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COUNTY OF LOS ANGELES

DEPARTMENT OF REGIONAL PLANNING

Title 22 – Planning and Zoning

VOLUME 1

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DIVISION 1: INTRODUCTORY PROVISIONS

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Chapter 22.02 Title, Purpose, and Components.

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22.02.010 Title.

Title 22 (Planning and Zoning) of the Los Angeles County Code shall be known and cited as this "Title 22," the "Zoning Ordinance," or the "Zoning Code."

22.02.020 Purpose.

In the creation of the respective zones set forth herein by this Title 22 ordinance, the Board of Supervisors has given due and special consideration to the peculiar suitability of each and every such zone herein created for the particular uses enumerated therefor, the area requirements, density of land occupancy, and the necessary, proper, and comprehensive groupings and arrangements of the various industries, businesses, and population of the unincorporated area of the County of Los Angeles (County) and in relation with established plans in the incorporated areas of the County in accordance with a well-considered master plan of land use for the development of the entire County, paying particular attention to those areas in said unincorporated area in which more densely populated communities have arisen, giving to such communities urban characteristics.

22.02.030 Applicability of Title 22.

A. Applicability.

1. This Title 22 shall apply to all properties within the unincorporated area of Los Angeles County, including all uses, buildings, structures, and land owned by any private person, firm, corporation, or organization, or the County or other federal, State, or local agencies.

2. Governmental and quasi-governmental agencies may be exempt from portions of this Title 22 pursuant to provisions of the California Government Code.

B. Compliance. No land shall be used, and no structure shall be constructed, occupied, enlarged, altered, or moved except as permitted in this Title 22.

C. Provisions Interpreted as Minimum Requirements. In interpreting and applying the provisions of this Title 22, they shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

D. Regulations Not Exclusive. This Title 22 shall not relieve a person from the responsibility of complying with all other applicable regulations of any other federal, State, or County agency.

E. Amendments and Additions Included. Whenever reference is made to this Title 22 or any portion of this Title 22, the reference applies to all amendments and additions made hereafter.

22.02.040 Administration of Use Classifications.

A. Principal Use. In determining compliance with this Title 22 as it applies to the uses listed in the basic zones, each principal use shall be considered a separate use, provided:

1. The accessory uses, buildings, or structures shall be deemed an integral part of each principal use; and

2. That more than one principal use may be placed on a single lot if not in conflict with other provisions of this Title 22.

B. Accessory Use. The Director shall determine whether a use or structure may be considered accessory pursuant to the definitions contained in this Title 22.

22.02.050 Consistency with the General Plan.

Notwithstanding the current zone classification applicable to any lot, if that zone classification does not conform to the General Plan affecting the same lot, then building permits may be issued only for those land uses which are authorized by both the zone and the objectives, policies, and land uses specified in the General Plan.

22.02.060 Condition of Land Use Approval.

As a condition of the approval of a zoning permit, the applicant shall agree to defend, indemnify, and hold harmless the County, its agents, officers, and employers from any action, or proceeding against the County, its agents, officers, or employees to attack, set a side, void, or annul an approval of the County. Although the applicant is

the real party in interest in such an action, the County may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the applicant of its obligations under this condition.

22.02.070 Application Where Violation Exists.

A. No application required pursuant to this Title 22 shall be accepted for processing or approved where an existing land use, not previously authorized by any statute or ordinance, is being maintained or operated in violation of any applicable provision of this Title 22, or any condition of approval of a land use permit. This provision applies to the operation of land uses only, and does not affect buildings or structures which do not conform to development standards.

B. Where in the sole discretion of the Director, whose determination shall be final, the Director determines that the use in question is consistent with the objectives, goals, and policies of the General Plan, or that the continuation of said use is essential or desirable to the public convenience or welfare, this provision shall not apply.

22.02.080 Approval Does Not Legalize Nuisances.

Any approval granted pursuant to this Title 22 shall not authorize nor legalize the maintenance of any public or private nuisance.

22.02.090 Approvals Run with the Land.

Any approval granted pursuant to this Title 22 that is valid and in effect shall adhere to the land. The approval, including any applicable conditions or requirements, shall continue to be valid upon change of ownership of the subject land or any lawfully existing structure from the effective date of the approval, except if and when the approval expires and becomes void in compliance with this Title 22 or as otherwise specified in the approval.

22.02.100 Severability.

If any provisions of the ordinance codified in this Title 22, or the application thereof to any person or circumstance is held invalid, the remainder of this Title 22, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Chapter 22.04 Rules for Provisions, Language, Measurement, and Interpretation.

Sections:

22.04.010 Purpose.

22.04.020 Provisions Not Exclusive – More Restrictive Provisions Govern.

22.04.030 Yards, Highway Lines, and Highways.

22.04.040 Rules for Language.

22.04.050 Rules for Measurement.

22.04.060 Interpretation of Rules.

22.04.010 Purpose.

The purpose of this Chapter is to provide clear and consistent direction for the interpretation of this Title 22. The rules and use of words and phrases explained in this Chapter shall apply throughout this Title 22.

22.04.020 Provisions Not Exclusive – More Restrictive Provisions Govern.

No part of Title 22 shall be deemed or construed to repeal, amend, modify, alter, or change any other ordinance or any part thereof not specifically repealed, amended, modified, altered, or changed herein, except in such particulars or matters as this title is more restrictive than such other ordinances or part thereof; and that in all particulars wherein this Title 22 is not more restrictive, each such other ordinance shall continue and shall be in full force and effect.

22.04.030 Yards, Highway Lines, and Highways.

A. Establishment – Purose. To provide for adequate open spaces and the admission thereto of light and air, and to provide adequate visibility to the operators of motor and other vehicles along streets, highways, and parkways, and at the intersection thereof, the yards provided in Division 3 (Zones) and any Combining Zone identified in Section 22.06.030 (Combining Zones) and the yards and highway lines provided for in Chapter 22.110 (General Site Regulations) and Chapter 22.116 (Highway Lines, Road Dedication, and Access) are created and established as part of a comprehensive system of yard and highway lines covering the unincorporated area of the County.

B. Use Restrictions. A person shall not use any building, structure, equipment, or obstruction within any yard or highway line except as hereinafter specifically permitted in this Title 22, and subject to all regulations and conditions enumerated in this Title 22.

C. Supplemental Districts and General Site Regulations Provisions Applicable When. Where a different yard requirement is established by any Supplemental District identified in Section 22.06.040 (Supplemental Districts) or Chapter 22.110 (General Site Regulations), it shall supersede the yard requirements contained elsewhere in this Title 22.

22.04.040 Rules for Language.

The following rules for language shall apply:

A. The following conjunctions shall be interpreted as follows:

1. "And" indicates that all connected words or provisions shall apply.

2. "Or" indicates that the connected words or provisions may apply individually or in any combination.

3. "Either . . . or" indicates that the connected words or provisions shall apply individually but not in combination.

B. All references to departments, committees, commissions, boards, or other public agencies, and public officials are to those of the County, unless stated otherwise.

C. All references to Department and Director are to those of the County Department of Regional Planning, unless stated otherwise, and all references to the Commission are to the County Regional Planning Commission unless stated otherwise.

D. All references to the Board are to the Los Angeles County Board of Supervisors, unless stated otherwise.

E. All references to the General Plan are to the Los Angeles County General Plan.

F. All references to days are to calendar days, unless stated otherwise.

G. All references to lists of items or examples that use terms such as "including," "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

H. The words "shall," "will," "must," and "is to" shall mean mandatory requirements.

I. The words "should" or "may" shall mean that the provisions are optional, subject to the Department's discretion.

J. The present tense includes the past and future tenses, and the future tense includes the present.

K. The singular number includes the plural and the plural includes the singular.

L. 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 section.

22.04.050 Rules for Measurement.

The following rules for measurement shall apply:

A. Fractions.

1. Parking Spaces. Calculations for parking spaces shall comply with Section 22.112.070.C (Fractions).

2. Dwelling Units.

a. Rounding. When this Title 22 requires consideration of dwelling units and the result of a calculation contains a fraction of a whole number, the results shall be rounded down to the nearest whole number.

b. Exception for State Affordable Housing Density Bonus. For projects eligible for bonus density pursuant to Section 65915 of the California Government Code, or any successor statute, any fractional number of permitted bonus density units shall be rounded up to the next whole number.

3. Other Fractions. Notwithstanding Subsections A.1 and A.2, above, when a measurement is expressed in terms of maximum or minimum limits or requirements, any other fractional measurement shall not be rounded. For example, if a maximum height for a building is 35 feet and the proposed building actually measures 35 feet and 6 inches, then the height is not in compliance with the requirement.

B. Distance.

1. Measurements are Shortest Distance.

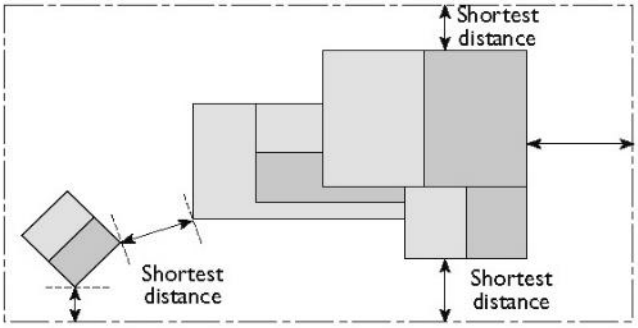
a. Measurement of a required distance shall be made from the closest or shortest distance between the two objects. For example, see Figure 22.04.050-A, below.

b. The following shall be excluded when measuring required distances:

i. Projections, as permitted in Section 22.110.090 (Projections into Yards).

ii. The below-ground portion of a basement.

FIGURE 22.04.050-A: MEASUREMENTS ARE SHORTEST DISTANCE



2. Distances are Measured Horizontally. When determining distances for setbacks and structure dimensions, all distances are measured along a level horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. Distances shall not be measured by following the topography or slope of the land. For example, see Figure 22.04.050-B, below.

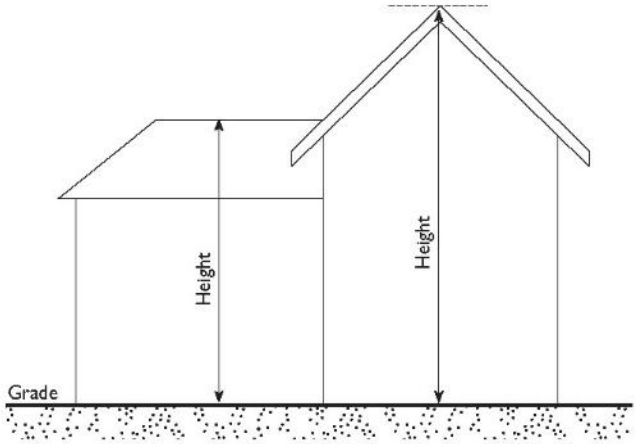
FIGURE 22.04.050-B: DISTANCES ARE MEASURED HORIZONTALLY



C. Height.

1. Measuring Height. Measurement of the height of building or structure shall be the plumb line distance from the point being measured to the grade. For example, see Figure 22.04.050-C, below.

FIGURE 22.04.050-C: MEASURING HEIGHT



D. Flag Lot Width and Depth. Measurement for the average width and depth of a flag lot shall comply with Section 22.110.170.A (Measurement).

E. Gross Floor Area and Floor Area Ratio.

1. Gross Floor Area. Gross floor area shall be the total gross area of all floors of a building expressed in square feet.

a. Included in Gross Floor Area. Gross floor area shall be the total building area, measured from the exterior of the building walls, of all floors of a building expressed in square feet.

b. Excluded from Gross Floor Area. Gross floor area shall exclude:

i. Parking structures, garages, carports, or other areas designated for parking and loading, or vehicular access to parking and loading spaces, because these structures shall be counted separately.

ii. Unenclosed exterior balconies, decks, porches, courts, and stairs.

iii. Buildings or structures for housing building operating equipment or machinery.

iv. Cellars.

v. Attics, if not a habitable room as defined by Title 26 (Building Code) of the County Code.

2. Floor Area Ratio. Floor area ratio shall be the numerical value obtained through dividing the above ground gross floor area of a building or buildings located on a lot by the total area of such lot. Floor area ratio is expressed as a decimal number and shall be rounded to the tenths place.

F. Lot Coverage.

1. General.

a. Lot coverage shall be the ratio of the total footprint area of all buildings and structures on a lot to the net lot area, expressed as a percentage with a decimal number to the hundredths place.

b. For examples of this Subsection F, see Figure 22.04.050-D, below.

2. Included in Lot Coverage. Lot coverage shall include:

a. The footprints of all principal and accessory building and structures, including garages, carports, covered patios, and roofed porches. The footprint shall be measured from the exterior walls or the exterior supports, and include all habitable and non-habitable rooms, and interior walls and partitions.

b. Unenclosed and unroofed decks, uncovered patio slabs, porches, landings, balconies, and stairways.

c. Eaves and roof overhangs that project more than two and one-half feet from the building wall.

d. The first floor of atrium and all lobby areas.

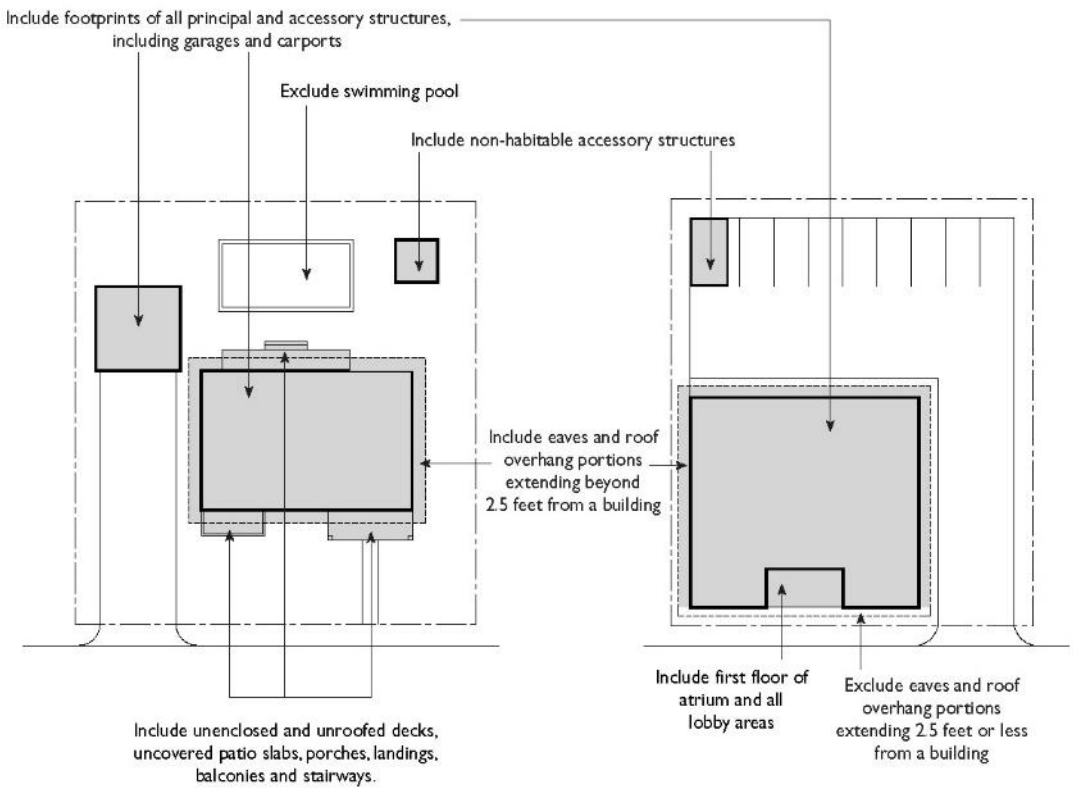
3. Excluded from Lot Coverage. Lot coverage shall exclude:

a. Uncovered walkways, driveways, and landscaping.

b. Eaves and roof overhangs when projecting less than two and one-half feet from the building wall.

c. Swimming pools and hot tubs that are not enclosed in roofed buildings, structures, or decks.

FIGURE 22.04.050-D: LOT COVERAGE



22.04.060 Interpretation of Rules.

The Director may make interpretations for any provision or measurements not expressly identified in this Chapter and provide clarification of these rules and their application, in compliance with Chapter 22.234 (Interpretations).

Chapter 22.06 Zones, Zoned Districts, and Zoning Map.

Sections:

22.06.010 Zones Established.
22.06.020 Suffixes to Zoning Symbols.
22.06.030 Combining Zones.
22.06.040 Supplemental Districts.
22.06.050 Special Management Areas.

22.06.060 Zoned Districts Established.
22.06.070 Zoning Map.

22.06.010 Zones Established.

A. To classify regularly and restrict the location of trades and industries and the location of buildings for special uses, and the use and area of premises for the general welfare of the County as regulations for the execution of the General Plan pursuant to Chapters 3 and 4 of Division 1 of Title 7 (Planning and Land Use) of the California Government Code, or any statute superseding those chapters, the unincorporated area of the County is divided into classes of zones, according to Table 22.06.010-A, below.

TABLE 22.06.010-A: ZONES	
Abbreviation	***Full Name***
Agricultural, Open Space, Resort and Recreation, and Watershed Zones	
A-1	Light Agricultural
A-2	Heavy Agricultural
O-S	Open Space
R-R	Resort and Recreation
W	Watershed
Residential Zones	
R-A	Residential Agricultural
R-1	Single-Family Residence
R-2	Two-Family Residence
R-3	Limited Density Multiple Residence
R-4	Medium Density Multiple Residence
R-5	High Density Multiple Residence
RPD	Residential Planned Development
Commercial Zones	
C-1	Restricted Commercial
C-2	Neighborhood Commercial
C-3	General Commercial
C-H	Commercial Highway
C-M	Commercial Manufacturing
C-MJ	Major Commercial
C-R	Commercial Recreation

TABLE 22.06.010-A: ZONES	
Abbreviation	***Full Name***
CPD	Commercial Planned Development
Industrial Zones	
M-1	Light Manufacturing
M-1.5	Restricted Heavy Manufacturing
M-2	Heavy Manufacturing
M-2.5	Aircraft and Heavy Industrial
M-3	Unclassified
MPD	Manufacturing – Industrial Planned Development
B-1	Buffer Strip
B-2	Corner Buffer Strip
Rural Zones	
C-RU	Rural Commercial
MXD-RU	Rural Mixed Use Development
Special Purpose Zones	
IT	Institutional
MXD	Mixed Use Development
SP	Specific Plan
SR-D	Scientific Research and Development
P-R	Restricted Parking

B. Zones designated in Subsection A, above, shall be deemed the basic zone.

22.06.020 Suffixes to Zoning Symbols.

The letter "U," where used as a suffix to a zoning symbol, in combination with a numeral, shall designate the required area per dwelling unit in terms of units per net acre. For example, R-3-30U permits a maximum of 30 dwelling units per net acre.

22.06.030 Combining Zones.

Combining zones are established according to Table 22.06.030-A, below. Combining zones are established as additional zone designations used in combination with the basic zone.

TABLE 22.06.030-A: COMBINING ZONES	
Abbreviation	***Full Name***
-BE	Billboard Exclusion
-DP	Development Program

TABLE 22.06.030-A: COMBINING ZONES	
Abbreviation	***Full Name***
-P	Parking
-CRS	Commercial – Residential
-IP	Industrial Preservation

22.06.040 Supplemental Districts.

Supplemental districts are established according to Table 22.06.040-A, below. The regulations of each such supplemental district shall supersede the specific regulations of the basic zone to which the district is added in the manner indicated for each type of district.

TABLE 22.06.040-A: SUPPLEMENTAL DISTRICTS	
Abbreviation	***Full Name***
EQD	Equestrian District
Setback District	Setback District
Flood Protection District	Flood Protection District
Noise Insulation	Noise Insulation Program
CSD	Community Standards District
ROLD	Rural Outdoor Lighting District

22.06.050 Special Management Areas.

Special Management Areas are established according to Table 22.06.050-A, below.

TABLE 22.06.050-A: SPECIAL MANAGEMENT AREAS	
Abbreviation	***Full Name***
HM	Hillside Management
SEA	Significant Ecological Area

22.06.060 Zoned Districts Established.

Zoned Districts are established according to Table 22.06.060-A, below.

TABLE 22.06.060-A: ZONED DISTRICTS	
District No.	***Zoned District Name***
3	Altadena
6	East Side Unit No. 1
7	Walnut Park
8	South Santa Anita – Tempe City
9	East San Gabriel

TABLE 22.06.060-A: ZONED DISTRICTS	
10	La Canada
11	San Pasqual
12	East Pasadena
13	City Terrace
14	East Side Unit No. 2
15	Stark Palms
16	La Crescenta
20	Rosemead
21	San Jose
26	Montrose
29	East Los Angeles
31	Lancaster
33	Norwalk
34	Willowbrook – Enterprise
35	Irwindale
36	East Compton
41	Central Gardens
43	Whittier Downs
44	Roosevelt Park
45	Covina Highlands
46	Duarte
47	La Habra Heights
48	Sunshine Acres
49	Northwest El Monte
51	East Side Unit No. 4
52	Walnut
53	Pico
54	Palmdale
55	La Rambla
57	Athens
58	Gage-Holmes
60	Compton-Florence
61	Azusa-Glendora
63	Lennox
64	Firestone Park
66	Harbor City
67	South Arcadia
68	View Park
69	Baldwin Hills

TABLE 22.06.060-A: ZONED DISTRICTS	
70	San Dimas
74	Del Aire
75	Mount Gleason
76	Puente
77	East Whittier
78	South San Gabriel
79	North Claremont
81	Bandini
82	Southeast Whittier
84	Paramount
85	Northeast Pasadena
86	Gardena Valley
87	Charter Oak
89	Playa Del Rey
91	Lakewood
92	Los Nietos-Santa Fe Springs
93	Artesia
95	North Palmdale
96	South El Monte
97	Workman Mill
98	Quartz Hill
99	Five Points
100	Castaic Canyon
101	Rolling Hills
103	Del Amo
105	Carson
106	Sand Canyon
107	Littlerock
108	Whittier Narrows
109	Leona Valley
110	The Malibu
111	Victoria
112	Palos Verdes Peninsula
115	Antelope Valley West
116	Antelope Valley East
117	Soledad
118	Newhall
119	Bouquet Canyon
120	Mountain Park
121	San Gabriel Watershed

TABLE 22.06.060-A: ZONED DISTRICTS	
122	Chatsworth
123	Franklin Canyon
124	Sawtelle
126	Hacienda Heights
127	Santa Catalina Island
128	West Athens-Westmont
UC	Universal City
Note: Section 437, Hacienda Heights, was created from portions of Sections 358, La Habra Heights; 387, Puente; 388, East Whittier; and 408, Workman Mill. Note: Beginning with Ord. 90-0151Z, ordinances rezoning portions of the above districts have amended this Section rather than the section of Ord. 1494 which established the district. Note: The above list includes current districts. Districts that have been removed from County zoning jurisdiction through incorporations and annexations of the unincorporated area are not included in this list.	

22.06.070 Zoning Map.

A. Zoning Map. The boundaries of the zones established by this Title 22 are shown on the Zoning Map. The Zoning Map shall be maintained in the County's geographic information system. The Zoning Map is hereby incorporated into this Title 22 and may be amended pursuant to this Title 22 and Title 7 (Planning and Land Use) of the California Government Code.

B. Boundaries. Where the boundaries of any zone are not clearly determined or shown on the Zoning Map, the Director shall make an interpretation in accordance with Chapter 22.234 (Interpretations).

C. Zoning for Vacated Streets and Alleys. Where a public street or alley is officially vacated, the zoning regulations applicable to the abutting property shall apply to the vacated portion.

D. Property Divided by Zone Boundaries. If a zone boundary divides a lot where either or both portions of such lot created by such division are not in Zones -P, B-1, or B-2, and are of such size and shape that no part of such portion is more than 50 feet from such zone boundary, then that portion may be used for any purpose permitted in the other portion of such lot if such lot is:

1. Shown as a single lot on a final subdivision map which map was recorded with the Registrar-Recorder/County Clerk after the effective date of such zone boundary; and

2. At all times since the recording of such final map, in undivided ownership.

DIVISION 2: DEFINITIONS

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Chapter 22.14 Definitions.

Chapter 22.14 Definitions.

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22.14.010 A.
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22.14.090 I.

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22.14.140 N.
22.14.150 O.
22.14.160 P.
22.14.170 Q.
22.14.180 R.
22.14.190 S.
22.14.200 T.
22.14.210 U.
22.14.220 V.
22.14.230 W.
22.14.240 X.
22.14.250 Y.
22.14.260 Z.

22.14.010 A.

Accessory building or structure. A detached building or structure that is subordinate and incidental in use to the principal building or use on the same lot, and located in the same or a less restrictive zone.

Accessory use. A use customarily incidental to, related, and clearly subordinate to a principal use established on the same lot, which accessory use does not alter said principal use nor serve property other than the lot on which the principal use is located. "Appurtenant use" means the same as accessory use.

ADA. The federal Americans with Disabilities Act of 1990, and any subsequent amendments thereof.

Adjacent. Two or more lots separated only by an alley, street, highway, or recorded easement, or two or more objects that lie near or close to each other.

