landscape improvement plan.
- (D) Lighting: The location, intensity, and shielding of all exterior lighting for buildings, businesses, landscaping, streets and parking lots, and recreational and public areas shall be downward shielded and employ approved "Dark Sky Friendly Fixtures" (www.darksky.org) that are operated on a limited night schedule so as to avoid or prevent the illumination of adjoining uses or areas or the night sky.

20.085.060 Mixed Use Development Review.

The Mixed Use Development Review will implement the goals and policies of the Ukiah Valley Area Plan by providing site planning, architectural design guidance, and criteria for commercial uses in mixed use projects. The intent of this process is to develop aesthetically appealing urban form, which reflects the rural, small town character of the Ukiah Valley, protect and enhance the natural beauty and scenic view sheds, and reinforce the uniqueness of existing communities.

- (A) Development Review. All development within the MU-2 is subject to one (1) of the following review processes unless the development is: (1) A façade improvement, (2) A one (1) time addition/expansion of an existing structure(s) not to exceed five hundred (500) square feet per site, and (3) Minor amendments to previously approved plans, or a change in use of existing structure(s) that do not require additional parking, and will not generate substantial amounts of additional traffic, noise, or other potential nuisances.
- (1) Zoning Clearance. A mixed use project shall be eligible for zoning clearance through the building permit process when the project includes only permitted uses listed in Section 20.085.010, and is consistent with the Mixed Use Compatibility Standards contained in Section 20.085.055, and will develop a site not to exceed forty thousand (40,000) square feet.
 - (2) Administrative Permit. A mixed use project shall be subject to an administrative permit in accordance with Chapter 20.192 when the project only includes permitted uses listed in Section 20.085.010, is consistent with the Mixed Use Compatibility Standards contained in Section 20.085.055, and will develop a site exceeding forty thousand (40,000) square feet. In addition, a mixed use project shall be subject to an administrative permit when any of the following apply:
 - ~~(3) Minor Use Permit. A mixed use project shall be subject to a minor use permit under the original jurisdiction of the Zoning Administrator in accordance with Chapter 20.196 and is subject to CEQA review when any of the following apply:~~
 - a) A single use project other than those uses subject to a ~~major~~-use permit.

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- b) The project includes permitted uses listed in Section 20.085.010 Permitted Uses and will require an exception from the Mixed Use Compatibility Standards in Section 20.085.055.
 - c) The project includes uses listed in Section 20.085.015, Uses Subject to ~~a Minor Use~~ an Administrative Permit.
- (43) ~~Major~~-Use Permit. A mixed use shall be subject to a ~~major~~-use permit under the original jurisdiction of the Planning Commission, in accordance with Chapter 20.196, and is subject to CEQA review when the project includes any use listed in Section 20.085.020, Uses Subject to a ~~Major~~-Use Permit, including a project that requires an exception to the Mixed Use Compatibility Standards contained in Section 20.085.055.
- (B) Submittal Requirement. The following submittal requirements govern the submittal, review, and action on the Mixed Use Development Plan, when it is required.
- (1) General: A Mixed Use Development Plan shall be submitted for any mixed use project subject to an administrative permit, ~~minor use permit,~~ or ~~a major~~-use permit as specified by section 20.085.060-(A).
 - (2) Mixed Use Development Plan Requirement: In addition to the information and plans otherwise required for an administrative permit, ~~minor use permit,~~ or ~~major~~-use permit, a Mixed Use Development Plan is required and shall include, but is not limited to, the following information:
 - a) A detailed site plan at a scale that is sufficient to fully illustrate proposed uses and site improvements as well as a Preliminary Development Plan, as defined in this Chapter.
 - b) Building elevation drawings of all proposed structures showing exterior wall color and material, and exterior lighting of proposed and existing development on all sides of the structure. The Community Design Guidelines shall be applied to all mixed use projects subject to Mixed Use Development Review.
 - c) A building floor plan of the proposed structure delineating each building or portion thereof by use type.
 - d) A landscaping plan detailing all new and existing landscaping to be incorporated into the design of the project including pedestrian walkway improvements, location of existing and proposed vegetation, including removed vegetation and trees, public amenities, landscape lighting, fencing, and irrigation improvements. The landscape plan must include a planting and lighting schedule noting the size, number, and type of plant materials and light fixtures.
 - e) A parking and circulation plan showing the location of and access to parking spaces, loading zones, delivery docks, transit improvements, bicycle parking, parking lot landscape areas (detailed by the landscape plan), and lighting. The parking and circulation plan shall include a schedule showing the number and size of required off-street parking based the County's parking requirements.
- (C) Supplemental Findings. The Zoning Administrator and/or Planning Commission shall make the following supplemental findings when acting to approve any discretionary project (i.e., administrative permit, ~~minor use permit,~~ and ~~or major~~ use permit) within the Mixed Use zoning district. The findings shall not be vague and conclusory. The findings shall be sufficiently detailed to inform a reviewing court of the basis of the action by bridging the gap between the evidence and the decision-maker's conclusions, and shall be based upon evidence contained in the administrative record. Failure to make findings that support the following determinations shall result in a denial of the Mixed Use Development Plan application.

The proposed mixed use project, including an exception from the Mixed Use Compatibility Standards, will substantially fulfill the intent and purpose of the Mixed Use General zoning district and Community Design Guidelines, by accomplishing the following.

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1. Land Use: The project will —
 - a) Preserve the character of the neighborhood; will protect the community's character, provide for harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public
 - b) Include appropriate use of materials, textures, and colors, which will remain aesthetically appealing and appropriately maintained; and will locate and orient windows, doorways, and outdoor use areas to minimize the potential impacts from heat, glare, noise, or other disturbances caused by on-site or off-site sources.
 - c) Locate structure(s) on the parcel which are compatible with the location and orientation of other structures in the immediate neighborhood that conform to applicable setback requirements.
 - d) Be compatible with other uses on the property.
 2. Parking: The project will —
 - a) Provide adequate ingress, egress, parking for vehicles and bicycles, and internal circulation for vehicles, bicycles, pedestrians, and delivery vehicles designed to promote safety and convenience.
 - b) Not create potential hazards to vehicular, pedestrian, or bicycle traffic, or cause a distraction for motorists.
 - c) Provide shade for parking spaces to the extent practical.
 3. Landscape: The project will —
 - a) Include provisions to ensure maintenance of all approved landscaping.
 - b) Include landscaping as an integral part of the project design and enhance the appearance of the development.
 - c) Ensure protection of existing and desirable mature trees when feasible.
 - d) Utilize irrigation systems which provide for the efficient use of water.
 4. Lighting: The project will —
 - a) Provide adequate lighting to all pedestrian and building access areas to provide safety, security and enhance aesthetic quality.
 - b) Provide lighting that is appropriate in scale, intensity, and height
 - c) Provide lighting that is energy efficient and shielded or recessed so that direct glare and reflections are confined to the maximum extent feasible within the boundaries of the site.
- (D) Conditions of Approval. Conditions of project approval may be imposed on a Mixed Use Development Plan.
- (1) In approving a Mixed Use Development Plan, the Zoning Administrator or Planning Commission may include such conditions as are deemed reasonable and necessary to maintain or assure (1) compliance with the standards/criteria listed in Section 20.085.055, Mixed Use Compatibility Standards, and (2) the mitigation of any "significant adverse environmental impacts" of the development as may be required by the California Environment Quality Act. Nothing in this Section shall be construed to limit the discretion of the authority of the Zoning Administrator or Planning Commission to require conditions.
 - (2) The Zoning Administrator or Planning Commission may condition a Mixed Use Development Plan to prohibit occupancy of a project building until an inspection has been made which finds that the project building, landscaping and other required improvements have been completed, and the project complies with all conditions specifically required to

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be completed prior to occupancy. If a Mixed Use Development Plan is so conditioned, the Planning Director shall notify the County Building Official of such conditions. If a building permit is issued for a building or structure which is subject to a Mixed Use Development Plan so conditioned, the Building Official shall not approve a final inspection of such building or structure until the conditions have been satisfied. The Planning Commission or the Zoning Administrator may also require conditions be completed prior to the issuance of building permits.

NEW! CHAPTER 20.086 MUNS MIXED USE NORTH STATE DISTRICT

20.086.005 Intent.

The intent of the Mixed-Use North State (MUNS) zoning district is intended to encourage mixed-use development with commercial uses encouraged at street level, retail and service businesses, residential uses, processing, manufacturing, and assembly. Mixed-use development shall combine two or more of the permitted uses listed in this Chapter along with some form of public open space, and sSingle-use development is discouraged.

20.086.010 Permitted Uses.

The following use types are permitted uses provided the development of any permitted residential use occurs in conjunction with at least one (1) different permitted commercial or civic use type on the same property, as a live-work use, or is part of a mixed use project: Definitions for live-work use and mixed use are contained in Chapter 20.008 Definitions.

(A) Residential Use Types (See Chapter 20.016).

- Assisted Living Residential Care Facility;
- Day Care Facility;
- Employee Housing;
- Family Residential — single-family;
- Family Residential — two-family;
- Family Residential—multifamily;
- Low Barrier Navigation Center;
- Supportive Housing;
- Transitional Housing;

(B) Civic Use Types (See Chapter 20.020).

- Administrative services, government;
- Clinic services;
- Cultural exhibits and library services;
- Essential services;
- Group care;
- Lodge, fraternal and civic assembly;
- Religious assembly;
- Day Care Facilities/sSmall schools.

(C) Commercial Use Types (See Chapter 20.024).

- Administrative & Business Offices;

Communication Services;
Eating and Drinking Establishments;
Food and Beverage Retail Sales;
Medical Services;
Personal Services;
Repair Services, Consumer;
Retail Sales, General.

(D) Industrial Use Types (See Chapter 20.028).

Custom Manufacturing

(E) Accessory uses as provided in Chapter 20.164.

20.086.015 Uses Subject to an Administrative Permit.

The following uses are permitted in a mixed use project upon issuance of an Administrative Permit:

(A) Agricultural Use Types (See Chapter 20.032).

Animal Raising — Personal.

(B) Civic Use Types (See Chapter 20.020).

Ambulance services;
Fire and police protection services;
Minor impact utilities;
Community Recreation.

(C) Commercial Use Types (See Chapter 20.024).

Laundry services;
Redemption Centers.

20.086.020 Uses Subject to a Use Permit.

The following use types are permitted in a mixed use project upon securing a Use Permit:

(A) Civic Use Types (See Chapter 20.020).

Educational facilities;
Major impact facilities;
Major impact services and utilities.

20.086.025 Minimum Lot Area.

There is no minimum lot area.

20.086.030 Maximum Dwelling Density.

Single Family Residential: one (1) unit per seven thousand (7,000) square feet.

Multi-Family Residential: one (1) unit per one thousand five hundred (1,500) square feet.

20.086.035 Minimum Front and Rear Yard.

- (A) Residential Use: Twenty (20) feet.
- (B) Non-Residential Use: None, except that a twenty (20) foot rear yard is required adjoining any district other than MU-2, MUBST, commercial, or industrial.

20.086.040 Minimum Side Yard.

- (A) Residential Use: Six (6) feet.
- (B) Non-Residential Use: None, except that a five (5) foot side yard is required adjoining any district other than commercial or industrial.

20.086.045 Building Height Limit.

Fifty (50) feet.

20.086.050 Building Floor Area Ratio.

- (A) Residential Use: None
- (B) Non-Residential Use: Three-tenths (0.3) minimum; One (1.0) maximum.

20.086.055 Mixed Use Compatibility Standards.

All permitted mixed use projects shall be consistent with the Mixed Use Compatibility Standards stated in this section and are encouraged to incorporate design principles and examples contained in the Community Design Guidelines to the extent feasible. Any permitted mixed use project determined to be inconsistent with these standards shall be subject to a discretionary permit as described in Section 20.086.060, Mixed Use Development Review.

- (A) Land Use: Structures and site improvements associated with mixed use projects shall be developed and operated according to the following land use standards.
 - (1) Site Improvements: Building siting and orientation, and landscape improvements shall integrate pedestrian circulation. Site and landscape improvements shall incorporate outdoor pedestrian use areas such as courtyards and plazas (which could include amenities such as trellises, raised planters, and landscaped berms) and other structures that create semi-protected outdoor spaces. Pedestrian use areas shall be visible from street corridors and pedestrian access routes.
 - (2) Separation: Separation between use types, whether the uses are located on the same parcel or not, shall be required as stated below, in addition to minimum side and rear yards specified in this chapter.
 - (a) Residential uses shall be separated from non-residential uses as follows:
 - No less than three hundred (300) feet from any industrial use on the same site or from an industrial zoning district.

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- No less than eleven (11) feet from any commercial or civic use on the same site, except that a residential use may be located in the same or abutting structure containing a commercial and/or civic use.
 - (b) Where residential and non-residential separation is required, landscape areas shall be provided in the separation area (including property lines setbacks) to prevent noise, lighting, and privacy intrusion. Pedestrian activity areas and circulation improvements are allowed in the separation area; trash enclosures are prohibited.
 - (c) Notwithstanding the minimum side and rear yard setbacks of this chapter, a fifty (50) foot setback and a fence or wall no less than six (6) feet high is required along a side or rear property line of an adjacent parcel within Agricultural Land, as defined by Section 10A.13.010 of the Mendocino County Code, or a parcel developed with an Agricultural Use Type (Chapter 20.032) exceeding one (1) acre in size.
 - (d) No portion of a wall or fence shall be used for advertising or display. No barbed wire or concertina wire may be used as fencing material.
- (3) Utilities:
- (a) All utilities including but not limited to electrical power, telecommunications, and cable television shall be placed underground to the extent practicable, taking into account economic and environmental factors.
 - (b) If utilities, communications towers, and devices must be above ground they shall be designed and located to minimize visual impact and clutter, using techniques such as screening and shared use of facilities.
 - (c) When available, connection to public water and sewer services is required for development.
- (4) Land Use Limitations:
- (a) All industrial use operations, excluding delivery docks, shall be enclosed within a building.
 - (b) Commercial and industrial loading areas, trash enclosures, utility meters, and mechanical and electrical equipment shall be located as far as possible from residential uses and shall be screened from view from the residential portion of the project and any adjoining residential use.
 - (c) Non-residential uses shall not be open to the public between the hours of 11:00 p.m. and 6:00 a.m.
 - (d) All new uses shall comply with the General Plan Noise Policies (Development Element, Chapter 3, DE-93 to DE-110).
- (B) Parking: Notwithstanding the applicable provisions of Chapter 20.180 Off-Street Parking, the following additional off-street parking and circulation requirements shall apply.
- (1) On-site circulation and parking shall be provided and continuously maintained according to an approved parking plan illustrating the location, number and configuration of parking spaces for vehicles and bicycles, vehicle and pedestrian circulation improvements, truck loading areas and travel path, and emergency vehicle access, public transit stops, and public areas.
 - (2) The number and configuration of parking and circulation shall be consistent with parking standards (Chapter 20.180 Off-Street Parking) except that a reduction in the number of off-street parking spaces, consistent with Section 20.180.010 of the County Code, may be granted when the project includes shared parking facilities, affordable housing, and transit improvements.
 - (3) Shared driveway access between neighboring uses and parcels shall be encouraged. Wherever possible, driveway access shall be provided at the property boundary to permit

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future negotiations of shared access agreements when adjoining parcels are developed. Where shared access is provided, a twenty-five (25) percent reduction in the required parking spaces for all commercial uses shall be permitted for each participating parcel.

- (4) Instead of locating a single parking lot on the street frontage, separate parking areas shall be established throughout the mixed use project, away from the street frontage and, to the extent possible, not located between building groups. When feasible, parking within or under buildings is encouraged.
 - (5) All new development shall be required to provide sidewalks along any street frontage and shall provide on-site pedestrian walkways that directly link all parking areas with building entrances, off-site transportation facilities, established sidewalks, and adjacent public rights-of-way. The walkway shall be a minimum of five (5) feet in width and shall be constructed of concrete, pavers, or similar sidewalk material that is firm, stable, and slip-resistant. Walkways may be located within the landscaping/walkway corridors of the public rights-of-way. The specific location of pedestrian walkways shall be determined by each property owner. However, narrow linear strips of landscaping between walkways and streets shall be discouraged. Required walkways shall connect to existing walkways on adjacent properties, and where such adjacent walkways have not been developed, the required walkways shall be located in areas where the future continuation of the walkway across adjoining properties is feasible.
- (C) Landscape: Utilizing climate adapted plants supported by low volume irrigation systems, landscape improvements shall be provided and continuously maintained throughout and along the perimeter of the mixed use development site, subject to State of California Water Conservation in Landscape Act of 1990 and the following standards.
- (1) No less than ten (10) percent of the gross parking and circulation area shall be dedicated to and continuously maintained as landscape areas.
 - (2) Parking lot shade trees, selected from the Mixed Use Design Guideline Master Tree List, shall be provided and continuously maintained at a minimum rate of one (1) tree per five (5) parking spaces.
 - (3) Drainage swales and similar stormwater retention features shall be integrated with the design and location of landscape improvements.
 - (4) Planting areas, no less than ten (10) feet wide, shall separate parking lots from property lines and buildings.
 - (5) A landscape improvement bond or another form of surety acceptable to the Planning Director shall be offered prior to the issuance of a building permit to commence construction of the project and will be released three (3) years after the completion of the landscape installation upon demonstrating the landscaping is established and maintained according to the approved landscape improvement plan.
- (D) Lighting: The location, intensity, and shielding of all exterior lighting for buildings, businesses, landscaping, streets and parking lots, and recreational and public areas shall be downward shielded and that are operated on a limited night schedule so as to avoid or prevent the illumination of adjoining uses or areas or the night sky.

20.086.060 Mixed Use Development Review.

This section will implement the goals and policies of the Ukiah Valley Area Plan by providing site planning, architectural design guidance, and criteria for commercial uses in mixed use projects. The intent of this process is to develop aesthetically appealing urban form, which reflects the rural, small town character of the Ukiah Valley, protect and enhance the natural beauty and scenic view sheds, and reinforce the uniqueness of existing communities.

- (A) Development Review. All development within the MUNS is subject to one (1) of the following review processes unless the development is: (1) a façade improvement, (2) A one (1) time

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addition/expansion of an existing structure(s) not to exceed five hundred (500) square feet per site, and (3) minor amendments to previously approved plans, or a change in use of existing structure(s) that do not require additional parking, and will not generate substantial amounts of additional traffic, noise, or other potential nuisances.

- (1) Zoning Clearance. A project shall be eligible for zoning clearance through the building permit process when it is a mixed use project, includes only permitted uses listed in Section 20.086.010, and is consistent with the Mixed Use Compatibility Standards contained in Section 20.086.055, and will develop a site not to exceed forty thousand (40,000) square feet.
 - (2) Administrative Permit. A project shall be subject to an administrative permit in accordance with Chapter 20.192 when the project only includes permitted uses listed in Section 20.086.010, is consistent with the Mixed Use Compatibility Standards contained in Section 20.086.055, and will develop a site exceeding forty thousand (40,000) square feet. In addition, a project shall be subject to an administrative permit when any of the following apply:
 - (a) The project contains only a single permitted use.
 - (b) The project includes permitted uses listed in Section 20.086.010 Permitted Uses and will require an exception from the Mixed Use Compatibility Standards in Section 20.086.055.
 - (c) The project includes uses listed in Section 20.086.015, Uses Subject to an Administrative Permit.
 - (3) Use Permit. A project shall be subject to a use permit under the original jurisdiction of the Planning Commission, in accordance with Chapter 20.196, and is subject to CEQA review when the project includes any use listed in Section 20.086.020, Uses Subject to a Use Permit, including a project that requires an exception to the Mixed Use Compatibility Standards contained in Section 20.086.055.
- (B) Submittal Requirement. The following submittal requirements govern the submittal, review, and action on the Mixed Use Development Plan, when it is required.
- (1) General: A Mixed Use Development Plan shall be submitted for any mixed use project subject to an administrative permit or use permit as specified by section 20.086.060(A).
 - (2) Mixed Use Development Plan Required Elements: In addition to the information and plans otherwise required for an administrative permit or use permit, a Mixed Use Development Plan is required and shall include, but is not limited to, the following information:
 - (a) A detailed site plan at a scale that is sufficient to fully illustrate proposed uses and site improvements as well as a Preliminary Development Plan, as defined in Chapter 20.008.
 - (b) Building elevation drawings of all proposed structures showing exterior wall color and material, and exterior lighting of proposed and existing development on all sides of the structure. The Community Design Guidelines shall be applied to all mixed use projects subject to Mixed Use Development Review.
 - (c) A building floor plan of the proposed structure delineating each building or portion thereof by use type.
 - (d) A landscaping plan detailing all new and existing landscaping to be incorporated into the design of the project including pedestrian walkway improvements, location of existing and proposed vegetation, including removed vegetation and trees, public amenities, landscape lighting, fencing, and irrigation improvements. The landscape plan must include a planting and lighting schedule noting the size, number, and type of plant materials and light fixtures.

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- e) A parking and circulation plan showing the location of and access to parking spaces, loading zones, delivery docks, transit improvements, bicycle parking, parking lot landscape areas (detailed by the landscape plan), and lighting. The parking and circulation plan shall include a schedule showing the number and size of required off-street parking based the County's parking requirements.
- (C) Supplemental Findings. The Zoning Administrator and/or Planning Commission shall make the following supplemental findings when acting to approve any discretionary project (i.e., administrative permit or use permit) within the MUNS zoning district. The findings shall not be vague and conclusory. The findings shall be sufficiently detailed to inform a reviewing court of the basis of the action by bridging the gap between the evidence and the decision-maker's conclusions, and shall be based upon evidence contained in the administrative record. Failure to make findings that support the following determinations shall result in a denial of the Mixed Use Development Plan application.

The proposed mixed use project, including one needing an exception from the Mixed Use Compatibility Standards, will substantially fulfill the intent and purpose of the MUNS zoning district and Community Design Guidelines, by accomplishing the following.

- (1) Land Use: The project will —
 - (a) Preserve the character of the neighborhood; will protect the community's character, provide for harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public
 - (b) Include appropriate use of materials, textures, and colors, which will remain aesthetically appealing and appropriately maintained; and will locate and orient windows, doorways, and outdoor use areas to minimize the potential impacts from heat, glare, noise, or other disturbances caused by on-site or off-site sources.
 - (c) Locate structure(s) on the parcel which are compatible with the location and orientation of other structures in the immediate neighborhood that conform to applicable setback requirements.
 - (d) Be compatible with other uses on the property.
- (2) Parking: The project will —
 - (a) Provide adequate ingress, egress, parking for vehicles and bicycles, and internal circulation for vehicles, bicycles, pedestrians, and delivery vehicles designed to promote safety and convenience.
 - (b) Not create potential hazards to vehicular, pedestrian, or bicycle traffic, or cause a distraction for motorists.
 - (c) Provide shade for parking spaces to the extent practical.
- (3) Landscape: The project will —
 - (a) Include provisions to ensure maintenance of all approved landscaping.
 - (b) Include landscaping as an integral part of the project design and enhance the appearance of the development.
 - (c) Ensure protection of existing and desirable mature trees when feasible.
 - (d) Utilize irrigation systems which provide for the efficient use of water.
- (4) Lighting: The project will —
 - (a) Provide adequate lighting to all pedestrian and building access areas to provide safety, security and enhance aesthetic quality.
 - (b) Provide lighting that is appropriate in scale, intensity, and height

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- (c) Provide lighting that is energy efficient and shielded or recessed so that direct glare and reflections are confined to the maximum extent feasible within the boundaries of the site.
- (D) Conditions of Approval. Conditions of project approval may be imposed on a Mixed Use Development Plan.
 - (1) In approving a Mixed Use Development Plan, the Zoning Administrator or Planning Commission may include such conditions as are deemed reasonable and necessary to maintain or assure (1) compliance with the standards/criteria listed in Section 20.086.055, Mixed Use Compatibility Standards, and (2) the mitigation of any "significant adverse environmental impacts" of the development as may be required by the California Environment Quality Act. Nothing in this Section shall be construed to limit the discretion of the authority of the Zoning Administrator or Planning Commission to require conditions.
 - (2) The Zoning Administrator or Planning Commission may condition a Mixed Use Development Plan to prohibit occupancy of a project building until an inspection has been made which finds that the project building, landscaping and other required improvements have been completed, and the project complies with all conditions specifically required to be completed prior to occupancy. If a Mixed Use Development Plan is so conditioned, the Planning Director shall notify the County Building Official of such conditions. If a building permit is issued for a building or structure which is subject to a Mixed Use Development Plan so conditioned, the Building Official shall not approve a final inspection of such building or structure until the conditions have been satisfied. The Planning Commission or the Zoning Administrator may also require conditions be completed prior to the issuance of building permits.

***NEW! CHAPTER 20.087 MUBST MIXED USE BRUSH STREET
TRIANGLE DISTRICT***

20.087.005 Intent.

The intent of the Mixed-Use Brush Street Triangle (MUBST) zoning district is to promote greater efficiency by encouraging mixed-use development that preserves and expands options for housing and provides for live-work opportunities. It also aims to enhance community health by promoting active transportation and to support local businesses by providing a variety of commercial and residential uses in a compact and accessible area within the Mixed-Use Brush Street Triangle (MUBST) area as defined in the Ukiah Valley Area Plan.

20.087.010 Permitted Uses.

The following use types are permitted uses provided the development of any permitted residential use occurs in conjunction with at least one (1) different permitted commercial or civic use type on the same property, as a live-work use, or is part of a mixed use project: Definitions for live-work use and mixed use are contained in Chapter 20.008 Definitions.

(A) Residential Use Types (See Chapter 20.016).

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family Residential — single-family;

Family Residential — two-family;

Family Residential—multifamily;

Low Barrier Navigation Center;

Supportive Housing;

Transitional Housing;

(B) Civic Use Types (See Chapter 20.020).

Administrative services, government;

Clinic services;

Community Recreation;

Cultural exhibits and library services;

Education facilities;

Essential services;

Group care;

Lodge, fraternal and civic assembly;

Religious assembly;
Day Care Facilities/sSmall schools.