Adjoining. Two or more lots that share a common boundary line, or two or more objects that are in contact with each other. Lots which touch at corners only shall not be deemed adjoining. "Abut," "abutting," and "contiguous" shall mean the same as "adjoining."

Adult. A person who is 18 years of age or older.

Adult business. Any terms used in Chapter 22.150 (Adult Business Permits) that relate to an adult business which are defined in Section 7.92.020 of Title 7 (Business Licenses) of the County Code shall have the meaning set forth in that Section.

Adult residential facility. Any facility that provides 24-hour-a-day non-medical care and supervision to adults, as defined and licensed under the regulations of the State of California.

Aggrieved person. Any person who, in person or through a representative, appeared at a public hearing of the Coastal Commission or the County in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing, informed the Coastal Commission or the County of the nature of his concerns or who for good cause was unable to do either. "Aggrieved person" includes the applicant for a permit and, in the case of an approval of a local coastal program, the County.

Agricultural pest control service. A business that engages in eradicating or controlling any pests liable to be dangerous or detrimental to agriculture. The business also engages in preventing, destroying, repelling, mitigating, or correcting any disorder of plants. This term shall not include a business that engage in termite eradication and/or pest control for homes and commercial structures.

Aircraft. Any manned contrivance used or designed for navigation of, or flight in, the air requiring certification and registration as prescribed by federal statute or regulation. Notwithstanding the foregoing provisions of this definition, manned lighter-than-air balloons and ultralight vehicles as defined in the regulations of the Federal

Aviation Administration (14 C.F.R. Part 103), whether or not certificated by the Federal Aviation Administration, shall not be considered to be "aircraft."

Airport. This term shall have the same meaning as set forth in Section 21013 (State Aeronautics Act) of the California Public Utilities Code.

Alcoholic Beverage Sales. The following terms are defined solely for Section 22.140.030 (Alcoholic Beverage Sales):

Fresh produce. Any edible portion of a fresh fruit or vegetable, whether offered for sale whole or pre-sliced.

General purpose retailer. A retail establishment, such as a big box store, supermarket, grocery store, drug store, or convenience store which sells alcoholic beverages and food products.

Whole grains. Any food from either:

1. A single ingredient product of the seed or fruits of various food plants, such as brown rice, whole oats, quinoa, or barley; or

2. A pre-packaged grain product, such as whole wheat bread or whole wheat crackers, in which the word "whole" appears first in the ingredients list of the product.

Alley. A public or private right-of-way less than 40 feet wide that provides vehicular access to the side or rear of properties abutting a street or highway.

Amateur Radio Antennas. The following terms are defined solely for Section 22.140.040 (Amateur Radio Antennas):

Amateur radio antenna. Any antenna, including a whip antenna, which is used for transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communications Commission.

Antenna structure. An antenna and its supporting mast or tower, if any.

Mast. A pole of wood or metal, or a tower fabricated of metal, used to support an amateur radio antenna and maintain it at the proper elevation.

Whip antenna. An antenna consisting of a single, slender, rod-like element, which is supported only at or near its base.

Ambulance emergency services facility. A facility operated by a non-public agency where ambulances are located and dispatched for responding to emergency calls received from public agencies. Such a facility may operate 24 hours a day and may include sleeping facilities, a locker room, restrooms with showers, and a lunchroom. Ambulances shall not be washed or maintained at any such facility. For the definition of ambulance emergency services facility, "ambulance" shall be as defined in Section 7.16.010.B of Title 7 (Business Licenses) of the County Code and "public agency" shall be as defined in Section 7.02.280 of Title 7 (Business Licenses) of the County Code.

Ambulance services facility. A facility operated by a non-public agency where ambulances or ambulettes are located and dispatched for the purpose of responding to emergency and non-emergency calls from public agencies or any other individuals or entities. Such a facility may operate 24 hours a day and may include sleeping facilities, a locker room, restrooms with showers, and a lunchroom. Ambulances and ambulettes may be washed and maintained at any such facility. For the definition of ambulance services facility, "ambulance" shall be as defined in Section 7.16.010.B of Title 7 (Business Licenses) of the County Code; "ambulette" shall be as defined in Section 7.17.010.A of Title 7 (Business Licenses) of the County Code; and "public agency" shall be as defined in Section 7.02.280 of Title 7 (Business Licenses) of the County Code.

Amphitheater. An unroofed or partially enclosed building or structure used for public assembly and/or entertainment, such as sporting events, theatrical performances, concerts and recitals, circuses, stock shows, and conventions. This term includes stadium, sports arena, circus, convention, and outdoor theater. This term shall not include an entertainment park or its accessory building or structures.

Aquaculture. A form of agriculture that involves the controlled growing and harvesting of fish, shellfish, and/or plants in marine, brackish, and/or fresh water. Aquaculture products are agricultural products, and aquaculture facilities and land uses

shall be treated as agricultural facilities and land uses in all planning and permit-issuing decisions governed by this Title 22.

Arcade, game. Any premises where five or more games of skill or amusement devices are offered. Games of skill and amusement devices include pinball machines, electric or video game machines, contests, devices, pool tables, and other tables, boards, or other amusement devices. Operation of these games or devices may require depositing of any coin, token, plate, disc, slug, card, or key into any slot or receptacle, or by the payment of a fee. This term includes penny arcade.

Arcade, movie. This term shall have the same meaning as in Chapter 7.64 (Picture Arcades) of Title 7 of the County Code. This term shall not include a "theater" or a motion picture theater, as defined in Chapter 7.82 (Theaters) of Title 7 of the County Code.

Area of special flood hazard. The land within a flood plain, as identified by the Flood Insurance Rate Map (FIRM) of Los Angeles County, subject to a one percent or greater chance of flooding in any given year.

Assessor. References to Assessor shall mean the County Office of the Assessor, unless otherwise specified.

Automobile dismantling yard. Any premises used for the dismantling or wrecking of motor vehicles and trailers required to be registered under the California Vehicle Code, including the buying, selling, or dealing in such vehicles or vehicle parts or component materials. It also includes the storage, sale, or dumping of dismantled, partially dismantled or wrecked inoperative vehicles and trailers. Automobile dismantling shall not include the incidental storage of inoperative or disabled vehicles in connection with the legal operation of an automobile repair garage or automobile body and fender repair shop.

Automobile impound yard. Any premises used for the temporary storage of vehicles which have been legally removed or impounded at the direction of a peace officer or by judicial order from public or private property as prescribed by law.

Automobile service station. Any premises where gasoline, other petroleum products, and other vehicle fuel are sold or where light maintenance activities such as engine tune-ups, oil changes, and other lubrication, minor repairs, and carburetor cleaning are conducted. Automobile service stations shall not include premises where heavy automobile maintenance activities, such as engine overhauls, automobile painting, or body and fender work are conducted.

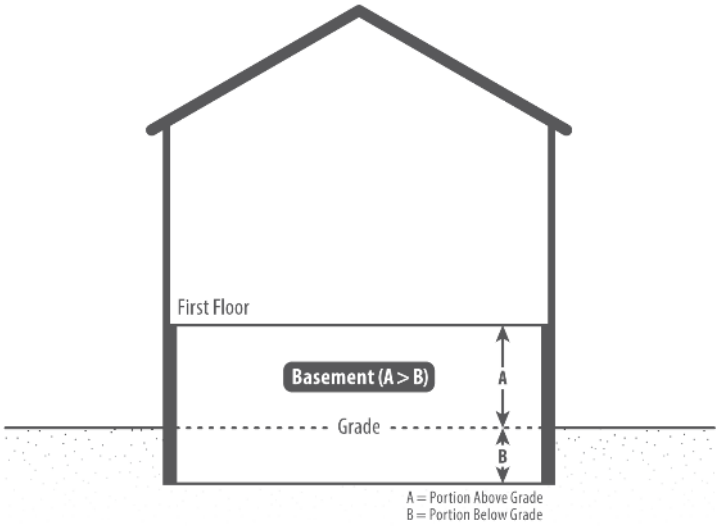
22.14.020 B.

Backfill. Earth, overburden, mine waste, or imported material used to replace material removed during mining operations.

Bar or cocktail lounge. Any premises where alcoholic beverages are sold for on-site consumption and is not accessory to a restaurant. This term includes tavern.

Basement. The portion of a building between floor and ceiling, that is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling. For example, see Figure 22.14.020-A, below.

FIGURE 22.14.020-A: BASEMENT



Bench. A level area that interrupts a slope, with the intent to hold or limit rock falls, to provide working surfaces or access, and to control erosion.

Bicycle parking.

Bicycle parking space. A permanently maintained bicycle rack or other similar device which is designed for the secure storage of a standard size bicycle.

Bicycle rack. A fixture on which one or more bicycles can be secured.

Long-term bicycle parking. Bicycle parking intended for a period of two hours or longer, appropriate for residents, employees, transit users, and visitors to hotels in the nearby areas.

Short-term bicycle parking. Bicycle parking intended for a period of two hours or less, appropriate for persons making short visits to commercial establishments such as grocery and convenience stores, restaurants, coffee shops, bars and clubs, and offices such as medical, dental, and post offices.

Boarding house. As defined in Section 7.50.010 of Title 7 (Business Licenses) of the County Code, a lodging house or other facility maintained, advertised or held out to the public as a place where sleeping or rooming accommodations are available, with or without meals. This term includes "rooming house" and "fraternity and sorority houses."

Body piercing. The creation of an opening in the human body for inserting jewelry or other decoration. This term includes, but is not limited to, the piercing of an ear, lip, tongue, nose, or eyebrow. This term does not include piercing an ear with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear. Nothing in this definition shall be deemed to restrict the activities of any licensed physician or surgeon.

Body piercing parlor. Any place of business where body piercing occurs.

Bookstore. Any premises which has a substantial or significant portion of its stock in trade books, magazines, periodicals, pamphlets, or newspapers.

Borrow pit. Any place on a lot where dirt, soil, clay, decomposed granite, or other similar material is removed by excavation or otherwise for any purpose other than surface mining operations, or a grading project with off-site transport.

Building. A structure that has a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals, belongings, or property.

Building frontage. The exterior building wall of a ground floor business establishment on the side of the building that fronts or is oriented towards a public street, highway, or parkway. "Building frontage" shall be measured continuously along the building wall for the entire length of the business establishment, including any portion not parallel to the remainder of the wall.

Building or structure, nonconforming due to standards. Any primary or accessory building or structure that was lawfully established and in compliance with all applicable ordinances and laws at the time the ordinance codified in this title or any amendment thereto became effective, but which, due to the application of Title 22 or any amendment thereto, no longer complies with all the applicable standards of development in the zone in which it is located. This term does not include a building or structure located in the Coastal Zone which is consistent with the provisions of this Title 22 with the exception of obtaining a Coastal Development Permit.

Building or structure, nonconforming due to use. Any primary or accessory building or structure that was lawfully established and in compliance with all applicable ordinances and laws at the time the ordinance codified in Title 22 or any amendment thereto became effective, but which, due to the application of this Title 22 or any amendment thereto, is designed for a use not listed as a principal, accessory, or temporary use in the zone in which it is located. This term shall also include buildings or structures designed for uses reclassified from one permit or review to a more restrictive permit or review. This term does not include a building or structure located in the Coastal Zone which is consistent with the provisions of this Title 22 with the exception of obtaining a Coastal Development Permit.

22.14.030 C.

Campground. A lot that is designed or used for tent camping including picnic areas, but excludes any structures intended for permanent human occupancy.

Cannabis.

Cannabis. All parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, or any other strain or varietal of the genus Cannabis that

may exist or hereafter be discovered or developed that has psychoactive or medicinal properties, whether growing or already harvested, including the seeds thereof. "Cannabis" also means marijuana as defined by Section 11018 of the California Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972. "Cannabis" does not mean "industrial hemp" as defined by Section 81000 of the California Food and Agricultural Code or Section 11018.5 of the California Health and Safety Code. For the purpose of this Title 22, cannabis is not a crop.

Cannabis activity. This term means and includes cultivation, manufacturing, processing, storing, testing, labeling, distribution, selling, giving away, or providing medical and non-medical cannabis, including actions and endeavors undertaken by three or more persons pursuant to the Medical Marijuana Program Act.

Cannabis business. This term means and includes cultivation, manufacturing, processing, storing, testing, labeling, distribution, selling, giving away, or providing medical and non-medical cannabis, for commercial purposes.

Cannabis cultivation. The planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

Cannabis distribution. The procurement, sale, and transport of cannabis and cannabis products between cannabis entities.

Cannabis manufacturing. The compounding, blending, processing, extracting, infusing, or otherwise making or preparing a cannabis product.

Cannabis products. Cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and may contain other ingredients.

Cannabis testing. A laboratory facility or entity that offers or performs tests of cannabis or cannabis products.

Marijuana. See "Cannabis."

Medical cannabis. Cannabis and any cannabis product, including but not limited to, flowers, buds, oils, tinctures, concentrates, extractions, and edibles intended

to be used by medical cannabis patients in California pursuant to the Compassionate Use Act of 1996 (Proposition 215), pursuant to Section 11362.5 of the California Health and Safety Code. Medical cannabis does not include industrial hemp as defined by Section 81000 of the California Food and Agricultural Code or Section 11018.5 of the California Health and Safety Code.

Medical marijuana. See "Medical cannabis."

Non-medical cannabis. Cannabis and any cannabis product, including but not limited to, flowers, buds, oils, tinctures, concentrates, extractions, and edibles intended to be sold for use by adults 21 years or older, pursuant to the Medical and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA).

Personal cannabis cultivation. The planting, growing, harvesting, drying, curing, grading, or trimming of cannabis, done or performed by a person for personal, non-commercial purposes, pursuant to MAUCRSA.

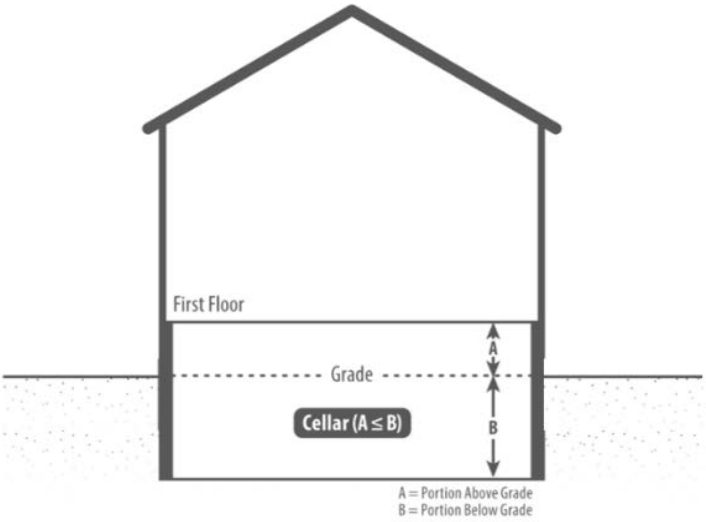
Caretaker residence. A dwelling unit for a person residing on the premises of an employer and who is receiving meaningful compensation to assume the primary responsibility for the necessary repair, maintenance, supervision, or security of the real or personal property of the employer which is located on the same or contiguous lots.

Cargo shipping container. A reusable transport and storage container designed to be carried on semi-truck trailers, container ships, and freight trains.

CDC. References to Community Development Commission of the County of Los Angeles, unless otherwise specified.

Cellar. The portion of a building between floor and ceiling which is wholly or partly below grade but so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. For example, see Figure 22.14.030-A, below.

FIGURE 22.14.030-A: CELLAR



Cemetery. A place for the permanent interment of dead human bodies or the cremated remains thereof, including a crematory. This term may include "burial park" for earth interments, "mausoleum" for vault or crypt interments, "columbarium" for cinerary interments or a combination of these uses.

Centerline. A line designated by the Director of Public Works for any proposed or dedicated public way which, in whole or in part, is included in any such highway. Such centerlines are shown on the County Surveyor's Maps or County Surveyor's Field Maps on file with Public Works. Where two or more centerlines are shown on any map in this series of maps, the one labeled "proposed centerline" is deemed the centerline of the highway.

CEQA. The California Environmental Quality Act, commencing with Section 21000 of the California Public Resources Code.

Chapter. A Chapter within Title 22 unless some other ordinance or statute is mentioned.

Child. A person under 18 years old.

Child care center. A facility other than a large family child care home or a small family child care home in which less than 24-hour-per-day non-medical care and

supervision is provided for children in a group setting as defined and licensed under Section 1596.750 of the California Health and Safety Code.

Coastal Act. The California Coastal Act of 1976, commencing with Section 30000 of the California Public Resources Code.

Coastal Commission. The California Coastal Commission created by and operating under the Coastal Act of 1976.

Coastal development permit. A permit for any development within the Coastal Zone that is required pursuant to Section 22.56.2270 (Established – Purpose) through Section 22.56.2550 (Enforcement).

Coastal zone. That portion in the County of Los Angeles of the land, offshore islands, and water area of the State of California as shown on the detailed coastal maps prepared by the California Coastal Commission pursuant to Chapters 2 and 2.5 of the Coastal Act of 1976, as amended.

Coastal-dependent use. Any use which requires a site on, or adjacent to, the sea to be able to function at all.

Coastal-related use. Any use that is dependent on a coastal-dependent development or use.

Commercial parking lot or building. A lot, building, area, or structure established or operated as a business providing off-street parking for a fee or charge.

Commission. The Regional Planning Commission of the County of Los Angeles.

Communication equipment building. A building that houses operating electrical and mechanical equipment necessary for conducting a public utility communications business, with or without personnel.

Community garden. A garden for multiple users established on a single or multiple plots of land for the cultivation of fruits, vegetables, plants, flowers, and/or herbs for the collective benefit of its users. All accessory storage structures for materials and equipment for the community garden shall be completely enclosed, and shall be located no less than six feet from any habitable structure. The sale of products

on-site at a community garden is prohibited, unless otherwise specifically permitted in the zone.

Condition of use. A development standard determined to be necessary to permit harmonious classification of a use as listed in a zone, and therefore, a prerequisite, to place, or for application to place, such use as classified. A condition of use shall be subject to the provisions of Section 22.158.060 (Conditions of Approval), but shall be deemed a mandatory requirement, except if modified in compliance with this Title 22.

Conditional use. Uses which because of characteristics peculiar to them, or because of size, technological processes, or types of equipment, or because of their location with reference to surroundings, street or highway width, traffic generation, or other demands on public services, require discretionary consideration relative to placement at specific locations in the zones where classified to ensure proper integration with other existing or permitted uses in the same zones.

Cool pavement. As defined in Section 202 of the California Green Building Standards Code, this term includes, but is not limited to, high albedo pavements and coatings, vegetative surfaces, porous or pervious pavements that allow water infiltration, and pavements shaded by trees and other sources of shade.

County. The County of Los Angeles.

County Code. The Los Angeles County Code.

Cut slope (face). A bank or slope that has been created by removing material below the pre-existing ground surface.

22.14.040 D.

Dairy. Any place or premises where milk is produced for sale or other distribution from three or more lactating cows or seven or more lactating goats.

Day care. A facility licensed by the California Department of Social Services that provides non-medical care and supervision of adults or children for periods of less than 24 hours.

Adult day care center. As defined by Section 1502(a)(2) of the California Health and Safety Code, a licensed facility that provides non-medical care and

supervision for adult clients on less than a 24-hour basis. This term includes "adult day program" and "respite care."

Child day care center. As defined by Section 1596.76 of the California Health and Safety Code, a licensed child day care facility other than a family child care home, that provides non-medical care and supervision for children on less than a 24-hour basis. This term includes "infant center," "preschool," "extended day care facility" and "school-age child care center."

Large family child care home. A home that regularly provides non-medical care, protection, and supervision for nine to 14 children in the provider's own home, for periods of less than 24 hours per day as defined and licensed under the regulations of the State of California.

Small family child care home. A home that regularly provides non-medical care, protection, and supervision for eight or fewer children in the provider's own home for periods of less than 24 hours per day, as defined and licensed under the regulations of the State of California.

Decommissioning. The discontinuance of a specific use; the removal, including but not limited to safe storage, disposal, or recycling, of all structures, equipment, footings, fencing, and any other on-site or off-site components associated therewith; and site restoration.

Density. The number of dwelling units per unit of land area.

Density bonus. A density increase over the otherwise maximum allowable residential density provided in this Title 22. The allowable density to which the bonus may be applied shall be consistent with both the General Plan category and the zone classification describing the affected property.

Density Bonuses and Affordable Housing Incentives. The following terms are defined solely for Chapter 22.166 (Housing Permits) and Chapter 22.120 (Density Bonuses and Affordable Housing Incentives):

Affordable housing cost. The amount set forth in Section 50052.5 of the California Health and Safety Code.

Affordable rent. The amount set forth in Section 50053 of the California Health and Safety Code.

Child care facility. See "child care center."

Common interest development. A community apartment project, condominium project, planned development, or stock cooperative, as defined in Section 1351(c) of the California Civil Code.

Housing development. One or more groups of projects for residential units constructed in the planned development of the County, including a subdivision or a common interest development approved by the County and consists of residential units or unimproved residential lots, either a project to substantially rehabilitate and convert an existing commercial building to residential use, or the substantial rehabilitation of an existing multi-family dwelling, as defined in Section 65863.4(d) of the California Government Code, where the result of rehabilitation would be a net increase in available residential units.

Housing set-aside. Housing reserved for very low, lower, or moderate income households, and for senior citizens, as described in Section 22.120.040 (Density Bonus), unless otherwise specified.

Incentive. A reduction in a development standard or a modification of the zoning code, or other regulatory incentive or concession, as specified in Section 65915(k) of the California Government Code or any successor statute, proposed by the developer or County that results in identifiable, financially sufficient, and actual cost reductions.

Major bus route. A bus route with a frequency of service interval of 15 minutes or less during the morning or afternoon peak commute periods.

Mass transit station. A transit stop for a fixed rail system, or a major bus center. A transit station means one that is currently in use or whose location is proposed and for which a full funding contract has been signed by all funding partners or one for which a resolution to fund a preferred alignment has been adopted by the Los Angeles County Metropolitan Transportation Authority or its successor agency.

Qualified project. A housing development that meets the requirements entitling the project to a density bonus, as described in Section 65915 of the California Government Code and Chapter 22.120 (Density Bonuses and Affordable Housing Incentives) of this Title 22.

Senior citizen. An individual who is at least 62 years of age, except that for senior citizen housing developments, a threshold of 55 years of age may be used, provided all applicable federal, State, and County regulations are met.

Senior citizen housing development. A housing development as defined in Section 51.3(b)(4) of the California Civil Code.

Waiver or modifications of development standards. A waiver or modification of site or construction conditions that apply to a residential development pursuant to any ordinance, general plan element, specific plan, charter amendment, or other local condition, law, policy, resolution, or regulation.

Density-controlled development. The concentration of dwelling units on one or more portions of a lot resulting in the remainder of the lot being free of buildings or structures, as opposed to development spread throughout the entire lot. This type of development shall be designed by computing density on a project level rather than a lot-by-lot basis, and by the use of smaller lots than are customarily permitted in the zone in which the development is proposed, while retaining the remaining portion of such lot as permanent open space.

Department. References to the Department are to the Department of Regional Planning, unless otherwise specified.

Development. In the Coastal Zone, development means the placement or erection of any solid material or structure on land, in or under water; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivisions pursuant to the Subdivision Map Act (commencing with Section 66410 of the California Government Code), any other division of land, including lot splits, except where the land division is

brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes or kelp harvesting. For this term "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Director. The Director of the Department of Regional Planning of the County of Los Angeles, unless otherwise specified.

Disability. A condition which renders an individual unable to engage in normal activities by reason of a medically determinable physical or mental impairment which can be expected to last for a continuous period for not less than 12 months.

Disability rehabilitation and training center. A facility that provides specialized services for a person with a disability such as, but not limited to, developmental, orthopedic, or sensory motor disability, or for the social, personal, or economic habilitation or rehabilitation of a person with such disability. Such services may include, but are not limited to: day and residential care facilities, personal, psychological, and socio-legal counseling, physical and special education, employment, job placement, speech therapy, vocational training, and transportation.

Domestic animal. An animal which is commonly maintained in residence with humans.

Domestic violence shelter. A facility where specialized services are provided, including, but not limited to, the temporary provision of housing and food to victims of domestic violence, as provided in Division 9, Part 6, Chapter 5 of the California Welfare and Institutions Code.

Dripline. A vertical line extending from the outermost portion of a tree canopy to the ground.

Dry cleaning establishment. Any premises equipped to perform the service of dry cleaning as defined in the California Fire Code. This term may include a dry cleaning agency, a retail or wholesale dry cleaning plant, or self-service or coin-operated dry cleaning.

Retail dry cleaning plant. A plant where gross sales consist of at least 51 percent of direct sales to persons other than licensed dry cleaners.

Wholesale dry cleaning plant. A plant where gross sales consist of at least 51 percent of sales to licensed dry cleaners.

Dwelling unit. One or more habitable rooms in a building, or portion thereof, designed or intended to be used or used for occupancy by one family for living and sleeping quarters and containing only one kitchen. This term includes:

1. One or more habitable rooms within a mobilehome which are designed to be occupied by one family with facilities for living, sleeping, cooking, eating, and sanitation; and

2. Any habitable room used for sleeping accommodations which contains a bar sink or gas, electrical, or water outlets designed, used for, or intended to be used for cooking facilities, except a guest room or suite in a hotel specifically approved by a Conditional Use Permit (Chapter 22.158).