(C) Commercial Use Types (See Chapter 20.024).

Administrative & Business Offices;
Communication Services;
Eating and Drinking Establishments;
Food and Beverage Retail Sales;
Medical Services;
Personal Services;
Repair Services, Consumer;
Retail Sales, General.

(D) Industrial Use Types (See Chapter 20.028).

Custom Manufacturing

(E) Accessory uses as provided in Chapter 20.164.

20.087.015 Uses Subject to an Administrative Permit.

The following uses are permitted in a mixed use project upon issuance of an Administrative Permit:

(A) Agricultural Use Types (See Chapter 20.032).

Animal Raising — Personal.

(B) Civic Use Types (See Chapter 20.020).

Ambulance services;
Fire and police protection services;
Minor impact utilities;

(C) Commercial Use Types (See Chapter 20.024).

Laundry services;
Redemption Centers.

20.087.020 Uses Subject to a Use Permit.

The following use types are permitted in a mixed use project upon securing a Use Permit:

(A) Civic Use Types (See Chapter 20.020).

Educational facilities;

Major impact facilities;

Major impact services and utilities.

20.087.025 Minimum Lot Area.

No Minimum.

20.087.030 Maximum Dwelling Density.

Single Family Residential: one (1) unit per four thousand five hundred (4,500) square feet.

Multi-Family Residential and Mixed Use: one (1) unit per two thousand one hundred (2,100) square feet.

20.087.035 Minimum Front and Rear Yard.

(A) Residential Use: Twenty (20) feet.

(B) Non-Residential Use: None, except that a twenty (20) foot rear yard is required adjoining any district other than MU-2, MUNS, commercial, or industrial

20.087.040 Minimum Side Yard.

(A) Residential Use: Six (6) feet.

(B) Non-Residential Use: None, except that a five (5) foot side yard is required adjoining any district other than commercial or industrial.

20.087.045 Building Height Limit.

Fifty (50) feet.

20.087.050 Building Floor Area Ratio.

(A) Residential Use: None

(B) Non-Residential Use: Three-tenths (0.3) minimum; One (1.0) maximum.

20.087.055 Mixed Use Compatibility Standards.

All permitted mixed use projects shall be consistent with the Mixed Use Compatibility Standards and are encouraged to incorporate design principles and examples contained in the Community Design Guidelines to the extent feasible. Any permitted mixed use project determined to be inconsistent with these standards shall be subject to a discretionary permit as described in Section 20.087.060, Mixed Use Development Review.

- (1) Site Improvements: Building siting and orientation, and landscape improvements shall integrate pedestrian circulation. Site and landscape improvements shall incorporate outdoor pedestrian use areas such as courtyards and plazas (which could include amenities such as trellises, raised planters, and landscaped berms) and other structures that create semi-protected outdoor spaces. Pedestrian use areas shall be visible from street corridors and pedestrian access routes.
- (2) Separation: Separation between use types, whether the uses are located on the same parcel or not, shall be required as stated below, in addition to minimum side and rear yards specified in this chapter.
 - (a) Residential uses shall be separated from non-residential uses as follows:
 - No less than three hundred (300) feet from any industrial use on the same site or from an industrial zoning district.

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- No less than eleven (11) feet from any commercial or civic use on the same site, except that a residential use may be located in the same or abutting structure containing a commercial and/or civic use.
 - (b) Where residential and non-residential separation is required, landscape areas shall be provided in the separation area (including property lines setbacks) to prevent noise, lighting, and privacy intrusion. Pedestrian activity areas and circulation improvements are allowed in the separation area; trash enclosures are prohibited.
 - (c) Notwithstanding the minimum side and rear yard setbacks of this chapter, a fifty (50) foot setback and a fence or wall no less than six (6) feet high is required along a side or rear property line of an adjacent parcel within Agricultural Land, as defined by Section 10A.13.010 of the Mendocino County Code, or a parcel developed with an Agricultural Use Type (Chapter 20.032) exceeding one (1) acre in size.
 - (d) No portion of a wall or fence shall be used for advertising or display. No barbed wire or concertina wire may be used as fencing material.
- (3) Utilities:
- (a) All utilities including but not limited to electrical power, telecommunications, and cable television shall be placed underground to the extent practicable, taking into account economic and environmental factors.
 - (b) If utilities, communications towers, and devices must be above ground they shall be designed and located to minimize visual impact and clutter, using techniques such as screening and shared use of facilities.
 - (c) When available, connection to public water and sewer services is required for development.
- (4) Land Use Limitations:
- (a) All industrial use operations, excluding delivery docks, shall be enclosed within a building.
 - (b) Commercial and industrial loading areas, trash enclosures, utility meters, and mechanical and electrical equipment shall be located as far as possible from residential uses and shall be screened from view from the residential portion of the project and any adjoining residential use.
 - (c) Non-residential uses shall not be open to the public between the hours of 11:00 p.m. and 6:00 a.m.
 - (d) All new uses shall comply with the General Plan Noise Policies (Development Element, Chapter 3, DE-93 to DE-110).
- (B) Parking: Notwithstanding the applicable provisions of Chapter 20.180 Off-Street Parking, the following additional off-street parking and circulation requirements shall apply.
- (1) On-site circulation and parking shall be provided and continuously maintained according to an approved parking plan illustrating the location, number and configuration of parking spaces for vehicles and bicycles, vehicle and pedestrian circulation improvements, truck loading areas and travel path, and emergency vehicle access, public transit stops, and public areas.
 - (2) The number and configuration of parking and circulation shall be consistent with parking standards (Chapter 20.180 Off-Street Parking) except that a reduction in the number of off-street parking spaces, consistent with Section 20.180.010 of the County Code, may be granted when the project includes shared parking facilities, affordable housing, and transit improvements.
 - (3) Shared driveway access between neighboring uses and parcels shall be encouraged. Wherever possible, driveway access shall be provided at the property boundary to permit

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future negotiations of shared access agreements when adjoining parcels are developed. Where shared access is provided, a twenty-five (25) percent reduction in the required parking spaces for all commercial uses shall be permitted for each participating parcel.

- (4) Instead of locating a single parking lot on the street frontage, separate parking areas shall be established throughout the mixed use project, away from the street frontage and, to the extent possible, not located between building groups. When feasible, parking within or under buildings is encouraged.
 - (5) All new development shall be required to provide sidewalks along any street frontage and shall provide on-site pedestrian walkways that directly link all parking areas with building entrances, off-site transportation facilities, established sidewalks, and adjacent public rights-of-way. The walkway shall be a minimum of five (5) feet in width and shall be constructed of concrete, pavers, or similar sidewalk material that is firm, stable, and slip-resistant. Walkways may be located within the landscaping/walkway corridors of the public rights-of-way. The specific location of pedestrian walkways shall be determined by each property owner. However, narrow linear strips of landscaping between walkways and streets shall be discouraged. Required walkways shall connect to existing walkways on adjacent properties, and where such adjacent walkways have not been developed, the required walkways shall be located in areas where the future continuation of the walkway across adjoining properties is feasible.
- (C) Landscape: Utilizing climate adapted plants supported by low volume irrigation systems, landscape improvements shall be provided and continuously maintained throughout and along the perimeter of the mixed use development site, subject to State of California Water Conservation in Landscape Act of 1990 and the following standards.
- (1) No less than ten (10) percent of the gross parking and circulation area shall be dedicated to and continuously maintained as landscape areas.
 - (2) Parking lot shade trees, selected from the Mixed Use Design Guideline Master Tree List, shall be provided and continuously maintained at a minimum rate of one (1) tree per five (5) parking spaces.
 - (3) Drainage swales and similar stormwater retention features shall be integrated with the design and location of landscape improvements.
 - (4) Planting areas, no less than ten (10) feet wide, shall separate parking lots from property lines and buildings.
 - (5) A landscape improvement bond or another form of surety acceptable to the Planning Director shall be offered prior to the issuance of a building permit to commence construction of the project and will be released three (3) years after the completion of the landscape installation upon demonstrating the landscaping is established and maintained according to the approved landscape improvement plan.
- (D) Lighting: The location, intensity, and shielding of all exterior lighting for buildings, businesses, landscaping, streets and parking lots, and recreational and public areas shall be downward shielded and that are operated on a limited night schedule so as to avoid or prevent the illumination of adjoining uses or areas or the night sky.

20.087.060 Mixed Use Development Review.

The Mixed Use Development Review will implement the goals and policies of the Ukiah Valley Area Plan by providing site planning, architectural design guidance, and criteria for commercial uses in mixed use projects. The intent of this process is to develop aesthetically appealing urban form, which reflects the rural, small town character of the Ukiah Valley, protect and enhance the natural beauty and scenic view sheds, and reinforce the uniqueness of existing communities.

- (A) Development Review. All development within the MUBST is subject to one (1) of the following review processes unless the development is: (1) a façade improvement, (2) a one (1) time

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addition/expansion of an existing structure(s) not to exceed five hundred (500) square feet per site, and (3) minor amendments to previously approved plans, or a change in use of existing structure(s) that do not require additional parking, and will not generate substantial amounts of additional traffic, noise, or other potential nuisances.

- (1) Zoning Clearance A project shall be eligible for zoning clearance through the building permit process when it is a mixed use project, includes only permitted uses listed in Section 20.087.010, and is consistent with the Mixed Use Compatibility Standards contained in Section 20.087.055, and will develop a site not to exceed forty thousand (40,000) square feet.
 - (2) Administrative Permit. A project shall be subject to an administrative permit in accordance with Chapter 20.192 when the project only includes permitted uses listed in Section 20.087.010, is consistent with the Mixed Use Compatibility Standards contained in Section 20.087.055, and will develop a site exceeding forty thousand (40,000) square feet. In addition, a project shall be subject to an administrative permit when any of the following apply:
 - (a) The project contains only a single permitted use.
 - (b) The project includes permitted uses listed in Section 20.087.010 Permitted Uses and will require an exception from the Mixed Use Compatibility Standards in Section 20.087.055.
 - (c) The project includes uses listed in Section 20.087.015, Uses Subject to an Administrative Permit.
 - (3) Use Permit. A project shall be subject to a use permit under the original jurisdiction of the Planning Commission, in accordance with Chapter 20.196, and is subject to CEQA review when the project includes any use listed in Section 20.087.020, Uses Subject to a Use Permit, including a project that requires an exception to the Mixed Use Compatibility Standards contained in Section 20.087.055.
- (B) Submittal Requirement. The following submittal requirements govern the submittal, review, and action on the Mixed Use Development Plan, when it is required.
- (1) General: A Mixed Use Development Plan shall be submitted for any mixed use project subject to an administrative permit or use permit as specified by section 20.087.060(A).
 - (2) Mixed Use Development Plan Requirement: In addition to the information and plans otherwise required for an administrative permit or use permit, a Mixed Use Development Plan is required and shall include, but is not limited to, the following information:
 - a) A detailed site plan at a scale that is sufficient to fully illustrate proposed uses and site improvements as well as a Preliminary Development Plan, as defined in this Chapter.
 - b) Building elevation drawings of all proposed structures showing exterior wall color and material, and exterior lighting of proposed and existing development on all sides of the structure. The Community Design Guidelines shall be applied to all mixed use projects subject to Mixed Use Development Review.
 - c) A building floor plan of the proposed structure delineating each building or portion thereof by use type.
 - d) A landscaping plan detailing all new and existing landscaping to be incorporated into the design of the project including pedestrian walkway improvements, location of existing and proposed vegetation, including removed vegetation and trees, public amenities, landscape lighting, fencing, and irrigation improvements. The landscape plan must include a planting and lighting schedule noting the size, number, and type of plant materials and light fixtures.

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- e) A parking and circulation plan showing the location of and access to parking spaces, loading zones, delivery docks, transit improvements, bicycle parking, parking lot landscape areas (detailed by the landscape plan), and lighting. The parking and circulation plan shall include a schedule showing the number and size of required off-street parking based the County's parking requirements.
- (C) Supplemental Findings. The Zoning Administrator and/or Planning Commission shall make the following supplemental findings when acting to approve any discretionary project (i.e., administrative permit or use permit) within the MUBST zoning district. The findings shall not be vague and conclusory. The findings shall be sufficiently detailed to inform a reviewing court of the basis of the action by bridging the gap between the evidence and the decision-maker's conclusions, and shall be based upon evidence contained in the administrative record. Failure to make findings that support the following determinations shall result in a denial of the Mixed Use Development Plan application.

The proposed mixed use project, including an exception from the Mixed Use Compatibility Standards, will substantially fulfill the intent and purpose of the Mixed Use General zoning district and Community Design Guidelines, by accomplishing the following.

- (1). Land Use: The project will —
 - (a) Preserve the character of the neighborhood; will protect the community's character, provide for harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public
 - (b) Include appropriate use of materials, textures, and colors, which will remain aesthetically appealing and appropriately maintained; and will locate and orient windows, doorways, and outdoor use areas to minimize the potential impacts from heat, glare, noise, or other disturbances caused by on-site or off-site sources.
 - (c) Locate structure(s) on the parcel which are compatible with the location and orientation of other structures in the immediate neighborhood that conform to applicable setback requirements.
 - (d) Be compatible with other uses on the property.
- (2) Parking: The project will —
 - (a) Provide adequate ingress, egress, parking for vehicles and bicycles, and internal circulation for vehicles, bicycles, pedestrians, and delivery vehicles designed to promote safety and convenience.
 - (b) Not create potential hazards to vehicular, pedestrian, or bicycle traffic, or cause a distraction for motorists.
 - (c) Provide shade for parking spaces to the extent practical.
- (3) Landscape: The project will —
 - (a) Include provisions to ensure maintenance of all approved landscaping.
 - (b) Include landscaping as an integral part of the project design and enhance the appearance of the development.
 - (c) Ensure protection of existing and desirable mature trees when feasible.
 - (d) Utilize irrigation systems which provide for the efficient use of water.
- (4) Lighting: The project will —
 - (a) Provide adequate lighting to all pedestrian and building access areas to provide safety, security and enhance aesthetic quality.
 - (b) Provide lighting that is appropriate in scale, intensity, and height

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- (c) Provide lighting that is energy efficient and shielded or recessed so that direct glare and reflections are confined to the maximum extent feasible within the boundaries of the site.
- (D) Conditions of Approval. Conditions of project approval may be imposed on a Mixed Use Development Plan.
 - (1) In approving a Mixed Use Development Plan, the Zoning Administrator or Planning Commission may include such conditions as are deemed reasonable and necessary to maintain or assure (1) compliance with the standards/criteria listed in Section 20.087.055, Mixed Use Compatibility Standards, and (2) the mitigation of any "significant adverse environmental impacts" of the development as may be required by the California Environment Quality Act. Nothing in this Section shall be construed to limit the discretion of the authority of the Zoning Administrator or Planning Commission to require conditions.
 - (2) The Zoning Administrator or Planning Commission may condition a Mixed Use Development Plan to prohibit occupancy of a project building until an inspection has been made which finds that the project building, landscaping and other required improvements have been completed, and the project complies with all conditions specifically required to be completed prior to occupancy. If a Mixed Use Development Plan is so conditioned, the Planning Director shall notify the County Building Official of such conditions. If a building permit is issued for a building or structure which is subject to a Mixed Use Development Plan so conditioned, the Building Official shall not approve a final inspection of such building or structure until the conditions have been satisfied. The Planning Commission or the Zoning Administrator may also require conditions be completed prior to the issuance of building permits.

CHAPTER 20.088 C-1 LIMITED COMMERCIAL DISTRICT

Sec. 20.088.005 Intent.

This district is intended to create and enhance areas where public facilities and services are available. It is also intended to facilitate a balance between jobs and housing, provide for the possibility of live/work spaces, and provide additional opportunities for affordable housing. A limited number of retail commercial goods and services are desired primarily to meet day to day needs of local residents and to facilitate livable/walkable communities and live/work opportunities. Typically this district would be applied in conjunction with residential uses and would permit only those uses which do not significantly increase traffic, noise or other impacts

Sec. 20.088.010 Permitted Uses.

The following use types are permitted in the C-1 District:

(A) Residential Use Types (see Chapter 20.016).

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family residential — single-family;

Family residential — two family;

Family residential — multi-family;

~~Two family and Multi-family residential uses are permitted by right in the C-1 District subject to the following conditions:~~

~~Must contain four (4) units or less and fulfills the following criteria:~~

~~(1) — lies within a water and sewer district~~

~~(2) — located more than 300 feet away from an industrial zoned parcel~~

~~(3) — not located on the same property with or within 300 feet of a gas station, dry cleaners, hazardous substance recycling facility, or automotive repair facility~~

~~(4) — not located in the A or B1 airport zones~~

~~If the project does not meet the above conditions, a use permit shall be required.~~

Low Barrier Navigation Center;

Supportive Housing;

Transitional Housing.

(B) Civic Use Types (See Chapter 20.020).

Administrative services, government;

Clinic services;

Community recreation;

Cultural exhibits and library services;

Essential services;

Fire and police protection services;

Lodge, fraternal and civic assembly;

Minor impact utilities;

Religious assembly.

(C) Commercial Use Types (See Chapter 20.024).

Administrative and business offices;

Animal sales and services-household pets;

Animal sales and services-veterinary (small animals);

Automotive and equipment-parking;

Business equipment sales;

Communication services;

Eating and drinking establishments;

Food and beverage preparation-without consumption;

Food and beverage retail sales;

Medical services;

Personal services;

Repair services, consumer;

Retail sales-general;

~~Transient Habitation—Low Intensity Camping.~~

(D) Agricultural Use Types (See Chapter 20.032).

~~Animal Raising – personal~~

Forest production and processing-limited;

Horticulture;

Packing and processing-limited;

Row and field crops;

Tree crops.

(E) Accessory uses as provided in Chapter 20.164.

Sec. 20.088.015 Uses Subject to an Administrative Minor Use Permit.

The following use types are permitted in the C-1 District upon issuance of a ~~Minor Use~~ Administrative Permit:

(A) Residential Use Types (See Chapter 20.016).

~~Family residential – two family—projects that do not meet the criteria of section 20.088.010~~

~~Family residential – multifamily—projects that do not meet the criteria of section 20.088.010~~

Family residential - dwelling groups

(B) Civic Use Types (See Chapter 20.024020).

~~Group care—;~~

Day care facilities/small schools;

(C) Commercial Use Types (See Chapter 20.024)

Automotive and equipment — gasoline sales;

Cottage industries — limited;
Recycling centers;
Redemption centers.

Sec. 20.088.020 Uses Subject to a Major-Use Permit.

The following use types are permitted in the C-1 District upon issuance of a Major-Use Permit:

(A) Residential Use Types (See Chapter 20.016).

Mobile home ~~park~~residential.

(B) Civic Use Types (See Chapter 20.020).

Educational facilities;
Major impact facilities;
Major impact services and utilities.

(C) Commercial Use Types (See Chapter 20.024).

Transient habitation—campground;
Transient habitation—lodging (limited).

(D) Extractive Use Type (See Chapter 20.036).

Mining and processing.

Sec. 20.088.025 Minimum Lot Area.

(A) For parcels within water and sewer districts:

Commercial Use: None

Mobile Home Parks: four thousand (4,000) square feet

Residential: six thousand (6,000) square feet.

(B) For parcels within water or sewer districts: twelve thousand (12,000) square feet

(C) For parcels not in a water or sewer district: forty thousand (40,000) square feet.

~~(A) Commercial: none.~~

~~(B) Residential: six thousand (6,000) square feet. Four thousand (4,000) square feet for mobile home subdivisions and manufactured home subdivisions.~~

Sec. 20.088.030 Maximum Dwelling Density.

One (1) single-family dwelling per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential— Dwelling Group use type and shall be consistent with the below density standards. The following density standards apply where there is adequate lot area to accommodate higher density:

(A) For parcels within water and sewer districts:

Single-family: one (1) unit per six thousand (6,000) square feet.

Two-family; Mobile Home Park: one (1) unit per four thousand (4,000) square feet.

Multi-family: one (1) unit per one thousand five hundred (1,500) square feet.

(B) For parcels within water or sewer district:

Single-family; Two-family; Multi-family: one (1) unit per twelve thousand (12,000) square feet.

(C) For parcels not in a water or sewer district:

Single-family: one (1) unit per forty thousand (40,000) square feet.

Two-family; Multi-family: not permitted.

~~(A) Single-family: one (1) unit per six thousand (6,000) square feet.~~

~~(B) Two (2) family; Mobile Home Residential: one (1) unit per four thousand (4,000) square feet.~~

~~(C) Multifamily: one (1) unit per one thousand five hundred (1,500) square feet.~~

Sec. 20.088.035 Minimum Front Yard.

Twenty (20) feet. See setback exceptions in section 20.152.015.

Sec. 20.088.040 Minimum Side and Rear Yards.

None required, except that any side or rear yard contiguous to any district other than commercial or industrial shall have a minimum side yard of five (5) feet and a minimum rear yard of twenty (20) feet. See setback exceptions in section 20.152.015.

Sec. 20.088.045 Building Height Limit.

Thirty-five (35) feet. See height exceptions in section 20.152.025.

CHAPTER 20.092 C-2 GENERAL COMMERCIAL DISTRICT

Sec. 20.092.005 Intent.

This district is intended to create and enhance commercial areas where complete retail sales and services are available and desirable for public service are available and desirable for public and convenience. Typically this district would be applied in the central core of community areas where central area commercial facilities were desired, or at major roadway intersections. Uses in this district are also intended to facilitate live/work convenience through multiple story construction and shared parking arrangements for a range of residential and commercial uses.

Sec. 20.092.010 Permitted Uses.

The following use types are permitted in the C-2 District:

(A) Residential Use Types (see Chapter 20.016)

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family residential — single-family;

Family residential — two-family;

Family residential — multi-family;

~~Multifamily residential uses are allowable by right in the C-2 District subject to the following conditions:~~

~~The proposed project contains four (4) units or less and fulfills the following criteria:~~

~~(1) — lies within a water and sewer district~~

~~(2) — located more than 300 feet away from an industrial zoned parcel~~

~~(3) — not located on the same property with or within 300 feet of a gas station, dry cleaners, hazardous substance recycling facility, or automotive repair facility~~

~~(4) — not located in the A or B1 airport zones~~

~~If the project does not meet the above conditions, a use permit shall be required.~~

Low Barrier Navigation Center;

Supportive Housing;

Transitional Housing;

(B) Civic Use Types (See Chapter 20.020).

Administrative services, government;

Ambulance services;

Clinic services;

Community recreation;

Cultural exhibits and library services;

Essential services;

Fire and police protection services;

Lodge, fraternal and civic assembly;

Minor impact utilities;

Religious assembly.

(C) Commercial Use Types (See Chapter 20.024).

Administrative and business offices;

Animal sales and services-household pets;

Animal sales and services-veterinary (small animals);

Automotive and equipment-cleaning;

Automotive and equipment-fleet storage;

Automotive and equipment-parking;

Automotive and equipment-repairs, light;

Automotive and equipment-sales/rentals;

Business equipment sales;

Commercial recreation-all types;

Communication services;

Eating and drinking establishments;

Financial services;

Food and beverage preparation-without consumption;

Food and beverage retail sales;

Funeral and interment services;

Laundry services;

Mail order businesses;

Medical services;

Personal services;

Repair services, consumer;

Research services;

Retail sales-general;

Transient habitation-lodging;

~~Transient Habitation—Low Intensity Camping~~

Transient habitation-resort and recreational facilities;

Wholesaling, storage and distribution-mini-warehouse.

(D) Agricultural Use Types (See Chapter 20.032).

~~Animal Raising – personal~~

Forest production and processing-limited;

Horticulture;

Packing and processing-limited;

Row and field crops;

Tree crops.

(E) Accessory uses as provided in Chapter 20.164.

Sec. 20.092.015 Uses Subject to a ~~Minor Use~~ Administrative Permit.

The following use types are permitted in the C-2 District upon issuance of a ~~Minor Use~~ Administrative Permit:

(A) Residential Use Types (See Chapter 20.016).

~~Family residential-two family;—projects that do not meet the criteria of Sec. 20.088.010~~

~~Family residential-multifamily;—projects that do not meet the criteria of Sec. 20.088.010~~

Family residential-dwelling groups.

(B) Civic Use Types (See Chapter 20.020).

Day care facilities/small schools;

Group care;

~~Small schools.~~

(C) Commercial Use Types (See Chapter 20.024).

Animal sales and services-kennels;

Agricultural sales and services;

Automotive and equipment-gasoline sales;

Automotive and equipment-repairs, heavy;

Automotive and equipment-storage, recreational vehicles and boats;

Construction sales and services;

Recycling centers;

Redemption centers;

Swap meet.

(D) Industrial Use Types (See Chapter 20.028).

Custom manufacturing.

Sec. 20.092.020 Uses Subject to a ~~Major Use~~ Permit.

The following use types are permitted in the C-2 District upon issuance of a ~~Major Use~~ Permit:

(A) Residential Use Types (See Chapter 20.016).

Mobile home residential.

(B) Civic Use Types (See Chapter 20.020).

Educational facilities;

Major impact facilities;

Major impact services and utilities.

(C) Commercial Use Types (See Chapter 20.024).

Animal sales and services—veterinary (large animals);

Automotive and equipment—storage, nonoperating vehicles;

Transient habitation—campground;

Wholesaling, storage and distribution—light.

(D) Extractive Use Type (See Chapter 20.036).

Mining and processing.

Sec. 20.092.025 Minimum Lot Area.

(A) For parcels within water and sewer districts:

Commercial Use: None

Mobile Home Park: four thousand (4,000) square feet

Residential: six thousand (6,000) square feet.

(B) For parcels within water or sewer districts: twelve thousand (12,000) square feet

(C) For parcels not in a water or sewer district: forty thousand (40,000) square feet.

~~(A) Commercial: none.~~

~~(B) Residential: six thousand (6,000) square feet. Four thousand (4,000) square feet for mobile home subdivisions and manufactured home subdivisions.~~

Sec. 20.092.030 Maximum Dwelling Density.

One (1) single-family dwelling per legally created parcel, except as separately provided for below. Construction of more than one single-family dwelling may be permissible as the Family Residential— Dwelling Group use type and shall be consistent with the below density standards. The following density standards apply where there is adequate lot area to accommodate higher density:

(A) For parcels within water and sewer districts:

Single-family: one (1) unit per six thousand (6,000) square feet.