22.14.050 E.

Earth station. Structures comprised of one or more large parabolic reflectors which may be mounted on a circular control building and all accessory equipment necessary for the receiving, amplifying, or transmitting of microwave signals in connection with a public utility communication route or system between such facilities and satellites in space.

Electric distribution substation. A facility that contains an assembly of equipment that is part of a system for the distribution of electric power, where electric energy is received at a sub-transmission voltage and transformed to a lower voltage for distribution for general consumer use.

Electric transmission substation. A facility that contains an assembly of equipment that is part of a system for the transmission of electric power where electric energy is received at a very high voltage from its generating source. The facility then transforms the energy to a lower sub-transmission voltage to supply or distribute electric power to large-scale users, to interchange connections with other power producing agencies, or to supply such power to electric distribution substations for transformation to a lower voltage for distribution to small-scale users.

Electric vehicle. As defined in Section 202 of the California Green Building Standards Code, an automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like primarily powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current. Plug-in hybrid electric vehicles (PHEV) are "electric vehicles." Off-road, self-propelled electric vehicles, such as industrial trucks, hoists, lifts, transports, golf carts, airline ground support equipment, tractors boats, and the like, are not "electric vehicles."

Electric vehicle charging space. As defined in Section 202 of the California Green Building Standards Code, a space intended for charging electric vehicles.

Electric vehicle supply equipment. As defined in Section 202 of the California Green Building Standards Code, the conductors, including the ungrounded, grounded, and equipment grounding conductors and the electric vehicle connectors, attachment plugs, and all other fitting devices, power outlets, or apparatus installed specifically for transferring energy between the premise's wiring and the electric vehicle.

Enclosed building. A building that is enclosed on all sides.

Entertainment park. An entertainment or amusement complex developed as a regional tourist attraction and organized around a central theme. This term includes amusement rides and attractions, tours or exhibitions, and all related accessory uses, buildings, and structures designed and operated for patron participation and pleasure.

Environmental document. An environmental impact report, mitigated negative declaration, or a negative declaration prepared pursuant to CEQA.

Environmental Review Board (ERB). The ERB is a group, appointed by the Director, of qualified professionals with technical expertise in resource management. The ERB reviews development proposals within the Santa Monica Mountains Coastal Zone to ensure their consistency with the Santa Monica Mountains Local Coastal Program's provisions regarding biological resources.

Escort bureau. Any business or agency which, for a fee, commission, hire, reward or profit, furnishes or offers to furnish escorts who consort with others about any place of public resort or within any private quarters.

Executive Director. References to Executive Director shall mean the Executive Director of the California Coastal Commission.

Explosive and explosives. Any substance or combination of substances that is commonly used for detonation and which, upon exposure to any external force or condition, is capable of a relatively instantaneous release of gas and heat. These terms shall include, but shall not necessarily be limited to, all of the following:

1. Substances determined to be Class A and Class B explosives, as classified by the United States Department of Transportation.

2. Nitro carbo nitrate substances (blasting agent), as classified by the United States Department of Transportation.

3. Any material designated as an explosive by California Department of Forestry and Fire Protection (CAL FIRE).

4. Certain Class C explosives, as designated by the United States Department of Transportation, when listed in regulations adopted by CAL FIRE.

This term shall not include the following:

1. Small arms ammunition of .75 caliber or less when designated as a Class C explosive by the United States Department of Transportation; and

2. Fireworks regulated under Part 2 (Fireworks and Pyrotechnic Devices) of Division 11 of the California Health and Safety Code.

Expressway. A highway or road shown on the Highway Plan, designed primarily for through traffic with full or partial control of access. Expressways are divided and between 120 feet and 180 feet in width, which can accommodate six to ten traffic lanes.

22.14.060 F.

Family. One or more persons living together as a single housekeeping unit in a dwelling unit. This term shall not include institutional group living situations such as dormitories, fraternities, sororities, monasteries, convents, or residential care facilities, nor does it include such commercial group living arrangements as boarding houses, hotels, or motels. For this term, single housekeeping unit means the functional equivalent of a traditional family, whose members:

1. Are an interactive group of persons jointly occupying a single dwelling unit, including the joint use of and responsibility for common areas;

2. Share household activities and responsibilities such as meals, chores, household maintenance, and expenses; and

3. If the dwelling unit is rented, all adult residents have chosen to jointly occupy the entire premises of the dwelling unit, under a single written lease with joint use and responsibility for the premises, and the makeup of the household occupying the dwelling unit is determined by the residents of the dwelling unit rather than the landlord or property manager.

Farmers' market. A California certified farmers' market, as defined in Section 113742 of the California Health and Safety Code, where producers sell farm products or value-added farm products directly to consumers, which:

1. Is operated by a local government agency, nonprofit organization or similar community group, or one or more certified producers holding a certified producer certificate from the Agricultural Commissioner;

2. Is approved by the Agricultural Commissioner to operate at the location at issue;

3. Is open to the public; and

4. Has a designated farmers' market manager.

Farmers' market manager. A person who is responsible for the operation of a farmers' market.

Farmworker Housing. The following terms are defined solely for Section 22.140.230 (Farmworker Housing):

Farmworker. An agricultural employee as defined in Section 1140.4(b) of the California Labor Code.

Farmworker dwelling unit. A single-family residential unit that accommodates five or six farmworkers at any one time and shall be occupied exclusively by these farmworkers.

Farmworker housing. A housing accommodation developed for and/or provided to a minimum of five farmworkers, and shall consist of any living quarters, dwelling, boarding house, tent, barracks, bunkhouse, maintenance-of-way car, mobilehome, manufactured home, recreational vehicle, travel trailer, or other housing accommodation maintained in one or more buildings and on one or more sites. Farmworker housing shall consist of either:

1. A farmworker dwelling unit; or
2. A farmworker housing complex.

Farmworker housing complex. Farmworker housing other than a farmworker dwelling unit that:

1. Contains a maximum of 36 beds if the housing consists of any group living quarters, such as barracks or a bunkhouse, and is occupied exclusively by farmworkers; or
2. Contains a maximum of 12 residential units, occupied exclusively by farmworkers and their households, if the housing does not consist of any group living quarters.

Fill slope. A bank or slope created by placing material on top of the existing ground surface.

Foster family home. A residential facility providing 24-hour care for six or fewer foster children which is the residence of the foster parents, including their family, in

whose care the foster children have been placed, as defined and licensed under the regulations of the County.

Freeway. A highway where the owners of abutting lands have limited, restricted, or no right or easement of access to or from their abutting lands. Such highway is identified to be in conformance with the California Streets and Highways Code. This term includes principal roadways, interchange roadways connecting one freeway with another, and entrance and exit ramps connecting the freeway with other highways, but does not include frontage roadways.

22.14.070 G.

General Plan. The General Plan of the County of Los Angeles, including all adopted elements and area, community, neighborhood, specific, and local coastal plans.

Grade. The approved grade of a lot at the time such lot is created, except when excavation or fill is proposed. When excavation occurs after the lot is created, the grade of the excavated area shall be the grade after the excavation. Where fill material has been placed on a lot after such lot is created, grade shall be the grade prior to the placement of the fill or as determined by the Director. Grade within the perimeter of a structure shall be considered to transition uniformly from the lowest to the highest points of grade at the perimeter of the structure.

Grading project, off-site transport. Any excavation or fill, or a combination of both, necessary and incidental to impending building construction, or other lawful development which will require the removal from, or importation to, a lot of more than 10,000 cubic yards of dirt, soil, sand, gravel, rock, clay, decomposed granite, or other minerals along a transport route having more than 20 occupied dwelling units (in any combination of single-family or two-family residences, apartment houses, or mobilehomes), a hospital, or an accredited public or private school located within a parallel corridor 300 feet wide on each side of and measured from the edge of the existing right-of-way for a distance equal to the extent of such route, or for a distance of 2,640 feet, whichever distance is less. "Impending building construction or

development" as used here shall mean the initiation of such construction or development within one year.

Grading project, on-site. Any excavation or fill, or a combination of both, requiring a grading permit by Title 26 (Building Code) of the County Code, which will involve a volume of earth greater than 100,000 cubic yards, whether filed as one permit or the cumulative total of more than one permit on the same lot within a one-year period. An on-site grading project shall not include any excavation or fill, or a combination of both, within the boundaries of any cemetery legally established or as depicted in a valid Cemetery Permit approved pursuant to Chapter 22.154 (Cemetery Permits).

Ground-mounted utility-scale solar energy facility. A device or devices affixed to the ground and any accessory equipment or structures that converts solar energy into electrical or thermal energy primarily for off-site use. Such facility shall not use concentrated solar thermal collectors that use lenses or mirrors to focus or reflect a large area of sunlight onto a small area.

Group home for children. A facility that provides 24-hours-a-day, non-medical care and supervision to children in a structured environment, with services provided at least in part by staff employed by the licensee, as defined and licensed under the regulations of the State of California. For the purpose of this term, a licensee means the adult, firm, partnership, association, corporation, county, city, or other public agency having the authority and responsibility for the operation of a licensed community care facility.

Guest house. Living quarters within a detached accessory building located on the same premises as the main single family dwelling on the lot, for use by temporary guests or persons employed on the premises, such as domestic help. Such quarters shall have no plumbing facilities of any kind except for heating and air conditioning facilities, and a bathroom. This term includes "detached living quarters."

Guest ranch. A property operated as a ranch with facilities for overnight accommodation, including guest rooms for rent, eating facilities, meeting rooms, and outdoor recreational facilities such as horseback riding, swimming, or hiking.

Guest room. A room that is designed, used, or intended to be used, as a temporary sleeping accommodation for any person, and which does not contain a kitchen, except as otherwise specified by this Title 22.

Guest suite. A combination of two or more guest rooms.

22.14.080 H.

Habitable room. An enclosing subdivision in a building commonly used for sleeping, living, cooking, or dining purposes, excluding closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage space, cellars, utility rooms, garages, carports, sheds, agricultural accessory structures, and similar spaces. For applying parking space requirements:

1. If any of the above-mentioned rooms or spaces equals or exceeds 90 square feet of floor area, and could be used for living or sleeping purposes, such room or space shall be considered a habitable room; or

2. If any room or space equals or exceeds 150 square feet of floor area and is designed to be capable of being used for both cooking and living, living and sleeping, or cooking and sleeping purposes, such room or space shall be considered as two habitable rooms. A bachelor or efficiency apartment is exempt from this calculation. Floor area shall be measured as clear floor space, exclusive of fixed or built-in cabinets or appliances.

Health retreat. Any use providing a preventive and rehabilitative health care program on a live-in basis and offering dietary education and control as well as physical therapy, including gymnasium and other exercise equipment, solariums, yoga, swimming and outdoor recreational activities. This term shall not include a hospital, medical office or clinic, or nudist camp.

Hearing Examiner. A person who is an employee of, or under contract to, the Department who has been appointed by the Director and confirmed by the Board to

perform the duties of Hearing Examiner described by this Title 22 relating to conducting public hearings, receiving public testimony, and making recommendations to the Commission.

Hearing Officer. An employee of the Department who is appointed by the Director and confirmed by the Board to perform the duties described by this Title 22 relating to conducting public hearings and making determinations on land use permits and variances.

Heat island effect. As defined in Section 202 of the California Green Building Standards Code. "Heat island effect" and "urban heat island effect" refer to measurable elevated temperatures in developed areas, as compared to more rural surroundings. Temperatures in developed areas are affected by absorption of heat by hardscapes and radiation of heat into surrounding areas, resulting in local climate changes. Heat islands are influenced by geographic location and by local weather patterns, with effects changing on a daily or seasonal basis.

Heavy equipment training school. Any premises for training operators in the use of earth-moving and construction equipment, including motor graders, bulldozers, rollers, earth-movers, cable and hydraulic shovels, front loaders, drilling equipment, pile drivers, standing and truck cranes, forklifts, welders, and similar equipment.

Height of building or structure. The plumb line distance from the point being measured to the grade.

Heliport. A site used, designed, or intended to be used for the landing and takeoff of helicopters, for embarking and disembarking passengers and cargo, with safety and navigation markings and facilities as required by the Federal Aviation Administration and California Department of Transportation, Division of Aeronautics. This term includes accessory facilities for passengers, cargo, and storage; and maintenance of helicopters.

Helistop. A site used, designed, or intended to be used for the landing and takeoff of helicopters, for embarking and disembarking passengers and cargo, with safety and navigation markings, and facilities as required by the Federal Aviation

Administration and California Department of Transportation, Division of Aeronautics. This term shall not include any accessory facilities except for passenger shelters.

Highway. A road identified on the Highway Plan as an expressway, a major highway, a secondary highway, a limited secondary highway, or a parkway.

Highway line. The right-of-way line established for an alley, street, or highway by this Title 22. Such line shares the same boundary with the lot line on a property adjoining a fully widened alley, street, or highway, with the exception of a limited secondary highway or a street that uses an alternative cross-section as described in Sections 21.24.065 and 21.24.090 of Title 21 (Subdivisions) of the County Code.

Hillside Management Areas (HMAs). The following terms are defined solely for Chapter 22.104 (Hillside Management Areas):

Development. On-site or off-site activity as follows:

1. Construction or expansion of any structure or impervious surface, such as hardscape;
2. Construction or expansion of any street, highway, or other access road;
3. Construction or expansion of any infrastructure, such as water and sewerage lines, drainage facilities, telephone lines, and electrical power transmission and distribution lines;
4. Grading, such as cut, fill, or combination thereof, including off-site grading;
5. Removal of any vegetation, including fuel modification;
6. A subdivision; or
7. A lot line adjustment.

Hillside constraints. Topographic features such as slopes, hilltops, and ridgelines that may contain hazards and, when developed, may cause visible alteration of the topographic feature and its views.

Hillside Design Guidelines. The provisions set forth as an appendix to Chapter 22.104 and as maintained in the office of the Director, that provides guidance for development in HMAs.

Improved open space.

1. Parks, playgrounds, golf courses, and other recreational facilities;
2. Riding, hiking, and mountain biking trails;
3. Pedestrian paseos;
4. Community gardens;
5. Vegetated swales;
6. Water quality basins and debris basins, provided that such basins are not concrete; or
7. Any open space that is subject to fuel modification.

Natural open space. Any open space that will remain in an undisturbed natural state or any area that will be restored to a natural state to the satisfaction of the Director.

Natural slope. Any slope created through or by natural erosion processes; any slope not previously altered by anthropogenic activities such as cut slopes due to grading, fill slopes constructed with native or import materials, and excavation; or, any slope not created as part of a development.

Rural land use designation. Any designation in the General Plan or in any Area, Community, Neighborhood, or Specific Plan, such as Open Space or National Forest land use designation, that allows residential uses at a maximum density of one dwelling unit per gross acre or allows rural or commercial uses.

Rural transition site. A project site where at least 51 percent of the project boundary adjoins land with a rural land use designation.

Sensitive hillside design techniques. Any site planning, engineering, landscaping, and/or architectural design techniques that, individually or combined, minimize horizontal and vertical cut or fill hillside disturbance, minimize the total volume

of grading, minimize impact to scenic hillside views, and are compatible with or enhance community character. Such techniques may be found in the Hillside Design Guidelines.

Historic Preservation. The following terms are defined solely for Chapter 22.124 (Historic Preservation):

Alter and alteration. Any physical modification or change, or the act of bringing about such physical modification or change, to the exterior of a structure, site, object, tree, landscape, or natural land feature, or to the interior space of a structure, including, but not limited to, the construction of a new structure or an addition to an existing structure, but excluding maintenance and repairs.

Certified Local Government Program. The Certified Local Government Program established by the National Historic Preservation Act, as amended in 1980, and administered in partnership by local governments, the California Office of Historic Preservation, and the National Park Service.

Character-defining feature. The materials, forms, location, spatial configurations, uses, and cultural associations or meanings that contribute to the historic character of an historic resource that must be retained to preserve that character.

Contributing property. A property within an historic district that has been specified in the designation of the historic district as having characteristics and features that relate to the historic context and historic significance of the historic district.

Demolish or demolition. The complete destruction or removal of a structure, object, tree, landscape, or natural feature; the removal of more than 50 percent of the perimeter walls of a structure; the removal of any portion of a street-facing facade; or demolition by neglect.

Demolition by neglect. The intentional or neglectful failure by an owner, lessee, or other person with possession, care, or control of a landmark or property in an historic district to provide maintenance and repair to the landmark or property which results in one or both of the following:

1. The severe deterioration of exterior features of the landmark or property which renders the landmark or property unsafe as defined in Section 102.1 of Title 26 (Building Code) of the County Code.

2. The severe deterioration of the exterior or interior features of the landmark or property, including but not limited to walls, roofs, chimneys, doors, windows, porches, structural or ornamental architectural elements, or foundations, that is likely to result in permanent damage or loss of any character-defining elements or historic features of the landmark or historic district.

Exceptional importance. Exceptional importance as determined under the applicable evaluation criteria and context set forth in "Criteria Consideration G: Properties That Have Achieved Significance within the Last Fifty Years" in the "National Register Bulletin: How to Apply the National Register Criteria for Evaluation" (originally published in 1979, as amended).

Historic district. A contiguous or noncontiguous geographic area containing one or more contributing properties which has been designated as an historic district by the Board pursuant to Chapter 22.124 (Historic Preservation).

Historic resource. A district, structure, site, place, object, tree, landscape, or natural land feature significant in American archeology, architecture, culture, engineering, or history, that is either designated or eligible for designation as an historic landmark, natural landmark, historic district, or comparable designation under federal, State, or County law or regulation.

Landmark. Any property, including any structure, site, place, object, tree, landscape, or natural feature, that is designated as a landmark by the Board pursuant to Chapter 22.124 (Historic Preservation).

Landmarks Commission. The County Historical Landmarks and Records Commission.

Maintenance and repair. Any work to correct or prevent the deterioration, decay of, or damage to a building, structure, or lot, or any part thereof, including replacement in-kind, and which does not involve a change in the existing design,

materials, or exterior paint color.

National Register of Historic Places (also National Register). The official list of the nation's historic places worthy of preservation, which is maintained by the United States Secretary of the Interior under the authority of the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966, as amended.

Object. A tangible thing fixed to real property or any structure thereon, including, but not limited to, a sign, awning, marquee, canopy, mural, statue, fountain, fixed bench, wall, fence, or gate, but excluding a tree, landscape, natural feature, or tangible thing fixed to the interior of a structure.

Owner. Any person, organization, corporation, association, or other entity owning any portion or all of the fee simple interest in a structure, condominium unit, or other real property.

Preserve or preservation. The act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic resource.

Reconstruct or reconstruction. The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving structure, site, place, object, or landscape to replicate its appearance at a specific period of time and in its historic location.

Record owner. The owner of property whose title appears in the public records of the County.

Rehabilitate or rehabilitation. The act or process of making a compatible use for a property through repair, alterations, and the construction of additions, while preserving those portions or features of the property that convey its historical, cultural, or architectural values. "Compatible use" means the property's original historic use or a use that requires minimal change to the property's distinctive materials, features, spaces, and spatial relationships.

Relocate or relocation. The act or process of moving an historic resource from one site to another site, or to a different location on the same site.

Restore or restoration. The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of removing features of the property from other periods in its history and reconstructing its missing features from the restoration period.

The Secretary of the Interior's Standards for Rehabilitation (also Secretary's Standards). The United States Secretary of the Interior's Standards for Rehabilitating Historic Buildings, issued by the United States Department of the Interior, National Park Service (Part 68 of Chapter I of Title 36 of the Code of Federal Regulations) and the publications of the National Park Service, Preservation Assistance Division, Guidelines for Rehabilitating Historic Properties (1992, N.P.S.), and the Secretary of the Interior's Standards for the Treatment of Historic Resources with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (1995, N.P.S.), any amendments or addenda to the foregoing, and any subsequent publication on the Secretary's Standards by the National Park Service.

Work. As used in Chapter 22.124 (Historic Preservation), this term shall be broadly construed to include the widest range of construction activities, including, but not limited to, alteration, demolition, reconstruction, rehabilitation, relocation, and restoration, and activities which modify real property or structures or objects thereon, including but not limited to painting; alterations to, or the addition of roofs, windows, siding, doors, chimneys, porches, parapets, columns, molding, trim, mailboxes, and railings; removal or replacement of signage; the changes to sign copy; and the construction of new structures or objects. "Work" shall not include maintenance and repair.

Historic vehicle collection. The storage and maintenance of one or more vehicles of historic value, consistent with the terms of Section 5004(a) of the California Vehicle Code or special interest vehicles, parts cars, or street rod vehicles, as defined by Section 5051 of the California Vehicle Code, which are collected, restored, or maintained for noncommercial hobby or historical purposes.

Hog ranch. Any premises where three or more weaned hogs are maintained.

Home-based occupation. An accessory use, within a portion of a dwelling unit, of a single business conducted by one or more persons residing in that dwelling unit and up to one employee or volunteer not residing there.

Homeless shelter. A residential facility, other than a community care facility, operated by either a governmental agency or private nonprofit organization, which offers temporary accommodations to the homeless. Such temporary accommodations mean that persons may reside at the shelter for a period not to exceed six months.

Hospital. A facility licensed by the California Departments of Public Health or Health Care Services to provide for the diagnosis, care, and treatment of human illness, including convalescence, and to provide for perinatal care. This term includes "sanitarium," "sanatorium," "convalescent home," "nursing home," and "maternity home."

Hostel. A lodging establishment consisting of guest rooms, dormitories, kitchen, dining room, assembly room, and/or habitable rooms providing supervised overnight accommodations for the temporary use of travelers, under the auspices of a nonprofit organization.

Hotel. A lodging establishment containing six or more guest rooms or suites and offering temporary overnight accommodations for guests with a maximum rental period of 30 days. Access to all guest rooms is from one or more interior walkways.

22.14.090 I.

Idle mine. A type of surface mining operation as defined in Section 2727.1 of the California Public Resources Code.

Income.

Area median income. The current median annual household income for Los Angeles County as estimated yearly by the United States Department of Housing and Urban Development or as published by the California Department of Housing and Community Development.

Low income. An annual income for a person or a family which does not exceed 80 percent of the area median income.

Lower income. An annual income for a household which does not exceed 80 percent of the area median income, as specified by Section.50079.5 of the California Health and Safety Code.

Moderate income. An annual income for a person or a family which does not exceed 120 percent of the area median income.

Very low income. An annual income for a household which does not exceed 50 percent of the area median income, as specified by Section 50105 of the California Health and Safety Code.

Inoperative vehicle. A motor vehicle which cannot be moved under its own power or which cannot lawfully be operated on a public street or highway for any reason other than the lack of current vehicle registration.

22.14.100 J.

Joint live and work unit. A dwelling unit comprised of both living space and work space, where either a residential use or a commercial use can be the principal use. At least one resident of the living space shall be responsible for the commercial activity performed in the work space. The terms "living space" shall mean the area for the residential use, and "work space" shall mean the area for the commercial use.

Junk and salvage. Any old, secondhand, or scrap ferrous and nonferrous metals, paper and paper products (including roofing and tar paper), cloth and clothing, wood and wood products, manufactured rubber products, rope, manufactured plastic products, paint, manufactured clay and porcelain products, trash, and similar materials, and shall include dismantled machinery, equipment, and parts. This term includes the bailing of cardboard boxes, paper, and paper cartons.

Junk and salvage yard. Any premises, establishment, or place of business which is maintained, operated, or used for storing, keeping, buying, selling, or dismantling of junk and salvage.

22.14.110 K.

Kitchen. A room or space used, intended, or designed for cooking or the preparation of food, or that contains a bar sink or gas, electrical, or water outlets used,

intended, or designed for cooking facilities.

22.14.120 L.

Land reclamation project. A project established to restore otherwise unsuitable land to useful purposes through the use of fill materials such as rubbish, waste, soil, or other unwanted materials. This term includes "dump" or "waste disposal facility."

Lateral access. A recorded dedication or easement granting to the public the right of passive recreation and the right to pass and repass over the dedicator's real property, generally parallel to the mean high tide line, up to a defined physical feature or inland point, but allowing the public the right to pass nearer than five feet to any living unit on the property only when no other beach areas are available for public access.

Law Enforcement Facilities Fee. The following terms are defined solely for Section 22.246.070 (Law Enforcement Facilities Fee):

Appropriated. The authorization by the Board to make expenditures and incur obligations for specific purposes.

Capital improvement plan. A plan indicating the approximate location, size, time of availability, and estimates of cost for law enforcement facilities to be financed with law enforcement facilities mitigation fees. A capital improvement plan shall be adopted and annually updated by the Board in accordance with Section 66002 of the California Government Code.

Commercial. Retail, education, hotels/motels, places of religious worship, and other similar buildings.

Industrial. Manufacturing, warehousing, and similar industrial buildings.