Two-family; Mobile Home Park: one (1) unit per four thousand (4,000) square feet.

Multi-family: one (1) unit per one thousand five hundred (1,500) square feet.

(B) For parcels within water or sewer district:

Single-family; Two-family; Multi-family: one (1) unit per twelve thousand (12,000) square feet.

(C) For parcels not in a water or sewer district:

Single-family: one (1) unit per forty thousand (40,000) square feet.

Two-family; Multi-family: not permitted.

~~(A) Single-family: one (1) unit per six thousand (6,000) square feet.~~

~~(B) Two (2) family; Mobile Home Residential: one (1) unit per four thousand (4,000) square feet.~~

~~(C) Multifamily: one (1) unit per one thousand five hundred (1,500) square feet.~~

Sec. 20.092.035 Minimum Front Yard.

Ten (10) feet. See setback exceptions in section 20.152.015.

Sec. 20.092.040 Minimum Side and Rear Yard.

None required, except that any side or rear yard contiguous to any district other than commercial or industrial shall have a minimum side yard of five (5) feet and a minimum rear yard of twenty (20) feet. See setback exceptions in section 20.152.015.

Sec. 20.092.045 Building Height Limit.

Fifty (50) feet. [See height exceptions in section 20.152.025.](#)

CHAPTER 20.096 I-1 LIMITED INDUSTRIAL DISTRICT

Sec. 20.096.005 Intent.

This district is intended to create and preserve areas where manufacturing and industrial uses which evidence no or very low nuisance characteristics may locate. Nonindustrial uses which support or are adjuncts to industrial uses and are compatible with such uses are permitted within the zone particularly administrative, sales and service uses.

Sec. 20.096.010 Permitted Uses.

The following use types are permitted in the I-1 District:

(A) Residential Use Type (See Chapter 20.016).

~~Assisted Living Residential Care Facility~~

Day Care Facility (only if associated with Employee Housing)

~~Industrial caretaker housing—Employee Housing~~

(B) Civic Use Types (See Chapter 20.046020).

Ambulance services;

Cemetery;

~~Commercial recreation—indoor entertainment;~~

~~Commercial recreation—indoor sports and recreation;~~

Community recreation;

Essential services;

Fire and police protection services;

Lodge, fraternal and civic assembly;

Minor impact utilities;

Religious assembly.

(C) Commercial Use Types (See Chapter 20.024).

Administrative and business offices;

Agricultural sales and services;

Animal sales and services—auctioning;

Animal sales and services—household pets;

Animal sales and services—kennels;

Animal sales and services—veterinary (large animals);

Animal sales and services—veterinary (small animals);

Automotive and equipment—all types;

Building maintenance services;

Business equipment sales and services;

~~Commercial recreation—indoor entertainment;~~

~~Commercial recreation—indoor sports and recreation;~~

Communications services;
Construction sales and services;
Laundry services;
Mail order businesses;
Recycling centers;
Redemption centers;
Research services;
Repair services, consumer;
Swap meets;
Wholesaling, storage and distribution—mini warehouses;
Wholesaling, storage and distribution—light.

(D) Industrial Use Types (See Chapter 20.028).

Custom manufacturing;
General industrial.

(E) Agricultural Use Types (See Chapter 20.032).

Animal raising—general agriculture;
Animal waste processing;
Horticulture;
Packing and processing—all types;
Forest production and processing—all types;
Row and field crops;
Tree crops.

(F) For further clarification, refer to Appendices A and B to this Division.

~~(F)(G)~~ Accessory uses as provided in Chapter 20.164.

Sec. 20.096.015 Uses Subject to a ~~Minor-Use~~ Administrative Permit.

The following use types are permitted in the I-1 District upon issuance of a ~~Minor-Use~~ Administrative Permit:

(A) Residential Use Types (See Chapter 20.016).

~~Industrial-employee housing–Low Barrier Navigation Center:~~

Supportive Housing;

Transitional Housing.

(B) Commercial Use Types (See Chapter 20.024).

Retail sales, general.

Sec. 20.096.020 Uses Subject to a ~~Major-Use~~ Permit.

The following use types are permitted in the I-1 District upon issuance of a ~~Major-Use~~ Permit:

(A) Civic Use Types (See Chapter 20.020).

Major impact facilities;
Major impact services and utilities.

(B) Commercial Use Types (See Chapter 20.024).

Animal sales and services—stockyard;
Commercial recreation—outdoor entertainment;
Commercial recreation—outdoor sports and recreation;
Scrap operations;
Wholesaling, storage and distribution: heavy.

(C) Extractive Use Types (See Chapter 20.036).

Mining and processing.

Sec. 20.096.025 Minimum Lot Area.

(A) For parcels within water and sewer districts: None required.

(B) For parcels within water or sewer districts: 12,000 square feet.

(A)(C) For parcels not in a water or sewer district: 40,000 square feet.

Sec. 20.096.030 Minimum Front Yard.

Ten (10) feet. See setback exceptions in section 20.152.015.

Sec. 20.096.035 Minimum Side and Rear Yards.

None required, except that any side or rear yard contiguous to any district other than commercial or industrial shall have a minimum side yard of five (5) feet and a minimum rear yard of twenty (20) feet. See setback exceptions in section 20.152.015.

Sec. 20.096.040 Building Height Limit.

Fifty (50) feet. See height exceptions in section 20.152.025.

CHAPTER 20.100 I-2 GENERAL INDUSTRIAL DISTRICT

Sec. 20.100.005 Intent.

This district is intended to create and preserve areas where a full range of industrial uses with moderate to high nuisance characteristics may locate. Typically this district would be applied to locations where large land acreages were available and where the impacts associated with the unsightliness, noise, odor, and traffic, and the hazards associated with certain industrial uses, would not impact on residential and commercial areas.

Sec. 20.100.010 Permitted Uses.

The following use types are permitted in the I-2 District:

(A) Residential Use Type (See Chapter 20.016).

~~Assisted Living Residential Care Facility;~~

~~Day Care Facility (only if associated with Employee Housing);~~

~~Industrial caretaker housing—Employee Housing.~~

(B) Civic Use Types (See Chapter 20.020).

Ambulance services;

Cemetery;

~~Commercial recreation—indoor entertainment;~~

~~Commercial recreation—indoor sports and recreation;~~

Community recreation;

Essential services;

Fire and police protection services;

Lodge, fraternal and civic assembly;

Minor impact utilities;

Religious assembly.

(C) Commercial Use Types (See Chapter 20.024).

Administrative and business offices;

Agricultural sales and services;

Animal sales and services—auctioning;

Animal sales and services—household pets;

Animal sales and services—kennels;

Animal sales and services—veterinary (large animals);

Animal sales and services—veterinary (small animals);

Automotive and equipment—all types;

Building maintenance services;

Business equipment sales and services;

Communications services;

~~Commercial recreation—indoor entertainment;~~

Commercial recreation—indoor sports and recreation:

Construction sales and services;
Laundry services;
Mail order businesses;
Recycling centers;
Redemption centers;
Research services;
Repair services, consumer;
Scrap operations;
Swap meets;
Wholesaling, storage and distribution heavy;
Wholesaling, storage and distribution—mini warehouses;
Wholesaling, storage and distribution—light.

(D) Industrial Use Types (See Chapter 20.028).

Custom manufacturing;
General industrial.

(E) Agricultural Use Types (See Chapter 20.032).

Animal raising—general agriculture;
Animal waste processing;
Forest production and processing—all types;
Horticulture;
Packing and processing—all types;
Row and field crops;
Tree crops.

(F) For further clarification, refer to Appendices A and B.

(G) Accessory uses as provided in Chapter 20.164.

Sec. 20.100.015 Uses Subject to ~~a Minor Use~~ an Administrative Permit.

The following use types are permitted in the I-2 District upon issuance of ~~a Minor Use~~ an Administrative Permit:

(A) Residential Use Types (See Chapter 20.16).

~~Industrial employee housing.~~ Low Barrier Navigation Center;
Supportive Housing;
Transitional Housing;

(B) Commercial Use Types (See Chapter 20.024).

Retail sales, general.

Sec. 20.100.020 Uses Subject to a ~~Major~~ Use Permit.

The following use types are permitted in the I-2 District upon issuance of a ~~Major~~ Use Permit:

- (A) **Civic Use Types (See Chapter 20.020).**
 - Major impact facilities;
 - Major impact services and utilities.
- (B) **Commercial Use Types (See Chapter 20.024).**
 - Animal sales and services—stockyard;
 - Commercial recreation—outdoor entertainment;
 - Commercial recreation—outdoor sports and recreation.
- (C) **Industrial Use Types (See Chapter 20.028).**
 - Heavy industrial;
 - Explosives storage.
- (D) **Extractive Use Type (See Chapter 20.036).**
 - Mining and processing.
- (E) **All other uses which do not appropriately fall into any of the use types described in Section 20.016.005 to Section 20.036.010.**

Sec. 20.100.025 Minimum Lot Area.

- (A) For parcels within water and sewer districts: None required.
- (B) For parcels within water or sewer districts: 12,000 square feet.
- (C) For parcels not in a water or sewer district: 40,000 square feet.
~~None required.~~

Sec. 20.100.030 Minimum Front Yard.

Ten (10) feet. See setback exceptions in section 20.152.015.

Sec. 20.100.035 Minimum Side and Rear Yards.

None required, except that any side or rear yard contiguous to any district other than commercial or industrial shall have a minimum side yard of five (5) feet and a minimum rear yard of twenty (20) feet. See setback exceptions in section 20.152.015.

Sec. 20.100.040 Building Height Limit.

Sixty-five (65) feet. See height exceptions in section 20.152.025.

CHAPTER 20.104 O-S OPEN SPACE DISTRICT

Sec. 20.104.005 Intent.

This district is intended to be applied to lands not suited for development or to lands most valuable in their undeveloped natural state. Generally structures and significant grading shall be prohibited, but may be permitted with ~~a minor use~~ an Administrative Permit provided the structures or grading furthers the open space intent.

Sec. 20.104.010 Permitted Uses.

The following use types excepting structures and significant grading are permitted in the O-S District:

(A) Civic Use Types (See Chapter 20.020).

Community recreation;
Essential services;
Fire and police protection services;
Minor impact utilities.

~~(B) Commercial Use Types (See Chapter 20.024).~~

~~Transient habitation—low intensity camping~~

~~(B)~~(C) Agricultural Use Types (See Chapter 20.032)

Animal raising—general agriculture;
Forest production and processing—limited;
Horticulture;
Packing and processing—limited;
Row and field crops;
Tree crops.

Sec. 20.104.015 Uses Subject to an Minor Use Administrative Permit.

The following use types are permitted in the O-S District upon issuance of ~~a Minor Use~~ an Administrative Permit:

(A) Structure or significant grading in conjunction with any permitted use.

(B) Residential Use Types (See Chapter 20.016).

Assisted Living Residential Care Facility;

Day Care Facility;

Employee Housing;

Family residential—single-family;

Low Barrier Navigation Centers;

Supportive Housing;

Transitional Housing.

(C) Accessory uses as provided in Chapter 20.164.

Sec. 20.104.020 Uses Subject to a ~~Major~~ Use Permit.

The following use types are permitted in the O-S District upon issuance of a ~~Major~~ Use Permit:

- (A) **Civic Use Type (See Chapter 20.020).**
Major impact services and utilities.
- (B) **Commercial Use Types (See Chapter 20.024).**
Commercial recreation—outdoor sports and recreation;
Transient habitation—campground.
- (C) **Extractive Use Type (See Chapter 20.036).**
Mining and processing.

Sec. 20.104.025 Minimum Lot Area.

No divisions permitted unless it can be demonstrated that the division furthers the intent of the OS District.

Sec. 20.104.030 Minimum Front and Rear Yards.

Twenty (20) feet each. [See setback exceptions in section 20.152.015.](#)

Sec. 20.104.035 Minimum Side Yards.

Five (5) feet each. [See setback exceptions in section 20.152.015.](#)

Sec. 20.104.040 Building Height Limit.

Thirty-five (35) feet. [See height exceptions in section 20.152.025.](#)

CHAPTER 20.108 P-F PUBLIC FACILITIES DISTRICT

Sec. 20.108.005 Intent.

This district is intended to create and preserve those properties which are properly used for or are proposed to be used for public purposes or for specified public utility purposes.

Sec. 20.108.010 Permitted Uses.

The following use types are permitted in the P-F District:

(A) Residential Use Types (See Chapter 20.016)

Employee Housing.

(A)(B) Civic Use Types (See Chapter 20.020).

Administrative services government;
Cemetery;
Clinic services;
Community recreation;
Cultural exhibits and library services;
Day care facilities/small schools;
Education facilities;
Essential services;
Fire and police protection services;
Group care;
Lodge, fraternal and civic assembly;
Major impact facilities;
Major impact services and utilities.

(B)(C) Commercial Use Type (See Chapter 20.024).

Automotive and equipment—parking;
Recycling centers;
Redemption centers;
Transient habitation—low intensity camping.

(C)(D) Agriculture Use Types (See Chapter 20.032).

Forest production and processing—limited;
Horticulture;
Packing and processing—limited;
Row and field crops;
Tree crops.

(D)(E) Accessory uses as provided in Chapter 20.164.

Sec. 20.108.015 Uses Subject to a ~~Minor Use~~ Administrative Permit.

The following use types are permitted in the P-F District upon issuance of an ~~an Minor Use~~ Administrative Permit:

(A) Residential Use Types (See Chapter 20.016).

Assisted Living Residential Care Facility;

Day Care Facility;

Family residential—single-family;

Low Barrier Navigation Center;

Supportive Housing;

Transitional Housing.

Sec. 20.108.020 Uses Subject to a ~~Major Use~~ Permit.

The following use types are permitted in the P-F District upon issuance of a ~~Major Use~~ Permit:

(A) Commercial Use Type (See Chapter 20.024).

Transient habitation—lodging (limited).

(B) Extractive Use Type (See Chapter 20.036).

Mining and processing.

Sec. 20.108.025 Minimum Lot Area.

None required.

Sec. 20.108.030 Minimum Front Yard.

None required.

Sec. 20.108.035 Minimum Side and Rear Yards.

None required, except that any side or rear yard contiguous to any district other than commercial or industrial shall have a minimum side and/or rear setback as established for the contiguous district. See setback exceptions in section 20.152.015.

Sec. 20.108.040 Building Height Limit.

Fifty (50) feet. See height exceptions in section 20.152.025.

CHAPTER 20.136 P-D PLANNED DEVELOPMENT COMBINING DISTRICT

Sec. 20.136.005 Intent.

The PD Combining Zone is used to create project-specific development standards where standard residential and commercial and industrial design would be inappropriate due to the unique or highly visible nature of the site, to encourage imaginative development incorporating cluster development, and maximize and preserve open space and views from public roads.

This district is intended to be applied on:

- (A) Parcels in a single ownership, which are suitable for and of sufficient acreage to contain a planned community or development;
- (B) Parcels in multiple ownerships, which are determined to have development limitations, and require that improvement plans be prepared before divisions of land occur, or use permits are approved.

Sec. 20.136.010 General Development Criteria.

A Use Permit pursuant to Chapter 20.196 is required to implement the PD Combining District. All Use Permit applications to implement the PD Combining District shall be accompanied by proposed development standards. Final development standards shall be determined by the Use Permit and shall include regulations for the following development standards:~~The following development standards shall be met by a planned development before they are granted a use permit in accordance with Chapter 20.196.~~

(A) ~~(A)~~—Lot size and dimensions (width and depth)

(B) Setbacks

(C) Height Limits

(D) Compatibility with Adjacent Land Uses. A planned development shall be designed and developed in a manner compatible with and complementary to existing and potential residential, commercial or agricultural development in the immediate vicinity of the project site. Site planning on the perimeter shall give consideration to protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development.

~~(E)~~ Relation to Natural Features. A planned development shall relate harmoniously to the topography of its site, make suitable provision for preservation of water courses, wooded areas, rough terrain and similar natural features and areas, and shall otherwise be so designed as to use such natural features and amenities to best advantage.

(F) Site Plan at sufficient detail to allow development to be reviewed for conformance with this section.

(G) Design Criteria. A planned development shall be designed in a manner to include low impact development techniques and enhanced pedestrian facilities.

Sec. 20.136.015 Maximum Density.

The maximum allowable density shall be as designated by the Mendocino County General Plan.

Sec. 20.136.020 Lot Size.

The lot size regulations within the zoning district shall not apply in a planned development, provided however, that minimum lot size on a site designated Suburban Residential or Rural Community by the

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General Plan shall observe a minimum of four thousand (4,000) square feet. Property within all other designations shall observe a six thousand (6,000) square feet minimum lot size.

CHAPTER 20.152 GENERAL PROVISIONS AND EXCEPTIONS
DISTRICTS

Sec. 20.152.005 Purpose.

The regulations specified in this Division shall be subject to the general provisions and exceptions set out in this Chapter.

Sec. 20.152.010 ~~Lot Area~~ Measurement of Height, Setbacks, Etc.

(A) Measuring Distances.

- (1) Measurements Are Shortest Distance. When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.

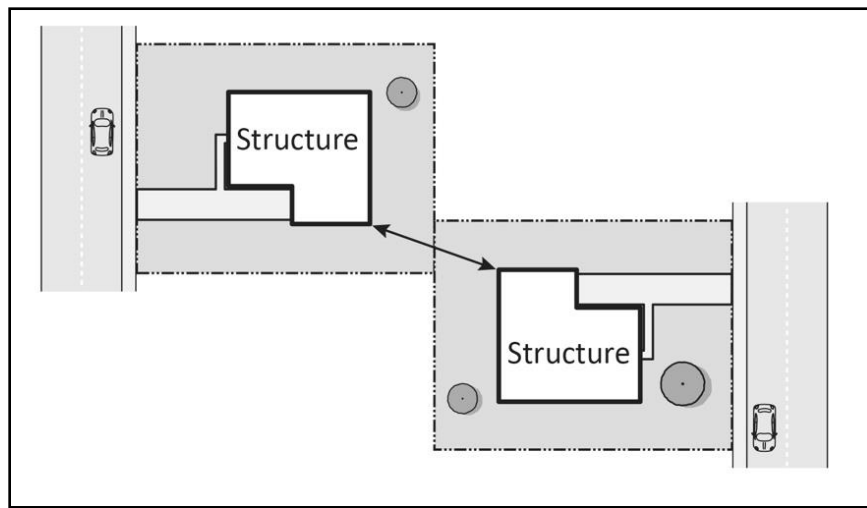


Figure 20.152-A – Measuring Distances Between Structures

Example of measuring the shortest distance, in this case between two buildings.

- (2) Distances Are Measured Horizontally. When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.

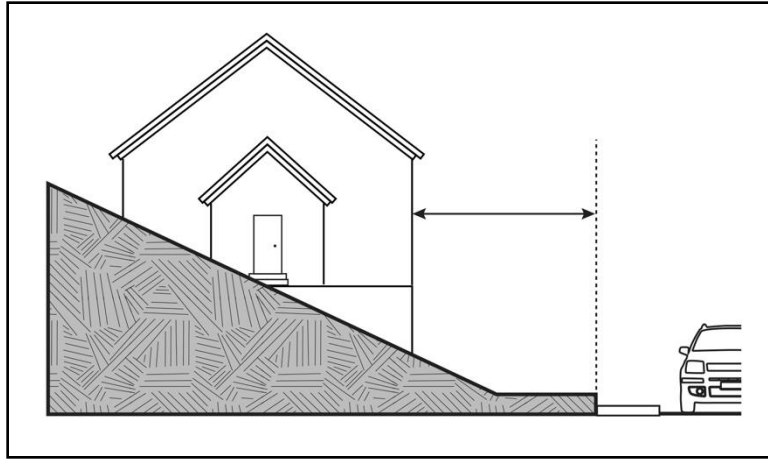


Figure 20.152-B – Measuring Setbacks Along Slopes

Setbacks and other dimensions are measured horizontally, even on sloping sites.

- (3) Measurements Involving a Structure. Measurements involving a structure are made to the closest support element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.

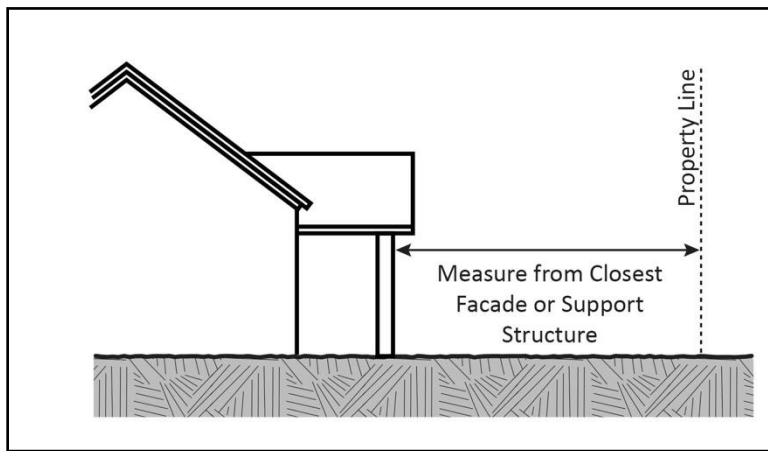


Figure 20.152-C – Measuring Distances from Support Structures

Setbacks are measured to the support element of the structure.

- (4) Measurement of Vehicle Stacking or Travel Areas. Measurement of a minimum travel distance for vehicles, such as garage entrance setbacks and stacking lane distances, are measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.

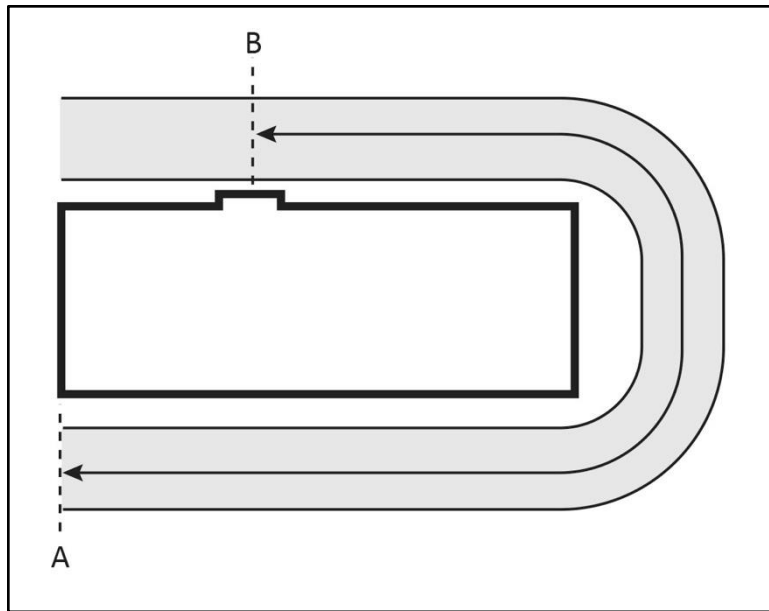


Figure 20.152-D – Measuring Vehicle Stacking and Travel Areas

Distance is measured along the centerline of a roadway or driveway.

- (5) Measuring Radius. When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject project, in all directions.

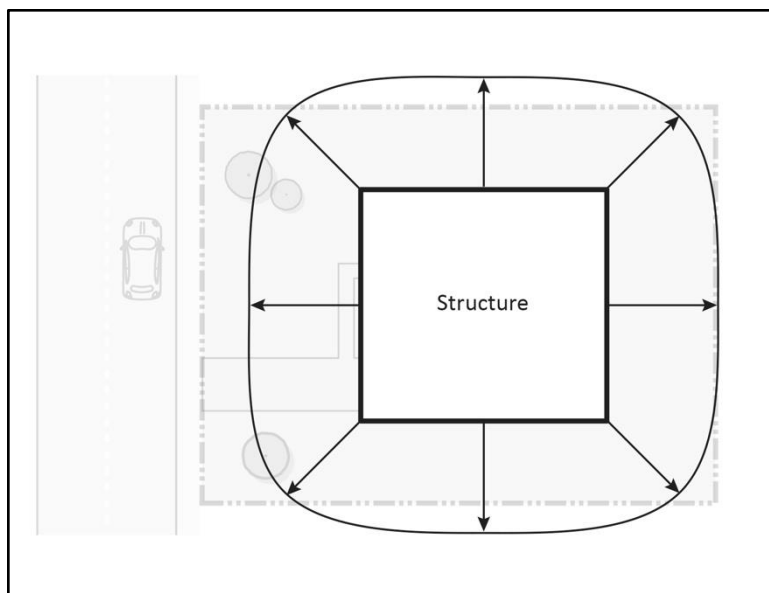


Figure 20.152-E – Measuring Radius from Buildings or Land Use Restrictions

Example of measuring required minimum distance.

- (B) Measuring Height.

- (1) Measuring Building Height. The vertical distance from the average ground level of the building to the highest point of the roof ridge or parapet wall.

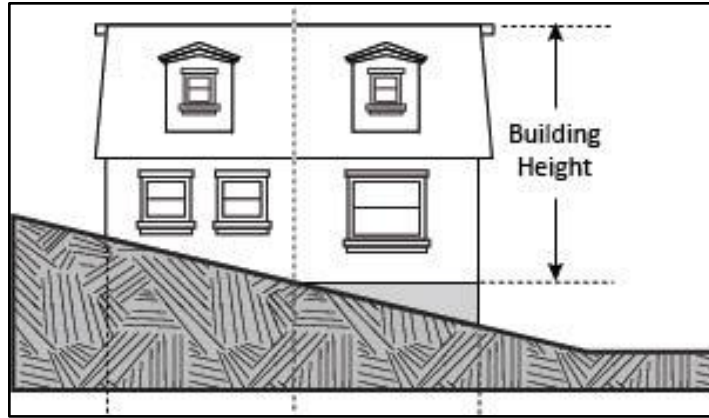


Figure 20.152-F – Measuring Height of Building on a Hillside

On a sloping site, building height is measured from the average of the high and low points on the finished grade to the top of the structure.

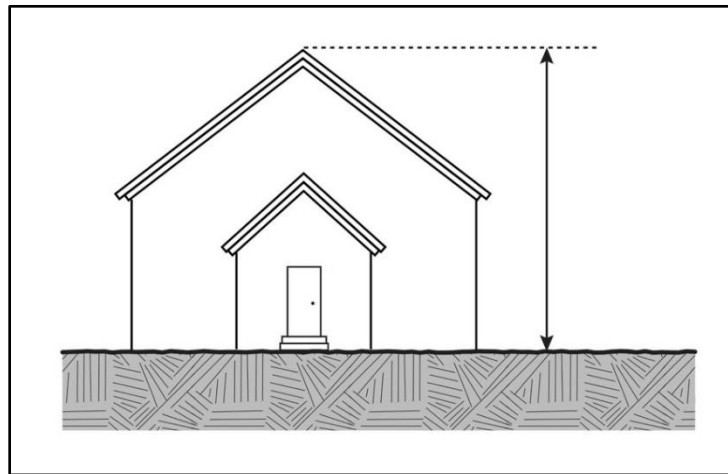


Figure 20.152-G – Measuring Building from Ground Level

On a flat site, the ground level is the same at all points; building height is measured from ground level to the highest point of the structure.

(2) Measuring Height of Fences or Walls.

- (a) Fence or wall height shall be measured as the vertical distance between the finished grade at the base of the fence or wall and the top edge.

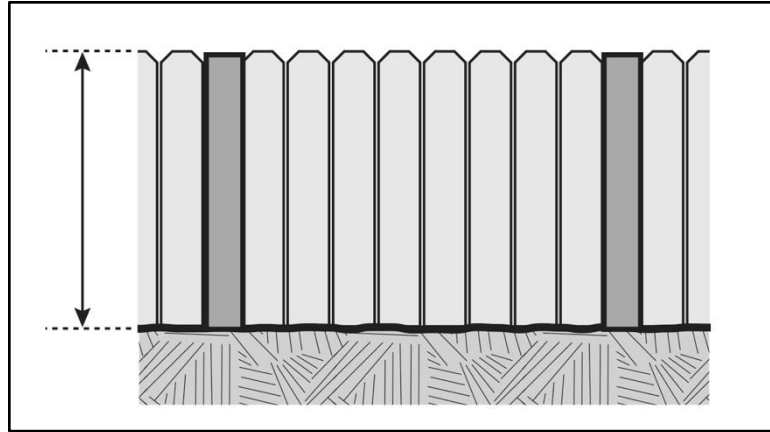


Figure 20.152-H – Measuring Fence Height

Fence height is measured to the top edge of the fence.

- (b) The height of fencing placed atop a wall shall be measured from the base of the wall, except as provided in (c), below.
- (c) The height of a fence or wall shall be measured on the side facing a public right-of-way or the lot or parcel adjacent to the lot or parcel of the person(s) erecting the fence or wall, as shown in the figure below.

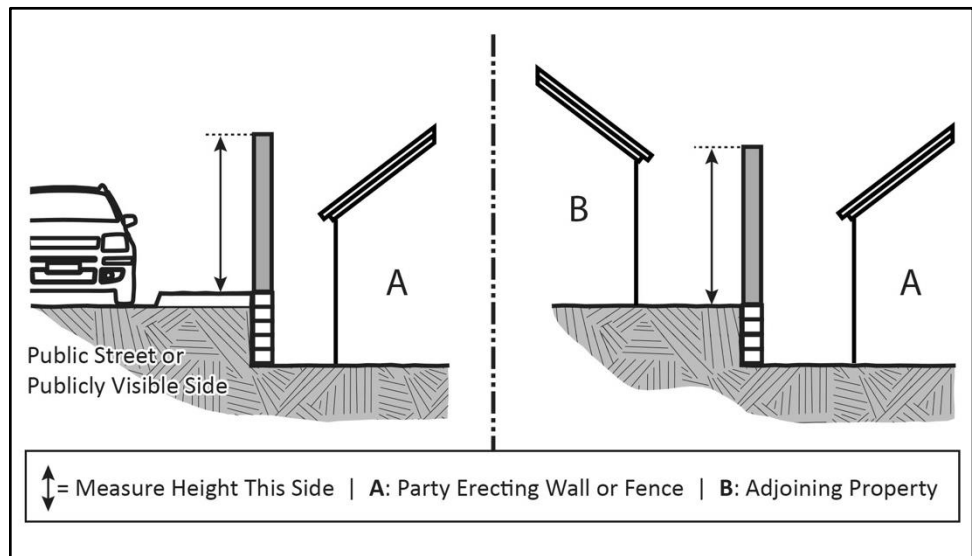


Figure 20.152-I – Measuring Height From Public View

Fence or wall height is measured from the side visible to the public (in the example above, from the adjacent street) or from the side not owned by the party constructing the fence or wall.

- (3) Measuring the Height of Decks. Deck height is determined by measuring from average level of the ground below the deck to the top of the floor of the deck directly above the point measured.

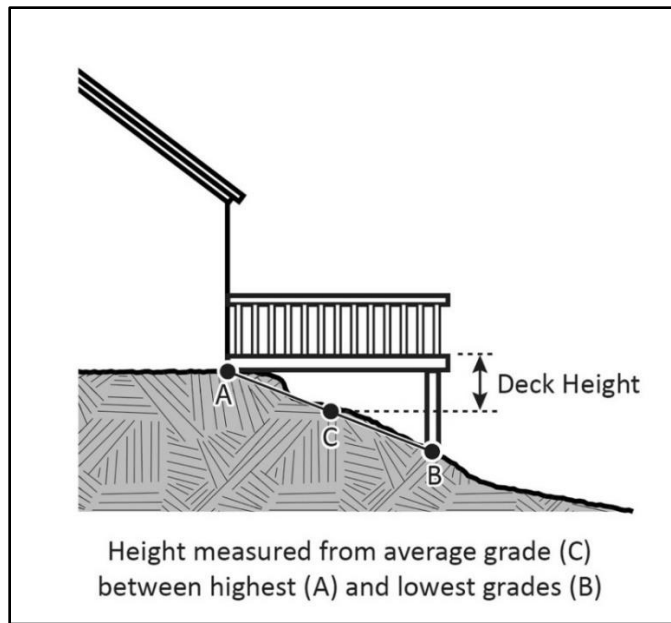


Figure 20.152-J – Measuring Height of Deck

Measuring deck height. On a very flat site, A, B, and C will be the same height.

- (C) Measuring Lot Width and Depth.

- (1) Lot Width. Lot width is the horizontal distance between side lot lines measured at the front yard setback line.

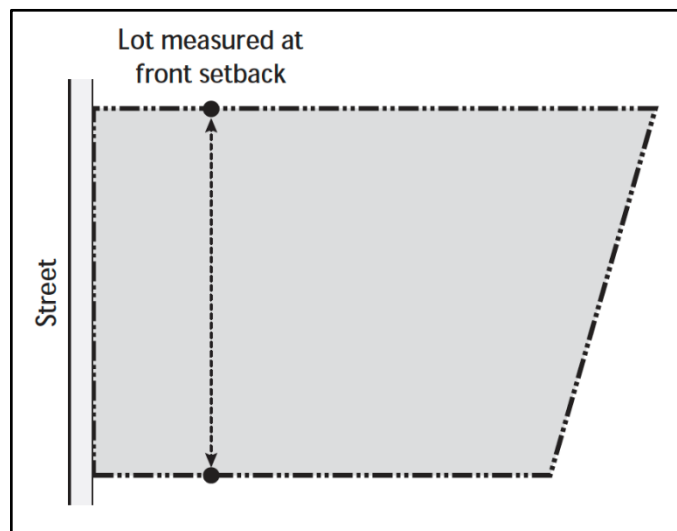


Figure 20.152-K – Measuring Lot Width

- (2) Lot Depth. Lot depth is measured along a straight line down from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line.

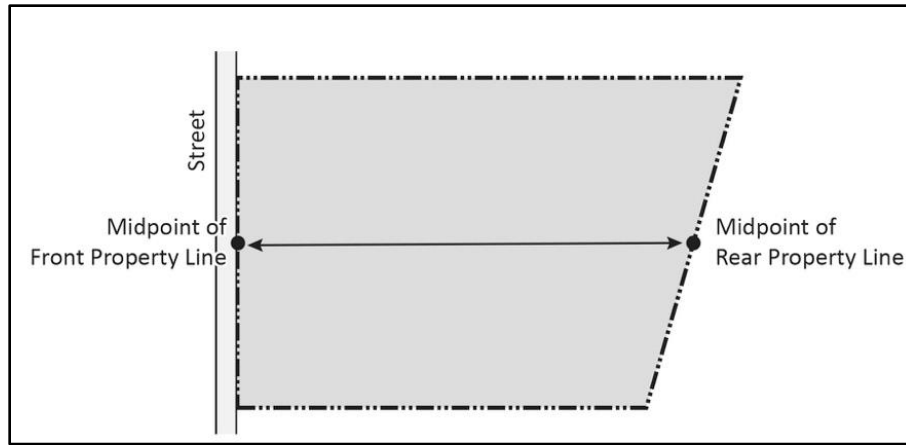


Figure 20.152-L – Measuring Lot Depth.

- (3) Irregular lot configurations. In a case of irregular lot configuration, the lot width and depth shall be determined by the Director.
- (D) Determining Gross Floor Area of Structures. The gross floor area of a building is the gross horizontal areas of all floors, including usable attics, basements, hallways, closets, etc., below the roof and within the exterior surfaces of surrounding exterior walls of a building, excluding enclosed, unconditioned porches.
- (E) Lot Lines. Rules used to determine front, rear, and side lot lines are provided in the Chapter 20.008 Definitions.
- (F) Determining Setbacks (Yards). A setback line defining a required yard is parallel to and at the specified distance from the corresponding front, side, or rear property line.

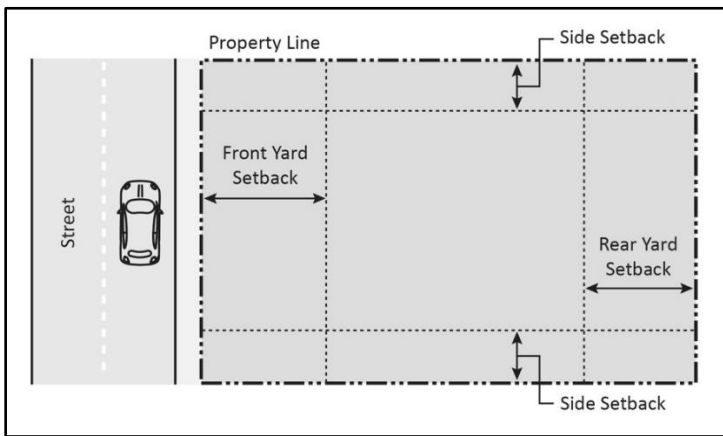


Figure 20.152-M – Measuring Setbacks on a Parcel with Straight Frontage

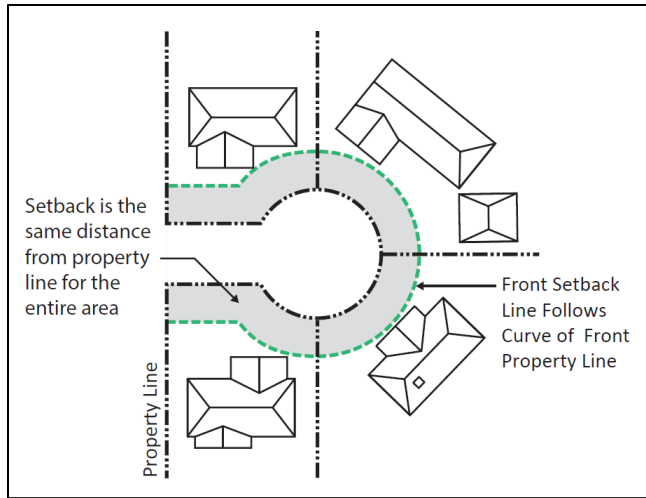


Figure 20.152-N – Measuring Setbacks on a Parcels with Curved Frontage

~~(1)~~

~~When any ownership is comprised of a single lot which has been legally created and is subsequently zoned to a minimum parcel size larger than the existing parcel, said lot shall not be subject to requirements for variance to minimum lot size.~~

Sec. 20.152.015 Yards and Setback Exceptions.

- (A) No yard or other open space provided about any building for the purpose of complying with the regulations of this Division shall be considered as providing a yard or open space for any other building or structure.
- (B) In any case where a setback line plan line has been established, the required yards on the street frontage of lots shall be measured in accordance with such lines, and in no case shall the provisions of this Division be construed as permitting any structure to extend beyond such lines.
- (C) If a roadway easement or access easement serves, or has the potential to serve, more than four (4) lots or parcels, said easement shall be considered a street for the purpose of establishing a front-yard setback ~~or corridor preservation setback.~~
- (D) Eaves, canopies, and similar roof features may overhang into any required yard setback a distance not exceeding two (2) feet.
- (E) ~~Private swimming pools and hot tubs are not subject to setback requirements in the side or rear yards of any zoning district. (E) Fences in rear or side yards not having street frontage may not exceed eight (8) feet (fences over six feet require building permits). Fences and hedges in front yards and any rear or side yards having street frontage may not exceed three and one-half (3½) feet. The above fence height limitations shall apply to view-obstructing fences such as board fences and picket fences. Fences for the containment of animals, such as barbed wire, chicken wire, hog wire, and similar loose-meshed wire fences or non-view-obscuring fences such as cyclone fences shall not be subject to the above fence height restrictions.~~
- ~~(F)~~ (F) — A detached garage, detached storage shed, or similar detached accessory building not exceeding fifteen (15) feet in height at the ridge and five hundred (500) square feet of floor area ~~or uncovered decks or porches~~ shall observe a **five-four (45)** foot setback from rear property lines that do not have street frontage. Setbacks from property lines having street frontage shall be as otherwise required by this Division.

- ~~(F)(G)~~ Uncovered decks or porches shall observe a **four five (45)** foot setback from rear property lines that do not have street frontage. Setbacks from property lines having street frontage shall be as otherwise required by this Division.
- ~~(H)~~ Barns, stables, chicken houses and similar accessory buildings **that contain animals are subject to the following setbacks:**
- ~~(1)~~ For parcels greater than 40,000 square feet in size, such buildings shall be not less than fifty (50) feet from any property line, and not less than forty (40) feet from any dwelling.
- ~~(+)(2)~~ For parcels less than 40,000 square feet in size, such buildings shall be located on the rear one-third (1/3) of the lot, not less than **four five (45)** feet from the side or rear property line, and not less than forty (40) feet from any dwelling. ~~except as otherwise provided under Section 20.032.030.~~
- ~~(I)~~ In the case of a corner lot in any district, front yard setbacks shall be maintained from all lot lines having street frontage. Side yard setbacks shall be maintained from all other lot lines not having street frontage.
- ~~(G)(J)~~ Animal Sales and Services – Veterinary (all types) as described in sections 20.024.020(F) and (G) must maintain a minimum fifty (50) foot setback from the nearest property line to all indoor treatment areas and a minimum one-hundred (100) foot setback from the nearest property line for outdoor treatment or confinement areas.

Sec. 20.152.020 Fences, Walls, and Screening.

- ~~(A)~~ Fence and Screening Height Limits and Locations.
- ~~(1)~~ View-obscuring fences, such as board and picket fences, or hedges are subject to the height limits and locations as shown in Table 20.152-A and Figure 20.152-O, below. See section 20.152.010(B)(2) for how to measure the height of a fence.

| <u>Table 20.152-A – Maximum Height of View Obscuring Fences and Hedges in Required Yard Area</u> | |
|---|--|
| <u>Location of Fence/Wall/Screen</u> | <u>Maximum Height</u> |
| <u>Required front yard</u> | <u>3½ feet</u> |
| <u>All other locations on a lot or parcel except at intersections (see below)</u> | <u>8 feet¹</u> |
| <u>At intersections of streets, alleys, and driveways within the clear visibility area</u> | <u>Consult Department of Transportation for required dimensions of clear visibility area</u> |

1. Fences over 7 feet require a building permit.

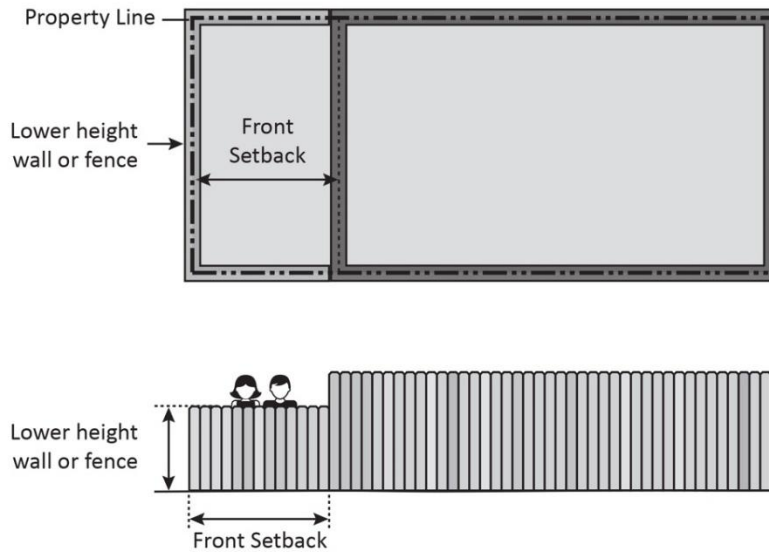


Figure 20.152-O – Measuring Setbacks for Fence Heights

(2) Non-view-obscuring fences, such as fences for containment of animals, chicken wire, hog wire, and similar loose-meshed wire fences that allow ninety percent (90) percent of light to pass through them are not subject to any height or location restrictions.

(B) Retaining Walls. An embankment to be retained that is over six (6) feet in height shall be benched so that no individual retaining wall exceeds a height of forty-eight (48) inches above the finished grade and each wall has a bench at least equal to the height of the wall.

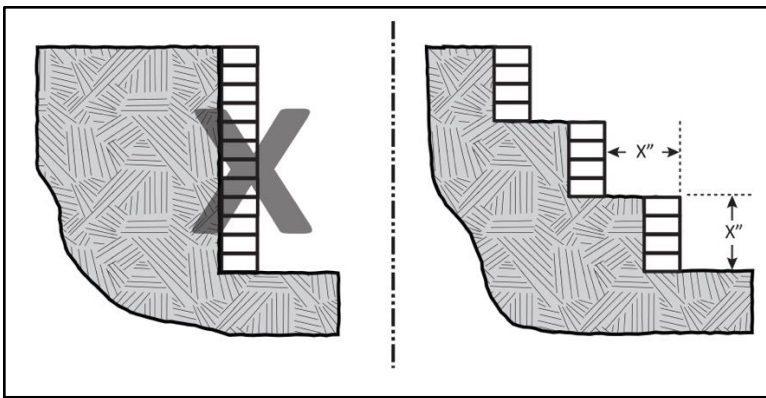


Figure 20.044-P – Retaining Wall Step Design Illustration

Retaining walls more than 6 feet high shall be stepped as shown above.

(C) Temporary Fencing. Temporary fencing may be required as part of approval of an Administrative Permit, Use Permit, Variance, or Subdivision where necessary to protect trees or other sensitive features and the general public from construction activities during site preparation and construction. Temporary fencing shall be removed within ninety (90) days after construction has been completed.

(D) Temporary Security Fencing. Temporary security fencing may be installed around the property lines of vacant property with approval from the Director. The maximum height of the fencing allowed shall be determined at the sole discretion of the Director, but in no case shall be greater

than eight (8) feet in height. Temporary security fencing shall be removed upon the issuance of a permit or entitlement to allow development of the property.

- (E) Barbed or Razor/Concertina Wire. Barbed or Razor/Concertina wire is prohibited, whether individually or in conjunction with a fence or wall, unless approved through an Administrative Permit pursuant to Chapter 20.192 for security needs (i.e., an industrial user) or where required by County, State, or Federal Law or Regulation.

~~Sec. 20.152.020 Corridor Preservation Setback.~~

~~There is established a corridor preservation setback. A corridor preservation setback shall apply to all lots or parcels that abut a publicly maintained street or highway. A corridor preservation setback shall be in addition to front yard setbacks prescribed elsewhere in this Division and shall apply in districts that prescribe no front yard setback. Corridor preservation setbacks shall be measured perpendicular from the center line of the existing right-of-way of record or where no record right-of-way exists from the center of the physical road. Corridor preservation setbacks shall be as follows:~~

| General Plan Road Classification | Corridor Preservation Setback | |
|---|--|------------------|
| | Urban | Rural |
| Principal Arterial | 60' | 60' |
| Minor Arterial | 45' | 40' |
| Connector | 45' | 35' |
| Major Collector | 45' | 35' |
| Minor Collector | 35' | 30' |
| Local Connector | 30' | 30' |
| Local Road | 25' | 25' |

Sec. 20.152.025 Height Exceptions.

- (A) Height limitations provided herein shall not apply to electric transmission lines and towers.

- (B) A Variance pursuant to Chapter 20.200 is not required for the following Height Exceptions:

(1) ~~(A)~~ Radio and television aerials and antennae, and similar utility structures and necessary mechanical appurtenances for private reception, may be built and used to a height not more than twenty-five (25) feet above the height limit established for the district in which the structures are located, provided, however, that no such structure in excess of the allowable building height shall be used for any commercial or advertising purposes or any communication transmissions.

~~(2)~~ Wind generators (including windmills used for agricultural uses) and their associated towers may be built and used to a height of one hundred (100) feet as measured from the ground to the highest point of the system.

~~(2)~~ (B) Additional heights for public utility structures may be permitted upon approval by the Planning Commission. Height limitations provided herein shall not apply to electric transmission lines and towers.

(3) ~~(C)~~ Asphalt silos, and other mineral processing equipment located within Mineral Processing Combining Districts may be built and used to a height not more than seventy-five (75) feet as measured from the ground to the highest point of the equipment.

- ~~(DC)~~ The above height limitations in (A) shall be subject to laws and regulations of the State and Federal Governments. And in no case may the height of any of the above structures exceed the airport height restrictions set forth in as may be required by the "A-HAZ" zoning combining district.

Sec. 20.152.030 Density Bonus.

~~The purpose of this section is to implement State law regarding the granting of density bonuses and other incentives for certain residential projects and to promote the construction of affordable housing within the County to meet the targets for moderate, low and very low income households in the Housing Element of the County of Mendocino General Plan.~~

~~(A) Applicability.~~

~~Pursuant to Government Code Section 65915, when a developer proposes to construct a housing development of at least five (5) dwelling units, of which a certain percentage (excluding any bonus units) will be limited to occupants meeting specified criteria set forth in Government Code subsection 65915(b); and/or when the proposed project meets other specified criteria in Government Code subsections 65915(h) or (i), the project shall be eligible for a density bonus and at least one concession or incentive.~~

~~(B) Regulatory Concessions and Incentives.~~

- ~~(1) When a project meets any of the criteria described above, the County shall grant a density bonus and one or more concessions or incentives, as defined in Government Code Section 65915 and subject to the requirements of Government Code Section 65915, provided that such concessions or incentives are required to make the proposed housing units economically feasible.~~
- ~~(2) Neither this subsection nor State law limits or requires the provision of direct financial incentives from the County for a qualifying project, including the provision of publicly-owned land by the County or the waiver of County fees or dedication requirements.~~

~~(C) Contractual Agreements and Reservation of Units.~~

~~The developer of a housing development for which a density bonus is granted under section (a) shall enter into either a development agreement pursuant to California Government Code Section 65865 et seq. or other recorded contractual agreement satisfactory to the County which guarantees that the targeted units will be provided by the developer and will remain available to the targeted persons or households for the applicable period deemed appropriate by the Board of Supervisors in conformance with State law. The agreement shall identify the means by which such continued availability will be secured and the procedures under which the targeted units will be rented and/or sold during such period, and may contain other terms and provisions, not inconsistent with Government Code Section 65915, that the County may require.~~

~~(D) Application for Density Bonus.~~

- ~~(1) The developer of a proposed residential development seeking a density bonus shall file an application with the Planning and Building Services Department for approval of such on a form specified by the Planning Director, and shall be accompanied by all maps, plans and other information deemed necessary by the Planning Director.~~
- ~~(2) An application shall be accompanied by a fee established by the Board of Supervisors.~~
- ~~(3) An application for a density bonus and any additional concession or incentive shall include the following information:~~
 - ~~i. The provisions of Government Code Section 65915 under which the density bonus is sought and the size of the density bonus requested, expressed as a percentage of the maximum number of units allowed by the zoning district and General Plan designation within which the project is located.~~
 - ~~ii. Identification of the requested regulatory concession or incentive.~~
 - ~~iii. Specific information and data concerning the proposed development which establishes that the regulatory concession or incentive sought by the applicant is necessary to make the housing units economically feasible.~~

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- ~~iv. Evidence of consultation with the appropriate decision-making body regarding any proposed concession or incentive requiring expenditure of County or Redevelopment Agency funds, or provision of publicly-owned land.~~
- ~~v. Such other pertinent information as the Planning Director may require to enable the County to adequately analyze the economic feasibility of the project with respect to the requested concession or incentives.~~
- ~~vi. An offer to enter into the contractual agreement required by subsection (c) to guarantee the reservation of the targeted units.~~

~~(E) Review Process for Density Bonus Applications.~~

~~(1) Planning Commission Review.~~

- ~~i. The Planning Commission shall hold a public hearing on an application for a density bonus. Such hearing may be held concurrently with any other entitlements for the proposed housing development that require County approval.~~
- ~~ii. At the public hearing, the Planning Commission shall review the application, statements and plans submitted therewith and shall receive pertinent evidence concerning the application for a density bonus, particularly with respect to any required findings.~~
- ~~iii. The Planning Commission shall act on an application for a density bonus or for a density bonus and additional concessions or incentives when such concessions or incentives do not require the expenditure of County or Community Redevelopment funds, the provision of publicly-owned land, the approval of modifications to development standards or requirements. The Commission may approve, conditionally approve or deny the application by resolution. A resolution that denies the application shall include one or both of the findings of fact contained in subsection (E)(1)(iv).~~
- ~~iv. The Planning Commission shall approve or conditionally approve an application that is subject to its purview unless, on the basis of the application and the evidence submitted, the Commission makes written findings of fact establishing either of the following:
 - ~~a. The concession or incentive is not required in order for the prices for the targeted units to be affordable, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code Section 65915.~~
 - ~~b. The concession or incentive would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety, the physical environment or any real property that is listed in the California Register of Historical Resources; for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to targeted households.~~~~
- ~~v. The Planning Commission shall have the authority, as part of its review and decision process, to waive or modify development and Zoning Ordinance standards that would otherwise inhibit the utilization of the density bonus on specific sites, including but not limited to such items as minimum lot size and side yard setbacks.~~
- ~~vi. In the case of a density bonus application which requests a concession or incentive involving the expenditure of County or community redevelopment funds, the provision of publicly-owned land, the approval of modifications to development standards or requirements, the Planning Commission shall make recommendations to the Board of Supervisors as to whether such concessions or incentives should be~~

~~approved as requested, modified in a manner consistent with this section and applicable State law, or denied.~~

~~(2) Board of Supervisors Review.~~

- ~~i. Following a recommendation by the Planning Commission, the Board of Supervisors shall hold a public hearing on a density bonus application that requests a concession or incentive involving the expenditure of city or community redevelopment funds, the provision of publicly-owned land, the approval of modifications to County development standards or requirements. Such hearing may be held concurrently with any other entitlements for the proposed housing development that require Board of Supervisors approval.~~
- ~~ii. The Board of Supervisors may approve, conditionally approve, or deny such an application by resolution, provided that a resolution denying the application shall include one or both of the findings required by section (E)(1)(iv).~~

~~Sec. 20.152.035 Density Transfer.~~

~~Density Transfer on one ownership shall only be allowed as follows:~~

| | |
|------------------------|--|
| From | To |
| Agriculture | Rangeland, Forestland (not in TPZ) Remote Residential |
| Rangeland | Forestland (not in TPZ), Remote Residential |
| Forestland | Rangeland, Remote Residential |

~~Sec. 20.152.040 Supportive and Transitional Housing.~~

~~Upon issuance of an Administrative Permit, in accordance with Chapter 20.192, Supportive and Transitional housing shall be permitted and held to the same development standards as any other like-type residential use in the same zoning district provided:~~

- ~~1) Supportive housing is linked to on or off site services to assist the occupant(s) in retaining housing, improving his/ her health status and maximizing his/ her ability to live and work in the community, as defined in Section 50675.14 of the California Health and Safety Code, without limits on length of stay.~~
- ~~2) Transitional housing is rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted living unit to another eligible occupant at some predetermined future point in time, which shall be no less than six (6) months and no more than twenty four (24) months, as defined in Section 50675.2 of the California Health and Safety Code.~~

CHAPTER 20.164 ACCESSORY USE REGULATIONS

Sec. 20.164.005 Declaration.