Law enforcement facilities. Law enforcement improvements and amenities, the need for which is directly or indirectly generated by a residential, commercial, office, and/or industrial development project, including but not limited to acquiring, through purchase, lease, lease-purchase, installment purchase, or otherwise; improving, constructing, altering, repairing, augmenting, equipping, and furnishing real property, buildings, and other structures, equipment, and materials for law enforcement purposes; and all other auxiliary work which may be required to carry out that work,

such as administrative, engineering, architectural, and legal work performed in connection with establishing, implementing, and monitoring such projects, indirect costs, and other incidental expenses of providing those law enforcement facilities, or all or any combination thereof.

Law enforcement facilities fee zone. One of the three law enforcement facility fee zones, for the unincorporated Santa Clarita, Newhall, and Gorman areas, the boundaries of which are depicted in the "Santa Clarita-North Los Angeles County Law Enforcement Facilities Fee Study, October 29, 2007," on file in the Executive Office of the Board, each of which includes areas which are within the service area of the Sheriff's Department. The law enforcement facilities fee zones are:

Zone 1: Santa Clarita Zone

Zone 2: Newhall Zone

Zone 3: Gorman Zone

Mitigation fee. A monetary exaction other than a tax or special assessment that is collected under the terms of Section 22.246.070 (Law Enforcement Facilities Fee) to provide funds for law enforcement facilities related to a residential, commercial, office, and/or industrial development project.

Multi-family. Attached single-family dwellings, multiple unit apartment buildings, condominiums, and similar multi-family residential buildings.

New development project. Any activity which requires approval by the County resulting in the issuance of grading, building, plumbing, mechanical, or electrical permits, or certificates of occupancy to construct or change the use of a building, or property for residential, commercial, office, and/or industrial use.

Office. General, professional, or medical office building developments.

Single-family. Detached one-family dwelling units, duplexes, condominiums, townhomes, and similar residential uses.

Library Facilities Mitigation Fee. The following terms are defined solely for Section 22.246.060 (Library Facilities Mitigation Fee):

Appropriated. The authorization by the Board to make expenditures and incur obligations for specific purposes.

Capital improvement plan. A plan indicating the approximate location, size, time of availability, and estimates of cost for all library facilities to be financed with library facilities mitigation fees. A capital improvement plan shall be adopted and annually updated by the Board in accordance with Section 66002 of the California Government Code.

Library facilities. Public library improvements and public library services and community amenities, the need for which is directly or indirectly generated by a residential development project, including, but not limited to, acquiring, through purchase, lease, lease-purchase, installment purchase, or otherwise, improving, constructing, altering, repairing, augmenting, equipping, and furnishing real property, buildings, equipment, materials, and other facilities for the conduct of public library services and programs; providing collection development and maintenance, including acquiring books, magazines, newspapers, audio-visual, electronic media, and other informational materials; and all other auxiliary work which may be required to carry out that work, such as administrative, engineering, architectural, and legal work performed in connection with establishing, implementing, and monitoring such projects, indirect costs, and other incidental expenses of providing those library facilities, or all or any combination thereof.

Library planning area. One of seven planning areas, the boundaries of which are depicted in the "Report on Proposed Developer Fee Program for Library Facilities—Prepared by the County of Los Angeles Public Library, October 1998" on file in the Executive Office of the Board, each of which includes related territories in the unincorporated portions of the County of Los Angeles which are within the service area of the Public Library. The seven library planning areas are:

Planning Area 1: Santa Clarita Valley

Planning Area 2: Antelope Valley

Planning Area 3: West San Gabriel Valley

Planning Area 4: East San Gabriel Valley

Planning Area 5: Southeast

Planning Area 6: Southwest

Planning Area 7: Santa Monica Mountains

Mitigation fee. A monetary exaction other than a tax or special assessment that is collected under the terms of Section 22.246.060 (Library Facilties Mitigation Fee) to provide funds for library facilities related to a residential development project.

Residential development project. Any activity which requires approval by the County resulting in the issuance of grading, building, plumbing, mechanical, or electrical permits, or certificates of occupancy to construct or change the use of a building or property for residential use.

Limited secondary highway. A highway identified on the Highway Plan which provides access to low-density settlements, ranches, and recreation areas, with a standard improvement of 64 feet of right-of-way, with two traffic lanes. The right-of-way may be increased to 80 feet for improvements where traffic or drainage conditions warrant.

Live entertainment, accessory. An accessory use in a legally established bar, cocktail lounge, or restaurant with an occupancy load of less than 200 people that provides live performances, such as music, singing, dancing, stand-up comedy, and poetry readings.

Lot. A contiguous quantity of land, owned by or recorded as the property of the same claimant or person, or in the possession of the same claimant or person pursuant to a recorded lease with a term of not less than 20 years, including legally defined real property or a parcel of land established by a recorded map. "Lot" and "parcel of land" may be used synonymously.

Corner lot. A lot situated at the intersection of two or more parkways, highways, or streets, of which parkways, highways, or streets have an angle of

intersection measured within said lot of not more than 135 degrees. For example, see Figure 22.14.120-A, below.

Flag lot. A lot that takes access by a strip of land, to which the owner has fee-simple title, extending from the main portion of the lot to an adjoining parkway, highway, street, or other right-of-way.

Interior lot. A lot other than a corner or flag lot.

Key lot. An interior lot that adjoins the rear lot line of a reversed corner lot.

Reversed corner lot. A corner lot on which a parkway, highway, or street side lot line is substantially a continuation of the front lot line of a lot adjoining the rear lot line of said corner lot. For example, see Figure 22.14.120-B, below.

Through lot. A lot that fronts two parallel or approximately parallel parkways, highways, and/or streets.

FIGURE 22.14.120-A: CORNER LOT

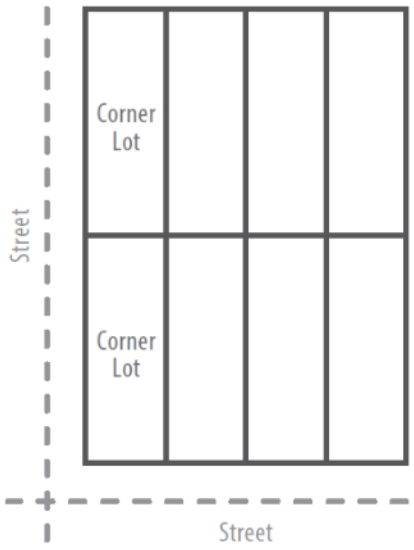
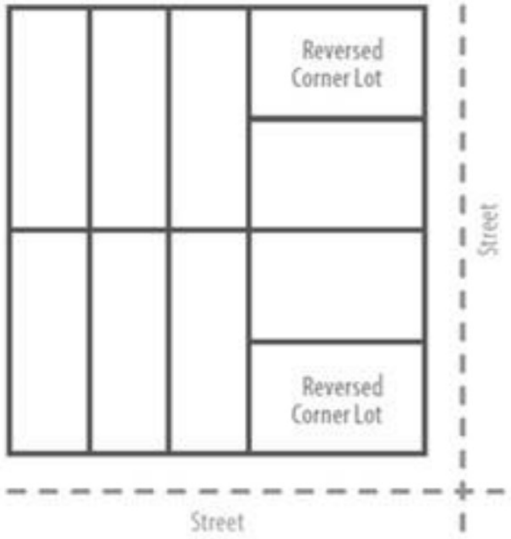


FIGURE 22.14.120-B: REVERSED CORNER LOT



Lot line. A boundary line of a lot. Also see "Property line."

Front lot line. A lot line that separates the front yard from the parkway, highway, or street upon which the yard fronts. In the case of a flag lot where the front yard is oriented toward an adjoining lot, this lot line separates such front yard from such adjoining lot.

Rear lot line. A lot line which is opposite and most distant from the front lot line. For a triangular or gore-shaped lot, the rear lot line shall mean a line 10 feet to the length within the lot which is either parallel to the front lot line or parallel to the chord of a curved front lot line, and the maximum distance from the front lot line.

Side lot line. A lot line which is not a front lot line or a rear lot line.

Lot width.

Average lot width. The average width of a portion of a lot, of which portion has the required area. For an irregularly shaped lot, the average width of a portion of the lot, of which portion shall be determined by the Director to be an adequate building site.

Required lot width. See Section 22.110.130.B (Required Width).

22.14.130 M.

Mailed. This term and the term "mailed or delivered" shall mean:

1. Mailed by United States Postal Service, postage prepaid;
2. Electronic delivery;
3. Hand delivery; or
4. As otherwise specified by the Director.

Major highway. A road identified on the Highway Plan that requires four or more traffic lanes and a standard right-of-way of 100 feet.

Major Projects Review Trust Funds. The following term is defined solely for Section 22.246.050 (Major Projects Review Trust Funds):

Major projects. Any project so determined by the Director for which the planning or processing of requests for entitlements will impact County departmental resources.

Massage. This term includes any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, manipulation, or stimulating the external parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances, with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations. This term includes "massage services."

Massage parlor. Any premises where "massage" or "massage services" are given.

MAUCRSA. The Medical and Adult-Use Cannabis Regulation and Safety Act of 2017 (SB 94), as it may be amended from time to time.

Microwave station. A building that houses equipment necessary for the receiving, amplifying, or transmitting of microwave signals, including necessary antenna systems, along a communications route or system which employs microwave frequencies assigned by the Federal Communications Commission.

Mills Act Program. The following terms are defined solely for Chapter 22.168 (Los Angeles County Mills Act Program):

Application. An application to enter into an historical property contract.

Historical property contract. A contract between the Director and the owners of a qualified historical property which meets all the requirements of Chapter 22.168 (Los Angeles County Mills Act Program) and Sections 50280 through 50290, inclusive, of the California Government Code.

Landmarks Commission. The County Historical Landmarks and Records Commission.

Owner or owners. One or more individuals, partnerships, or corporations holding any portion or all of the fee simple title to a qualified historical property.

Preservation or preserve. The act or process of applying measures necessary to sustain the existing form, integrity, and materials of a qualified historical property.

Program. The County Mills Act Program.

Qualified historical property. Property which meets the definition of a "qualified historical property" as set forth in Section 50280.1 of the California Government Code and is located within the unincorporated areas of the County. A property located within a federal, State, or County registered historic district is not a "qualified historical property" under Chapter 22.168 (Los Angeles County Mills Act) unless the property is certified by the County, State, or Secretary of Interior as being of historic significance to the relevant historic district.

Rehabilitation or rehabilitate. The act or process of making possible an efficient compatible use for a property through repair, alterations, and additions while preserving those portions or features of the property that convey its historical, cultural, or architectural values. For the purpose of this term, "compatible use" means the property's historical use or a new use that requires minimal change to the property's distinctive materials, features, spaces, and spatial relationships.

Restoration or restore. The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time

by means of removing features of the property from other periods in its history and reconstructing its missing features from the restoration period.

Mined lands. The surface, subsurface, and groundwater of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads accessory to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials on property which result from, or are used in, surface mining operations, are located.

Minerals. Any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances. This term includes, but is not limited to, coal, peat, and bituminous rock and excludes geothermal, natural gas, and petroleum resources.

Mixed use development. A development that combines residential and commercial uses, unless otherwise specified.

Mobilehome. As defined in Section 18008 of the California Health and Safety Code.

Mobilehome park. As defined in Section 18214 of the California Health and Safety Code.

Motel. A lodging establishment containing a group of attached or detached buildings containing guest rooms and offering temporary overnight visitor accommodations with a maximum rental period of 30 days. Access to some or all guest rooms is from a walkway open to the outside. This term includes "auto court," "motor lodge," and "tourist court."

Multi-family housing.

Apartment house. A building, or a portion of a building, that is designed or used for occupancy by three or more families living independently of each other, and contains three or more dwelling units. The following are types of dwelling units in an apartment house:

1. Apartment, bachelor. A dwelling unit that combines sleeping, living, cooking, and dining facilities into one habitable room. This term includes "light housekeeping room."

2. Apartment, efficiency. A dwelling unit that combines sleeping, living, cooking, and dining facilities into two habitable rooms, only one of which shall be a kitchen. This term includes "single apartment" and "efficiency living unit."

3. Apartment, one-bedroom. A dwelling unit that contains a maximum of three habitable rooms, only one of which shall be a kitchen.

4. Apartment, two or more bedrooms. A dwelling unit that contains more than three habitable rooms, only one of which shall be a kitchen.

Townhouse. A single-family dwelling unit sharing a common wall with other single-family dwelling units on one or two sides and capable of being placed on a separate lot. This term includes "row house."

22.14.140 N.

National recreation area. Any land or water area designated by an act of Congress as an area for public outdoor recreational use and enjoyment, and which such area is managed by one or more relevant federal, State, or local agencies.

Net area. That portion of a lot which is:

1. Not subject to any easement or included as a proposed public or private facility such as an alley, highway, or street except as provided in Subsection 3, below, or other necessary public site within a proposed development project;

2. Subject to an easement where the owner of the underlying fee interest in the property has the right to use the entire surface except that portion where the owner of the easement may place utility poles or minor utility structures;

3. Subject to that portion of a highway easement or private street easement shown on an alternate cross-section in Section 21.24.090 of Title 21 (Subdivisions) of the County Code, marked with an asterisk (*);

4. That portion of a corner lot or corner parcel of land not to exceed five percent of the net area within a corner cutoff.

Except as provided above, the following shall not be counted as a part of the net area:

1. Any portion of a lot subject to a highway easement or any other private or public easement.

2. An access strip of property on a flag lot.

3. For Sections 22.140.590 (Tasting Rooms and Remote Tasting Rooms) and 22.140.610 (Wineries), any area with a slope of 25 percent or greater.

Nightclub. A bar, cocktail lounge, or restaurant which provides live entertainment and has an established occupant load of at least 200 people.

Nonprofit organization. An organization formed under the Nonprofit Public Benefit Corporation Law (Section 5110 et seq. of the California Corporations Code) and as described in Section 501(c) of the United States Internal Revenue Code of 1986; provided, however, that a corporation or any body organized for the private gain of any person, or for which any part of the net earnings inures to the benefit of any private shareholder or individual is not a nonprofit organization as used herein.

Nudist camp. Any place where three or more persons, not all members of the same family, congregate, assemble, associate, or engage in any activity while without clothing or covering, or with partial clothing or covering, but with any pubic area or any portion of the crease of the buttocks exposed in the presence of others or of each other. This term shall not include occasional gatherings in or on the premises of a private home. This term includes "growth center," as defined in Section 7.44.010 of Title 7 (Business Licenses) of the County Code.

22.14.150 O.

Oak tree. Valley Oak (Quercus iobata), Coast Live Oak (Quercus agrifola), or any other tree of the oak genus.

Oak Tree Permits. The following terms are defined solely for Chapter 22.174 (Oak Tree Permits):

Damage. Any act causing or tending to cause injury to the root system or other parts of a tree, including, but not limited to, the acts of burning, applying toxic

substances, operating equipment, or machinery, paving, changing the natural grade, trenching, or excavating within the protected zone of an oak tree.

Protected zone. The area within the dripline of an oak tree and extending therefrom to a point at least five feet outside the dripline, or 15 feet from the trunk of a tree, whichever distance is greater.

Oath. This term includes "affirmation."

Occupant load. The total number of persons that may occupy a building or structure, or portion thereof, at any one time as provided by Chapter 33 of Title 26 (Building Code) of the County Code.

Ordinance. An ordinance of the County of Los Angeles.

Outdoor Advertising Signs. The following terms are defined solely for Section 22.114.070 (Outdoor Advertising Signs – Conditions):

Alcoholic beverage. Any beverage in liquid form that contains not less than one-half of one percent of alcohol by volume and is intended for human consumption.

Child care center. A facility, other than a family child care home, in which less than 24-hour-per-day, non-medical care and supervision is provided for children in a group setting as defined and licensed under the regulations of the State of California. This term shall not include such a facility when it is accessory and clearly subordinate to a commercial or industrial activity, established on the same lot and operated for the children of the employees of the commercial or industrial activity.

Church. A development maintained and used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith.

Park. Any park, playground, or grounds under the control, direction, or management of a public entity, whether such use is within or outside the unincorporated area of the County.

Recreational facility. Any recreational center or facility under the control, direction, or management of a public entity, whether such use is within or outside the unincorporated area of the County.

School. Any elementary or secondary school, public or private, attendance at which satisfies the compulsory education laws of the State of California, whether such use is within or outside the unincorporated area of the County.

Tobacco product. Any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipes, snuff, chewing tobacco, and dipping tobacco.

Youth center. Any designated indoor public, private, or parochial facility, other than a private residence or a multiple dwelling unit, which contains programs which provide, on a regular basis, activities, or services for persons who have not yet reached the age of 18 years, including, but not limited to, community-based programs, after-school programs, weekend programs, violence prevention programs, leadership development programs, vocational programs, substance abuse prevention programs, individual or group counseling, case management, remedial, tutorial, or other educational assistance or enrichment, music, art, dance, and other recreational or cultural activities, physical fitness activities, and sports programs.

Outdoor dining. A restaurant or other eating establishment, including food take-out, where food or beverage are served on private property, and where there is not a roof and walls on all sides.

Outdoor display. The display or placement of goods, equipment, materials, merchandise, or exhibits at a location visible to the public view, other than within a building.

Outdoor festival. A music or rock festival, dance festival, or similar musical activity held at any place other than a permanent building, and designated for such activities and where attendance by more than 500 people may reasonably be expected. Entertainment may be provided by paid, professional, or amateur performers, or by prerecorded means; admission may be charged.

Outdoor storage. The storage of goods, equipment, or materials outside of a building for any purpose other than outdoor display.

Overburden. Soil, rock, or other materials that lie above a natural mineral deposit, or in between mineral deposits, before or after their removal by surface mining operations.

22.14.160 P.

Parks and Recreation. References to Parks and Recreation shall mean the County Department of Parks and Recreation, unless otherwise specified.

Parking areas, buildings, facilities, or lots. Any readily accessible area within structures or surface parking areas, exclusive of aisles, driveways, ramps, and columns, maintained exclusively for the parking of vehicles, not including areas for the parking or storage of commercial vehicles with registered net weights in excess of 5,600 pounds, unladen.

Parking space.

Bicycle parking space. See "Bicycle parking space."

Vehicle parking space. A permanently maintained and readily accessible space maintained exclusively for the storage of one passenger vehicle.

Parkway. A road identified on the Highway Plan that has park-like features with landscaping and a right-of-way of at least 80 feet.

Pedestrian paseo. A landscaped walkway accessible to the public, located outside of a public right-of-way or private roadway, where motorized vehicles are prohibited. A pedestrian paseo shall be a minimum of five feet in width, provide amenities such as appropriate lighting, benches, and water features, and be designed to maximize visibility of the paseo from public view points.

Permanent cosmetics. The application of pigments to or under the human skin, for permanently changing the color or other appearance of the skin. Permanent cosmetics services include, but are not limited to, the application of permanent eyeliner, eye shadow, or lip color. This term shall not restrict services provided by a licensed physician or surgeon. Also see "Tattooing."

Permanent cosmetics parlor. Any place of business where permanent cosmetics are applied.

Person. An individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, or syndicate. This term includes the County, any other county, city and county, municipality, district, or other political subdivision, or any other group or combination acting as a unit.

Principal use. A primary or dominant use established, or proposed to be established, on a lot.

Procedural Ordinance for Financing of Public Facilities. These terms are defined solely for Section 22.246.040 (Procedural Ordinance for Financing of Public Facilities). Unless the context requires otherwise, the definitions apply to the terms as used in that Section.

Advance. The amounts expended by the County or other governmental entity toward the cost of a public facilities project within or for the benefit of an area of benefit and for which the County shall be reimbursed from facilities benefit assessments.

Area of benefit. Land which is designated as receiving special benefits from the construction, acquisition, and improvement of a public facilities project as established by a resolution of designation adopted by the County pursuant to Section 22.246.040 (Procedural Ordinance for Financing of Public Facilities).

Building permit. The permit issued or required for the construction of any structure in connection with the development of land pursuant to, and as defined by, the Uniform Building Code.

Capital improvement program. A plan for the implementation and financing of public facilities projects, including, but not limited to, a schedule for the commencement of construction, the estimated cost of construction and the payment of facilities benefit assessments.

Construction. The design, acquisition of property, administration of construction contracts, actual construction, and incidental costs related thereto.

Contribution. The amounts expended by the County or other governmental entity toward the cost of a public facilities project in relation to the general benefit received by the County from construction of the public facilities project.

Costs. The amounts spent or authorized to be spent in connection with the planning, financing, acquisition, and development of a public facilities project including, without limitation, the costs of land, construction, engineering, administration, and legal and financial consulting fees.

Development. The division of land, grading, or original construction of an improvement to real property, which division of land, grading, or construction is of the type normally associated with urban development.

Facilities benefit assessment. The amounts collected under the terms of Section 22.246.040 (Procedural Ordinance for Financing of Public Facilities) to provide funds for public facilities projects which will benefit designated areas of benefit.

Public facilities project. Any and all public improvements, the need for which is directly or indirectly generated by development, including, but not limited to, the following:

1. Water mains, pipes, conduits, tunnels, hydrants, and other necessary works and appliances for providing water service.

2. Lines, conduits, and other necessary works and appliances for providing electric power service.

3. Mains, pipes, and other necessary works and appliances for providing gas service.

4. Poles, posts, wires, pipes, conduits, lamps, and other necessary works and appliances for lighting purposes.

5. Sidewalks, crosswalks, steps, safety zones, platforms, seats, culverts, bridges, curbs, gutters, tunnels, parks and parkways, recreation areas, including all structures, buildings, and other facilities necessary to make parks and parkways, and recreation areas useful for the purposes for which intended.

6. Sanitary sewers or instrumentalities of sanitation, together with the necessary outlets, cesspools, manholes, catchbasins, flush tanks, septic tanks, disposal plants, connecting sewers, ditches, drains, conduits, tunnels, channels, or other appurtenances.

7. Dams, retention basins, detention basins, debris basins, spreading grounds, injection wells, observation wells, pressure-reduction facilities, headworks, drains, tunnels, conduits, culverts, washes, swales, floodways, flowpaths, and channels for drainage and/or water conservation purposes.

8. Pipes, hydrants, and appliances for fire protection.

9. Retaining walls, embankments, buildings, and any other structures or facilities necessary or suitable in connection with any of the work mentioned under the term public facilities project.

10. Compaction of land, change of grade or contours, construction of caissons, retaining walls, drains, and other structures suitable for the purpose of stabilizing land.

11. Acquisition, construction, and installation of streets and highways.

12. Acquisition, construction, improvement, and equipping of library buildings.

13. Acquisition, construction, improvement, and equipping of fire stations.

14. Acquisition, construction, improvement, and equipping of temporary and permanent school buildings.

15. Acquisition, construction, improvement, and equipping of police stations.

16. Acquisition, construction, and installation of traffic signs, signals, lights, and lighting.

17. Public works maintenance facilities.

18. All other work auxiliary to any of the above which may be required to carry out that work, including, but not limited to, the maintenance of public facilities projects and administrative, engineering, architectural, and legal work performed in connection with establishing, implementing, and monitoring public facilities projects.

19. Acquisition of any and all property, easements, and rights-of-way which may be required to carry out the purposes of the project.

Property line. The line between that portion of a limited secondary highway or street cross-section designated with an asterisk (*) and the portion that is not designated as shown in Sections 21.24.065 and 21.24.090 of Title 21 (Subdivisions) of the County Code.

Pro shop. An incidental commercial use that operates on the same premises as a principal recreational use, which offers for retail sale sporting equipment and supplies customarily associated with the recreational use. Pro shop does not include a general sporting goods store.

Public utility service center. Any building or premises used for the administration of public utility repair, dispatch of maintenance and installation crews, and includes parking for vehicles not to exceed two tons rated capacity, but does not include warehouses or storage yards.

Public utility service yard. Any building or premises used for the office, warehouse, storage yard, or maintenance garage of a public utility, including microwave repeater stations when incorporated as a part of the service yard use.

Public Works. References to Public Works shall mean the County Department of Public Works, unless otherwise specified.

22.14.170 Q.

(Reserved)

22.14.180 R.

Reclamation of mined lands. The combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat,

flooding, erosion and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health and safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other such measures.

Reclamation plan. A plan for reclaiming the lands affected by surface mining operations conducted after January 1, 1976.

Recreation Clubs and Facilities.

Recreation club, commercial. A commercial enterprise that offers the use of outdoor recreational facilities to the public.

Recreation club, private. A facility that offers the use of outdoor recreational facilities for dues-paying members of a private association and their guests. This term shall not include a facility run by an association organized primarily to render a service customarily carried on as a commercial enterprise.

Recreation facility, neighborhood. A recreation facility operated by a nonprofit corporation to provide outdoor recreation facilities for residents in the immediate vicinity and their guests. Such facilities may include a clubhouse, changing rooms, and similar subordinate facilities in conjunction with the outdoor recreation activity, but shall not include a restaurant, bar, or pro shop.

Recreational vehicle. As defined in Section 18010 of the California Health and Safety Code.

Recreational vehicle (RV) park. As defined in Section 18862.39 of the California Health and Safety Code.

Remote tasting room. An area or facility that is used for the sale and sampling of alcoholic beverages that is operated in conjunction with a separate alcoholic beverage production facility licensed under a Type 02 license issued by the California Department of Alcoholic Beverage Control, where the sale and sampling facility is located on a different lot than the production facility.