It is the intent of this Chapter to establish the relation among the principal and accessory uses and the criteria for regulating accessory uses.

Sec. 20.164.010 Accessory Uses Encompassed by Principal Use.

- (A) In addition to the principal uses expressly included in the zoning districts such use types shall be deemed to include such accessory uses which are specifically identified by these accessory use regulations; and such other accessory uses which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to, such principal uses. When provided by these regulations, it shall be the responsibility of the Director of the Department of Planning and Building Services to determine if a proposed accessory use is necessarily and customarily associated with, and is appropriate, incidental, and subordinate to the principal use, based on the Director's evaluation of the resemblance of the proposed accessory use to those uses specifically identified as accessory to the principal uses and the relationship between the proposed accessory use and the principal use. Such determinations which are made by the Director shall be subject to the administrative appeal procedure commencing at Section 20.208.005.
- (B) An accessory structure may be constructed prior to construction of the main structure on the premises; provided that the structure shall not be used for temporary or permanent occupancy as a residence, without compliance with Section 20.168.025(B) (Construction Support).
- (C) An accessory use may be allowed on the same parcel as the principal use, or on an adjacent parcel in the same ownership as the parcel which has an established principal use.

Sec. 20.164.015 Residential and Agricultural Use Types.

Subject to the restrictions and limitations specified, the following accessory buildings and uses shall be permitted in zones where residential and agricultural use types are permitted:

- (A) Private garages. See setback exceptions in Section 20.152.015(F).
- (B) Children's playhouses, patios, porches, decks, gazebos, etc. See setback exceptions in Sections 20.152.015(F) and (G).
- (C) Radio and television receiving antennas. See height exceptions in Section 20.152.025.
- (D) Windmills. See height exceptions in Section 20.152.025.
- (E) Silos.
- (F) Shops (nonbusiness purposes).
- (G) Barns. See setback exceptions in Section 20.152.015(H).
- (H) Private swimming pools and hot tubs ~~(not subject to setback requirements in the side or rear yards of any district).~~ See setback exceptions in Section 20.152.015(E).
- (I) Guest Cottage. One (1) guest cottage is permitted for each legal parcel. In lieu of a guest cottage a detached bedroom may be substituted.
- (J) Detached Bedrooms. Not more than two (2) detached bedrooms are permitted upon each parcel. If a guest cottage is constructed, the guest cottage and one (1) detached bedroom may be constructed instead of the two (2) detached bedrooms.
- ~~(K)~~ Accessory Dwelling Unit. One Accessory Dwelling Unit per parcel, provided no Second Residential Unit pursuant to Section 20.164.015(T) exists on the parcel, nor a building permit granted and valid for the construction of a Second Residential Unit and subject to any additional

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~~requirements of Chapter 20.166. An accessory dwelling unit shall be permitted in all zoning districts which allow single-family dwellings subject to the following standards and criteria:~~

- ~~(1) The lot contains an existing single-family dwelling unit or a building permit for the single-family dwelling unit (primary residence) has been applied for.~~
- ~~(2) An adequate water system as approved by the Division of Environmental Health is available to serve the accessory dwelling unit.~~
- ~~(3) An adequate sewage disposal system as approved by the Division of Environmental Health is available to serve the accessory dwelling unit.~~
- ~~(4) The accessory dwelling unit shall conform to height, setback, lot coverage, architectural review, site plan review, fees, charges and other zoning requirements generally applicable to residential construction within the zone in which the second residential unit is located. Total area of floor space for a detached accessory dwelling unit may not exceed one thousand two hundred (1,200) square feet. Increased floor area of an attached accessory dwelling unit does not exceed fifty (50) percent of the existing living area, with a maximum increase in floor area of one thousand two hundred (1,200) square feet.~~
- ~~(5) The accessory dwelling unit shall comply with appropriate local building code requirements. Fire sprinklers, however, shall not be required in an accessory unit if they are not required in the primary residence.~~
- ~~(6) (6) An accessory dwelling unit shall not be allowed if more than one (1) dwelling unit (including farm employee housing, farm labor housing, temporary family care unit) is located on the parcel, or if there currently exists two (2) accessory residential units (any combination of guest cottages and detached bedrooms) on the parcel.~~
- ~~(7) Where dwelling group or parcel clustering is approved, no accessory dwelling unit shall be allowed.~~
- ~~(8) Nothing in this Section shall prohibit a detached bedroom, guest house or family care unit from being converted into an accessory dwelling unit, consistent with the other provisions of this Section.~~
- ~~(9) Accessory Dwelling Units may be either attached to the existing dwelling or they may be detached, separate structures.~~
- ~~(10) Attached or detached accessory dwelling units are not intended for sale but may be rented.~~
- ~~(11) Parking Requirements:
 - ~~a. One (1) parking space is required per Accessory Dwelling Unit and may be provided through tandem parking.~~
 - ~~b. Parking is allowed in rear and side setback areas. No parking is allowed in front setback areas.~~
 - ~~c. When a garage or covered parking structure is demolished in conjunction with the construction of an Accessory Dwelling Unit, the replacement parking spaces may be located in any configuration on the same lot as the Accessory Dwelling Unit, including but not limited to covered spaces, uncovered spaces, or tandem spaces.~~~~
- ~~(12) Parking Exemptions. Parking requirements are not applicable for Accessory Dwelling Units in any of the following instances:
 - ~~a. Located within one-half (½) mile of a public transportation stop along a prescribed route according to a fixed schedule.~~
 - ~~b. Located within one (1) block of a car share parking spot.~~~~

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- ~~c. Located entirely within the principal residence and results in no net increase in habitable floor area on the property.~~
- ~~d. Located in an area where on-street permit parking is required, but such permits are not available to the tenant.~~
- ~~e. Located within a designated historic district.~~

~~(L)(K)~~ Room and Board. The renting of not more than two (2) rooms for occupancy by transient guests for compensation or profit, provided the parcel has frontage on a publicly maintained road. A **Major** Use Permit is required if the parcel does not have frontage on a publicly maintained road.

~~(M)(L)~~ Travel Trailer or Camper. The maintaining of one (1) travel trailer or camper in dead storage where it is not used for occupancy or business purposes. The connection of any utility or service such as electrical, water, gas or sewage to the travel trailer or camper shall be prima facie evidence that it is being used for habitation or business purposes. In any S-R, R-1, R-2, R-3, RR-1 or R-C residential parcel, no motor vehicle over three-quarter (¾) ton, boat, or recreational vehicle shall be stored or parked in any front yard setback nor any side or rear yard setback facing a street for a continuous period exceeding seventy-two (72) hours.

~~(N)(M)~~ Home Occupations. Subject to Chapter 20.156.

~~(O)(N)~~ Household Pets. The keeping of dogs and cats and other household pets, but not including kennels.

~~(P)(O)~~ Roadside Sales of Agricultural Products. Operation of a single roadside stand for a display and sales of only those products produced on the premises, or on other property owned or leased by the vendor, as permitted by this Division, provided that the stand does not exceed an area of two hundred (200) square feet, and is located not nearer than fifteen (15) feet to any street or highway, and provided further that such stands shall be permitted only in the S-R, R-R, A-G, U-R, R-L, F-L, and T-P districts.

~~(Q)(P)~~ Wild Animal Keeping. The keeping of not more than one (1) wild animal for which a Wild Animal Permit is required and has been issued pursuant to Title 14 of the California Administrative Code.

~~(R)(Q)~~ Other Necessary and Customary Uses. Accessory nonresidential uses and nonresidential structures, in addition to those identified above, which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to a principal use, as determined by the Director of the Department of Planning and Building Services.

~~(S)(R)~~ The parking of two (2) large vehicles or construction equipment upon private property. Additional vehicles and equipment are allowed to the extent that such vehicles and equipment are of a type and number customarily used by residents of the surrounding neighborhood for their own agricultural or home use on their own property. In any S-R, R-1, R-2, R-3, RR-1 or R-C residential parcel, no motor vehicle over three-quarter (¾) ton, boat, or recreational vehicle shall be stored or parked in any front yard setback nor any side or rear yard setback facing a street for a continuous period exceeding seventy-two (72) hours.

~~(S)~~ Family Care Home-Second Residential Unit. One (1) second residential unit is permitted for each legal parcel in all zoning districts which allow single-family dwellings subject to the following standards and criteria:

- ~~(1) The lot contains an existing single-family dwelling or a building permit for a single-family dwelling has been applied for.~~
- ~~(2) An adequate water system and adequate sewage disposal system, as approved by the Division of Environmental Health, is available to serve the second residential unit.~~
- ~~(3) No Accessory Dwelling Units pursuant to section 20.164.015(K) and Chapter 20.166 exist on the parcel nor a building permit granted and valid for construction of one. This limitation does not apply to Junior Accessory Dwelling Units.~~

- ~~(4) The proposed second residential unit complies with the height, setback, lot coverage, off-street parking, and other zoning requirements for the zone in which the second residential unit is located.~~
- ~~(5) The second residential unit may be attached or detached from the single-family dwelling.~~
- ~~(4)(6) The second residential unit may be rented but is not intended for sale.~~
- ~~(T) Farm Employee Housing. Upon issuance of an Administrative Permit, farm employee housing shall be permitted in the A-G, R-L, F-L and T-P zoning districts subject to the provisions of Chapters 20.008 and 20.016.~~
- ~~(U) Day Care Home - Small Family.~~
- ~~(V) Day Care Home - Large Family. Upon issuance of an Administrative Permit, a home providing day care for children under eighteen (18) years of age, but excluding overnight care. The number of children permitted shall be based on provisions of the California Health and Safety Code. The facility shall be reviewed to assess impacts such as traffic and pedestrian safety, adequate sanitation facilities, fire safe standards, and neighborhood compatibility. Notice of a pending permit for such a facility shall be provided per the Health and Safety Code and conditions may be imposed to provide consistency with pertinent sections of this Division.~~
- ~~(W)(T) Junior Accessory Dwelling Unit. Subject to Chapter 20.166. A living space not to exceed five hundred (500) square feet in size and contained entirely within an already permitted single-family dwelling. A junior accessory dwelling unit shall include an efficiency kitchen, and may include separate sanitation facilities or share sanitation facilities with the existing structure. JADUs are subject to the following standards and criteria:~~
 - ~~(1) Only one (1) JADU is permitted per residential lot and the owner of the lot must reside on-site.~~
 - ~~(2) A Junior Accessory Dwelling Unit shall not be sold, and rentals for terms shorter than thirty (30) days shall be prohibited.~~
 - ~~(3) A separate entrance to the junior accessory dwelling unit shall be provided, and interior access to the remainder of the single-family dwelling shall be maintained.~~
 - ~~(4) The JADU may share a bath with the primary residence or have its own bath.~~
 - ~~(5) The permitted junior accessory dwelling unit is required to include an efficiency kitchen.~~
 - ~~(6) For the purposes of fire and life protection ordinances and regulations, the JADU is to be considered part of the single-family residence, and therefore would be allowed in addition to a primary Single Family Dwelling, 'Accessory Dwelling Unit', and 'Guest Cottage'/'Detached Bedroom' accessory residential structure allotment.~~
 - ~~(7) JADU Deed Restriction. Prior to obtaining a building permit for a Junior Accessory Dwelling Unit, a deed restriction, approved by the County, shall be recorded with the County Recorder's office, which shall include the pertinent restrictions and limitations of a junior accessory dwelling unit, which shall run with the land, and be binding upon any future owners, heirs, or assigns.~~

Sec. 20.164.020 CivilCivic, Commercial, Industrial or Extractive Use Types.

- (A) Accessory structures and uses necessarily and customarily associated with, and appropriate, incidental, and subordinate to the principal civic, commercial, industrial or extractive uses shall be permitted where these use types are permitted.
- (B) **Accessory Recycling.** The recycling of recyclable materials may be permitted as an accessory and incidental use as follows:
 - (1) Storage containers or processing activities located on the premises of a commercial, industrial or civic use when used solely for the recycling of recyclable material generated

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by such use, accepted in trade for new, used or rehabilitated materials, or customarily accepted for recycling by the particular use.

- (2) Refuse disposal sites may include recycling facilities and resource recovery as accessory uses.

NEW! CHAPTER 20.166 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 20.166.005 Purpose and Intent.

This chapter establishes regulations and a ministerial review process for Accessory Dwelling Units (ADU). Accessory dwelling units are intended to expand housing opportunities **for low income and moderate income or elderly households** by increasing residential units available within existing neighborhoods while maintaining the primarily single-family residential character of the area.

Sec. 20.166.010 Applicability.

This chapter applies to all accessory dwelling units and Junior Accessory Dwelling Units (JADU) as defined. Accessory dwelling units and junior accessory dwelling units are permitted by right in any zoning district which permits single-family or multi-family homes **and do not exceed allowable density for the lot upon which it is located.**

Sec. 20.166.015 Permits and Approval.

- (A) Ministerial Action. Approval or denial of an accessory dwelling unit or junior accessory dwelling unit is a ministerial action and subject to compliance with the standards in this chapter and all other applicable codes.
- (B) Building Permit. All accessory dwelling units or junior accessory dwelling units shall require a building permit, subject to all the standard application and processing fees and procedures that generally apply to building permits. No other planning-related permit is required.
- (C) Issuance of Permit. The County shall issue a building permit within sixty (60) calendar days from the date on which the County received a completed application, unless either:
 - (1) The applicant requests a delay, in which case the sixty (60) -day time period is put on hold for the period of the requested delay; or
 - (2) The application to create an accessory dwelling unit or junior accessory dwelling unit is submitted with an application to create a new single-family dwelling unit on the parcel. The County may delay acting on the accessory dwelling unit or junior accessory dwelling unit application until such time as the new single-family dwelling unit is approved.
 - (3) **If the County has not approved or denied the completed application within 60 days, the application shall be deemed approved.**
- (D) **The County shall not deny an application for a permit to create an accessory dwelling unit or junior accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit or junior accessory dwelling unit.**

Sec. 20.166.020 Types of Accessory Dwelling Units.

- (A) Attached Accessory Dwelling Unit. An accessory dwelling unit that is attached to an existing or proposed primary dwelling **including attached garages, storage areas or similar uses**, such as through a shared wall, floor, or ceiling. An attached accessory dwelling unit can be created by converting a portion of an existing primary dwelling, by constructing a new primary dwelling which includes an accessory dwelling unit, or by constructing an addition to an existing primary dwelling. See Figure 20.166-A below.
- (B) Detached Accessory Dwelling Unit. An accessory dwelling unit that is physically detached or separated from the primary dwelling. A detached accessory dwelling unit includes a second-story addition above an existing detached structure. A detached accessory dwelling unit can be new construction or the conversion or expansion of an existing **accessory** structure. See Figure 20.166-A below.

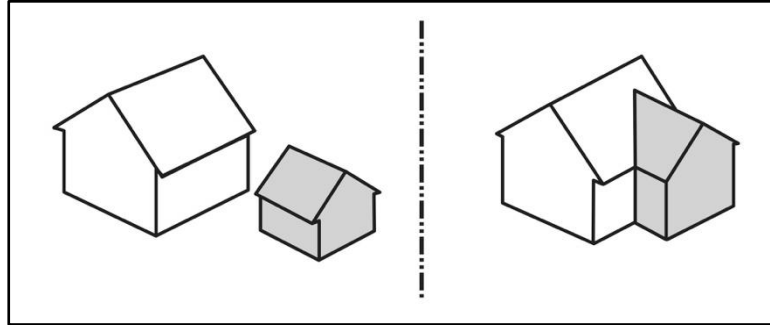


Figure 20.166-A – Accessory Dwelling Unit (Detached and Attached)

Accessory Dwelling Units can be detached from (left) or attached to (right) the primary unit.

(C) Junior Accessory Dwelling Unit. An attached accessory dwelling unit that is a unit that meets the following criteria:

- (1) Maximum of five hundred (500) square feet in size.
- (2) Contained entirely within the existing footprint or area of a single-unit primary dwelling, including any attached garage, storage areas or similar uses (see illustration below).

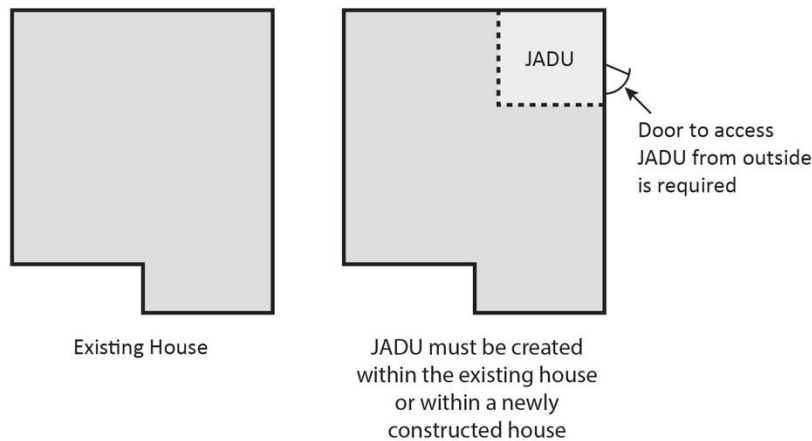


Figure 20.166-B – Junior Accessory Dwelling Unit

- (3) Has a separate entrance from the main entrance to the primary dwelling.
- (4) Has a bathroom either in the JADU itself or in a portion of the primary dwelling the resident of the JADU has full access to.
- (5) Includes an efficiency kitchen.

Sec. 20.166.025 Number of Accessory Dwelling Units and Junior Accessory Dwelling Units on Lots or Parcels which allow Single Family Homes.

The following limits on the number of accessory dwelling units allowed on a lot or parcel apply in all zoning districts that in any zoning district which permits single-family or multi-family homes:

- (A) One attached or detached accessory dwelling unit shall be allowed on a parcel, provided that no Second Residential Unit pursuant to Section 20.164.015(T) exists on the parcel, and that no building permit has been granted and has not expired for the construction of a Second Residential Unit.
- (B) In addition to an accessory dwelling unit or Second Residential Unit, one junior accessory dwelling unit shall be allowed on a parcel.

Sec. 20.166.030 Number of Accessory Dwelling Units on Lots or Parcels Which Allow Multi-Family Homes.

The following limits on the number of accessory dwelling units allowed on a lot or parcel apply in all zoning districts that allow multi-family homes as a permitted use:

(A) Attached Accessory Dwelling Units.

At least one (1) attached or up to twenty-five (25) percent of the number of the existing multi-family units shall be allowed as attached accessory dwelling units in an existing multi-family development.

Attached accessory dwelling units in a multi-family development may be created only through the conversion of parts or expansion of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages.

(B) Detached Accessory Dwelling Units. Up to two (2) detached accessory dwelling units shall be allowed on a parcel with one (1) or more multi-family structures, subject to compliance with the development standards for detached accessory dwelling units in this chapter.

Sec. 20.166.035-030 Development Standards

(A) Attached Accessory Dwelling Units.

- (1) Location. Shall be located on the same lot or parcel as **an existing or proposed** primary dwelling unit and be attached to the primary dwelling unit by at least one wall or by a ceiling (above or below the primary dwelling unit).
- (2) Size. The total floor area of an attached accessory dwelling unit shall not exceed **fifteen hundred (1,500) square feet** **fifty (50) percent of the existing or proposed primary dwelling unit.** This limit does not include up to one hundred fifty (150) square feet of area added to the primary dwelling for the sole purpose of providing access to the accessory dwelling unit. **Unless constructed in compliance with provisions of section 20.166.040.**
- (3) Setbacks.
 - (a) Front yard setback: Per the zoning district standard for the primary dwelling. **The Director shall modify or eliminate the front yard setback if it would prevent the construction of an Accessory Dwelling Unit of at least 800 square feet in size.**
 - (b) Side yard: Four (4) feet.
 - (c) Rear yard: Four (4) feet.
- (4) Height. Per the zoning district standard for the primary dwelling.
- (5) Access. An attached accessory dwelling unit shall have direct exterior access separate from the main entrance to the primary dwelling.
- (6) An adequate water system as approved by the Division of Environmental Health is available to serve the accessory dwelling unit.
- (7) An adequate sewage disposal system as approved by the Division of Environmental Health is available to serve the accessory dwelling unit
- (8)** See section 20.166. **040-035** for parking requirements.
- (8)(9)** **Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.**

(B) Detached Accessory Dwelling Units.

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- (1) Location. Shall be located on the same lot or parcel as an existing or proposed primary dwelling unit.
 - (2) Size. A detached accessory dwelling unit shall not exceed fifteen-twelve hundred (1,~~500~~200) square feet in size, unless constructed in compliance with the provisions of section 20.166.040.
 - (3) Setbacks. No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit. An accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure, shall comply with the following setback requirements:
 - (a) Front yard setback: Per the zoning district standard for the primary dwelling. The Director shall modify or eliminate the front yard setback if it would prevent the construction of an Accessory Dwelling Unit of at least 800 square feet in size.
 - (b) Side yard: Four (4) feet.
 - (c) Rear yard: Four (4) feet.
 - (4) Height. Per the zoning district standard for the primary dwelling.
 - (5) An adequate water system as approved by the Division of Environmental Health is available to serve the accessory dwelling unit.
 - (6) An adequate sewage disposal system as approved by the Division of Environmental Health is available to serve the accessory dwelling unit.
 - ~~(7)~~ See section 20.166. 040-035 for parking requirements.
 - ~~(7)~~(8) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
- (C) Junior Accessory Dwelling Units.
- (1) Location. Shall be located on the same lot or parcel as an existing or proposed primary dwelling unit and be attached to the primary dwelling unit by at least one wall or by a ceiling.
 - (2) Size. Maximum of five hundred (500) square feet of living area. Up to one hundred fifty (150) square feet of building space may be added to the primary dwelling for the sole purpose of providing access to the accessory dwelling unit; this shall not count toward the maximum area for the junior accessory dwelling unit.
 - (3) Setbacks. Setbacks shall be the same as the existing structure or per the zoning district for the primary structure, whichever is less. Larger setbacks shall apply if required by Fire or Building codes on a case-by-case basis.
 - (4) Access. A junior accessory dwelling unit shall have direct exterior access separate from the main entrance to the primary dwelling. If a permitted junior accessory dwelling unit does not include a separate bathroom, the permitted junior accessory dwelling unit shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.
 - (5) Kitchen. Each junior accessory dwelling unit shall include an efficiency kitchen.
 - (6) Utilities.
 - (a) Whether built as part of a new dwelling or converted from space in an existing dwelling, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit for the purposes of calculating connection fees or County charges for utilities, including water, sewer, power service, or impact fees.

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- (b) No new or separate utility connection between the junior accessory dwelling unit and the utility shall be required, although the property owner may voluntarily install a submeter for the junior accessory dwelling unit.
- (c) Any utility charges or fees shall be consistent with state law.
- (7) Parking. No additional off-street parking is required for the junior accessory dwelling unit.
- (8) Owner Occupancy Requirements for Junior ADUs.
 - (a) The owner of the lot must reside on-site. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.
 - (b) A Junior Accessory Dwelling Unit shall not be sold, and rentals for terms shorter than thirty (30) days shall be prohibited.
 - (c) Prior to obtaining a building permit for a Junior Accessory Dwelling Unit, a deed restriction, approved by the County, shall be recorded with the County Recorder's office, which shall include the pertinent restrictions and limitations of a junior accessory dwelling unit, which shall run with the land, and be binding upon any future owners, heirs, or assigns.