Renewable Energy. The following terms are defined solely for Section 22.140.510 (Renewable Energy):

Guy wires. Wire or cable used in tension to support a tower.

Tower. The vertical component of a small-scale wind energy system that elevates the wind turbine generator and attached blades above the ground, or the vertical component of a temporary meteorological tower that elevates the wind measuring devices above the ground.

Wind turbine generator. The component of a small-scale wind energy system that transforms mechanical energy from the wind into electrical energy.

Review Authority. The official or body making a decion on an application, including the Director, Hearing Officer, Commission, or Board.

Requests for Reasonable Accommodation. The following terms are defined solely for Chapter 22.182 (Requests for Reasonable Accommodation):

The Acts. The federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act, as those Acts are amended from time to time.

Individual with a disability. Individuals with a mental or physical disability as those terms are defined in California Government Code Section 12926(i), (k), and (l), as that section may be amended, and the regulations promulgated thereunder, or individuals with a handicap as that term is defined in 42 U.S.C. Section 3602 of the federal Fair Housing Amendments Act of 1988, as that section may be amended, and the regulations promulgated thereunder.

Reasonable accommodation. A waiver or modification to regulations, policies, procedures, and standards that is both reasonable and necessary for a person with a disability to have an equal opportunity to use and enjoy a residential use. Examples of reasonable accommodation include, if reasonable and necessary, allowing a wheelchair ramp in a required setback, allowing an increase in building height to permit an elevator installation, or allowing an applicant additional time to submit material.

Residential use. Any dwelling as defined by 42 U.S.C. Section 3602(b), as that Section may be amended from time to time.

Required lot area. See Section 22.110.130.A (Required Area).

Residential care facilities. This term includes "adult residential facilities," "group homes for children," "small family homes for children," and "foster family homes", as these uses are defined in Section 1500 et seq., of the California Health and Safety Code.

Resoiling. The process of artificially building or rebuilding a soil profile.

Road. An open way used for the passage of vehicles, and includes alleys, streets, and highways.

Rural Outdoor Lighting District. The following terms are defined solely for Chapter 22.80 (Rural Outdoor Lighting District):

Abandoned use. A use which has been discontinued and/or its structure has been abandoned and there is no indication that any use or occupancy of the structure will resume.

Accurate color rendition. The accurate representation of colors provided by an artificial light source.

Drop-down lens. A lens or diffuser that extends below a horizontal plane passing through the lowest point of the opaque portion of a light fixture.

Foot-candle. A unit of measurement that shows the quantity of light received on a surface. Foot-candles shall be measured by a photometer.

Fully shielded. A light fixture is fully shielded when it emits no light in the area above a horizontal plane passing through the lowest point of the light fixture and no more than 10 percent of its light in the area between zero and 10 degrees below the horizontal plane. A full-cutoff light (flat glass lens) fixture is a fully shielded light fixture of a specific design, usually with a box or oval shape and a flat bottom.

Light pollution. Any adverse effect of artificial lighting including glare, light trespass, obtrusive light, sky glow, or other lighting impacts on the nocturnal environment.

Light fixture. Light fixture is the structure used to produce an artificial light source, including all of its necessary auxiliary components. Examples of a light structure include a lamp, pole, post, ballast, reflector, lens, diffuser, shielding, bulb, and related electrical wiring.

Light trespass. The falling of light across a property line onto an adjoining lot or public right-of-way. The measurement of light trespass shall be determined by a photometer, taken at ground level from the subject property line. For purpose of Chapter 22.80, an unacceptable level of light trespass shall be 0.5 foot-candle or greater when the light trespass falls onto an adjoining public right-of-way or an adjoining residentially-zoned lot, open space-zoned lot, or agriculturally-zoned lot, and 1.0 foot-candle or greater when the light trespass falls onto an adjoining lot with any other zoning classification.

Lumen (lm). A unit of light energy or the visual amount of light produced by a light fixture, calculated as a rating by the manufacturer (distinct from a watt, which measures power consumption). For example, a 40-watt incandescent lamp produces approximately 400 lumens and a 35-watt high-pressure sodium lamp produces 2,300 lumens.

Major addition. The cumulative addition of 25 percent or more of gross floor area, seating capacity, parking spaces, or number of dwelling units to any structure, building, or development; except in the Coastal Zone, where a cumulative addition of 10 percent or more of gross floor area, seating capacity, parking spaces, or number of dwelling units to any structures, buildings, or development shall constitute a major addition.

Outdoor lighting. Lighting equipment or light fixtures used to provide illumination for outdoor areas, objects, or activities, including light fixtures attached to buildings or structures. Self-supporting structures to provide lighting for parking lots, walkways, building entrances, outdoor sales areas, recreational fields, or within landscaped areas shall all constitute outdoor lighting.

Outdoor recreational activity area. An area designed for active outdoor recreation, whether publicly or privately owned, including, but not limited to, sports fields, race tracks, stadiums, and riding arenas. The accessory uses to these areas, including parking lots and concessions stands, shall not be considered part of the involved outdoor recreational activity area.

Sky glow. The brightening of the nighttime sky resulting from outdoor light reflecting into or toward the sky, and combining with moisture and/or dust particles in the atmosphere to cause light pollution.

Street lights. Pole-mounted light fixtures used to illuminate public or private rights-of-way and to enhance the safe movement of vehicular and pedestrian traffic.

22.14.190 S.

Safety. This term means and includes a water supply for fire protection which complies with the requirements of the County Water Ordinance set out at Division 1 of Title 20 (Utilities) of the County Code.

Scenic highway. A highway within the California Scenic Highway System, a State-designated County scenic highway, or any scenic drive adopted as a part of the Conservation and Natural Resources Element of the County General Plan.

School, public or private. An accredited facility for students through grade 12, along with accessory facilities, offering instruction required to be taught in the public schools by the California Education Code, in which no pupil is physically restrained. This term shall not include other types of schools or facilities offering instruction not covered by the California Education Code, such as trade or commercial schools.

Scrap metal processing yard. Any establishment or place of business which is maintained, used, or operated solely for the processing and preparing of scrap metals for remelting by steel mills and foundries.

Sea. The Pacific Ocean and/or harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to tidal action through any connection with the Pacific

Ocean, excluding non-estuarine rivers, streams, creeks, and flood control and drainage channels.

SEATAC. The Significant Ecological Area Technical Advisory Committee.

Second Units. The following terms are defined solely for Section 22.140.540 (Second Units):

Building site. Building site shall have the same term as in Section 21.08.040 of Title 21 (Subdivisions) of the County Code.

Rural area. An area for which the maximum density permitted by this Title 22 or by the General Plan, whichever is less, is one dwelling unit or less per acre.

Second unit. A dwelling unit, as authorized by Section 22.140.550 (Second Units), that is either attached to or located on the same lot as an existing single-family residence. This term includes a manufactured home, as defined in Section 18007 of the California Health and Safety Code, and an efficiency living unit, as described in Section 11.20.370 of Title 11 (Health and Safety) of the County Code.

Urban area. An area for which the maximum density permitted by this Title 22 or by the General Plan, whichever is less, is greater than one dwelling unit per acre.

Secondary highway. A road identified on the Highway Plan that serves area wide or countywide transportation needs. This type of highway normally requires four moving lanes of traffic on 80 feet of right-of-way or two lanes of moving traffic in nonurban areas.

Secondary land use under high-voltage transmission lines. A land use, as described in Section 22.140.630 (Secondary Land Uses Under High-Voltage Transmission Lines), other than the transmission of power on property that contains an electric power transmission line operating at or above 115 kilovolts.

Secondhand store. A retail store established to collect and sell used household goods, clothing, and/or merchandise that are donated to the store. Secondhand store shall not include an antique shop, pawnshop, yard sale, or junk and salvage use, or use involving the sale of used vehicles or vehicle parts. To the extent that a secondhand

store sells tangible personal property, as defined in Section 21627 of the California Business and Professions Code, the secondhand store shall comply with all applicable requirements of said Code governing secondhand goods, including applicable registration and reporting requirements.

Section. A section of an ordinance codified in this Title 22, unless some other ordinance or statute is mentioned.

Self-service storage facility. Any real property designed and used for the renting or leasing of individual storage spaces to tenants who have access to such spaces for the purpose of storing personal property.

Senior citizens and disabled persons housing development. A multiple-family housing development maintained for the occupancy of the elderly and senior citizens, defined in Section 51.3 of the California Civil Code, in which not more than 10 percent of the occupants are under 62 years of age, or for the occupancy of persons whose disabilities seriously restrict operation of a motor vehicle.

Signs.

Awning or entrance canopy sign. A sign affixed to an awning or removable canopy not permanently attached to or built as part of a building. Such signs shall be considered the same as a projecting sign for purposes of regulation.

Building identification sign. A sign which contains no advertising matter other than the name and/or trademark of an occupant located within the building and/or the address of the building to which it is affixed.

Bulletin or special event sign. A sign which is characterized by manually changeable copy, letters, symbols, or numerals.

Business sign. A sign that directs attention to:

1. The principal business, profession, or industry located on the premises where the sign is displayed;

2. The type of products sold, manufactured, or assembled on such premises; or

3. Services or entertainment offered on such premises.

Changeable copy sign. A sign whose text and symbols are manually changeable.

Civic organization sign. A sign which contains the names of, or any other information regarding civic, fraternal, or religious organizations located within an unincorporated community or city, but which contains no other advertising matter.

Construction sign. A temporary sign that lists the architects, engineers, owners, lenders, contractors, future tenants, or other parties associated with a construction project, or describes in words or drawings a planned future development project on a property, but which contains no other advertising matter.

Directional or informational sign. A sign which indicates the route to, direction of or location of a given goal, or which provides regulatory or service information of a non-advertising character. This term includes signs for parking for persons with disabilities, one-way, exit, and entrance.

Flashing sign. A sign which, by illumination, flashes on or off, or blinks with varying light intensity, shows motion or creates the illusion of motion, or revolves to create the illusion of being on or off.

Freestanding sign. A sign which is placed on the ground or has as its primary structural support on one or more poles, braces, or columns in or upon the ground, and is not attached to any building or other structure. "Freestanding sign" includes "ground sign," "monument sign," and "pole sign."

Freeway-oriented sign. A sign oriented to be viewed primarily from an adjacent freeway which identifies a business engaged in the provision of food, lodging, or motor vehicle fuel, and which is primarily dependent upon said freeway.

Fuel pricing sign. A sign that indicates, and is limited to, the brand or trade name, method of sale, grade designation, and price per gallon of gasoline or other motor vehicle fuel offered for sale on the business premises, and such other information as may be required by County ordinance or State law.

Incidental business sign. A business sign that indicates credit cards accepted, trade affiliations, and similar matters of a non-advertising nature. This term

includes signs for automatic teller machines (ATMs), California Lottery, and credit cards accepted.

Lighted sign. A sign which is illuminated internally, externally, or indirectly.

Marquee sign. A sign that is painted on or affixed to the perimeter or border of a permanently roofed structure constructed as part of a building and protruding over public or private sidewalks or rights-of-way. Such signs shall be considered a "wall sign" for purposes of regulation.

Outdoor advertising sign. A sign that directs public attention to a business, profession, product, or service that is not a primary business, profession, product, or service which is sold, manufactured, conducted, or offered on the premises where such sign is erected. This term includes "portable outdoor advertising sign" and "billboard," but does not include "public transportation sign."

Child care center. A facility, other than a family child care home, in which less than 24-hour-per-day, non-medical care and supervision is provided for children in a group setting as defined and licensed under the regulations of the State of California. For purposes of this Subsection, "child care center" shall not include such a facility when it is appurtenant and clearly subordinate to a commercial or industrial activity, established on the same lot, and operated for the children of the employees of the commercial or industrial activity.

Church. A development maintained and used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith.

Park. Any park, playground, or grounds under the control, direction, or management of a public entity, whether such use is within or outside the unincorporated area of the County.

Recreational facility. Any recreational center or facility under the control, direction, or management of a public entity, whether such use is within or outside the unincorporated area of the County.

School. Includes any elementary or secondary school, public or private, attendance at which satisfies the compulsory education laws of the State of California, whether such use is within or outside the unincorporated area of the County.

Tobacoo product. Any substance containing tobacoo leaf, including, but not limited to, cigarettes, cigars, pipes, tobacoo, snuff, chewing tobacoo, and dipping tobacoo.

Youth center. Any designated indoor public, private, or parochial facility, other than a private residence or a multiple dwelling unit, which contains programs which provide, on a regular basis, activities or services for persons who have not yet reached the age of 18 years, including, but not limited to, community-based programs, after-school programs, weekend programs, violence prevention programs, leadership development programs, vocational programs, substance abuse prevention programs, individual or group counseling, case management, remedial, tutorial, or other educational assistance or enrichment, music, art, dance, and other recreational or cultural activities, physical fitness activities, and sports programs.

Portable sign. A freestanding sign that is not permanently affixed, anchored, or secured to either the ground or a structure on the premises it occupies. Portable sign includes "A-frame sign," "sandwich board sign," and "sign on wheels."

Projecting sign. A sign which is affixed to and wholly supported by an exterior wall of a building and projects more than 18 inches from the wall. A "projecting sign" shall not be considered a "wall sign" nor a "roof sign."

Public transportation sign. An incidental sign that is placed on a structure, either a portable bench or shelter, located on a public alley, road, street, parkway, or highway, if the purpose of the structure is to facilitate the use of public transportation and promote the safety, comfort, and convenience of public transit patrons.

Real estate sign. A temporary sign that advertises the sale, lease, or rental of the premises on which the sign is located.

Revolving sign. A sign or any portion of a sign which rotates, moves, or appears to move in some manner by mechanical, electrical, natural, or other means.

Roof sign. A sign erected upon and wholly supported by the roof of any building or structure. This term shall not include a wall sign affixed to the roof eaves or that portion of an actual or false roof varying less than 45 degrees from a vertical plane as provided by this Title 22.

Sign. Any name, figure, character, outline, spectacle, display, delineation, announcement, advertising, billboard, signboard, device, appliance, or any other thing of similar nature to attract attention outdoors or on the face, wall, or window of any building, and shall include all parts, portions, units, and materials composing the same, together with the frame, background, and support of anchorage therefor, as the case may be.

Sign area. The entire surface area, excluding all support structures, of a single-faced sign, or the largest face of a sign having two or more faces.

Sign face. That portion of a sign intended to be viewed from one direction at one time.

Sign structure. A structure existing or erected to serve exclusively as a stand, frame, or background for the support or display of signs.

Subdivision development. As used in Section 22.114.220 (Subdivision Directional Signs) a subdivision located wholly or partially within the County, a final map of which was recorded prior to the date on which an application for a Conditional Use Permit (Chapter 22.158) for a subdivision directional sign pursuant to the provisions of Section 22.114.220 was filed.

Subdivision directional sign. As used in Section 22.114.220 (Subdivision Directional Signs) a temporary single or double-faced sign used for the purpose of providing travel directions to one subdivision development offered for public sale for the first time.

Subdivision entry sign. A temporary sign which provides necessary travel directions to and within a subdivision offered for sale or lease for the first time, but which contains no other advertising matter.

Subdivision sales sign. A temporary sign which contains the name of, and information relating to, a subdivision being offered for sale or lease for the first time.

Subdivision special-feature sign. A temporary sign which contains a description of the features and related information pertaining to a model home complex in a subdivision offered for sale or lease for the first time.

Total sign area. The sum of the surface areas, excluding all support structures, of all faces of a sign.

Under-marquee sign. A sign suspended from the underside of a permanently roofed structure constructed as part of a building and protruding over public or private sidewalks or rights-of-way. Such signs shall be considered the same as a "projecting sign" for purpose of regulating area and location.

Wall sign. A sign mounted to and wholly supported by a permanently roofed building or structure and is parallel to and does not project more than 18 inches from the face of the building or structure. Such signs shall not be considered a "roof sign" nor a "projecting sign."

Window sign. A temporary sign which is placed on the window or constructed of materials, such as paint, paper, cloth, canvas, vinyl, or other similar lightweight material, and affixed to or within three feet of the interior side of a window.

Significant Ecological Area (SEA). This term means:

1. Significant ecological areas and/or habitat management areas designated on the special management areas map of the County General Plan.

2. Environmentally sensitive habitat areas, sensitive environmental resource areas, and rare plant habitat areas, identified in the Santa Catalina Island Local Coastal Program depicting any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Single-family residence. A building that contains one dwelling unit, a mobilehome comprising one dwelling unit manufactured and certified under the National

Mobilehome Construction and Safety Standards Act of 1974 (1974 Mobilehome Act) on a permanent foundation system approved by the Director of Public Works, or a manufactured home constructed on or after June 15, 1976.

Small-scale solar energy system. A device or devices, and any accessory equipment or structures, which converts solar energy into electrical or thermal energy primarily for on-site use. Such system may be affixed either to the ground ("ground-mounted small-scale solar energy system") or to a structure ("structure-mounted small-scale solar energy system"). Any system utilizing only a support structure built primarily to support solar energy equipment shall be considered affixed to the ground. Any energy generated by a small-scale solar energy system that exceeds the on-site energy demand may be used off-site. A small-scale solar energy system shall not use concentrated solar thermal collectors that use lenses or mirrors to focus or reflect a large area of sunlight onto a small area.

Small-scale wind energy system. A device consisting of a tower, a wind turbine, and any accessory equipment or structures which converts wind energy into electrical energy primarily for on-site use. Such system may be affixed either to the ground ("ground-mounted small-scale wind energy system") or to a structure ("structure-mounted small-scale wind energy system"). Such system has a rated capacity of 50 kilowatts or fewer. Any excess energy not used on-site may be used offsite.

Small animal hospital. A facility that provides medical or surgical treatment, clipping, bathing, and other services, including incidental boarding to dogs, cats, and other small animals.

Small animal veterinary clinic. A facility that provides medical or surgical treatment, clipping, bathing, and similar services to dogs, cats, and other small animals, but excludes boarding or keeping of animals on the premises other than those requiring emergency treatment or those recovering from anesthetic.

Small family home for children. As defined in Section 1502(a)(6) of the California Health and Safety Code, any state-licensed facility within a licensee's residence providing 24-hour-a-day care for six or fewer children with developmental, or physical

disabilities, or mental disorders, who require special care and supervision as a result of such disabilities.

Small wild animal rehabilitation facility. A facility that is accessory to a single-family residence in any specified Residential or Agricultural Zone and used for the temporary care of sick, injured, and/or orphaned small wild animals until such animals are nursed back to health and can be returned to their native habitat.

Solar array. The mechanically integrated assembly of modules or panels with a support structure and foundation, tracker, and other components as required to convert solar energy into electrical or thermal energy.

Solid fill. Any noncombustible materials that are insoluble in water, such as soil, rock, sand, or gravel, that can be used for grading land or filling depressions.

Solid fill project. An operation on a lot where more than 1,000 cubic yards of solid fill materials are deposited for any purpose, including grading or reclaiming of land.

Special use permit. Whenever this Title 22, or any case granted thereunder, refers to a "special permit" or a "special use permit," it shall be construed to mean a Conditional Use Permit.

Stand. A structure used for the display and sale of products with no space for customers within the structure itself.

Station. A stopping place or facility in a transportation system designed or intended to be used for the receiving or discharging of passengers and cargo. This place or facility shall not provide for the storage of the conveyance vehicle and shall not include any accessory facilities other than a shelter and ticketing facilities for passengers. This term includes "train station," "bus station," and any similar transit station.

Story. That portion of a building that is included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the roof above. This term includes "basement," but shall not include "cellar."

Street. A public or private right-of-way, other than a highway or alley, whose function is to carry vehicular traffic and/or provide vehicular access to abutting property.

Street or highway frontage. The portion of a lot which borders a public street, highway, or parkway, measured along the common lot line separating the lot from the public street, highway, or parkway.

Structure. Anything constructed or erected which requires a fixed location on the ground, or is attached to something having a fixed location on the ground.

Structure-mounted utility-scale solar energy facility. A device or devices affixed to a structure and any accessory equipment or support structures, which converts solar energy into electrical or thermal energy primarily for off-site use. Any system utilizing only a support structure built primarily to support solar energy equipment shall be considered affixed to the ground. Such facility shall not use concentrated solar thermal collectors that use lenses or mirrors to focus or reflect a large area of sunlight onto a small area.

Subdivision. Solely as used in Section 22.114.210 (Temporary Subdivision Sales, Entry, and Special Feature Signs) shall include contiguous units having separate recorded tract numbers developed by the same person.

Surface mining operation. All or any part of the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging, and quarrying, or surface work incident to an underground mine. Surface mining operations shall include, but are not limited to:

1. In-place distillation, retorting, or leaching.
2. The production and disposal of mining waste.
3. Prospecting and exploratory activities.
4. The removal of overburden.

Swap meet. Any event where new and secondhand goods are offered or displayed for sale or exchange and at least one of the following:

1. A fee is charged for the privilege of offering or displaying new and secondhand goods for sale or exchange.

2. A fee is charged to prospective buyers for admission to the area where new and secondhand goods are offered or displayed for sale or exchange.

22.14.200 T.

Tasting room. An area or facility that is used for the sale and sampling of alcoholic beverages that is operated in conjunction with a winery, where the sale and sampling area is located on the same lot as the winery.

Tasting Rooms and Wineries. The following terms are defined solely for Section 22.140.590 (Tasting Rooms and Remote Tasting Rooms) and Section 22.140.610 (Wineries):

Incidental merchandise. Small retail products related to the use and consumption of wine, such as wine glasses, corkscrews, or other small products, such as accessory clothing, key chains, and pens, which raise awareness of a winery's brand.

Net area. Net area shall have the same meaning as in Section 22.14.140, but shall also exclude any area of a lot with a slope of 25 percent or greater.

Wine events. Events that are intended to provide instruction regarding the production and consumption of wine, and shall include private group wine tastings, property tours of a winery, and winery presentations regarding proper wine and food combinations and/or the preparation of such food.

Winery facilities. All structures and accessory structures as used by a winery, as defined above, including the paved parking areas required by Section 22.140.610 for mobile bottling or crushing facilities, but excluding any tasting room area or structure.

Tattoo parlor. Any place of business where tattooing occurs.

Tattooing. The application of pigment to or under the surface of the human skin by pricking with a needle or otherwise to produce an indelible mark or figure visible

through the skin. Nothing in this definition shall be deemed to restrict the activities of any licensed physician or surgeon.

Telephone repeater station. A building or facility used for housing amplifying equipment along aerial or underground telephone cable routes.

Temporary meteorological tower (Temp Met Tower). A temporary wind-measuring system consisting of a tower and related wind-measuring devices, which is used to measure winds prior to the construction of a small-scale wind energy system.

Terminal. A facility that is designed or intended to be used for the receiving or discharging of passengers or cargo and provides for the temporary or permanent storage of conveyance vehicles. Terminals include train terminals, airports, bus terminals, freight terminals, harbor terminals, or any combination of the above commonly referred to as multipurpose terminals.

Theater. An enclosed building or auditorium used for public assembly and/or group entertainment, including sport events, theatrical performances, concerts and recitals, circuses, stock shows, movies, and conventions.

Transit oriented district (TOD). A mixed use community within an approximately one-quarter to one-half mile radius of a significant transit facility station that may include a mix of residential, retail, office, open space, and public uses in close proximity to each other.

Tree planting requirements. The following terms are defined solely for Chapter 22.126 (Tree Planting Requirements):

Shade plan. A landscape plan that depicts and quantifies the amount of tree shade for a project site as set forth in Chapter 22.126 (Tree Planting Requirements).

Tree species list. The list of tree species prepared and maintained pursuant to Chapter 22.126 (Tree Planting Requirements).

Uncovered parking area. The uncovered impervious surface areas of a parking lot that includes parking stalls, pedestrian loading areas, driveways within the property line, areas for vehicular maneuvering, and walkways within the parking lot, but

excludes areas covered by solar panels or truck loading areas, and display, sales, service and vehicle storage areas associated with uses such as automobile dealerships.

Two-family residence. A building containing two dwelling units, other than a single-family residence with an attached second unit. This term includes "duplex."

22.14.210 U.

Use. This term means and includes construction, establishment, maintenance, alteration, moving onto, enlargement, and occupation. Wherever this Title 22 prohibits the use of any premises for any purpose, such premises and any building, structure, or improvement on such premises shall not be used, occupied, altered, or improved for such purpose. No building, structure, or improvement on such premises where prohibited shall be erected, constructed, established, maintained, allowed to remain, altered, moved onto, or enlarged which is designed, arranged, or intended to be occupied, or used for such purpose.

Utility-scale wind energy facility. A device or devices consisting of a tower or towers, a wind turbine or wind turbines, and any accessory equipment or structures which converts wind energy into electrical energy primarily for off-site use or exceeds a rated capacity of 50 kilowatts. Such facility may be affixed to either the ground or to a structure. Such facility shall not be classified as an "electric generating plant."

22.14.220 V.

Value-added farm product. Any product processed from a farm product, such as baked goods, jams, and jellies, by a certified producer.

Vertical access. A recorded dedication or easement granting to the public the privilege and right to pass and repass over the dedicator's real property from a public road or dedicated trail to the mean high tide line.

Visible. The ability of being seen (whether legible or not) by a person walking or driving on a public road.

22.14.230 W.

Warehouse. A building located in an Industrial Zone that utilizes at least 80 percent of the floor area for storage or warehousing of goods. This term shall not include a "self-service storage facility."

Waste disposal facility. A landfill, transfer station, land reclamation project, incinerator, or other similar site or facility which is used, or intended to be used, for the transfer, salvage, or disposal of rubbish, garbage, or industrial waste.

Water Appeals Board. The water appeals board created by the ordinance set out at Division 1 of Title 20 (Utilities) of the County Code.

Water well.

Abandoned water well. This term has the meaning set forth in Section 11.38.010 of Title 11 (Health and Safety) of the County Code and comprises a non-operating well that is not maintained in conformity with Section 11.38.290 of Title 11.

Shared water well. A single water well, with its related tanks, pumps, and pipes, that provides potable water for up to four dwelling units located on the same lot that contains the well or on any adjoining lot, in any combination.

Water well. This term has the meaning set forth in Section 11.38.120 of Title 11 (Health and Safety) of the County Code. It comprises any drilled, excavated, jetted, or otherwise constructed excavation which is used or intended to be used to extract water from or inject water into the underground for any purpose or to observe or test underground waters, but does not include:

1. Saltwater wells;

2. Wells under the jurisdiction of the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR), except those wells converted to use as water wells; or

3. Wells used for the purpose of dewatering during construction, or stabilizing hillsides, or earth embankments.

Weekend. A weekend includes Saturday and Sunday. National holidays observed on a Friday or Monday may be included in a weekend.

Wetland. Land within the Coastal Zone that may be covered periodically or permanently with shallow water and includes saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

Wheel stop. A physical barrier sufficient in size to prevent the movement of automobiles or other vehicles over or past such barrier.

Wild animal. An animal as defined by Section 10.08.250 (Wild Animal) of Title 10 (Animals) of the County Code.

Winery. A facility that is used for processing grapes or other agricultural products into wine, including mobile bottling or crushing facilities, operated under a Type 02 license issued by the California Department of Alcoholic Beverage Control, where processing involves the fermentation, crushing, bottling, testing, or aging of wine.

Writing. This term means and includes any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement, or record is required or authorized by this Title 22, it shall be made in writing in the English language unless it is expressly provided otherwise.

22.14.240 X.

(Reserved)

22.14.250 Y.

Yard. An open space on the same lot, other than a court, unoccupied and unobstructed from the ground upward, except as otherwise permitted by this Title 22.

Corner side yard. A yard bounded by an alley, highway, or street that extends from the required front yard, or the highway line on which the lot fronts where no front yard is required, to the required rear yard or to the rear lot line where no rear yard is required. The width of the required side yard shall be a specified horizontal distance between the highway line of the alley, highway, or street on which the lot sides, and a line parallel thereto on the lot.

Front yard. A yard that extends across the full width of the lot. The depth of the required front yard shall be a specified horizontal distance between the highway line of the parkway, highway, or street on which the lot fronts, and a line parallel to the lot, except as otherwise provided for a flag lot in Section 22.110.170 (Flag Lots). On corner lots, the front yard shall be located across the narrower frontage of the lot. A yard shall not be deemed a front yard if there is no right of access of any kind, pedestrian or vehicular, from the adjoining parkway, highway, or street, except in Zones C-H or C-1.

Interior side yard. A yard that extends from the required front yard, or the highway line on which the lot fronts where no front yard is required, to the required rear yard, or the rear lot line where no rear yard is required, other than a corner side yard. The width of a required interior side yard shall be a specified horizontal distance between each such side lot line parallel thereto on the lot.

Rear yard. A yard that extends across the full width of the lot. The depth of the required rear yard shall be a specified horizontal distance between the rear lot line or the highway line of an abutting alley and a line parallel thereto on the lot.

22.14.260 Z.

Zip-line. A transport ride for persons where a cable is suspended above an incline to which a pulley and harness are attached to the person riding the cable.

DIVISION 3: Zones.

Chapters:

Chapter 22.16 Agricultural, Open Space, Resort and Recreation, and Watershed Zones.

Chapter 22.18 Residential Zones.
Chapter 22.20 Commercial Zones.
Chapter 22.22 Industrial Zones.
Chapter 22.24 Rural Zones.
Chapter 22.26 Special Purpose Zones.

Chapter 22.16 Agricultural, Open Space, Resort and Recreation, and Watershed Zones.

Sections:

22.16.010 Purpose.
22.16.020 Agricultural Zones Designated.
22.16.030 Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W.
22.16.040 Development Standards for Zones A-1, A-2, O-S, R-R, and W.
22.16.050 Development Standards for Zones A-1 and A-2.
22.16.060 Development Standards for Zone O-S.

22.16.010 Purpose.

A. General Purpose. The Agricultural, Open Space, Resort and Recreation, and Watershed Zones consist primarily of lands for agricultural uses or are in natural resource areas which limit dwellings and accessory uses. These zones provide areas

for agricultural operations, open space, recreation, natural resource industries, or natural resource protection.

B. Purpose of Individual Zones. The purposes of individual zones are established as follows:

1. Agricultural Zones. The Agricultural Zones (Zones A-1 and A-2) are established to permit a comprehensive range of agricultural uses in areas particularly suited for agricultural activities. Permitted uses are intended to encourage agricultural activities and other such uses required for, or desired by, the inhabitants of the community. An area so zoned may provide the land necessary to permit low-density single-family residential development, outdoor recreational uses, and public and institutional facilities.

2. Open Space Zone. The Open Space Zone (Zone O-S) is established to provide for the preservation, maintenance, and enhancement of the recreational, natural, and environmental resources of this County as defined in the General Plan. The purpose and intent of Zone O-S is to:

a. Provide for the continued availability of open space lands for outdoor recreational usage.

b. Protect water resources by maintaining groundwater recharge and watershed areas.

c. Protect ecological and habitat areas to assure the continued survival of wildlife and vegetation.

d. Protect sites of historical, archaeological, scenic, or scientific value.

e. Protect areas identified as having significant mineral resources to assure their continued availability, conservation, and production.

f. Reduce the risk to public safety through protective management of seismic, flooding, erosion, fire, geologic, and other natural hazard areas.

g. Protect areas used for the managed production of resources, including but not limited to rangeland and agricultural land.

3. Resort and Recreation Zone. The Resort and Recreation Zone (Zone R-R) is established to provide for outdoor recreation and agricultural uses suitable for development without significant impairment to the resources of the area. Zone R-R also recognizes some single-family residences, additional recreation uses, and limited commercial and public service facilities, subject to review and conditions to protect natural scenic or recreational value.

4. Watershed Zone. The Watershed Zone (Zone W) is established to provide for conservation of water and other natural resources within a watershed area and to protect areas subject to fire, flood, erosion, or similar hazards. Zone W also provides for limited recreational development of the land and necessary public facilities.

22.16.020 Agricultural Zones Designated.

Table 22.16.020-A, below, identifies "Agricultural Zones," as used in this Title 22:

TABLE 22.16.020-A: AGRICULTURAL ZONES	
Abbreviation	***Full Name***
A-1	Light Agricultural
A-2	Heavy Agricultural

22.16.030 Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W.

A. General. This Section prescribes the land use regulations for Zones A-1, A 2, O-S, R-R, and W.

B. Permit and Review Requirements. Table 22.16.030-A, below, identifies the permit or review required to establish each use listed in Subsection C, below.

TABLE 22.16.030-A: PERMIT AND REVIEW REQUIREMENTS		
Abbreviation	***Permit or Review Requirement***	***Reference***
–	Not Permitted	
P	Permitted	
AP	Animal Permit	Chapter 22.152
CEM	Cemetery Permit	Chapter 22.154
CUP	Conditional Use Permit	Chapter 22.158
MCUP	Minor Conditional Use Permit	Chapter 22.160
EP	Explosives Permit	Chapter 22.164

TABLE 22.16.030-A: PERMIT AND REVIEW REQUIREMENTS		
Abbreviation	***Permit or Review Requirement***	***Reference***
HP	Housing Permit	Chapter 22.166
SPR	Ministerial Site Plan Review	Chapter 22.186
SEP	Special Events Permit	Chapter 22.188
SMP	Surface Mining Permit	Chapter 22.190

C. Use Regulations.

1. Principal Uses. Table 22.16.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O–S***	***R-R***	***W***	***Additional Regulations***
Agricultural and Resource-Based Uses						
Any use owned and maintained by the Forest Service of the United States Department of Agriculture, and any authorized leased use designated to be part of the Forest Service overall recreational plan of development	–	–	–	–	SPR[1]	
Aqueducts	–	–	CUP	–	–	
Community gardens	P	P	P	P	–	
Crops, including field, tree, bush, berry, and row	P	P	P	SPR[2]	–	
Fairgrounds of a public character, when permanently located, including accessory commercial uses	–	SPR[3]	CUP	–	–	
Greenhouses	SPR[2,4]	SPR[2,4]	–	SPR[2,4]	–	
Harvesting of miscellaneous forest products	–	–	CUP	–	–	
Land reclamation projects	CUP	CUP	CUP[5]	CUP	CUP	
Logging operations, involving only the actual controlled cutting and removing of trees						
Excluding sawmill operations	–	SPR	–	–	SPR	
Including sawmill operations	–	CUP	–	–	–	
Manure, spreading, drying, and sales, excluding pulverizing and shaking machinery	–	SPR[2,6]	–	–	–	
Mushroom farms	–	SPR[2]	–	–	–	
Oil wells						
In compliance with Section 22.140.400.C.1.a	CUP	SPR	–	CUP	CUP	Section 22.140.400

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O–S***	***R-R***	***W***	***Additional Regulations***
In compliance with Section 22.140.400.C.1.b	CUP	SPR	–	CUP	CUP	Section 22.140.400
In compliance with Section 22.140.400.D	–	–	CUP	–	–	Section 22.140.400
Plant aquaria	–	–	–	SPR[2,4]	–	
Plant nurseries, propagation of nursery stock only	SPR	SPR	SPR	SPR	SPR[4]	Also see "Plant nurseries, including propagation of nursery stock and retail sales"
Secondary land uses under high-voltage transmission lines	SPR	–	–	–	–	Section 22.140.630
Solid fill projects	CUP	CUP	–	–	–	
Surface mining operations	SMP	SMP	SMP	SMP	SMP	
Watershed, water recharge, and percolation areas	–	–	SPR	–	–	
Wildlife, nature, forest and marine preserves, and sanctuaries	–	–	SPR	–	–	
Wineries						
In compliance with Section 22.140.610.D.1	MCUP	SPR	–	SPR	–	Section 22.140.610
In compliance with Section 22.140.610.D2	MCUP	MCUP	–	MCUP	–	Section 22.140.610
In compliance with Section 22.140.610.D3	CUP	CUP	–	CUP	–	Section 22.140.610
Animal-Related Uses						
Animal hospitals	–	SPR[2]	–	–	–	
Animal shelters and pounds	–	SPR[2]	–	–	–	
Apiaries	SPR[2,4]	SPR[2,4]	SPR[7]	SPR[4]	SPR	
Breeding farms for selective or experimental breeding of cattle or horses, or the raising or training of horses or show cattle	–	–	–	SPR[4]	–	
Circus winter quarters	–	CUP	–	–	–	
Dairies	–	SPR	–	–	–	Section 22.140.160
Dog kennels	–	SPR[2]	–	–	–	
Dog training schools	–	SPR[2]	–	–	–	
Equestrian hostels, including corrals and feeding bins	–	–	–	–	SPR	
Grazing of cattle, horses, sheep, goats, alpacas, or llamas	SPR	SPR	SPR[8]	SPR	SPR[8]	Section 22.140.080

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O–S***	***R-R***	***W***	***Additional Regulations***
Hogs or pigs	SPR	SPR	–	SPR	–	Section 22.140.080
Hog ranches	–	CUP	–	–	–	
Livestock feed yards	–	SPR[2,6]	–	–	–	
Livestock sales yards	–	SPR[2,8]	–	–	–	
Menageries, zoos, animal exhibitions, or other facilities for keeping of wild animals	–	CUP	CUP	CUP[3,9]	–	
Raising, breeding, and training of horses and other equine, cattle, sheep, goats, alpacas, and llamas						
On a lot having an area of not less than one acre, up to eight animals allowed per acre	SPR	SPR	–	–	–	Section 22.140.080
On a lot having, as a condition of use, an area of not less than five acres, nine or more animals allowed per acre	CUP	SPR	–	–	–	Section 22.140.080
Raising of poultry, fowl, birds, rabbits, chinchilla, nutria, mice, frogs, fish, bees, earthworms, and other similar animals of comparable nature, form, and size, including hatching, fattening, marketing, sale, slaughtering, dressing, processing, and packing, including eggs, honey, or similar products derived from such animals	SPR	SPR	–	SPR	–	Section 22.140.080
Riding academies and stables, with the boarding of horses	CUP[8]	SPR[2,8]	CUP[8]	SPR[8]	–	
Veterinaries	–	SPR	–	–	–	
Wild animals, keeping of individually or collectively for private or commercial purposes	–	CUP	–	CUP[4,9]	–	
Cannabis Uses						
Cannabis businesses and activities, including renting, leasing, and permitting	–	–	–	–	–	Section 22.140.134
Cannabis cultivation, personal, accessory to a legally established dwelling unit	*See Table 22.16.030-C: Accessory Use Regulations*					
Cultural, Educational, and Institutional Uses						
Amphitheaters	–	CUP[10]	–	CUP[4,9]	–	
Aquaria	–	SPR[2]	–	–	–	

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O–S***	***R-R***	***W***	***Additional Regulations***
Arboretums and horticultural gardens	CUP	CUP	CUP	SPR	–	
Camps, operated by or used in conjunction with the Los Angeles County Fire Department for the purpose of watershed conservation and fire control	–	–	–	–	SPR	
Churches, temples, or other places used exclusively for religious worship, including accessory educational and social activities	CUP	CUP	–	CUP	–	
Correctional institutions, including jails, farms, and camps	CUP	CUP	–	CUP	–	
Disability rehabilitation and training centers	CUP[11]	CUP[11]	–	–	–	
Grange halls	CUP	CUP	–	–	–	
Historical monuments and cultural heritage sites	–	–	SPR	–	–	
Juvenile halls	CUP	CUP	–	CUP	–	
Libraries	CUP	CUP	–	CUP	–	
Military reservations	–	–	CUP	–	–	
Museums	CUP	CUP	CUP	SPR[12]	–	
Observatories	CUP	CUP	CUP	SPR	–	
Revival meetings, tent	–	CUP	–	CUP	–	
Schools						
Colleges and universities, accredited, excluding trade or commercial schools	CUP	CUP	–	CUP	–	
Schools, grades K-12, accredited by the State of California, excluding trade or commercial schools	CUP	CUP	–	CUP	–	
Theaters, drive-in	CUP	CUP	–	–	–	
Theaters, excluding drive-in	–	CUP[10]	–	–	–	
Industrial Uses						
Explosives storage, permanent	EP	EP	EP	EP	EP	
Farm equipment repair shops	–	CUP	–	–	–	
Feed mills	–	SPR[2,8]	–	–	–	
Fertilizer plants	–	CUP	–	–	–	
Fruit and vegetable packing plants	–	SPR[3]	–	–	–	

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O–S***	***R-R***	***W***	***Additional Regulations***
Heavy equipment training schools	CUP[13]	CUP[13]	–	–	–	*Also see "Trade or commercial schools"*
Linseed, cottonseed, and coconut oil processing plants	–	SPR[3]	–	–	–	
Motion picture sets and indoor studios	–	CUP	–	–	–	Section 22.140.060.A
Motion picture sets	–	–	CUP	–	–	Section 22.140.060.A
Motion picture studios and sets	–	–	–	SPR[4]	–	Section 22.140.060.A
Lodging Uses						
Cabins	–	–	–	CUP	–	
Guest ranches	CUP	CUP	–	CUP	–	
Hotels	–	–	CUP[14]	CUP	–	
Motels	–	–	CUP[14]	CUP	–	
Youth hostels	CUP	SPR	CUP[14]	CUP[4,9]	–	
Recreational Uses						
Archery ranges	–	–	–	SPR[4]	–	
Athletic fields, excluding stadiums	–	CUP	CUP	SPR[4]	–	
Boat rentals	–	–	–	SPR[4]	–	
Campgrounds, picnic areas, trails with overnight camping facilities, including fishermen's and hunters' camps, excluding permanent habitable structures	CUP	SPR	SPR	SPR[4]	SPR	
Camps, religious, educational, and similar non-profit organizations	–	–	–	–	CUP	
Camps, youth	CUP	SPR	CUP	CUP	–	
Fishing and casting ponds	–	–	–	SPR[4]	–	
Golf						
Golf courses, including clubhouses and accessory facilities	CUP	CUP	CUP	SPR[4]	–	
Golf driving ranges	CUP	CUP	CUP	SPR[4]	–	
Miniature golf courses	–	–	–	CUP[4,9]	–	
Ice skating rinks	–	–	–	CUP[4,9]	CUP	
Marinas, small boat harbors, docks, piers, boat launches, and similar recreational facilities	–	–	CUP	–	–	

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O–S***	***R-R***	***W***	***Additional Regulations***
Motor recreational facilities for the driving, testing, or racing of automobiles, dune buggies, motorcycles, trail bikes, or similar vehicles, including accessory facilities	–	–	CUP[13]	–	–	
Nudist camps	–	CUP	–	–	–	
Outdoor festivals	–	CUP	–	CUP	–	
Parks, playgrounds, and beaches, including accessory facilities	CUP	SPR	CUP	SPR[12]	–	
Polo fields	–	–	CUP	SPR[4]	–	
Recreation clubs, private	CUP	CUP	CUP	CUP	–	Section 22.140.480
Recreational vehicle parks	CUP	CUP	CUP	CUP	CUP	Section 22.140.490
Riding and hiking trails, excluding trails for motor vehicles	SPR	SPR	SPR	SPR	SPR	
Rifle, pistol, or skeet ranges	CUP[8]	CUP	CUP[8]	CUP[8,9]	–	
Rodeos, excluding horse racing	–	CUP	–	SPR[4]	–	
Skating rinks, outdoor	–	–	–	CUP[4,9]	–	
Ski lifts, tows, runs, and warming huts	–	–	CUP[8]	SPR[4]	SPR	
Sport courts, including tennis, volleyball, badminton, croquet, lawn bowling, and similar uses	–	–	–	SPR[4]	–	
Swimming pools as a principal use	–	–	–	SPR	–	
Tramways	–	–	–	–	CUP	
Trap ranges	–	CUP	CUP[8]	CUP[8,9]	–	
Renewable Energy Uses						
Energy generating or storage devices, including but not limited to solar, wind, or geothermal devices	–	–	CUP	–	–	
Utility-scale solar energy facilities, ground-mounted	–	CUP	–	CUP	–	Section 22.140.510
Utility-scale solar energy facilities, structure-mounted	P	P	–	P	–	Section 22.140.510
Utility-scale wind energy facilities	–	–	–	–	–	
Residential Uses						
Adult residential facilities						
Facilities serving six or fewer persons, in compliance with Section 22.140.520.B.1	P	P	–	–	–	Section 22.140.520

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O–S***	***R-R***	***W***	***Additional Regulations***
Facilities serving six or fewer persons, in compliance with Section 22.140.520.B.2	MCUP	MCUP	–	–	–	Section 22.140.520
Facilities serving six or fewer persons	–	–	–	CUP	–	
Facilities serving seven or more persons	CUP	CUP	–	CUP	–	
Convents and monasteries	CUP	CUP	–	CUP	–	
Density-controlled developments	CUP	CUP	–	CUP	–	Section 22.140.170
Farmworker housing						
Farmworker dwelling units	SPR	SPR	–	–	–	Section 22.140.230
Farmworker housing complexes	SPR	SPR	–	–	–	Section 22.140.230
Foster family homes, in an approved residential use	P	P	P	P	P	
Group homes for children						
Facilities serving six or fewer persons, in compliance with Section 22.140.520.B.1	P	P	–	–	–	Section 22.140.520
Facilities serving six or fewer persons in compliance with Section 22.140.520.B.2	MCUP	MCUP	–	–	–	Section 22.140.520
Facilities serving six or fewer persons	–	–	–	CUP	–	
Facilities serving seven or more persons	CUP	CUP	–	CUP	–	
Mobilehome parks	CUP	CUP	–	CUP	–	Section 22.140.370
Qualified projects	HP	HP	–	–	–	Chapter 22.120
Single-family residences	SPR	SPR	CUP	CUP	CUP	Section 22.140.580
Small family homes for children						
Facilities serving six or fewer persons, in compliance with Section 22.140.520.B.1	P	P	–	–	–	Section 22.140.520
Facilities serving six or fewer persons, in compliance with Section 22.140.520.B.2	MCUP	MCUP	–	–	–	Section 22.140.520
Facilities serving six or fewer persons	–	–	–	SPR	–	
Townhouses	CUP	CUP	–	CUP	–	Section 22.140.600
Retail/Commercial Uses						
Bait and tackle shops	–	–	–	CUP[4,9]	–	

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O–S***	***R-R***	***W***	***Additional Regulations***
Farm equipment sales, rental, and storage	–	CUP	–	–	–	
Farmers' markets	MCUP	MCUP	MCUP	MCUP	–	Section 22.140.220
Grocery stores	–	–	–	CUP[4,9]	–	
Plant nurseries, including propagation of nursery stock and retail sales	CUP	CUP	–	CUP	–	Section 22.140.450
Souvenir shops	–	–	–	CUP[4,9]	–	
Tasting rooms, on-site						
In compliance with 22.140.590.D.1	MCUP	MCUP	–	MCUP	–	Section 22.140.590
In compliance with 22.140.590.D.2	CUP	CUP	–	CUP	–	Section 22.140.590
Tasting rooms, remote						
In compliance with 22.140.590.D.1	MCUP	MCUP	–	MCUP	–	Section 22.140.590
In compliance with 22.140.590.D.2	CUP	CUP	–	CUP	–	Section 22.140.590
Service Uses						
Barber shops	–	–	–	CUP[4,9]	–	
Bars and cocktail lounges	–	–	–	CUP[4,9]	–	
Beauty shops	–	–	–	CUP[4,9]	–	
Bicycle and motor scooter rentals	–	–	–	CUP[4,9]	–	
Cemeteries	CEM	CEM	CEM	CEM	CEM	
Dance pavilions, outdoor	–	–	–	SPR[4]	–	
Day care						
Adult day care centers	CUP	CUP	–	CUP	–	
Child care centers operated in conjunction with and accessory to an accredited K-12 school	CUP	SPR	–	CUP	–	
Child care centers	CUP	CUP	–	CUP	–	
Large family child care homes, in compliance with Section 22.140.210.B.1	SPR	SPR	–	–	–	Section 22.140.210
Large family child care homes, in compliance with Section 22.140.210.B.2	MCUP	MCUP	–	–	–	Section 22.140.210
Large family child care homes	–	–	–	SPR	–	
Small family child care homes	SPR	SPR	–	SPR	–	
Domestic violence shelters	SPR	SPR	–	–	–	Section 22.140.180

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O–S***	***R-R***	***W***	***Additional Regulations***
Health retreats	CUP	CUP	–	CUP	–	Section 22.140.260
Medical services						
First aid stations	–	–	–	CUP[4,9]	–	
Hospitals	CUP	CUP	–	CUP	–	
Laundries and cleaning services						
Self-service	–	–	–	CUP[4,9]	–	
Pest control operators, agricultural	–	CUP	–	–	–	
Recreational equipment rentals	–	–	CUP[9]	–	–	
Restaurants and other eating establishments, including food take-out	–	–	–	CUP[4,9]	CUP	
Tourist information centers	–	–	–	SPR	–	
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses						
Airports, heliports, helistops, and landing strips	CUP	CUP	CUP[14]	CUP	CUP[15]	
Comfort stations and restroom facilities	–	–	SPR	SPR	SPR	
Communication equipment buildings	CUP	CUP	CUP	CUP	–	
Earth stations	CUP	CUP	CUP	CUP	–	
Electric distribution substations, including related microwave facilities	CUP	CUP	CUP	CUP	SPR	Section 22.140.200
Electric generating plants-other than hydroelectric	–	–	–	–	CUP	
Electric transmission substations, including related microwave facilities	–	–	CUP	CUP	SPR	
Fire stations	CUP	CUP	–	CUP	–	
Gas metering and control stations, public utility	CUP	CUP	CUP	CUP	CUP	
Gas metering and control stations, public utility, including facilities associated with underground natural gas storage	CUP	–	–	–	–	
Hydroelectric generating plants	–	–	–	–	SPR	
Microwave stations	CUP	CUP	CUP	CUP	SPR	
Petroleum pipelines and pumping stations	–	–	–	–	SPR	
Police stations	CUP	CUP	–	CUP	–	
Post offices	–	–	–	CUP	–	

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O–S***	***R-R***	***W***	***Additional Regulations***
Publicly owned uses that are necessary to maintain the public health, convenience, or general welfare, other than uses specifically listed in the zone	CUP	CUP	CUP	CUP	CUP	
Public utility service centers	–	CUP	CUP	CUP	–	
Public utility service yards	–	CUP	–	–	–	
Radio and television stations and towers, excluding studios	CUP	CUP	CUP	CUP	CUP	
Radio and television transmitter stations	–	–	–	–	CUP	
Road construction and maintenance yards	CUP	CUP	–	CUP	SPR	
Scenic turnouts, vista points, and interpretative displays	–	–	SPR	–	–	
Sewage treatment plants	CUP	CUP	–	CUP	–	
Stations, bus, railroad, and taxi	CUP	CUP	–	–	–	
Telephone repeater stations	CUP	CUP	CUP	CUP	SPR	
Transportation of oil, gas, or other produced substances from an existing oil field by means other than buried pipeline	–	–	CUP	–	–	
Water reclamation facilities	–	–	CUP	–	–	
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, wells, and tanks, and any other use normal and accessory to the storage and distribution of water, except for shared water wells and associated tanks	CUP	CUP	CUP	CUP	SPR	
Vehicle-Related Uses						
Automobile service stations	–	–	–	CUP[4,9]	–	

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O–S***	***R-R***	***W***	***Additional Regulations***
Notes: 1. A copy of a valid letter from the U.S. Forest Service indicating that the use is consistent with the overall recreational plan, signed by the Forest Supervisor, shall be required prior to approval. 2. All buildings and structures on the property used in conjunction with the permitted use shall be located at least 50 feet from any street or highway or any habitable structure. 3. Use shall be located at least 300 feet from any public park or any area in a Residential Zone. 4. Minimum lot size is one acre. 5. Use shall meet all applicable health and safety standards and be reclaimed for open space use when declared safe for such use by the California Department of Health. 6. Minimum lot size is 10 acres. 7. Limited to hives only. 8. Minimum lot size is five acres. 9. Use shall be located within 600 feet of, or be in conjunction with, and intended to serve any use listed as permitted for the zone under the Recreational Uses category in Table 22.16.030-B, above. 10. Use shall be limited to a seating capacity not to exceed 500 seats. 11. Minimum lot size is one acre where sheltered employment or industrial-type training is conducted. 12. Use is permitted if publicly owned. 13. Minimum lot size is 100 acres. 14. Use is allowed in an open space easement if use is consistent with the intent and language of the applicable open space easement. 15. Use excludes airports and landing strips.						