Sec. 20.166.040-035 Required Parking

- (A) One off-street parking space, covered or uncovered, is required for each attached and detached accessory dwelling unit. However, no off-street parking space is required for an attached or detached accessory dwelling unit if one or more of the following applies:
 - (1) The accessory dwelling unit is located within one-half mile walking distance of public transit, including transit stations and bus stations.
 - (2) When on-street parking permits are required by the County but not offered to the occupant of the accessory dwelling unit.
 - (3) The accessory dwelling unit is part of the proposed or existing primary residence.
 - (4) The accessory dwelling unit is the conversion of an existing accessory structure.
 - ~~(5)~~ When there is a car share vehicle located within one block of the accessory dwelling unit.
 - (6) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot.
 - ~~(5)(7)~~ When the accessory dwelling unit is located within an architecturally and historically significant historic district.
- (B) No off-street parking is required for a junior accessory dwelling unit.
- (C) Required off-street parking for an accessory dwelling unit space may be located in setback areas or provided as tandem parking, including on a paved driveway.
- (D) Parking lost when a garage, carport, or covered parking structure is demolished to allow for the construction of an accessory dwelling unit or for the conversion of a structure to an accessory dwelling unit shall not be required to be replaced.

Sec. 20.166.045 Conversion of a Single-Family Dwelling or Accessory Structure

The types of accessory dwelling units provided for in this section shall not be required to comply with the development standards included in sections 20.166.030 and 20.166.035 and shall only be rented for a term longer than 30 days. Prior to obtaining a building permit for an accessory dwelling unit pursuant to this section, a deed restriction, approved by the County, shall be recorded with the County Recorder's office, which shall include a restriction that the accessory dwelling unit only be rented for a term longer than 30 days, which shall run with the land, and be binding upon any future owners, heirs, or assigns.

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- (A) One accessory dwelling unit and one junior accessory dwelling unit is allowed per lot within a proposed or existing single-family dwelling or accessory structure if in compliance with the following:
- (1) If located in an accessory structure, an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure for the purposes of providing ingress and egress is proposed.
 - (2) If located in a proposed or existing single-family dwelling, the space to be used for the accessory dwelling unit has exterior access from the proposed or existing single-family dwelling.
 - (3) The side and rear setbacks are sufficient for fire and safety.
 - (4) The junior accessory dwelling unit complies with the requirements of section 20.166.030(C).
- (B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in paragraph (A).
- (C) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. One accessory dwelling unit shall be allowed within a multifamily dwelling and up to 25 percent of the existing multifamily dwelling units.
- (D) Up to two accessory dwelling units that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling and rear and side yard setbacks of no more than four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, no modification of the existing multifamily dwelling shall be required as a condition of approving the application to construct an accessory dwelling unit pursuant to this paragraph (D).
- (E) The installation of fire sprinklers shall not be required in an accessory dwelling unit described pursuant to paragraphs (A) through (D) if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.

Sec. 20.166.045 Sale of Accessory Dwelling Units or Junior Accessory Dwelling Units

An accessory dwelling unit or junior accessory dwelling unit may be sold in conformance with Government Code section 66341.

CHAPTER 20.168 TEMPORARY USE REGULATIONS

Sec. 20.168.005 Declaration.

The purpose of this Chapter is to establish permitted temporary uses and standards and conditions for regulating same. Because of the temporary nature of the uses they are not subject to the General Plan with respect to permitted uses or densities.

Sec. 20.168.010 Identification of Permitted Temporary Uses.

The following temporary uses shall be permitted as specified by these regulations:

- (A) **Entertainment Events or Religious Assembly.** The temporary gatherings of people for a circus, carnival, concert, lecture, art or antique show or religious purposes.
- (B) **Construction Support.** Temporary building and structures supporting residential development and major construction.
- (C) **Uses in New Subdivisions.** Temporary uses in new major or parcel subdivisions which support the sale of dwellings and lots within the same subdivision.
- (D) **Camping.** The temporary camping on a parcel by an owner or nonpaying guests thereof.
- (E) **Use of a Trailer Coach.** Temporary use of a trailer coach for certain purposes.
- (F) **Family Care Unit.** The temporary use of a building, structure or trailer coach, upon issuance of an administrative permit, to provide housing for (a) one (1) adult or two (2) adult persons who are sixty (60) years of age or older, or (b) an immediate family member or members who requires daily supervision and care, or (c) an immediate family member or members providing necessary daily supervision and care for the person or persons residing in the main residence.
- (G) **Use of a Portable Sawmill.** The temporary use of a small portable sawmill for the milling of lumber to be used in the construction of a structure on the same premises.
- (H) **Food Trucks/Mobile Food Vendors.** The operation of a food truck in a fixed location for more than four hours.

Sec. 20.168.015 Temporary Uses Subject to Controls.

Temporary uses shall be subject to all regulations as would be applied to a permitted principal or accessory use located in the same zone, except as otherwise provided by these regulations.

Sec. 20.168.020 Entertainment Events or Religious Assembly.

The temporary gathering of people for a circus, carnival, concert, rodeo, community festival, lecture, art or antique show, religious purposes or other similar activities may be permitted upon the issuance of a permit in compliance with the following provisions:

- (A) **Location.** A circus, carnival, concert, rodeo, community festival, lecture, art or antique show, religious assembly or other similar activities may be permitted in any zone except R-1 and R-2.
- (B) **Duration.** The period of operation of the circus, carnival, concert, rodeo, community festival, lecture, art or antique show, religious assembly or other similar activities shall not exceed five (5) days in any six (6) month period.
- (C) **Permits.** All permit applications for temporary events shall be submitted a minimum of six (6) months prior to the event date(s).
 - (1) Gatherings of one hundred (100) to one thousand (1,000) persons shall be required to obtain an administrative permit.

- (2) Gatherings of over one thousand (1,000) persons shall be required to obtain a ~~minor~~-use permit.
- (D) The requirements of this Section shall not be intended to supersede provisions in Mendocino County Code Chapter 6.16.
- (E) **Exclusions.** The provisions of this Section are not intended to include or regulate private gatherings such as weddings, housewarmings, family gatherings, barbeque, etc.

Sec. 20.168.025 Construction Support.

The temporary occupancy for residential use of buildings during course of construction.

- (A) **Major Construction.** Temporary buildings during the construction phase for commerce, industry or five (5) or more dwelling units to allow the housing of tools, equipment building assembly operations and supervisory offices provided such temporary buildings are located within or adjacent to the development or construction site to which they are incidental regardless of the zoning district.
- (B) **Minor Construction.** Temporary use and occupancy of an existing dwelling while constructing a new residence, subject to the requirements of Chapter 20.192 (Administrative Permits).

Sec. 20.168.030 Uses in New Subdivisions.

Upon the review and approval of a site plan by the Director of the Department of Planning and Building Services and the provisions of this Section, certain temporary uses as specified herein may be established within a major or parcel subdivision for which a map has been recorded or in conjunction with an individual multiple dwelling or multiple dwelling complex solely for the marketing of dwellings, lots, and/or mobilehome spaces in the same residential development.

- (A) **Permitted Uses.** The following temporary uses may be permitted in conformance with the following standards:
 - (1) Model homes in a number not to exceed that necessary to provide one (1) example of each dwelling type being offered in the residential development. Reversed floor plans and exterior facade variations will not be considered as separate dwelling types. Each model home shall be erected on an individual site which conforms to a lot shown on the recorded map; meet all setback requirements of the applicable zone; and qualify in all respects for sale and residential occupancy upon termination of its use as a model home.
 - (2) Real estate sales office facilities for the purpose of promoting the sale or rental of dwellings, lots, and/or mobilehome spaces, which are located only within the same residential development or subdivision.
 - (3) Off-street parking facilities.
- (B) **Site Plan Review Criteria.** No use authorized by this Section will be located, installed or operated in a manner that will have an unnecessarily adverse effect on the use and enjoyment of any property on which an occupied dwelling is located, or may be located during the duration of such authorized use.
- (C) **Site Plan Content.** The site plan shall contain such maps and drawings as are necessary to show the location of the above temporary uses and their relation to off-street parking, vehicular and pedestrian access, and the surrounding area.
- (D) **Building Permits.** Prior to the issuance of building permits for the temporary uses in Subsection (A) of this Section, the following conditions shall be met:
 - (1) A parcel or final map has been recorded for the parcel or major subdivision.
 - (2) The site plan must be submitted to and approved by the Director.

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- (3) Necessary sanitary facilities must be provided as required by the Director of Public Health.
- (E) **Termination.** All temporary uses permitted by this Section shall be terminated not later than twenty-four (24) months after issuance of building permits therefor, unless a written request for extension of time has been submitted to and approved by the Director prior to the expiration of said twenty-four (24) months. All temporary uses and related improvements other than model homes shall be completely removed from the premises and all model homes shall be restored to a condition suitable for sale for residential occupancy, including reconversion of any garage to a condition suitable for the storage of private vehicles or the provision by other means of required off-street parking spaces.

Sec. 20.168.035 Camping.

The use of real property, by the owner or nonpaying guests thereof, for temporary camping may be permitted in compliance with the following provisions:

- (A) **Location.** Temporary camping may be permitted only in the R-R, U-R, A-G, R-L, F-L and T-P zoning districts.
- (B) **Duration.** The maximum time limit for temporary camping shall not exceed sixty (60) days in any six (6) month period.
- ~~(C)~~ **Permits.** An Administrative Permit shall be required for temporary camping in excess of the Exclusions provided in 20.168.035(D).
- ~~(C)~~ **Intensity.** Not more than thirty (30) individuals or more than ten (10) tents or recreational vehicles may be on a site at any one time. Tents or recreational vehicles etc. shall not be blocked up or placed upon any permanent foundation and shall not be connected to any utility such as water, gas or electricity. Tents or recreational vehicles etc. not in use shall be removed from the site.
- ~~(D)~~ **Exclusions.** Temporary camping, whether sheltered or not sheltered, shall be exempt from the provisions of this Section provided the activity meets the following conditions:
- ~~(1)~~ Camping activities shall not exceed the There shall be no more than a combination of (10) tents, recreational vehicles, trailer coaches, and/or vehicles
- ~~(2)~~ Camping activities shall not exceed a period of fourteen (14) days, consecutively or non-consecutively, within a six (6) month period.
- ~~a.~~ For the purposes of this section, the term "days" is defined as calendar days, to which the real property is being used or occupied between the hours of 7 pm and 7 am.
- ~~(4)(3)~~ For each day, the presence of tents, recreational vehicles, trailer coaches, vehicles, sleeping or bedding materials, cooking apparatuses, generators, portable toilets, campfire rings or the connections to electrical, water, gas, or sewage shall constitute prima facie evidence of the use or occupancy of real property for the purposes of camping. Temporary camping utilizing ten (10) or less tents or recreational vehicles for fourteen (14) days or less in any six (6) month period shall be exempt from the provisions of this Section.

Sec. 20.168.040 Use of a Trailer Coach.

The temporary use of a trailer coach for the following purposes may be permitted in compliance with the following conditions:

- (A) **Real Estate Office.** A temporary real estate office upon issuance of an Administrative Permit when the trailer coach is located on a lot or parcel of land adjacent to the development to which such real estate office is incidental.

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- (B) **Mobile Financial Business Office.** A temporary self-propelled, self-contained mobile financial business office upon issuance of an Administrative Permit, for a period not to exceed five (5) years.
- (C) **Occupancy While Constructing a Dwelling.** The installation, use and occupancy of a trailer coach, upon issuance of an Administrative Permit, as a temporary dwelling by the owner of a lot or contiguous lot on which a dwelling under construction or for which a building permit has been issued. Such administrative permit may be issued for the period required to complete construction of the dwelling, but not to exceed two (2) years unless renewed.
- (D) **Temporary Caretaker Housing.** The installation, use and occupancy of a trailer coach; upon issuance of an Administrative Permit, as a temporary dwelling by a caretaker in association with a park, recreational facility or similar use which is under private ownership but open for public use.
- (E) **Emergency Shelter.** The installation, use and temporary occupancy of a trailer coach for emergency shelter, upon issuance of an Administrative Permit, subject to the following requirements:
 - (1) The term shall not exceed sixty (60) days ~~and shall not be renewed or extended~~ but may be renewed or extended upon approval by the Director.
 - (2) The applicant shall substantiate that the use is required to prevent homelessness or secure safe temporary housing, and that the household is actively seeking alternate housing which may include other emergency or transitional housing.
 - (3) The trailer coach shall not be blocked up or placed on a permanent foundation, or connected to any utility such as water, gas or electricity.
 - (4) Provision shall be made for sewage disposal and potable water to the satisfaction of the Mendocino County Division of Environmental Health.
 - (5) Upon termination of the Administrative Permit, the trailer coach shall cease to be occupied and its use shall conform to this Division.

Sec. 20.168.045 Family Care Unit.

The temporary use of a building, structure or trailer coach, upon issuance of an administrative permit, to provide housing for (a) not more than two (2) adult persons who are sixty (60) years of age or older, (b) an immediate family member or members who requires daily supervision and care, or (c) a person or persons providing necessary daily supervision and care for the person or persons residing in the main residence subject to the following provisions:

- (A) **Administrative Permit.** The temporary unit shall be allowed only after securing an annually renewable Administrative Permit. Said permit may be administratively renewed after original securance.
- (B) **Statement.** Prior to the granting of the administrative permit and yearly renewal:
 - (1) A statement must be submitted by the owner of the property and signed under penalty of perjury that the use of the "family care unit" is to provide housing for not more than two (2) adult persons who are sixty (60) years of age or older, (2) an immediate family member or members who requires daily supervision and care, or (3) a person or persons providing necessary daily supervision and care for the person or persons residing in the main residence.
- (C) **Termination.** Should the use or necessity of the temporary family care unit cease, it must be removed from the premises or converted to an accessory structure as provided in Chapter 20.164. Should the occupants of the family care unit or the main residence move to another off-site residence, the administrative permit for the family care unit shall become null and void.

Sec. 20.168.050 Portable Sawmill.

A small portable sawmill may be set up and operated as an accessory use on property for the milling of lumber to be used in the construction of a structure on the same property. The mill may be operated only for the duration of the construction project and must be removed from the property or placed in dead storage and not operated once the structure is completed. Raw material for the mill may be produced on the premises or imported from off-site sources. None of the limitations contained in Section 20.032.045(D) shall apply to the operation of a portable mill as an accessory use to a construction project as provided in this Section. The following limitations shall apply to this temporary use:

- (A) The mill operation shall have a maximum term of six (6) months, however, an extension for up to six (6) additional months may be authorized in writing by the Department of Planning and Building Services.
- (B) Hours of operation shall be limited to eight a.m. to five p.m. on weekdays and Saturdays.

(Ord. No. 4038 (part), adopted 1999)

Sec. 20.168.060 Food Trucks/Mobile Food Vendors.

Food trucks may operate in fixed locations or at any given location for more than four hours after obtaining an Administrative Permit. A single Administrative Permit may be issued to one food truck to allow it to operate in up to four (4) locations. The following standards apply to the operation of food trucks:

- (A) Food trucks shall operate with all required health and other permits as required by Mendocino County Code and other applicable state and local regulations.
- (B) Food trucks and any associated improvements or accessories (such as picnic tables or seating) shall not occupy parking which is required to meet the needs of permanent uses on the parcel.
- (C) Food trucks shall never be located in a place that blocks vehicle circulation or emergency access.
- (D) Restroom and other facilities shall be provided as required by the Division of Environmental Health.
- (E) Food trucks shall be parked safely and out of the public right-of-way.
- (A)(F) **Exclusions.** If a permit for an entertainment event or religious assembly pursuant to Section 20.168.020 specifies the location(s) and number of food trucks to be operated during the event, no separate Administrative Permit is required for the food trucks.

NEW! CHAPTER 20.170 MOVEABLE TINY HOMES

Sec. 20.170.005 Declaration.

The purpose of this Chapter is to provide regulations for the alternative housing type known as Moveable Tiny Homes, as defined in Chapter 20.008. **This Chapter does not apply to recreational vehicles or travel trailers.**

Sec. 20.170.010 Permitted Locations.

Moveable Tiny Homes may be established as a single-family dwelling, accessory dwelling unit and/or second residential unit in all zoning districts that allow residential dwellings and/or accessory uses, subject to the limitations contained in this Chapter.

Sec. 20.170.015 Development and Design Standards.

(A) Development Standards.

- (1) Height. A Moveable Tiny Home shall have a maximum height of fourteen (14) feet when being towed, per California Vehicle Code section 35250.

Moveable Tiny Homes may exceed fourteen (14) feet in height when the Moveable Tiny Home is placed on a lot and is not being actively towed.

The overall height of a Moveable Tiny Home when it is in place and not mobile shall comply with the applicable standards for the zone in which the Moveable Tiny Home is located.

- (2) Setbacks. A Moveable Tiny Home shall comply with the development standards of the zoning district in which it is located. If the Moveable Tiny Home is used as an Accessory Dwelling Unit pursuant to Section 20.164.015(K) and Chapter 20.166, setback exceptions specified in Chapter 20.166 apply.

- (3) Minimum and Maximum Size.

(a) Minimum size: 150 gross square feet.

(b) Maximum size: 400 gross square feet.

- (4) Number of Moveable Tiny Homes Allowed. The number of Moveable Tiny Homes permitted on a lot or parcel as a primary dwelling unit shall be in accordance with the standards of the zoning district in which the moveable tiny home(s) is located. Moveable Tiny Homes used as Accessory Dwelling Units or Second Residential Units shall not count toward maximum density, per the standards of this Code.

- (5) Parking. Moveable Tiny Homes shall be subject to the same parking requirements as other residential dwelling units or Accessory Dwelling Units.

(B) Design. A Moveable Tiny Home shall maintain a residential appearance through the following design standards.

- (1) Skirting. The undercarriage, including wheels and axles, shall be hidden from view with a solid wood, metal, or concrete apron.

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- (2) Structure and Insulation: Insulation standards shall be a minimum of R-13 in walls and floors and R-19 in ceiling. Wall framing studs shall be sixteen to twenty-four (16-24 inches) on center, with a minimum of two by four (2x4) wood or metal studs or equivalent structural insulated panel (SIP) construction.
- (3) Foundation or Pad. An approved designated parking area of compacted all weather surface including bumper guards, curbs or other installations to prevent movement of the unit. ~~paved parking pad shall be required, including bumper guards, curbs, or other installations adequate to prevent movement of the unit. Alternative paving methods may be permitted at the discretion of the Director.~~ A Moveable Tiny Home may rest on the wheels, or on stands anchored to the parking pad.
- ~~(4) Mechanical Equipment. Mechanical equipment shall be incorporated into the structure and not be located on the roof (except for solar panels).~~
- ~~(5)(4) Materials. Materials for the exterior wall covering shall include wood, HardiePanel cement fiber board or equivalent other material as determined by the Director that would be allowed under the California Building Code for any conventional construction residential structure. Single piece composite laminates, interlocked metal sheathing, or similar materials are prohibited.~~
- ~~(6)(5) Windows. Windows shall be double pane glass or better, labeled for building use, and be trimmed out.~~
- ~~(7)(6) Kitchen. A Moveable Tiny Home shall include at minimum an efficiency kitchen, as defined in Chapter 20.008. More extensive kitchen facilities may be installed but are not required.~~
- ~~(8)(7) Utility Connections. A Moveable Tiny Home shall be connected to an approved water and sewer or well and septic utilities through dedicated pipe source and waste disposal system as approved by the Division of Environmental Health. A Moveable Tiny Home may use on- or off-grid electricity and may use propane for heating and cooking. Generators are prohibited except when needed in emergencies. All Moveable Tiny Homes shall have a GFI shutoff breaker.~~

Sec. 20.170.020 Applicable Codes.

- (A) Moveable Tiny Homes shall meet either the provisions of ANSI 119.5 or NFPA 1192. All units must be inspected and certified for compliance with the requirements of this ordinance and ANSI or NFPA codes by a qualified third-party inspector for ANSI compliance accredited pursuant to either the American Society for Testing and Materials Appendix E541, or ISO/IEC 17020. All Moveable Tiny Homes shall display a sticker or plaque designating the unit as in compliance.
- (B) Moveable Tiny Homes shall be licensed and registered with the California Department of Motor Vehicles.

Sec. 20.170.025 Inspections Required for Tiny Homes.

The Building Official shall perform the following inspections when a Moveable Tiny Home is placed in a static location for use as a residential structure:

- (A) All utility connections shall be inspected for compliance with applicable codes.
- (B) The Building Official shall verify that a sticker or plaque verifying compliance with ANSI 119.5 or NFPA 1192 is in place.

Sec. 20.170.030 Regular Fire Inspection Required.

Moveable Tiny Homes require an inspection by a qualified third-party inspector for continued compliance with the provisions of ANSI 119.5 or NFPA 1192 every five (5) years to ensure that the units continue to meet requirements of the fire safety standards of the ANSI or NFPA Code to which it was built and requirements of this section. Evidence of the inspection shall be submitted to the Department of Planning and Building Services.

**CHAPTER 20.176 RECREATIONAL VEHICLE PARKS AND
CAMPGROUNDS, ~~AND LOW INTENSITY CAMPING~~**

Sec. 20.176.005 Declaration.

The purpose and objective of this Chapter is to recognize the value of the development of recreational vehicle parks and the development of incidental camping areas, for the benefit of the general public utilizing recreational vehicles and such parks and facilities. ~~In addition, this Chapter provides for low intensity commercial camping that is incidental to agricultural or residential use.~~

Sec. 20.176.010 Principles.

Whenever an application is submitted to the County for a use permit or other entitlement for use for a recreational vehicle park, or incidental camping area, the Planning Commission shall make its decision in accordance with the following principles and shall make findings accordingly:

Such parks and areas shall possess the following characteristics:

- (A) Located on or within close proximity of a major highway to provide maximum service to traveling public;
- (B) Front on an arterial street of sufficient capacity to carry anticipated traffic;
- (C) May be permitted in conjunction with mobile home parks. Area to be developed shall be limited to not more than twenty-five percent (25%) of the total area.

Sec. 20.176.015 Development Standards.

~~Prior to a recreational vehicle park, or incidental camping area being deemed approved, a detailed development plan shall be submitted to the Director of the Department of Planning and Building Services for his initial review at least ten (10) days prior to the formal filing of the use permit application.~~ The maximum density shall be determined by the Planning Commission for each such park and area in accordance with the standards of this Chapter. Development may be approved in stages so long as each stage meets the standards of this Chapter. The minimum number of lots at the initial increment of development shall be ten (10) lots.

If the development is to be accomplished in stages, the development shall coordinate improvements of open space, and construction of buildings in order that each development phase achieves a proportionate share of the total open space and structural facilities requirement.

- (A) No such park or camping area may be established or used unless first approved by the granting of a use permit requiring compliance with the following standards:
 - (1) The area of land shall have a minimum area of five (5) acres.
 - (2) The minimum lot or campsite shall be twenty (20) feet in width and forty (40) feet in length. The drive-through spaces shall be fifteen (15) feet in width and sixty (60) feet in length.
 - (3) Each space in a recreational vehicle park, shall be improved with gravel or better covering as approved by the Director of the Department of Planning and Building Services, in order to maintain a dust and mud-free condition.
 - (4) Recreational vehicle lots installed with water, sewer and electricity shall be established at a ratio to the total number of lots on a park by park basis as a condition of the use permit.
 - (5) Restrooms and shower facilities shall be provided in the number and location required by the Director of the Department of Planning and Building Services, with adequate parking areas adjacent thereto.

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- (6) Usable open space for common areas shall be planned and provided for at convenient locations to provide at least two hundred (200) square feet per lot. Such open space may include play yards, pools, and recreation buildings but shall not be deemed to include public facilities and open areas not accessible to the tenants.
 - (7) Refuse storage areas shall be provided in key areas throughout the park or campground with provisions for screening and collection.
 - (8) Each such recreational vehicle park shall be enclosed by a six (6) foot perimeter fence and by a landscaping strip of five (5) feet average width on the street side of the park. The Director of the Department of Planning and Building Services may require a higher fence when the park abuts a residential area.
 - (9) There shall be a minimum of ten (10) feet setback between the pads and the exterior perimeter boundaries.
 - (10) Internal streets shall be twenty-eight (28) feet in width edge to edge. This requirement may be reduced to twenty-four (24) feet in areas established for pull-through spaces.
 - (11) The street system shall be maintained in a well-graded, dust-free condition at all times.
 - (12) All utilities shall be placed underground.
 - (13) A secondary emergency exit shall be provided.
- (B) The following plans and reports shall be submitted with the use permit application.
- (1) A storm drain system shall be provided to accommodate runoff, both tributary to and originating within the recreational vehicle park or campground, and to transfer said runoff to a satisfactory point of disposal. Unless a waiver is granted by the Planning Commission or Board of Supervisors at the time the use permit is granted, the storm drain system shall be constructed in accordance with improvement plans prepared by a Civil Engineer and approved by the appropriate building official.
 - (2) A statement on the method of fire protection shall accompany each application, which shall be approved by the fire agency in charge before the application for a use permit is scheduled on the agenda of the Planning Commission.
 - (3) An enlarged plot plan showing a typical site and a typical lot, including all facilities available and accurately dimensioned, shall be provided.
 - (4) All parking spaces and aisles shall be drawn and accurately dimensioned, with flow of traffic noted thereon.
 - (5) A detailed plan with elevations shall be submitted showing location, size, and height of all proposed signs.
 - (6) The location and types of all water supply sources, sewage systems, storage tanks, and similar facilities shall be depicted on the plot plan.
 - (7) A location for a dump station for self-contained trailers and campers shall be provided unless exempted by the Director of the Department of Planning and Building Services.
 - (8) A detailed building elevation of all proposed buildings shall be submitted.

Sec. 20.176.020 Low Intensity Camping

~~(A) Transient Habitation. Low intensity camping is commercial camping that is incidental to agricultural or residential uses. Sites generally have fewer facilities and generate less traffic than recreational vehicle parks or campgrounds described in the preceding sections.~~

~~(B) Site Requirements. Low intensity camping is permitted where listed as an allowable use within a Zoning District residential or agricultural uses are permitted subject to intensity level and permits required by Table 20.176-A.~~

| Table 20.176-A – Number of Campsites and Permit Required | | | |
|---|-------------------------|------------------------------|-------------------|
| Parcel Size | Business License | Administrative Permit | Use Permit |
| Less than 5 acres | None | 1 | 2-5 |
| Less than 5.01-10 acres | 1None | 2-3 | 4-5 |
| 10.1-20 acres | 1None | 2-3 | 4-7 |
| Over 20 acres | 1 | 2-3 | 4-9 |

Vehicles under twenty (20) feet are permitted on all sites. Campsites for larger vehicles including all RVs, and trailers over greater than twenty-four (24) feet in length require a Use Permit.

(C) Allowable Locations:

- (1) A residential or agricultural use type must exist on the property at the time of submitting a business license or permit for a low intensity camping use.
- (2) All camping facilities and activities, including sanitation facilities, shall be located a minimum of two hundred and fifty (250) feet from any off-site residence. The setbacks specified in this section may be reduced if it can be demonstrated that there are specific conditions of the site that make the required setback unnecessary to achieve compatibility with surrounding land uses, subject to the following permitting requirements:
 - (a) If only one (1) campsite is requested, the setbacks specified in this section may be reduced with an Administrative Permit.
 - (b) For more than one (1) campsite, an Administrative Permit or Use Permit is required based upon the number of campsites requested as specified in Table 20.176-A.
- (3) All sanitation facilities shall be located or screened from all roadways and off-site residences. Screening may include landscaping or appropriate fencing.

(D) Operational Requirements:

- (1) Occupancy Limits. No more than one tent or recreational vehicle shall be allowed per campsite. A maximum of ten (10) individuals is allowed per campsite.
- (2) Sanitation. The property owner shall maintain sanitation facilities that are fully self-contained or connected to a permitted sewage disposal system serving the property. A chemical toilet and handwashing station are required for all sites, per the requirements of the Division of Environmental Health. Permanent facilities may be permissible with the approval of a Use Permit.
- (3) Fire. No open flames are permitted on any Low Intensity Camping sites. Camping stoves and other gas stoves are permitted, subject to bans or limitations imposed by any fire agency with jurisdiction over the site. A fire extinguisher shall be provided at each campsite.
- (4) Site Boundaries. Campsite boundaries or property lines shall be clearly marked to discourage trespassing onto adjacent properties. Site rules shall be posted at all camp sites for visitors.

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- (5) Parking. One designated parking spot per campsite is required. Parking must be at a minimum on an area clear of vegetation but preferably gravel.
- (6) Access. All-weather access is required for all parking spaces. If the site is located on a private road, all owners with access rights of real property as shown on the latest equalized assessment roll adjacent to the private road must be notified of the intent to operate a commercial camp site prior to issuance of a business license or other entitlement. The Applicant shall submit evidence to the Department that this requirement has been complied with including providing a copy of the notice sent and the list of properties and owners it was provided to.
- (7) Duration. Overnight stays shall not exceed fourteen (14) nights for any guest.
- (8) Trash. All trash shall be removed between each guest and properly disposed of. The operator of the low intensity camping facility shall provide secure, animal proof, trash containers at each campsite.
- (9) Electricity. Electrical service, including generators, is prohibited unless approved as part of a Use Permit.
- (10) Noise. No amplified sound equipment or live music shall be permitted between the hours of 10:00 p.m. and 7:00 a.m.
- (11) Licensing and Transient Occupancy Tax. A Business License shall be obtained for all Low Intensity Camping uses and payment of any applicable transient occupancy tax.
- (12) Local Contact Person and Hosting. A local contact person means an individual that can be physically present at the location of the low intensity camping facility within one (1) hour is physically present at the parcel where the low intensity camping is occurring and shall be required for all Low Intensity camping facilities to ensure that the occupants do not create loud or unreasonable noise that disturbs others and can address any concerns immediately. All Low Intensity Camping facilities shall:
- (a) Post on the property in a prominent location(s) and at all access points the name and a twenty-four (24) hour telephone number(s) of the local contact person.
 - (b) Complaints regarding noise or other nuisances shall be resolved within one (1) hour of the complaint being made. Failure to respond to complaints may result in revocation of the business license or permit.
 - (c) If locked gates are present or providing other access points for hosting reasons, access information shall be provided to all emergency services and first responders with jurisdiction over the property.
- (E) Site Map Required.
- A site map is required to be filed with the Department of Planning and Building Services prior to the issuance of any business license or permit for a low intensity camping facility, which demonstrates compliance with the standards of this Chapter. Any future site map changes shall be submitted for the review and approval of the Department.
- (F) Affidavit Required.
- An affidavit is required to be filed with the Department of Planning and Building Services prior to the issuance of any business license or permit for a low intensity camping facility which states that the applicant has notified all adjacent property owners within 300 feet of the property boundaries of their intent to establish a low intensity camping use. The notice sent to adjacent property owners shall include the name, address, and phone number of the local contact person.
- (A)(G) Advertising. Posting on any website for a campsite for profit without a valid business license or permit shall be considered a violation of this Section.

CHAPTER 20.180 OFF-STREET PARKING

Sec. 20.180.005 Declaration.

The purpose of this Chapter is to require off-street parking spaces for all land uses in the unincorporated areas of Mendocino County in sufficient numbers to accommodate vehicles which will be congregated at a given location by drivers using or occupying the facility. On street parking will be minimized and traffic and pedestrian safety increased. It is also the purpose of this Chapter to facilitate livable, walkable communities, by allowing shared parking between compatible uses that have different peak usage times (for example Multi-family Residential above Commercial).

Sec. 20.180.010 General.

- (A) Accessible off-street parking areas shall be provided and maintained as set forth in this Division to provide minimum parking and maneuvering room for motor vehicles and for pedestrian safety based on the anticipated occupancy of a given building, structure or area of land or water. ~~Where there is a combination of principal uses in any one (1) facility, the sum of the parking requirements of those uses shall be provided unless the uses are known to have separate peak use times. Uses with differing peak use times may be eligible for shared parking arrangements. If the calculation of parking needs results in the requirement for a fraction of a parking space, such a parking space need not be provided unless the fraction exceeds fifty percent (50%). This Division shall not be construed to prohibit the installation and maintenance of more parking spaces than the minimums required.~~
- (B) At the time of initial occupancy of a site or of construction of a structure or of a major alteration or enlargement of a site or structure, there shall be provided off-street parking facilities for automobiles in accordance with the regulations prescribed in this ~~section~~Chapter. For the purposes of this section the term "major alteration or enlargement" shall mean a change of use or an addition which would increase the number of parking spaces required by not less than ten percent (10%) of the total number required.
- ~~(C) In any S-R, R-1, R-2, R-3, RR-1 or R-C residential parcel, no motor vehicle over three-quarter (¾) ton, boat, or recreational vehicle shall be stored or parked in any front yard setback nor any side or rear yard setback facing a street for a continuous period exceeding seventy-two (72) hours.~~
- ~~(D) For any use not specified in the following sections, the same number of parking spaces shall be provided as required for the most similar specified use, as determined by the Zoning Administrator.~~
- ~~(E) Where there is a question of primary use of any given site the use requiring the most parking spaces shall be used. However, in the case of housing projects which are affordable to extremely low, very low, low, or moderate income households in conjunction with other uses, where reduced numbers of parking spaces will increase the affordability of the project, a reduced number of parking spaces may be allowed.~~
- (CF) The required parking spaces shall be on-site except that an exception may be granted from the parking requirements of this Division in order that some or all of the required parking spaces be located off-site, including locations in other local jurisdictions, ~~or that in-lieu fees or facilities be provided instead of the required parking spaces,~~ if the following conditions are met:
- (1) The exception will be an incentive to, and a benefit for, the non-residential development.
 - (2) The exception will facilitate access to the non-residential development by patrons of public transit facilities, particularly guideway facilities.
 - (3) The exception shall not impact existing or proposed traffic patterns or parking conditions on residential or other adjacent property use types.

(D) Shared parking facilities for more than one use may be developed under the following requirements. If a shared parking facility is developed, the total number of required parking spaces may be reduced by twenty-five (25) percent with the Director's approval if the following findings can be made:

- (1) The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;
- (2) The proposed shared parking provided will be adequate to serve each use;
- (3) A shared parking agreement shall be submitted for review and approval by the County. Once approved for recording, the applicant shall record the agreement and provide a conformed copy to the Department.

~~(GE)~~ Where strict application of certain provisions of this ~~Section~~ Chapter results in an unnecessary hardship or where said application will reduce the affordability of a residential project, a waiver may be granted by the ~~Zoning Administrator~~ Director.

~~(HF)~~ If an applicant can demonstrate that an apartment complex for seniors or residents with special needs will not generate a need for as much parking as regular multi-family residential, the Director may reduce the number of required spaces.

~~(G)~~ All parking spaces shall meet required yard setbacks for the zoning district in which they are located; however, one of the required parking spaces for any parcel may be located in the front or side yard setback area.

~~(H)~~ Pursuant to California Government Code section 65863.2, if a residential, commercial, or other development project is located within one-half mile of public transit, no off-street parking is required.

~~(I)~~ Parking areas shall be surfaced with gravel, permeable pavers, or other permeable surfacing materials to encourage on-site infiltration of stormwater runoff.

~~(J)~~ At least fifty percent (50%) of required parking spaces shall be regular spaces, at least nine (9) by twenty (20) feet long. A maximum of fifty percent (50%) may be compact car spaces, at least seven and one-half (7½) feet wide by fifteen (15) feet long unless otherwise provided for under this Section.

~~(K)~~ Provision shall be made for handicapped parking in areas reserved and maintained for the parking of motor vehicles. Such parking spaces shall be at least fourteen (14) by twenty (20) feet with appropriate identification signs. The required number of handicapped parking spaces is set forth as follows:

| Total Number of Parking Spaces | Number of Handicapped Parking Spaces Required |
|---|---|
| 1-40 | 1 |
| 41-80 | 2 |
| 81-120 | 3 |
| 121-160 | 4 |
| 161-300 | 5 |
| 301-400 | 6 |
| 401-500 | 7 |
| Over 500 | 7 plus 1 for each 200 additional spaces provided |

Sec. 20.180.015 Calculation of Required Spaces.

For any use not specified in the following sections paragraphs, the same number of parking spaces shall be provided as required for the most similar specified use, as determined by the Director. Off-street parking for all uses shall be consistent with Table 20.180-A, below.

~~(A)~~ ~~(E)~~

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- (B) Where there is a question of primary use of any given site the use requiring the most parking spaces shall be used.
- (C) Where there is a combination of principal uses in any one (1) facility, the sum of the parking requirements of these uses shall be provided unless the uses are known to have separate peak use times.
- (D) Uses with differing peak use times may be eligible for shared parking arrangements. If the calculation of parking needs results in the requirement for a fraction of a parking space, such a parking space need not be provided unless the fraction exceeds fifty percent (50%).
- (E) This Division shall not be construed to prohibit the installation and maintenance of more parking spaces than the minimums required.
- (F) The number of Accessible parking spaces shall be as required by the California Building Code.

| Table 20.180-A – Required Parking | |
|---|---|
| Residential Uses | Off-Street Parking Spaces Required |
| <u>Single- and two-family dwellings</u> <u>(See Chapter 20.166 for parking standards for Accessory Dwelling Units)</u> | <u>Two (2) spaces for each unit.</u> |
| <u>Multi-family dwellings</u> | <u>(A) one (1) space per unit for one (1) bedroom,</u> <u>(B) one and one-half (1½) spaces per unit for two (2) bedrooms,</u> <u>(C) two (2) spaces per unit for three (3) or more bedrooms.</u> <u>(B) If residences are in conjunction with a commercial enterprise, residential parking requirements may be waived or modified by the Director.</u> <u>(C) Multifamily development in the R-3 zone shall require one parking space per unit, with visitor parking provided at the Director's discretion.</u> |
| <u>Caretaker Units</u> | <u>1 space per unit</u> |
| <u>Group Residential</u> | <u>1 space per employee, plus 1 per bedroom or 1 per every two beds, whichever is greater</u> |
| <u>Mobile Home Parks</u> | <u>2 spaces for each mobile home space</u> |
| <u>Residential Care Facilities, Small</u> | <u>1 space for every 500 square feet of gross floor area.</u> |
| <u>Residential Care Facilities, Large</u> | <u>1 space for every 500 square feet of gross floor area.</u> |
| <u>Residential Facility, Assisted Living</u> | <u>1 space per every 3 beds.</u> |
| <u>Supportive Housing</u> | <u>None beyond the parking required for the residential use type.</u> |

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| Table 20.180-A – Required Parking | |
|---|--|
| <u>Transitional Housing</u> | <u>None beyond the parking required for the residential use type.</u> |
| <u>Recreational Uses</u> | <u>Off-Street Parking Spaces Required</u> |
| <u>Places of public assembly with fixed seats. This category includes: auditoriums, exhibit halls, dance halls, places of worship, and other buildings used for public assembly.</u> | <u>1 space for every four seats, or 1 space for each seven lineal feet of bench seating</u> |
| <u>Places of public assembly without fixed seats. This category includes: auditoriums, exhibit halls, dance halls, places of worship, and other buildings used for public assembly.</u> | <u>1 space per 100 square feet of assembly area</u> |
| <u>Bowling centers</u> | <u>4 spaces for each lane plus one space for each shift employee</u> |
| <u>Billiard and card rooms</u> | <u>2 spaces for each table</u> |
| <u>Golf, driving and shooting ranges</u> | <u>4 spaces per tee, 1 ½ spaces per range stall</u> |
| <u>Commercial swimming pools</u> | <u>1 space per 100 square feet of pool area (total of water and adjacent deck area)</u> |
| <u>Skating rinks and commercial recreational areas (e.g., water slides)</u> | <u>1 space for each 100 square feet gross floor area of skating or recreational area</u> |
| <u>Tennis, handball and racket courts</u> | <u>2 spaces per court, plus one space for each shift employee</u> |
| <u>Institutional Uses</u> | <u>Off-Street Parking Required</u> |
| <u>Hospitals</u> | <u>2 spaces per each permanent bed plus 1 space for each 500 square gross floor area.</u> |
| <u>Convalescent homes and nursing homes</u> | <u>See “Residential Facility, Assisted Living”</u> |
| <u>Day care and nursery schools</u> | <u>1 space per 500 square feet of floor area</u> |
| <u>Mortuaries with chapels</u> | <u>1 space for every four seats or one space for each seven lineal feet of bench or pew.</u> |
| <u>Public, parochial and private elementary schools</u> | <u>1 space for each employee, plus one space for each five students of planned capacity</u> |
| <u>Public, parochial, and private high schools</u> | <u>6 per classroom plus 1 per 350 square feet of office/administrative area</u> |
| <u>Colleges, art, craft, music and dancing schools, business, professional and trade schools</u> | <u>1 space for each employee, plus one space for every two students of planned capacity</u> |

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| Table 20.180-A – Required Parking | |
|--|--|
| <u>Professional Office Uses</u> | <u>Off-Street Parking Requirements</u> |
| <u>Medical, dental, optometry or chiropractic offices and clinics</u> | <u>1 space per 300 gross square feet of floor area, plus 3 spaces per doctor or dentist or similar health professional</u> |
| <u>Research facilities</u> | <u>1 space per employee, plus one space per 500 gross square feet.</u> |
| <u>Banks, lending agencies, financial institutions, governmental institutions, and public utility offices (including those with drive-up facilities)</u> | <u>1 space per 300 square feet of gross floor area</u> <u>Drive-up facilities shall have a stacking area for 5 vehicles</u> <u>When part of a mixed-use project, shared parking arrangements are allowed</u> |
| <u>All other professional offices</u> | <u>1 space per 300 square feet of gross floor area</u> |
| <u>Retail and Commercial Uses</u> | <u>Off-Street Parking Requirements</u> |
| <u>General retail sales, repair and services</u> | <u>1 space per 300 square feet of gross floor area, including office, storage, restrooms, etc.</u> |
| <u>Retail sales of large appliances, automobiles, furniture or other similar bulky merchandise</u> | <u>1 space per 500 square feet of gross floor area</u> |
| <u>Restaurants, bars, taverns, lunchrooms, nightclubs and cocktail lounges</u> | <u>1 space for every 3 three seats or one stall per 100 square feet of floor area devoted to dining, whichever is greater</u> |
| <u>Barber and beauty shops</u> | <u>1 space for each barber chair or beautician station, plus one space for each employee working on the largest shift</u> |
| <u>Uncovered retail sales area for landscaping nurseries, vehicles and construction materials</u> | <u>1 space for each 1,000 square feet of gross display area, plus one space per employee</u> |
| <u>Automotive repair garages</u> | <u>3 spaces for each service bay, plus one space for every employee</u> |
| <u>Fueling Stations</u> | <u>1 space for each employee</u> |
| <u>Convenience Stores</u> | <u>1 space for each 1,000 square feet of gross floor area, minimum of 3 spaces</u> |
| <u>Hotels and motels</u> | <u>1 space for each guestroom, plus two spaces for employees</u> |
| <u>Bus stations, train depots and other transportation depots</u> | <u>1 space for each employee, plus user parking as determined by the Director</u> |
| <u>Undefined commercial uses</u> | <u>1 space per 250 square feet of gross floor area, subject to additional spaces depending on the eventual uses</u> |
| <u>Type of Industrial Use</u> | <u>Off-Street Parking Required</u> |
| <u>Manufacturing and General Industrial</u> | <u>1 space per 500 square feet of gross floor area for projects</u> |

| Table 20.180-A – Required Parking | |
|--|--|
| <u>Uses</u> | <u>up to 10,000 square feet</u> <u>1 space per 1,000 square feet of gross floor area for projects over 10,000 square feet</u> |
| <u>Office area within a manufacturing or industrial building</u> | <u>Park per the standard for “All professional offices”</u> |
| <u>Recycling Collection facility</u> | <u>1 space for each 3,000 square feet of site area, plus 1 additional parking space for each commercial vehicle operated by the facility</u> |
| <u>Self-storage facility</u> | <u>1 space per 50 units or spaces, plus two spaces for the manager’s unit</u> |
| <u>Warehousing/Distribution and Fulfillment Centers</u> | <u>1 space per 2,500 square feet of warehouse space, plus parking for office per the standard for “All professional offices”</u> |
| <u>Mixed Use</u> | <u>Off-Street Parking Required</u> |
| <u>A single unified development or district that incorporates two or more different uses within walking distance of one another.</u> | <u>1 space for each 500 square feet of nonresidential gross floor area and one space for each dwelling unit.</u> |

Sec. 20.180.020 Parking Design Standards.

- (A) At least fifty percent (50%) of parking areas shall be surfaced with gravel, permeable pavers, or other permeable surfacing materials to encourage on-site infiltration of stormwater runoff. The remaining fifty percent (50%) may be impermeable surfaces.
- (A)(B) At least fifty percent (50%) of required parking spaces shall be regular spaces. A maximum of fifty percent (50%) may be compact car spaces.
- (C) All lighting within the parking area shall be downcast and shielded.
- (D) Parking space dimensions shall be consistent with Table 20.180-B and Figures 20.180-A.
- (E) Maneuvering aisles shall be consistent with Tables 20.180-C and -D.
- (F) Electric Vehicle Charging Stations.
 - (1) Electric vehicle charging stations may be provided in any area designed for the parking of vehicles.
 - (2) Electric vehicle ready charging infrastructure shall be provided in multi-family housing developments and non-residential developments according to the standards outlined by CALGreen (Title 24 California Code of Regulations, Part 11).
 - (3) Parking spaces with electric vehicle charging shall be counted as a two standard parking space for the purpose of providing required parking per this Chapter.
 - (4) If an electric vehicle charging station and any associated equipment interfere with, reduce, eliminate or in any way impact the required parking spaces for existing uses, the Director may reduce the number of required parking spaces for the existing uses by the amount necessary to accommodate the electric vehicle charging station and associated equipment.

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(G) Bicycle Parking. Parking lots with twenty (20) or more spaces shall provide one (1) bicycle parking space for each ten (10) parking spaces, either as a bicycle rack designed to enable bicycles to be locked to the rack or in a secured enclosed location.

(H) Striping and Marking.

- (1) Space Outline. All parking spaces shall be clearly outlined with double striping three inches in width, in durable white paint designed for that purpose.
- (2) Maneuvering Areas. All aisles, approach lanes, and turning areas shall be clearly marked with directional arrows and lines as necessary to provide for safe movement.
- (3) Compact Spaces. All compact spaces shall be clearly marked as such.
- (4) Striping and Marking for Accessible spaces and electric vehicle charging spaces shall be as required by the California Building Code.

| <u>Table 20.180-B – Parking Space Minimum Dimensions For 90-Degree Spaces</u> | | |
|--|--|-----------------------------|
| <u>Type of Parking Space</u> | <u>Width (feet)</u> | <u>Length (feet)</u> |
| <u>Standard</u> | <u>9</u> | <u>20</u> |
| <u>Compact</u> | <u>8</u> | <u>16</u> |
| <u>Parallel</u> | <u>9</u> | <u>22</u> |
| <u>Accessible</u> | <u>Compliant with the California Building Code</u> | |

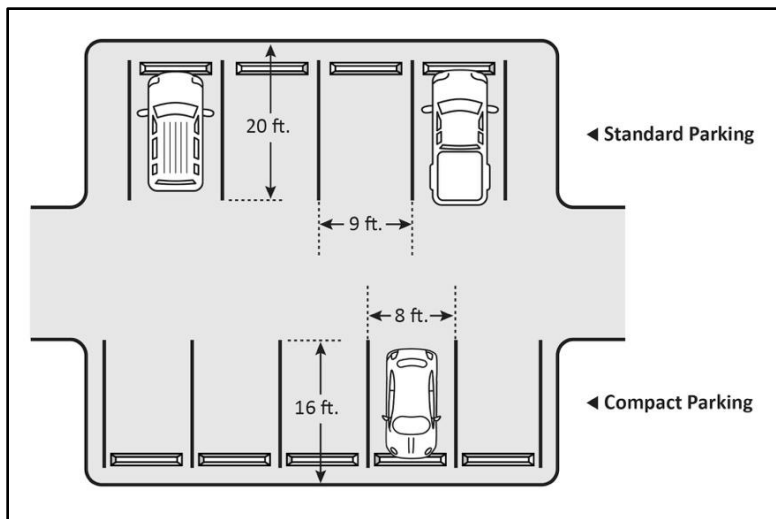


Figure 20.180-A – Parking Space Dimensions

Measuring parking space dimensions in a 90-degree configuration.

Sec. 20.180.025 Drive-Through Facilities.

Any use which proposes drive-through or drive-up facilities shall require an Administrative Permit pursuant to Chapter 20.192 and comply with the following requirements:

- (A) A pedestrian and vehicular circulation plan shall be submitted along with any building permit application. Such plan shall indicate how pedestrian and vehicular traffic will be accommodated to provide pedestrian safety. The plan shall also indicate how vehicles will circulate to and through the drive-through or drive-up facilities in a manner that will not impede traffic flow on any public right-of-way. Such plan will be reviewed against the following standards:
 - (1) Drive-through aisles shall be inwardly focused within the site and located away from adjoining streets to the extent feasible.
 - (2) Pedestrian walkways shall not intersect the drive-through access aisles unless they have clear visibility and are emphasized by enhanced paving or markings.
 - (3) Parking for drive-through and drive-in uses shall be provided as required by this Chapter.
 - (4) Drive-through access aisles shall be located entirely within the property and shall account for the stacking of a minimum of 5 vehicles. The Director may determine that more stacking is required depending on the need of the specific business. In such instances, the Applicant shall have a stacking study prepared by a qualified expert.

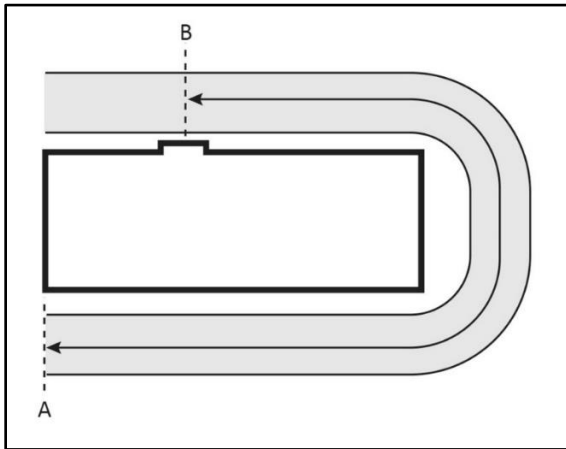


Figure 20.180-B – Drive-through Aisle

Drive aisle length is measured from the start of the drive aisle (A) to the pickup window (B).

Sec. 20.180.015 Residential.