2. Accessory Uses. Table 22.16.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.16.030-C: ACCESSORY USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O-S***	***R-R***	***W***	***Additional Regulations***
Access to property lawfully used for a purpose not permitted in the zone[1]	SPR	SPR	SPR	SPR	–	
Accessory buildings and structures, unless more specifically regulated by this Title 22	*As determined by the principal use*					Sections 22.110.030, 22.110.040
Alcoholic beverage sales, for on-site consumption	CUP	CUP	CUP	CUP	CUP	Section 22.140.030
Alcoholic beverage sales, for off-site consumption, at a campground or recreational trailer park	CUP	CUP	CUP	CUP	CUP	Section 22.140.030
Amateur radio antennas						
In compliance with Section 22.140.040.D.1	SPR	SPR	SPR	SPR	SPR	Section 22.140.040
In compliance with Section 22.140.040.D.2	MCUP	MCUP	MCUP	MCUP	MCUP	Section 22.140.040

TABLE 22.16.030-C: ACCESSORY USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O-S***	***R-R***	***W***	***Additional Regulations***
Animals, domestic and wild, maintained or kept as pets or for personal use, in conjunction with a residential use						
In compliance with Section 22.140.070.B.1	P	P	P	P	P	Section 22.140.070
In compliance with Section 22.140.070.B.2	AP	AP	AP	AP	AP	Section 22.140.070
Building materials storage, for an approved project on the same site	SPR	SPR	–	SPR	–	Section 22.140.130
Cannabis cultivation, personal, accessory to a legally established dwelling unit	P	P	P	P	P	Section 22.140.134
Caretaker residences, including mobilehomes	CUP	CUP	CUP	CUP	–	Section 22.140.140
Dormitories, including dining facilities	–	–	–	–	SPR	
Grading projects						
More than 10,000 up to 100,000 cubic yards of material to be transported off-site	SPR	SPR	SPR / CUP	SPR	SPR	Section 22.140.240
More than 100,000 cubic yards of material to be transported off-site	CUP	CUP	CUP	CUP	CUP	Section 22.140.240
On-site, excluding projects where the Review Authority has previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project	CUP	CUP	SPR / CUP	CUP	CUP	Section 22.140.240
Guest houses	SPR	SPR	–	–	–	Section 22.140.250
Historic vehicle collections						
In compliance with Section 22.140.270.B.1	SPR	SPR	–	–	–	Section 22.140.270
In compliance with Section 22.140.270.B.2	CUP	CUP	–	–	–	Section 22.140.270
Home-based occupations	P	P	–	–	–	Section 22.140.290
Live entertainment						
In compliance with Section 22.140.330.D.1	–	–	–	SPR	SPR	Section 22.140.330
In compliance with Section 22.140.330.D.2	–	–	–	MCUP	MCUP	Section 22.140.330

TABLE 22.16.030-C: ACCESSORY USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O-S***	***R-R***	***W***	***Additional Regulations***
Living quarters for persons employed and deriving a major portion of their income on the premises	CUP	CUP	–	CUP	–	
Parking lots, excluding commercial parking lots[3]	–	–	SPR	–	–	
Parking as a transitional use	SPR	SPR	–	SPR	–	Section 22.140.440
Produce stands, including products from community gardens	P	P	P	P	–	Section 22.140.460
Refreshment stands[4]	–	CUP	CUP	SPR	–	
Rehabilitation facilities for small wild animals	AP	AP	–	–	–	Section 22.140.500
Room rentals[5]	P	P	–	–	–	
Second units						
In compliance with Section 22.140.540.E.1	SPR	SPR	–	–	–	Section 22.140.540
In compliance with Section 22.140.540.E.2	CUP	CUP	–	–	–	Section 22.140.540
Shared water wells	MCUP	MCUP	–	–	–	Section 22.140.570
Signs	*As specified in Chapter 22.114 (Signs)*					
Small-scale solar energy systems, structure-mounted	P	P	P	P	P	Section 22.140.510
Small-scale solar energy systems, ground-mounted	SPR	SPR	MCUP	SPR	MCUP	Section 22.140.510
Small-scale wind energy systems	MCUP	MCUP	MCUP	–	–	Section 22.140.510

Notes:

1. Provided that there is no other practical access to such property available, and such access will not alter the character of the premises in respect to permitted uses in the subject zone.
2. Use does not permit residential accessory structures. Any other non-habitable accessory structures shall be limited to 400 square feet in floor area.
3. Use shall be developed in compliance with Chapter 22.112 (Parking).
4. Use permitted when operated in conjunction with, and intended to serve the patrons of, a use permitted in the zone, but not as a separate enterprise.
5. Rooms in a single-family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons.

3. Temporary Uses. Table 22.16.030-D, below, identifies the permit or review required to establish each temporary use.

TABLE 22.16.030-D: TEMPORARY USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	***A-2***	***O-S***	***R-R***	***W***	***Additional Regulations***
Explosives storage, temporary	EP	EP	EP	EP	EP	
Holiday and seasonal sales	SPR	SPR	–	SPR	–	Section 22.140.280
Meteorological towers	MCUP	MCUP	MCUP	–	–	Section 22.140.510
Mobilehomes used as a residence during construction						
Used for a period not to exceed one year	SPR	SPR	–	SPR	–	Section 22.140.380
Used for a period not to exceed two years	CUP	CUP	–	CUP	–	Section 22.140.380
Model homes	SPR	SPR	–	–	–	Section 22.140.390
Model homes, in those areas where such uses are specifically mentioned in the General Plan	CUP	CUP	–	–	–	
Real estate tract offices	SPR	SPR	–	–	–	Section 22.140.470
Special events	SEP	SEP	SEP	SEP	SEP	
Storage of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines, and similar uses for up to one year	CUP	CUP	CUP	CUP	–	
Yard sales	P	P	P	P	P	Section 22.140.620

22.16.040 Development Standards for Zones A-1, A-2, O-S, R-R, and W.

Development on any lot in Zones A-1, A-2, O-S, R-R, and W shall comply with Division 6 (Development Standards), where applicable.

22.16.050 Development Standards for Zones A-1 and A-2.

A. Required Yards. Table 22.16.050-A, below, identifies minimum yard depths for Zones A-1 and A-2:

TABLE 22.16.050-A: MINIMUM YARD DEPTHS FOR AGRICULTURAL ZONES					
Zones	***Front***	***Corner Side***	***Corner Side—Reversed Corner Lot***	***Interior Side***	***Rear***
A-1, A-2	20 feet	5 feet	10 feet	5 feet	15 feet

B. Maximum Height. Every single-family residence shall not exceed a height of 35 feet above grade.

22.16.060 Development Standards for Zone O-S.

Premises in Zone O-S shall be subject to the following regulations:

A. Development. Premises shall remain essentially unimproved and buildings, structures, grading excavation, fill or other alterations shall be prohibited except for the specified uses listed as permitted or conditionally permitted in Section 22.16.030.C (Use Regulations). Additionally, for any premises located within a significant ecological area such uses shall be subject to a Minor Conditional Use Permit (Chapter 22.160) application.

B. Maximum Height. Buildings or structures, except historical monuments, shall not exceed a height of two stories or 35 feet, whichever is less, including the basement but excluding the cellar.

C. Additional Regulations for Zone O-S. In addition to the application requirements listed in Section 22.16.030.C (Use Regulations), the following applies to specified applications in Zone O-S.

1. Significant Ecological Areas. Where any uses or buildings subject to a Minor Conditional Use Permit (Chapter 22.160) application, as specified in Section 22.16.030.C, are located within a significant ecological area, the site plans shall be reviewed by SEATAC and its recommendations shall be sent to the Hearing Officer. The Hearing Officer may approve the application only after the applicant substantiates the following findings:

a. That the use or buildings requested are clearly accessory and subordinate to, will not alter the nature of, and are limited to facilities compatible with the intent and purpose of Zone O-S on the property where proposed; and

b. That in a significant ecological area such placement will not contribute to the detriment of the resources constituting the basis for classification as a significant ecological area.

2. Fences. In Zone O-S, fences shall require a Ministerial Site Plan Review (Chapter 22.186) application and shall be subject to the following standards:

a. Fences shall not exceed eight feet in height except where a higher fence is required by other ordinance or law.

b. Fences shall be open-work, non-view-obscuring except where a solid fence limited to five feet in height is specifically approved by the Director to protect identified resources.

3. Conditions of Approval. In approving any discretionary application in Zone O-S, the Commission or Hearing Officer may impose additional conditions to ensure that the use will be in accordance with the findings of such application. Additional conditions may include, but are not limited to:

a. Appropriate measures to further the safety of persons using the facilities or adjacent properties.

b. Dedication of conservation easements or other easements to ensure the preservation of specified resources.

c. Delayed commencement of a project for a specified period of time to provide for scientific studies of resources on the subject property.

Chapter 22.18 Residential Zones.

Sections:

22.18.010 Purpose.

22.18.020 Residential Zones Designated.

22.18.030 Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-5.
22.18.040 Development Standards for Residential Zones.
22.18.050 Development Standards for Zone R-5.
22.18.060 Development Standards and Regulations for Zone RPD.

22.18.010 Purpose.

A. General Purpose. Residential Zones preserve, protect, and enhance areas for residential land uses in a range of densities; provide for orderly, well-planned, and balanced growth of residential neighborhoods; and ensure adequate light, air, privacy, and open space for each dwelling. These zones also provide for the appropriate location of public and semi-public uses such as schools, parks, and religious facilities that can serve and complement residential uses.

B. Purpose of Individual Zones. The purposes of individual zones are established as follows:

1. High Density Multiple Residence Zone. The High Density Multiple Residence Zone (Zone R-5) implements the H100 and H150 land use designations in areas of the County mapped as such in the General Plan. Zone R-5 provides for areas that allow for maximum density residential development and all types of multifamily housing up to 150 units per net acre.

2. Residential Planned Development Zone. The Residential Planned Development Zone (Zone RPD) is established to promote residential amenities beyond those expected under conventional development, to achieve greater flexibility in design, to encourage well-planned neighborhoods through creative and imaginative planning, and to provide for appropriate use of land which is sufficiently unique in its physical characteristics or other circumstances to warrant special methods of development. In implementing residential planned development, it is further declared that the purpose of Zone RPD is to reduce developmental problems in hillside areas and to preserve areas

of natural scenic beauty through the encouragement of integrated planning, integrated design, and unified control of development.

22.18.020 Residential Zones Designated.

Table 22.18.020-A, below, identifies "Residential Zones," as used in this Title 22:

TABLE 22.18.010-A: RESIDENTIAL ZONES	
Abbreviation	***Full Name***
R-A	Residential Agricultural
R-1	Single-Family Residence
R-2	Two-Family Residence
R-3	Limited Density Multiple Residence
R-4	Medium Density Multiple Residence
R-5	High Density Multiple Residence Zone
RPD	Residential Planned Development

22.18.030 Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-5.

A. General. This Section prescribes the land use regulations for Zones R-A, R 1, R-2, R-3, R-4, and R-5.

B. Permit and Review Requirements. Table 22.18.030-A, below, identifies the permit or review required to establish each use listed in Subsection C, below.

TABLE 22.18.030-A: PERMIT AND REVIEW REQUIREMENTS		
Abbreviation	***Permit or Review Requirement***	***Reference***
–	Not Permitted	
P	Permitted	
AP	Animal Permit	Chapter 22.152
CEM	Cemetery Permit	Chapter 22.154
CUP	Conditional Use Permit	Chapter 22.158
MCUP	Minor Conditional Use Permit	Chapter 22.160
EP	Explosives Permit	Chapter 22.164
HP	Housing Permit	Chapter 22.166
SPR	Ministerial Site Plan Review	Chapter 22.186
SEP	Special Events Permit	Chapter 22.188
SMP	Surface Mining Permit	Chapter 22.190

C. Use Regulations.

1. Principal Uses. Table 22.18.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	***R-1***	***R-2***	***R-3***	***R-4***	***R-5***	***Additional Regulations***
Agricultural and Resource-Based Uses							
Community gardens	P	P	P	P	P	P	
Crops, including field, tree, bush, berry, and row	P	CUP	CUP	CUP	CUP	–	
Land reclamation projects	CUP	CUP	CUP	CUP	CUP	–	
Oil wells	CUP	CUP	CUP	CUP	CUP	–	Section 22.140.400
Plant nurseries, propagation of nursery stock only	P	CUP	CUP	CUP	CUP	–	
Secondary land uses under high-voltage transmission lines	SPR	SPR	SPR	SPR	SPR	–	Section 22.140.630
Solid fill projects	CUP	CUP	CUP	CUP	CUP	CUP	
Surface mining operations	SMP	SMP	SMP	SMP	SMP	–	
Cannabis Uses							
Cannabis businesses and activities, including renting, leasing, and permitting	–	–	–	–	–	–	Section 22.140.134
Cannabis cultivation, personal, accessory to a legally established dwelling unit	*See Table 22.18.030-C: Accessory Use Regulations*						
Cultural, Educational, and Institutional Uses							
Arboretums and horticultural gardens	CUP	CUP	CUP	CUP	CUP	–	
Churches, temples, or other places used exclusively for religious worship, including accessory educational and social activities	CUP	CUP	CUP	SPR[1]	SPR[1]	CUP[1]	
Community centers[2]	–	–	–	CUP	CUP	CUP	
Disability rehabilitation and training centers[3]	–	–	–	CUP	CUP	–	
Institutions of educational, philanthropic, or charitable nature, excluding any commercial or industrial enterprise sponsored or operated by such institution	–	–	–	–	CUP	CUP	
Juvenile halls	CUP	CUP	CUP	CUP	CUP	CUP	
Libraries	CUP	CUP	CUP	CUP	CUP	CUP	
Museums	CUP	CUP	CUP	CUP	CUP	CUP	
Schools							

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	***R-1***	***R-2***	***R-3***	***R-4***	***R-5***	***Additional Regulations***
Colleges and universities, accredited, excluding trade or commercial schools	–	–	–	–	CUP	–	
Schools, grades K-12, accredited by the State of California, excluding trade or commercial schools	CUP	CUP	CUP	CUP	SPR	–	
Industrial Uses							
Explosives storage, permanent	EP	EP	EP	EP	EP	–	
Lodging Uses							
Hotels	–	–	–	–	CUP	CUP	Section 22.140.310
Recreational Uses							
Golf courses, including clubhouses and accessory facilities	CUP	CUP	CUP	CUP	CUP	–	
Parks, playgrounds, and beaches, including accessory facilities	CUP	CUP	CUP	CUP	CUP	CUP	
Recreation facilities, neighborhood	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.480
Riding and hiking trails, excluding trails for motor vehicles	SPR	SPR	SPR	SPR	SPR	–	
Renewable Energy Uses							
Utility-scale solar energy facilities, ground-mounted	–	–	–	–	–	–	
Utility-scale solar energy facilities, structure-mounted	P	P/ MCUP	P	P	P	P	Section 22.140.510
Utility-scale wind energy facilities	–	–	–	–	–	–	
Residential Uses							
Adult residential facilities							
Facilities serving six or fewer persons, in compliance with Section 22.140.520.B.1	P	P	P	P	P	P	Section 22.140.520
Facilities serving six or fewer persons in compliance with Section 22.140.520.B.2	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Section 22.140.520
Facilities serving seven or more persons	CUP	CUP	CUP	CUP	CUP	CUP	
Convents and monasteries, where on the same lot as a legally established church or school	CUP	CUP	CUP	SPR	SPR	SPR	
Density-controlled developments	CUP	CUP	CUP	–	–	–	Section 22.140.170
Farmworker housing							

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	***R-1***	***R-2***	***R-3***	***R-4***	***R-5***	***Additional Regulations***
Farmworker dwelling units	SPR	SPR	SPR	SPR	SPR	–	Section 22.140.230
Farmworker housing complexes, in compliance with Section 22.140.230.E.1	–	–	–	SPR	SPR	–	Section 22.140.230
Farmworker housing complexes, in compliance with Section 22.140.230.E.2	–	–	–	CUP	CUP	–	Section 22.140.230
Farmworker housing complexes	SPR	CUP	CUP	–	–	–	Section 22.140.230
Foster family homes, in an approved residential use	P	P	P	P	P	P	
Fraternity and sorority houses	–	–	–	CUP	SPR	SPR	
Group homes for children							
Facilities serving six or fewer persons, in compliance with Section 22.140.520.B.1	P	P	P	P	P	P	Section 22.140.520
Facilities serving six or fewer persons, in compliance with Section 22.140.520.B.2	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Section 22.140.520
Facilities serving seven or more persons	CUP	CUP	CUP	CUP	CUP	CUP	
Mobilehome parks	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.370
Multi-family housing							
Apartment houses	–	–	MCUP[4] /CUP[5]	SPR	SPR	SPR	
Townhouses	CUP	CUP	CUP	SPR	SPR	SPR	Section 22.140.600
Two-family residences	–	–	SPR	SPR	SPR	–	
Qualified projects	HP	HP	HP	HP	HP	HP	Chapter 22.120
Rooming and boarding houses	–	–	–	CUP	SPR	SPR	
Single-family residences	SPR	SPR	SPR	SPR	SPR	–	Section 22.140.580
Small family homes for children							
Facilities serving six or fewer persons, in compliance with Section 22.140.520.B.1	P	P	P	P	P	P	Section 22.140.520
Facilities serving six or fewer persons, in compliance with Section 22.140.520.B.2	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Section 22.140.520
Retail/Commercial Uses							
Farmers' markets	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Section 22.140.220
Service Uses							
Cemeteries	CEM	CEM	CEM	CEM	CEM	–	

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	***R-1***	***R-2***	***R-3***	***R-4***	***R-5***	***Additional Regulations***
Day care							
Adult day care centers	CUP	CUP	CUP	CUP	CUP	CUP	
Child care centers, less than 50 children	CUP	CUP	CUP	SPR	SPR	SPR	
Child care centers, more than 50 children	CUP	CUP	CUP	MCUP	SPR	SPR	
Large family child care homes, in compliance with Section 22.140.210.B.1	SPR	SPR	SPR	–	–	–	Section 22.140.210
Large family child care homes, in compliance with Section 22.140.210.B.2	MCUP	MCUP	MCUP	–	–	–	Section 22.140.210
Large family child care homes	–	–	–	SPR	SPR	SPR	
Small family child care homes	SPR	SPR	SPR	SPR	SPR	SPR	
Domestic violence shelters	SPR	–	SPR	SPR	SPR	SPR	Section 22.140.180
Homeless shelters	–	–	–	SPR	SPR	SPR	Section 22.140.300
Medical services							
Hospitals	–	–	–	–	CUP	CUP	
Parking buildings, excluding commercial parking buildings[6]	–	–	–	–	CUP	CUP	
Parking lots, excluding commercial parking lots[6]	–	–	CUP	CUP	CUP	CUP	
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses							
Airports, heliports, helistops, and landing strips	CUP	CUP	CUP	CUP	CUP	CUP[7]	
Communication equipment buildings	CUP	CUP	CUP	CUP	CUP	CUP	
Earth stations	CUP	CUP	CUP	CUP	CUP	CUP	
Electrical distribution substations, including related microwave facilities	CUP	CUP	CUP	CUP	CUP	CUP	
Fire stations	CUP	CUP	CUP	CUP	CUP	CUP	
Gas metering and control stations, public utility	CUP	CUP	CUP	CUP	CUP	CUP	
Microwave stations	CUP	CUP	CUP	CUP	CUP	CUP	
Police stations	CUP	CUP	CUP	CUP	CUP	CUP	
Post offices	–	–	–	–	CUP	CUP	
Publicly owned uses that are necessary to maintain the public health, convenience, or general welfare, other than uses specifically listed in the zone	CUP	CUP	CUP	CUP	CUP	CUP	

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	***R-1***	***R-2***	***R-3***	***R-4***	***R-5***	***Additional Regulations***
Radio and television stations and towers, excluding studios	CUP	CUP	CUP	CUP	CUP	CUP	
Sewage treatment plants	CUP	CUP	CUP	CUP	CUP	–	
Stations, bus, railroad, and taxi	–	–	–	–	CUP	CUP	
Telephone repeater stations	CUP	–	CUP	CUP	CUP	CUP	
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, wells and tanks, and any other use normal and accessory to the storage and distribution of water, except for shared water wells and associated tanks	CUP	CUP	CUP	CUP	CUP	CUP	

Notes:

1. Use shall not authorize such accessory activities unless specifically classified in this zone.
2. Use permitted where developed as an integral part of a building project and operated on a nonprofit basis for the use of surrounding residents. This provision shall not be interpreted to permit commercial enterprises.
3. Minimum lot size is one acre where sheltered employment or industrial-type training is conducted.
4. Where use is existing and legally non-conforming.
5. Each unit shall have the required minimum lot area, but in no event shall the minimum lot area be less than 2,500 square feet.
6. Use shall be developed in compliance with Chapter 22.112 (Parking).
7. Use excludes airports, heliports, and landing strips.

2. Accessory Uses. Table 22.18.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.18.030-C: ACCESSORY USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	***R-1***	***R-2***	***R-3***	***R-4***	***R-5***	***Additional Regulations***
Access to property lawfully used for a purpose not permitted in the zone[1]	SPR	SPR	SPR	SPR	SPR	SPR	
Accessory buildings and structures, unless more specifically regulated by this Title 22	*As determined by the principal use*						Sections 22.110.030, 22.110.040
Amateur radio antennas							
In compliance with Section 22.140.040.D.1	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.040
In compliance with Section 22.140.040.D.2	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Section 22.140.040
Animals, domestic and wild, maintained or kept as pets or for personal use, in conjunction with a residential use							
In compliance with Section 22.140.070.B.1	P	P	P	P	P	P	Section 22.140.070

TABLE 22.18.030-C: ACCESSORY USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	***R-1***	***R-2***	***R-3***	***R-4***	***R-5***	***Additional Regulations***
In compliance with Section 22.140.070.B.2	AP	AP	AP	AP	AP	AP	Section 22.140.070
Building materials storage, for an approved project on the same site	P	P	P	P	P	P	Section 22.140.130
Cannabis cultivation, personal, accessory to a legally established dwelling unit	P	P	P	P	P	P	Section 22.140.134
Grading projects							
More than10,000 and up to 100,000 cubic yards of material to be transported off-site	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.240
More than 100,000 cubic yards of material to be transported off-site	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.240
On-site, excluding projects where the Review Authority has previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.240
Guest houses	SPR	SPR	SPR	SPR	SPR	–	Section 22.140.250
Historic vehicle collections							
In compliance with Section 22.140.270.B.1	SPR	SPR	SPR	–	–	–	Section 22.140.270
In compliance with Section 22.140.270.B.2	CUP	CUP	CUP	–	–	–	Section 22.140.270
Home-based occupations	P	P	P	P	P	P	Section 22.140.290
Parking as a transitional use	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.440
Rehabilitation facilities for small wild animals	AP	AP	–	–	–	–	Section 22.140.500
Restaurants and accessory commercial service concessions in hotels or apartment houses	–	–	–	–	CUP	MCUP	Sections 22.140.090
Room rentals[2]	P	P	P	P	P	P	
Second units							
In compliance with Section 22.140.540.E.1	SPR	SPR	SPR	SPR	SPR	–	Section 22.140.540
In compliance with Section 22.140.540.E.2	CUP	CUP	CUP	CUP	CUP	–	Section 22.140.540
Shared water wells	MCUP	MCUP	MCUP	–	–	–	Section 22.140.570
Signs	*As specified in Chapter 22.114 (Signs)*						
Small-scale solar energy systems, structure-mounted	P	P	P	P	P	P	Section 22.140.510

TABLE 22.18.030-C: ACCESSORY USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	***R-1***	***R-2***	***R-3***	***R-4***	***R-5***	***Additional Regulations***
Small-scale solar energy systems, ground-mounted	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.510
Small-scale wind energy systems	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Section 22.140.510
Notes: 1. Provided that there is no other practical access to such property available, and such access will not alter the character of the premises in respect to permitted uses in the subject zone. 2. Rooms in a single-family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons.							