- ~~(A) Single family detached dwelling or mobile home: two (2) parking spaces.~~
- ~~(B) Duplex two (2) parking spaces for each unit.~~
- ~~(C) Multiple family/apartment/condominiums: one (1) parking space up to one (1) bedroom, one and one-half (1½) parking spaces for two (2) bedrooms, two (2) parking spaces per unit for three (3) or more bedrooms. If residences are in conjunction with a commercial enterprise, residential parking may be waived or requirements modified by the Zoning Administrator.~~
- ~~(D) Mobile home parks: two (2) parking spaces for each mobile home space.~~
- ~~(E) Recreational vehicle parks: one (1) parking space per recreational vehicle space plus one (1) parking space per recreational vehicle space for visitor parking, boat storage and other uses.~~

~~(F) Hotels, motels, inns, boarding houses, private clubs with sleeping facilities and hostels: one (1) parking space for each room or in the case of a dormitory situation, one (1) parking space for each bed, plus two (2) parking spaces for the owner or manager. (Ord. No. 3639 (part), adopted 1987)~~

~~(G) Parking reductions for affordable housing: parking requirements for an affordable unit will be one (1) space per one (1) bedroom unit; one and one-half (1 1/2) spaces per two (2) bedroom unit; two (2) spaces per three bedroom unit.~~

~~(H) If a developer can demonstrate that an apartment complex for seniors or residents with special needs will not generate a need for as much parking as regular multifamily residential, the Zoning Administrator has the authority to reduce the number of required parking spaces.~~

~~(Ord. No. 3639 (part), adopted 1987)~~

~~(Ord. No. 4213, 12-9-08)~~

~~Sec. 20.180.020 Retail, Commercial and Service Uses.~~

~~(A) Retail stores, offices, commercial banks, savings and loans, food stores, drug stores and other similar uses not specifically mentioned in this section: one (1) parking space for each three hundred (300) square feet of gross floor area. Any of the above uses having drive-thru or drive-up facilities shall have a stacking area for five (5) vehicles. When developing commercial and residential mixed use projects, shared parking arrangements are allowed.~~

~~(B) Furniture and major appliance stores: one (1) parking space for every five hundred (500) square feet of gross floor area.~~

~~(C) Barber shops and beauty parlors: one (1) space for each barber chair or beautician station plus one (1) space for every employee working on the largest shift.~~

~~(D) Coin-operated laundromats or dry-cleaning: one (1) space for each three (3) machines.~~

~~(E) Auto service stations: three (3) parking spaces for each service bay plus one (1) parking space for every employee working on the largest shift.~~

~~(F) Motor vehicle sales: one (1) parking space for each five hundred (500) square feet of floor area plus one (1) parking space for each two thousand (2,000) square feet of outdoor area.~~

~~(G) Flea markets, outdoor markets, etc.: one (1) parking space for each three hundred (300) square feet of sales area.~~

~~(H) Health clubs, gyms, similar uses: one (1) parking space for each two hundred (200) square feet of gross floor area.~~

~~(I) Nurseries: one (1) parking space for each one thousand (1,000) square feet of outside area plus one (1) parking space for each three hundred (300) square feet of gross indoor sales area (greenhouses will be considered outside area).~~

~~(J) Auto washes, automatic one (1) lane: ten (10) car stacking spaces plus one (1) parking space for each employee. Self-service: three (3) parking spaces for each washing bay.~~

~~(K) Restaurants, bars, including those with dancing: one (1) parking space for every three (3) persons based on capacity of fixed or movable seating area as determined by the Uniform Building Code.~~

~~(L) Drive-in, drive-thru restaurants: one (1) parking space for each one hundred (100) square feet of gross floor area with stacking capacity for five (5) vehicles (minimum ten (10) spaces).~~

~~(Ord. No. 3639 (part), adopted 1987)~~

~~(Ord. No. 4213, 12-9-08)~~

~~Sec. 20.180.025 Health Uses.~~

- ~~(A) Medical or dental offices: three (3) parking spaces for each doctor or dentist or similar health profession plus one (1) parking space for each three hundred (300) square feet of gross floor area.~~
- ~~(B) Hospitals: two (2) parking spaces per each permanent bed plus one (1) parking space for each five hundred (500) square feet gross floor area.~~
- ~~(C) Veterinary hospital and clinics: one (1) parking space for each three hundred (300) square feet of gross floor area.~~
- ~~(D) Family care institutions: one (1) parking space for each five hundred (500) square feet of gross floor area (if the family care institution is in a residential home, the above requirements are in addition to residential requirements).~~

~~(Ord. No. 3639 (part), adopted 1987)~~

~~Sec. 20.180.030 Places of Public Assembly—Educational, Religious or Recreational.~~

- ~~(A) Day care centers, nurseries, pre-schools: one (1) parking space for every employee working on the largest shift plus one (1) space for every ten (10) persons.~~
- ~~(B) Elementary and junior high schools (public or private): one (1) parking space for every employee working on the largest shift plus one (1) parking space for every five (5) students.~~
- ~~(C) Institutions of higher learning, trade schools, business schools, professional schools: one (1) parking space for every employee working on the largest shift plus one (1) parking space for each two (2) students.~~
- ~~(D) Libraries, museums, art galleries: one (1) parking space for each three hundred (300) square feet of gross floor area.~~
- ~~(E) Churches, synagogues, temples, and other places of worship: one (1) parking space for every three (3) persons based on Uniform Building Code capacity.~~
- ~~(F) Funeral homes, and mortuaries: one (1) parking space for each four (4) seats in each chapel or parlor room, plus one (1) parking space for every employee working on the largest shift and vehicle kept on premise.~~
- ~~(G) Exhibition halls, assembly halls, dance halls, skating rinks: one (1) parking space for each one hundred (100) square feet gross floor area.~~
- ~~(H) Recreation buildings and community centers: one (1) parking space for each employee plus parking spaces equal in number to ten (10) percent of capacity in persons based on the Uniform Building Code.~~
- ~~(I) Movie houses, theaters, stadiums and similar places with fixed seating: one (1) parking space for every three (3) seats.~~
- ~~(J) Bowling alleys: four (4) parking spaces for each lane.~~
- ~~(K) Pool, card and billiard rooms: two (2) parking spaces for each table.~~
- ~~(L) Game rooms, arcades: one (1) parking space for each four (4) game machines.~~
- ~~(M) Regulation golf courses: four (4) parking spaces per hole. Miniature, pitch and putt: two (2) parking spaces per hole. Driving ranges: one (1) parking space per tee.~~
- ~~(N) Commercial tennis courts, racquetball courts, and handball courts: two (2) parking spaces per court.~~
- ~~(O) Commercial swimming pools: one (1) parking space for each one hundred (100) square feet of pool area.~~

~~(Ord. No. 3639 (part), adopted 1987)~~

~~Sec. 20.180.035 Manufacturing, Industrial and Warehousing.~~

- ~~(A) Manufacturing, industrial use of all types except a building used only as a warehouse: one (1) parking space for every employee working on the largest shift, plus ten (10) customer or visitor parking spaces plus parking for each of the vehicles operated from or on the site.~~
 - ~~(B) Warehouses, storage only: one (1) parking space per each two thousand five hundred (2,500) square feet of gross floor area, plus one (1) parking space for every employee working on the largest shift plus one (1) parking space for each vehicle operated from or on site.~~
 - ~~(C) Wholesale/retail warehouses: one (1) parking space per five hundred (500) square feet of gross floor area.~~
 - ~~(D) Feed yards, fuel yards, material yards: one (1) parking space per each one thousand five hundred (1,500) square feet of site area.~~
 - ~~(E) Contractors and general storage yards: one (1) parking space per each two thousand five hundred (2,500) square feet of site area.~~
 - ~~(F) Public utility facilities, communication facilities, public/private: one (1) parking space for every employee working on the largest shift plus five (5) visitor parking spaces plus one (1) parking place for each vehicle operated from or on the site.~~
 - ~~(G) Auto salvage yards, junk yards, salvage yards: one (1) parking space for every employee working the largest shift plus six (6) parking spaces separated from enclosed storage area.~~
 - ~~(H) Recycling Centers. One (1) parking space for each employee working the largest shift plus one (1) parking space for each three thousand (3,000) square feet of site area plus one (1) parking space for each vehicle operated from or on the site.~~
- ~~(Ord. No. 3639 (part), adopted 1987)~~

CHAPTER 20.190 ADMINISTRATION

Sec. 20.190.005 Authorities.

- (A) This chapter lays out the basic roles, responsibilities, and functions of all planning authorities, including the Board of Supervisors, Planning Commission, Zoning Administrator and Planning and Building Services Director.
- (B) Board of Supervisors. The powers and responsibilities of the Board of Supervisors include, but are not limited to the following:
 - (1) Consider and adopt, reject, or modify proposed amendments to the General Plan (including the adoption of a new General Plan), Zoning Code, Zoning Map, specific plans, and environmental documents related to any of the foregoing, pursuant to the provisions of the Amendments to the General Plan, Zoning Code, and Zoning Map section in Chapter 20.212.
 - (2) Hear and decide appeals from decisions of the Planning Commission pursuant to the provisions of the Appeals section in Chapter 20.208.
 - (3) Consider and adopt, reject, or modify development agreements, including environmental documents and any other planning approvals related to the development agreement, following a public hearing and recommended action by the Planning Commission.
 - (4) Establish, by resolution, a County fee schedule listing fees, charges, and deposits for various applications and services provided, pursuant to this Division.
- (C) Planning Commission. The powers and responsibilities of the Planning Commission include, but are not limited to the following:
 - (1) Approve, modify, or deny parcel maps, tentative maps, use permits, and variances.
 - (2) Make recommendations to the Board of Supervisors on proposed amendments to the General Plan, Zoning Code, and Zoning Map, specific plans, and environmental documents related to any of the foregoing.
 - (3) Hear and decide appeals from decisions of the Director or the Zoning Administrator.
 - (4) Hear and decide proposals to revoke use permits.
 - (5) Consider and adopt environmental determinations on any approvals that are subject to environmental review under the California Environmental Quality Act, pursuant to State law, or make recommendations regarding the same when the final approval authority for a project is the Board of Supervisors.
 - (6) Make recommendations to the Board of Supervisors on development agreements, including environmental documents and any other planning approvals related to the development agreement.
 - (7) Such other powers and responsibilities as assigned or directed by the Board of Supervisors.
- (D) Planning and Building Services Director. The powers and responsibilities of the Planning and Building Services Director ("the Director"), or his/her designee, include, but are not limited to the following:
 - (1) Perform all the functions designated by State law, including, but not limited to the following:
 - (a) Prepare the annual report related to implementation of the General Plan in compliance with Government Code Section 65400;
 - (b) Review of public works projects for conformity to the General Plan in compliance with Government Code Section 65401; and
 - (c) Review of acquisition of property for conformity to the General Plan in compliance with Government Code Section 65402.

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- (2) Maintain and administer the Zoning Code, including the processing of applications, abatements, and other enforcement actions.
- (3) Clarify or make determinations when ambiguities exist with regard to the meaning of any provision of this Code or their application to a specific parcel or project.
- (4) Prepare rules and procedures necessary for conducting the Director's business. They may include the administrative details of hearings officiated by the Director (e.g., scheduling, rules of procedure, and recordkeeping).
- (5) Issue administrative regulations for the submission and review of applications subject to the requirements of Government Code Section 65950.
- (6) Act as the Zoning Administrator, or designate a different member of the Department to serve as Zoning Administrator, for the purpose of acting on administrative permits pursuant to Chapter 20.192.
- (7) Determine whether a project is subject to review under the California Environmental Quality Act and notify the applicant if any additional information is necessary to conduct the review.
- (8) Make recommendations to the Planning Commission and Board of Supervisors on all applications, appeals, and other matters upon which they have the authority and the responsibility to act under this Division.
- (9) Delegate administrative functions to members of the Department.
- (10) Such other powers and responsibilities as assigned or directed by the Board of Supervisors.

Sec. 20.190.010 Public Hearing Procedures and Noticing.

- (A) Public Hearings Required. Public hearings shall be provided as required by the Planning and Zoning Law (Government Code Section 65000 *et seq.*), including but not limited to the following types of actions:
 - (1) Adoption or amendment to the General Plan, pursuant to Government Code Sections 65353 and 65355.
 - (2) Adoption or amendment of the Zoning Code or the Zoning Map, pursuant to Government Code Sections 65854 and 65856.
 - (3) Variances, conditional use permits or equivalent development permits, any proposed revocation or modification of such permits, or an appeal taken from any approval of such applications pursuant to Government Code Section 65905.
- (B) Notice of public hearings shall be provided consistent with Government Code Section §§ 65090-96, as further specified in this Code, and pursuant to any County procedures adopted pursuant to this Code. Failure to receive the notice required by Government Code Section 65091 shall not invalidate any action on the application. Any hearing may be continued to a specific time, date and place without further public notice.
- (C) Conduct of Public Hearing. A public hearing shall include the following elements identified below.
 - (1) The hearing body shall review the application and any pertinent materials submitted with the application, and any report based on County staff's investigation and review of the application.
 - (2) During any public hearing, the applicant shall have the right to be represented to provide testimony and to present evidence.
 - (3) Members of the public shall have the right to comment on any relevant aspect of the application under consideration.

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- (4) Following the completion of testimony at a public hearing, action shall be taken to approve, conditionally approve, deny, or continue the subject of the public hearing.
- (5) If the action is taken to continue the item being considered before adjournment or recess, the person presiding at the public hearing shall either (1) publicly announce the time and place to which the hearing will be continued, in which case no further notice shall be required, or (2) announce that the item is being continued to a date uncertain, in which case the continued hearing date shall be noticed in the same manner and to the same extent as initially noticed.
- (6) The decision of the hearing body shall be considered final unless a decision is appealed. In all cases, the Board of Supervisors shall represent the final approval authority of the County.

Sec. 20.190.015 Modification or Revocation of Approved Permits or Approvals.

This section provides procedures for securing modification or revocation of previously approved permits or approvals.

- (A) **Modifications.** Modification of a permit or approval may include modifying the terms of the permit or approval itself, including changing or adding to the use of the property, or the waiver, alteration or imposition of new conditions of the operational aspect of the project, including buffers, duration of the permit, hours of operation, noise, landscaping, maintenance, lighting, parking, performance guarantees signs, surfacing, traffic circulation or any other aspect or condition determined to be reasonable and necessary to ensure that the project is operated in a manner consistent with the original findings for approval.
- (B) **Application for Modification; County Action.** Any person with an approved permit or approval may apply for a modification of that permit or approval, or the County may commence an action to modify a permit or approval, which may be initiated by order of the Director, the Planning Commission or the Board of Supervisors.
- (C) **Revocation.** The County's action to revoke a permit or approval shall have the effect of terminating the permit or approval and denying the privileges granted by the original permit or approval.
- (D) **Process.** Modifications shall follow the same procedure in which the permit or approval was originally approved and by the same body which made the approval.
 - (1) **Hearings Required.** The hearing body shall hold a public hearing to modify or revoke a permit or approval in compliance with the provisions of this Division. The hearing shall be conducted as required by this Division.
 - (2) **Notice of Hearing.** Notice of the required public hearing shall be made in compliance with Section 20.190.010. In addition, the County shall provide a notice of intention to revoke or modify a permit or approval to the owner(s) of the subject property as shown on the latest assessment roll and any current occupants of the property not less than ten (10) days before the public hearing at which the revocation will be considered.
 - (3) **Notice of Decision.** Written notice of the action to revoke or modify a permit or approval shall be sent to the applicant, if any, and to the owner of the subject property as shown on the latest assessment roll, any current occupants of the property, or as indicated by more recent information as may be available to the County.
 - (4) **Appeal.** A decision on a permit modification or revocation may be appealed pursuant to Chapter 20.208.
- (E) **Grounds for Modification or Revocation.** Grounds for modification or revocation include, but are not limited to the following:
 - (1) Compliance with any term or condition of the permit or approval has not been achieved or maintained.

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- (2) The property or portion thereof subject to the permit or approval is used or maintained in violation of any statute, ordinance, law, or regulation.
 - (3) False or erroneous information in the record as to a material matter or significant issue regarding the permit or approval.
 - (4) The use for which the permit or approval was granted has been determined to be detrimental to the public health, safety, or welfare and is a nuisance.
 - (5) Changes in technology or in the type or amount of development in the vicinity of the use, or other good cause, warrants modification of the conditions of operation or imposition of additional conditions of operation to assure that the use remains compatible with existing and potential uses or other property within the general area in which the use is located.
- (F) Automatic Revocation. If a permit or approval is granted or modified subject to one (1) or more conditions, such permit or approval shall cease to be valid, and all rights or privileges granted thereby shall lapse, notwithstanding any other provisions of this Division to the contrary, whenever there becomes final any judgment of a court of competent jurisdiction declaring one (1) or more of such conditions to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one (1) or more of such conditions.

Sec. 20.190.020 Administrative Withdrawal of Applications.

- (A) Abandonment of Application. The Director may determine that an application has been abandoned due to noncommunication of the applicant of a period of at least one hundred and eighty (180) days. The applicant shall be given notice in writing that the County intends to deem the application abandoned and shall be given an opportunity to provide any missing materials within thirty (30) days of the date of said notice. An abandoned application cannot be reinstated.
- (B) Notice of Abandoned Application. Final notice of an abandoned application shall be mailed to the applicant if no response is received, or if missing materials are not provided. The final notice shall be placed in the application file.
- (C) Application Fees Refunded. Any funds paid or deposited and not used at the time the application is deemed abandoned shall be refunded to the applicant, upon written request of the applicant submitted within thirty (30) days of the official abandonment date.

Sec. 20.190.025 Application Forms and Fees.

- (A) Application Forms and Materials.
 - (1) Application Forms. The Director shall prepare, approve and issue application forms and lists that specify the information that will be required from applicants for projects subject to the provisions of this Division.
 - (2) Application to be signed by the owner of the property or the owner's authorized agent. If the application is made by someone other than the owner or the owner's agent, proof of the right to use and possess the property as applied for, satisfactory to the Director, shall accompany the application.
 - (3) Supporting Materials. The Director may require the submission of supporting materials as part of the application, including but not limited to: statements, photographs, plans, drawings, renderings, models, staking and flagging, material samples, and other items necessary to describe existing conditions and the proposed project and to determine the level of environmental review pursuant to the California Environmental Quality Act (CEQA).
 - (4) Availability of Materials. All submitted material becomes the property of the County, may be distributed to the public, and shall be made available for public inspection. At any time, upon

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reasonable request, and during normal business hours, any person may examine application materials in support of or in opposition at the Planning and Building Services Department offices. Unless prohibited by law or superseded by specific permit confidentiality requirements, copies of such materials shall be made available at a reasonable cost.

- (5) Indemnification. Applicants shall be required to agree to indemnify the County as specified in County Code Section 1.04.120 Indemnification and Hold Harmless for Land Use Approvals.
- (B) Multiple Applications; Concurrent Processing. Multiple applications for the same project may be processed concurrently. Each application shall be reviewed and approved or denied by the entity designated by this Division. In the case of concurrent applications which require review and approval by a lower authority and a higher authority (e.g., Planning Commission and Board of Supervisors), the lower authority would serve as the recommending body to the higher decision-making body.
- (C) Application Fees.
 - (1) Fee Schedule. The Board of Supervisors shall approve by resolution a Fee Schedule that establishes fees or deposits for permits, procedures for processing fees or deposits, informational materials, penalties, copying, and other such items.
 - (2) Fee Payment. No application shall be deemed complete, and processing shall not commence on any application until all required fees or deposits have been paid.
 - (3) Refund of Fees. Application fees which have not been used to account for staff time reviewing the application are refundable prior to action being taken. Once action has been taken fees are non-refundable, unless otherwise provided for in the Mendocino County Code or by policy of the County.

Sec. 20.190.030 Review of Applications.

- (A) Initial Completeness Review. The Director shall determine whether an application is complete within thirty (30) days of the date the application is ~~deemed complete~~ filed and the required fee received, whichever is later, except for legislative acts (zoning amendments, Specific Plans, etc.) or where this time limit is superseded by state law.
- (B) Incomplete Application. If an application is deemed incomplete, the Director or their designee shall provide written notification to the applicant listing the application(s), forms, information, and any additional fees that are necessary to complete the application.
- (C) Appeal of Determination. Determinations of incompleteness are subject to the provisions Chapter 20.208 (Appeals).

CHAPTER 20.204 NONCONFORMING USES AND STRUCTURES

Sec. 20.204.005 Declaration.

- (A) A nonconforming use is a use of a structure or land which was lawfully established and maintained prior to the adoption of this Division but which does not conform with the use regulations for the zone in which it is located.
- (B) A nonconforming structure is a structure which was lawfully erected prior to the effective date of the application of these regulations but which, under this Division, does not conform with the standards of yard spaces, height of structures, distance between structures, parking, etc., prescribed in the regulations for the zone in which the structure is located.
- (C) Chapter 20.124 ("IS" Combining District) may be utilized to identify uses and establish regulations thereto.

Sec. 20.204.010 Continuation and Maintenance.

- (A) A use lawfully occupying a structure or a site prior to the effective date of the application of these regulations which does not conform with the use regulations for the district in which the use is located shall be deemed to be a nonconforming use and may be continued as provided in this Chapter.
- (B) A structure lawfully occupying a site prior to the effective date of the application of these regulations which does not conform with the standards of front yards, side yards, rear yards, height of structures, distances between structures, parking, etc., prescribed in the regulations for the zone in which the structure is located shall be deemed to be a nonconforming structure and may be used and maintained as provided in this Chapter.
- (C) Routine maintenance and repairs may be performed on a structure or site, the use of which is nonconforming, and on a nonconforming structure.

Sec. 20.204.015 Restoration of Damaged Structures.

~~(A) —Whenever a structure containing an existing legal nonconforming use or legal nonconforming structure is destroyed or partially destroyed either voluntarily or involuntarily, the structure may be:~~

~~(A) Rebuilt to its previous dimensions and arrangement and utilized to the same extent prior to its destruction provided the following timelines are satisfied:~~

- ~~(1) a demolition permit is obtained and receives a final inspection within one (1) year of issuance,~~
- ~~(2) a building permit for the restoration is submitted within one (1) year of the date of final inspection of the demolition permit, and~~
- ~~(3) restoration is started within ~~one~~two (24) years from date of submittal of the building permit for the restoration and diligently pursued to completion.~~

~~A one-time one (1) year extension to each of these timelines may be granted by the Director, or~~

~~(B) Rebuilt, if the nonconforming structure is destroyed by involuntary means or forces out of control of the owner(s), provided it shall not exceed either the floor area, height, or bulk of the destroyed structure by more than ten (10) percent; shall be sited in the same location on the affected property as the destroyed structure except that no part of the ten (10) percent addition shall encroach further into the setback than the original structure; and further provided the following timelines are satisfied:~~

- ~~(1) a demolition permit is obtained and receives a final inspection within one (1) year of issuance,~~

~~(2) a building permit for the restoration is submitted within one (1) year of the date of final inspection of the demolition permit, and~~

~~(3) restoration is started within two (2) years from date of submittal of the building permit for the restoration and diligently pursued to completion.~~

~~A one-time one (1) year extension to each of these timelines may be granted by the Director.~~

~~(1) Whenever a structure, the use of which does not conform with the regulations for the zone in which it is located or a structure which does not comply with the standards of yard spaces, height of structures, distances between structures, parking, etc., prescribed in the regulations for the zone in which the structure is located shall be destroyed by fire or other calamity or by act of God or by the public enemy, the structure may be restored and the nonconforming use may be resumed provided restoration is started within one (1) year and diligently pursued to completion.~~

~~(B) Whenever a structure, the use of which does not conform with the regulations for the zone in which it is located, or a structure which does not comply with the standards of yard spaces, height of structures, distance between structures, parking, etc., prescribed in the regulations for the zone in which it is located shall be voluntarily razed, the structure shall not be restored except in full conformity with the regulations of the zone in which it is located, and the nonconforming use shall not be resumed.~~

Sec. 20.204.020 Alterations and Additions to Nonconforming Uses and Structures.

- (A) A nonconforming use may increase its volume of operation provided the structure is not altered or enlarged to accommodate its increase without obtaining a use permit.
- (B) No nonconforming structure shall be moved, altered, enlarged, or reconstructed in a manner that does not conform to the minimum standards of yard areas, height of structures, distances between structures, parking, and other applicable requirements prescribed in the regulations for the district in which the structure is located; provided, however, a nonconforming structure may be altered and/or enlarged provided it does not increase the existing level of nonconformity. Such constructions shall be reviewed and approved by the Zoning Administrator.

Sec. 20.204.025 Expansion of Nonconforming Uses and Structures.

- (A) A nonconforming use or structure may be expanded provided an Minor Use Administrative Use Permit is obtained. Prior to the issuance of any ~~use p~~Administrative Use Permit to expand a nonconforming use or structure, the Zoning Administrator shall make a finding that the expansion conforms to the ~~standards-Findings~~ established in Section 20.4961962.020 ~~(Use Permits—Standards)~~ for the granting of ~~a use permit~~Administrative Use Permit and that the following conditions are applicable:
 - (1) That it is not reasonably economically or physically feasible to make the use of the property compatible with the applicable general plan land use designation;
 - (2) That the use is and will be compatible with adjacent land uses and that any increased adverse impacts on access or public facilities and services will be mitigated;
 - (3) That the site is physically separate from surrounding properties such that continued nonconforming use is appropriate in that location.
- (B) A legal nonconforming mobile home may be replaced by a new mobile home without ~~a use an~~Administrative a Use Permit if no ~~use permit~~Administrative Use Permit was required for the original installation.

Sec. 20.204.030 Previous Use Permits in Effect.

Any use in existence, by virtue of a use permit issued pursuant to zoning regulations previously in effect, at the time of application of the regulations for any district in this Division, which use under such new regulations is not permissible by use permit may continue in existence but only as regulated by the provisions and terms of the existing use permit.

Sec. 20.204.035 Abandonment or Conversion of Nonconforming Uses.

- (A) Whenever a nonconforming use has been abandoned, discontinued for any reason, or changed to a conforming use, for a continuous period of one (1) year, the nonconforming use shall not be reestablished, and the use of the structures or site thereafter shall be in conformity with the regulations for the zone in which it is located.
- (B) A nonconforming use of a structure or site may be changed to another nonconforming use at the same or more restricted level of intensity as determined by the Planning and Building Services Director, provided an Administrative Permit is obtained pursuant to Chapter 20.192 and ~~provided~~ the following findings are made:
 - (1) That it is not reasonably, economically or physically feasible to make the use of the property compatible with the applicable general plan land use designation;
 - (2) That the use is and will be compatible with adjacent land uses and that any increased adverse impacts on access or public facilities and services will be mitigated;
 - (3) That the site is physically separate from surrounding properties such that continued nonconforming use is appropriate in that location.

Sec. 20.204.040 Non-Conforming Lot Area

When any ownership is comprised of a single lot which has been legally created and is subsequently zoned to a minimum parcel size larger than the existing parcel, said lot shall not be subject to requirements for variance to minimum lot size.

Sec. 20.~~204.040~~045 Nuisances.

- (A) None of the provisions of this Chapter restrict any authority to require modification or termination of any nonconformity which has been declared a nuisance by the Board of Supervisors.