3. Temporary Uses. Table 22.18.030-D, below, identifies the permit or review required to establish each temporary use.

TABLE 22.18.030-D: TEMPORARY USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	***R-1***	***R-2***	***R-3***	***R-4***	***R-5***	***Additional Regulations***
Explosives storage, temporary	EP	EP	EP	EP	EP	–	
Holiday and seasonal sales	–	–	SPR	SPR	SPR	–	Section 22.140.280
Meteorological towers	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Section 22.140.510
Mobilehomes used as a residence during construction							
Used for a period not to exceed one year	SPR	SPR	SPR	SPR	SPR	–	Section 22.140.380
Used for a period not to exceed two years	CUP	CUP	CUP	CUP	CUP	–	Section 22.140.380
Model homes	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.390
Model homes, in those areas where such uses are specifically mentioned in the General Plan	CUP	CUP	CUP	CUP	CUP	CUP	
Real estate tract offices	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.470
Special events	SEP	SEP	SEP	SEP	SEP	SEP	
Storage, temporary, of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines, and similar uses for up to one year	CUP	CUP	CUP	CUP	CUP	CUP	
Yard sales	P	P	P	P	P	P	Section 22.140.620

22.18.040 Development Standards for Residential Zones.

A. Development Standards for Zones R-A, R-1, R-2, R-3, R-4, R-5 and RPD. Development on any lot in Zones R-A, R-1, R-2, R-3, R-4, R-5 and RPD shall comply with Division 6 (Development Standards), where applicable.

B. Required Yards. Table 22.18.040-A, below, identifies the minimum yard depths for Zones R-A, R-1, R-2, R-3, R-4, and R-5 as follows:

TABLE 22.18.040-A: MINIMUM YARD DEPTHS FOR RESIDENTIAL ZONES

Zones	*Front*	*Corner Side*	*Corner Side—Reversed Corner Lot*	*Interior Side*	*Rear*
R-A, R-1, R-2	20 feet	5 feet	10 feet	5 feet	15 feet
R-3	15 feet	5 feet	7.5 feet	5 feet	15 feet
R-4	15 feet	5 feet	7.5 feet	5 feet where no building exceeds two stories in height; or 5 feet plus 1 foot for each story that exceeds two stories, except the maximum required side yard depth is 16 feet	15 feet
R-5	5 feet	15 feet if adjacent to Zone R-1 or R-2, and 0 feet if separated from a lot in Zone R-1 or R-2 by a highway, street, alley, or easement of at least 15 feet in width			

C. Maximum Height.

1. Zones R-A, R-1, R-2, and R-3. Every residence and every other building and structure shall not exceed a height of 35 feet above grade.

2. Zone R-4. Every building and structure shall not exceed a height of 13 times the buildable area.

3. Zone R-5. Every building and structure shall not exceed a height of 65 feet above grade, excluding rooftop recreational spaces, except that the portion of any building sharing a common side or rear lot line with property located within Zone R-1 or R-2 shall have a stepback from that common side or rear lot line so that the height of the building in Zone R-5 is no greater than 45 feet at the edge of the building wall facing that common lot line, and shall be recessed back one foot for every additional foot in building height, up to a maximum height of 65 feet.

22.18.050 Development Standards for Zone R-5.

A. Project Review and Evaluation.

1. An application for new construction or expansion of development in Zone R-5 may be referred to Public Works for review of the project's impacts to infrastructure. In addition to the requirements of Section 22.116.030.B (Improvements), the application may be required to include, at the discretion of the Director of Public Works, technical studies in accordance with current County guidelines, or other information, including but not limited to the following:

a. A traffic impact analysis;

b. Certification from the public water purveyor that indicates water facilities in the area are adequate to meet the demands of the project and all other properties served by the same water facility; and

c. A sewer area study to determine the adequacy of the sewage system that will serve the project.

2. Where the Director of Public Works finds that based on the traffic, water, or sewer studies that the existing infrastructure is inadequate to serve a project, the Director may require the applicant to construct, install, or provide additional funds to construct or install the necessary infrastructure to protect public health, safety, and welfare. Furthermore, the Director, in consultation with the Director of Public Works, may require that the applicant demonstrate on a site plan that adequate sightlines are maintained from the vehicular access points of the project site to the public right-of-way, and that the proposed layout of the site does not impede vehicular movement in the public right-of-way.

B. Yard Requirements. In addition to Section 22.18.040 (Development Standards for Residential Zones), above, any required front yard shall be fully landscaped.

C. Building Articulation. At least 50 percent of the building wall that fronts a street shall incorporate varying articulation and architectural detailing to visually break up massing, such as recessed windows, balconies, offset planes, stepbacks, vertical or horizontal modulations, or other architectural or decorative accents that create visual interest in lieu of long unarticulated walls.

D. Screening.

1. Facades and Windows. A building's frontage facing a street shall not have more than 25 percent landscaping or fencing that screens from public view the façade or windows on the ground floor of the building's frontage.

2. Trash Bin Enclosures. Trash enclosures for refuse and recycling bins shall be:

a. Located within parking areas or structures, or at the rear or side of buildings, or between buildings, and shall not be between a building and a street:

b. Located not farther than 150 feet from the building;

c. Not placed in any public right-of-way; and

d. If located outside, screened by masonry walls between five and six feet in height.

3. Mechanical Equipment. Mechanical equipment shall be completely screened from view with walls and or landscaping.

E. Recreational Spaces for Residential Developments:

1. Areas Defined.

a. Common Recreational Space. Recreational space is for the exclusive use of the residents in the development, and may include features as listed in Table 22.18.050-A:

TABLE 22.18.050-A: RECREATIONAL SPACE FEATURES	
Atriums	Playgrounds
Barbecue and picnic areas	Pool decks
Community or multipurpose rooms	Swimming pools and spas
Courtyards	Tennis, volleyball, and other ball courts
Gardens, including rooftop gardens	Terraces
Indoor or outdoor exercise areas and rooms	Yards, interior side and rear, exclusive of vehicular access
Lawns	

b. Private Recreational Space. Private recreational space is attached to and accessed from within a dwelling unit, and may include an atrium, balcony, patio, porch, or terrace.

c. Excluded from Recreational Space. Off-street parking and loading areas, driveways, and other vehicular access areas, service areas, and perimeter landscaping no more than two feet in width, shall not count as usable recreational space.

2. Minimum Dimensions.

a. For new residential developments with up to 60,000 square feet of total floor area, at least 10 percent of the project area shall be provided for and maintained as common or private recreational space for use by the residents of the development. Landscaping required for the development may count towards this requirement as long as the landscaping is usable recreational space.

b. For new residential developments with over 60,000 square feet of total floor area, a minimum of 100 square feet of private or common recreational space per dwelling unit shall be provided and maintained. Landscaping may count towards this requirement as long as the landscaping is usable recreation space.

3. Additional Standards for Common Recreation Space.

a. Accessibility. Common recreational space shall be located on the same property as the units it serves, and shall be available exclusively for the residents of the development.

b. Roof Top Common Recreational Space. Where a roof top is used for common recreational space, the roof top shall incorporate landscaping, decorative paving materials, and recreational amenities of the type listed in Subsection E.1.a, above. Mechanical equipment storage areas on roof tops shall not be counted towards recreational space.

F. Other Residential Amenities. All residential developments shall provide adequate private or common laundry facilities to be reserved for the exclusive use of the residents residing in the development.

22.18.060 Development Standards and Regulations for Zone RPD.

Premises in Zone RPD shall be subject to the following regulations:

A. Use Regulations.

1. Permitted Uses. Property in Zone RPD may be used for any use permitted in Zone R-1 under the same limitations and conditions; including auxiliary and transitional uses, front, side, and rear yards, garages and carports, and area requirements; and those provisions of Chapter 22.110 (General Site Regulations) which relate to Zone R-1.

2. Conditional Uses. A Conditional Use Permit (Chapter 22.158) application is required if the property in Zone RPD is to be used for a planned residential development, including a mobilehome park, subject to the approval by the Commission or Hearing Officer, which will afford the same or lesser density of population or intensity of use than is specified in the zone, subject to Subsections B through G, below.

B. Additional Findings.

1. The project compiles with the purpose for the planned residential development as set forth in Section 22.18.010.B.2 (Residential Planned Development Zone).

2. The project provides as well or better for light and air, public safety and convenience, the protection of property values, and the preservation of the general welfare of the community, than if developed as provided in Subsection A, above.

3. The project complies with all standards of Subsections C through G, below.

C. Development Standards.

1. Area.

a. The proposed development plan shall include a lot containing not less than five acres.

b. A development plan may be considered on a lot less than five acres in area when such property is in Zone RPD and has a common boundary with property that has been developed under an approved planned residential development pursuant to Subsection A.2, above, and in this case, the plan shall indicate that the proposed development will constitute an orderly extension in arrangement of buildings,

facilities, and open space throughout the combined lots of land in addition to all the other requirements for approval of a Conditional Use Permit.

2. Density. When property in Zone RPD is developed as a planned residential development pursuant to Subsection A.2, above, the number of units for each acre of the net area shall be equal to the number preceding the letter "U" in the suffix to the zoning symbol. Chapter 22.120 (Density Bonus and Affordable Housing Incentives) and Chapter 22.166 (Housing Permits) regarding housing permits for qualified projects, shall apply to Zone RPD.

3. Type of Buildings or Structures.

a. Dwelling units may be in single-family, detached two-family, or multiple-family residential buildings, or they may be mobilehomes, manufactured homes or factory-built houses as defined in the California Health and Safety Code, depending upon adjacent development and the compensating features of the development plan.

b. The Commission or Hearing Officer may approve places of public assembly, recreational buildings and accessory buildings if such facilities are for the primary use of persons residing within the proposed planned development and located so as not to be detrimental to adjacent properties. Distance between buildings shall not be less than 10 feet for one-story and two-story buildings, plus two additional feet for each story above the second.

c. The Commission or Hearing Officer, in considering placement and type of buildings, may modify or require a greater depth for yards than would be required if developed as provided in Subsection A.1, above. Provisions regarding yards and distances between buildings shall not apply to mobilehomes within mobilehome parks.

4. Open Space.

a. Minimum Area. Open space shall comprise not less than 30 percent of the net area. The Commission or Hearing Officer may modify this requirement if the applicant submits evidence to the satisfaction of the Commission or

Hearing Officer that the particular development will contain compensatory characteristics which will provide as well as or better for planned unit development within the intent of this Section.

b. Open Space Types. Subject to the approval of the Commission or Hearing Officer, open space may include one or more of the following, designated for the use and enjoyment of all of the occupants of the planned residential development or appropriate phase thereof:

i. Common open space developed for recreational purposes;

ii. Areas of scenic or natural beauty forming a portion of the proposed development;

iii. Present or future recreational areas of a noncommercial nature, including parks, playgrounds, and beaches. Where specifically approved by the Commission or Hearing Officer, green fees or similar charges related to use of a golf course or similar open recreational use may be permitted, provided such charges are incidental to operation of said facilities, are not primarily commercial in nature, and do not alter the character of said recreational facility;

iv. Present or future hiking, riding, or bicycling trails;

v. Landscaped portions adjacent to streets or highways which are in excess of minimum required rights-of-way; or

vi. Other similar areas determined appropriate by the Commission or Hearing Officer.

c. Factors for Review. In approving said open space, the Commission or Hearing Officer shall give consideration to the project to be developed, the characteristics of such open space, the manner in which the open space is to be improved and maintained, and other information as the Commission or Hearing Officer deems pertinent.

d. Dedication and Maintenance of Required Open Space. Reservation of open space shall be made a condition of approval. Such reservation

shall be by public dedication, establishment of a maintenance district, common ownership, or other satisfactory means to ensure the permanent reservation of, and where appropriate perpetual maintenance of, required open space.

e. Distribution of Open Space. Planned development projects developed in phases shall be designated so that each successive phase will contain open space to independently meet the standards of this Subsection C.4, provided that:

i. Where the applicant submits development plans indicating to the satisfaction of the Commission or Hearing Officer that the proposed development will provide as well or better for planned unit development within the intent of this Section, the Commission or Hearing Officer may approve a division of open space encompassing more than one phase; and

ii. Where a division of open space will encompass more than one phase, the applicant shall provide the Commission or Hearing Officer with a map indicating cumulative allocation and utilization of open space for each successive phase in each subsequent application.

5. Building Coverage. Buildings shall not occupy more than 50 percent of the net area, except that common recreational buildings are excluded from this building coverage limitation.

6. Parking. The provisions of Section 22.112.070 (Required Parking Spaces), which specify the number and location of required parking spaces relating to dwelling units, places of public assembly and other recreational uses shall not apply when property in Zone RPD is developed pursuant to Subsection A.2, above. In approving a Conditional Use Permit (Chapter 22.158) application for a planned residential development, the Commission or Hearing Officer shall require automobile parking for such uses in an amount adequate to prevent traffic congestion and excessive on-street parking; provided that in no event shall less than one covered parking space per dwelling unit, or less than 50 percent of the required number of parking spaces for public assembly or recreational uses specified in Section 22.112.070 be permitted. Where the Commission or Hearing Officer does not specifically designate

such parking requirements, the requirements of Section 22.112.070 shall be deemed to have been specified.

7. Utilities. The applicant shall submit to the Commission or Hearing Officer, and it shall be made a condition of approval, satisfactory evidence that the applicant has made arrangements with the serving utilities to install underground all new facilities necessary to furnish service in the development. This requirement may be waived where it would cause undue hardship or constitute an unreasonable requirement.

8. Landscaping. A site plan for landscaping of all open areas, where appropriate, shall be submitted to and approved by the Commission or Hearing Officer.

D. Development Schedule. The Commission or Hearing Officer shall approve a progress schedule indicating the development of open space related to the construction of residential dwelling units, which shall become a condition of approval. Where development is to be completed in phases, the said development may, with the approval of the Commission or Hearing Officer, be coordinated between phases as approved in Subsection C.4.e, above. The Commission or Hearing Officer may modify, without a hearing, this condition pertaining to the development schedule based upon an affirmative showing, in writing, of hardship.

E. Tentative Division of Land Map. A tentative map shall be filed when required by Title 21 (Subdivisions) of the County Code. Where a tentative map is not required, the application shall require a site plan indicating the precise location, width and type of improvements for private or public streets and pedestrian walks.

F. Division of Lots. In addition to a tentative division of land map when required by Title 21 (Subdivisions) of the County Code, where lots are to be sold or separated in ownership from other property in the development, or applicable phase thereof, a map shall be submitted to the Commission or Hearing Officer, indicating the proposed boundaries of the lots to be sold or separated in ownership. Where the proposed division would create one or more lots having an area of less than that specified if developed as provided in Subsection A.1, above, said map shall also

delineate the relationship between said lots and open space provided as required in Subsection C.4, above. The Commission or Hearing Officer shall consider the proposed separation in ownership and may approve such separation where, in the Commission or Hearing Officer's opinion, the proposed separation provides as well or better for planned development within the intent of this Section.

G. Sale or Separation of Lots. Where lots are sold or otherwise separated in ownership, no dwelling unit or lot for a residential building shall be sold or encumbered separately from an undivided interest in the open space appurtenant to such dwelling unit or lot where required by Subsection C.4, above. Such undivided interest shall include either:

1. An undivided interest in the open space; or

2. A share in the corporation, or voting membership in an association owning the open space, where approved.

This Subsection G shall not apply when said required open space has been accepted for public dedication; or where held in separate ownership with recreational rights to the required open space reserved to the lot owners and maintenance easements granted to an established maintenance district; or where other satisfactory means to ensure permanent reservation of required open space have been approved by the Commission or Hearing Officer.

H. Second Units. Second units within an existing planned residential development are subject to Section 22.140.540 (Second Units).

Chapter 22.20 Commercial Zones.

Sections:

22.20.010 Purpose.

22.20.020 Commercial Zones Designated.
22.20.030 Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.
22.20.040 Development Standards for Commercial Zones.
22.20.050 Development Standards for Zones C-H and C-1.
22.20.060 Development Standards for Zone C-M.
22.20.070 Development Standards for Zone C-MJ.
22.20.080 Development Standards for Zone C-R.
22.20.090 Development Standards and Regulations for Zone CPD.

22.20.010 Purpose.

A. General Purpose. Commercial Zones provide for the orderly, well-planned, and balanced growth of commercial districts; support commercial activity to meet the needs of the community, strengthen the County's tax base; and provide appropriate transitions between commercial and residential uses to promote commercial opportunities and preserve residential quality of life.

B. Purpose of Individual Zones. The purposes of individual Commercial Zones are established as follows:

1. Major Commercial Zone. The Major Commercial Zone (Zone C-MJ) allows for regional-scale commercial and recreation uses, hotels, multi-family residential, and residential-commercial mixed uses.

2. Commercial Recreation Zone. The Commercial Recreation Zone (Zone C-R) is established to permit a comprehensive range of entertainment and amusement activities of a commercial nature. Zone C-R also provides for other commercial uses that may be necessary in such an area.

22.20.020 Commercial Zones Designated.

Table 22.20.020-A, below, identifies "Commercial Zones," as used in this Title 22:

TABLE 22.20.020-A: COMMERCIAL ZONES	
Abbreviation	***Full Name***
C-H	Commercial Highway
C-1	Restricted Commercial
C-2	Neighborhood Commercial
C-3	General Commercial
C-M	Commercial Manufacturing
C-MJ	Major Commercial
C-R	Commercial Recreation
CPD	Commercial Planned Development

22.20.030 Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.

A. General. This Section prescribes the land use regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.

B. Permit and Review Requirements. Table 22.20.030-A, below, identifies the permit or review required to establish each use listed in Subsection C, below.

TABLE 22.20.030-A: PERMIT AND REVIEW REQUIREMENTS		
Abbreviation	***Permit or Review Requirement***	***Reference***
–	Not Permitted	
P	Permitted	
ABP	Adult Business Permit	Chapter 22.150
AP	Animal Permit	Chapter 22.152
CEM	Cemetery Permit	Chapter 22.154
CUP	Conditional Use Permit	Chapter 22.158
MCUP	Minor Conditional Use Permit	Chapter 22.160
EP	Explosives Permit	Chapter 22.164
HP	Housing Permit	Chapter 22.166
SPR	Ministerial Site Plan Review	Chapter 22.186
SEP	Special Events Permit	Chapter 22.188
SMP	Surface Mining Permit	Chapter 22.190

C. Use Regulations.

1. Principal Uses. Table 22.20.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Agricultural and Resource-Based Uses								
Community gardens	–	P	P	P	P	P	P	
Crops, including field, tree, bush, berry, and row	SPR[1]	SPR	SPR	SPR	SPR	–	SPR	
Greenhouses	–	SPR	SPR	SPR	SPR	–	SPR[2]	
Land reclamation projects	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Oil wells	CUP	CUP	CUP	CUP	CUP	–	CUP	Section 22.140.400
Solid fill projects	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Surface mining operations	SMP	SMP	SMP	SMP	SMP	–	SMP	
Animal-Related Uses								
Breeding farms for the selective or experimental breeding of cattle or horses, or the raising and training of horses or show cattle	–	–	–	–	–	–	SPR	Section 22.140.080
Dog kennels	–	–	–	–	CUP	–	–	
Dog training schools, excluding boarding	–	–	–	SPR	SPR	–	CUP[4]	
Grazing of cattle, horses, sheep, or goats	–	–	–	–	–	–	SPR[5]	Section 22.140.080
Hogs or pigs	–	–	–	–	–	–	SPR	Section 22.140.080
Menageries, zoos, animal exhibitions, or other facilities for keeping of wild animals	–	–	–	–	–	–	CUP	
Raising of poultry, fowl, birds, rabbits, chinchilla, nutria, mice, frogs, fish, bees, earthworms, and other similar animals of comparable nature, form, and size, including hatching, fattening, marketing, sale, slaughtering, dressing, processing, and packing, including eggs, honey, or similar products derived from such animals	–	–	–	–	–	–	SPR[2]	Section 22.140.080
Riding academies and stables, with the boarding of horses	–	–	–	–	–	–	SPR[5]	

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Veterinaries, small animal								
Clinics	–	CUP	CUP	SPR	SPR	SPR	CUP[4]	
Hospitals	–	–	–	–	CUP	–	–	
Wild animals, the keeping of, either individually or collectively for private or commercial purposes	–	–	–	–	–	–	CUP	
Cannabis Uses								
Cannabis businesses and activities, including renting, leasing, and permitting	–	–	–	–	–	–	–	Section 22.140.134
Cannabis cultivation, personal, accessory to a legally established dwelling unit	*See Table 22.20.030-C: Accessory Use Regulations*							
Cultural, Educational, and Institutional Uses								
Amphitheaters	–	–	–	CUP	CUP	CUP	CUP	
Arboretums and horticultural gardens	CUP	SPR	SPR	SPR	SPR	SPR	SPR	
Boxing arenas	–	–	–	CUP	CUP	CUP	CUP	
Churches, temples, or other places used exclusively for religious worship, including accessory educational and social activities	SPR	SPR	SPR	SPR	SPR	CUP	CUP[4]	
Community centers	–	–	–	SPR	SPR	CUP	CUP[4]	
Correctional institutions, including jails, farms, and camps	–	CUP	CUP	CUP	CUP	–	CUP	
Disability rehabilitation and training centers	–	CUP[6]	CUP[6]	CUP	SPR[7]	–	–	
Juvenile halls	CUP	CUP	CUP	CUP	CUP	–	CUP	
Libraries	SPR	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Lodge and union halls	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Museums	SPR[8]	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Observatories	–	SPR	SPR	SPR	SPR	SPR	SPR	
Revival meetings, tent, for longer than seven days	–	–	–	CUP	CUP	–	–	
Schools								

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Business and professional schools, including art, barber, beauty, dance, drama, and music, excluding trade or commercial schools	SPR	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Colleges and universities, accredited, excluding trade or commercial schools	SPR	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Schools, grades K-12, accredited by the State of California, excluding trade or commercial schools	SPR	SPR	SPR	SPR	SPR	–	CUP	
Stadiums	–	–	–	–	–	CUP	–	
Theaters and other auditoriums	–	CUP	CUP	CUP	CUP	CUP	CUP	
Theaters, drive-in	–	CUP	CUP	CUP	CUP	–	CUP	
Industrial Uses								
Assaying services	–	–	–	–	SPR	–	–	
Assembly and manufacture								
Aluminum products	–	–	–	–	SPR	–	–	
Appliance assembly, electrical, electronic, and electromechanical	–	–	–	–	SPR	–	–	
Bone products	–	–	–	–	SPR	–	–	
Canvas products	–	–	–	–	SPR	–	–	
Cellophane products	–	–	–	–	SPR	–	–	
Cloth products	–	–	–	–	SPR	–	–	
Cosmetics, excluding soap	–	–	–	–	SPR	–	–	
Equipment assembly, electrical, electronic, and electromechanical	–	–	–	–	SPR	–	–	
Felt products	–	–	–	–	SPR	–	–	
Fur products	–	–	–	–	SPR	–	–	
Glass products and stained-glass assembly	–	–	–	–	SPR[9]	–	–	
Golf balls	–	–	–	–	SPR	–	–	

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Instrument assembly, electrical, electronic, and electromechanical, including precision machine shops	–	–	–	–	SPR	–	–	
Jewelry	–	–	–	–	SPR	–	–	
Leather products, excluding machine belting	–	–	–	–	SPR	–	–	
Metals; working and casting of rare, precious, or semiprecious metals	–	–	–	–	SPR	–	–	
Metal plating	–	–	–	–	SPR	–	–	
Optical goods	–	–	–	–	SPR	–	–	
Paper products, excluding the manufacture of paper itself	–	–	–	–	SPR	–	–	
Perfume	–	–	–	–	SPR	–	–	
Phonograph records	–	–	–	–	SPR	–	–	
Plastic products	–	–	–	–	SPR	–	–	
Shell products	–	–	–	–	SPR	–	–	
Stone products	–	–	–	–	SPR	–	–	
Textile products	–	–	–	–	SPR	–	–	
Textile products, from previously prepared materials	–	–	–	CUP	SPR	–	–	
Toiletries, excluding soap	–	–	–	–	SPR	–	–	
Wicker and bamboo products	–	–	–	–	SPR	–	–	
Yarn products, excluding dyeing of yarn	–	–	–	–	SPR	–	–	
Bakery goods distributors	–	–	–	SPR	SPR	–	CUP[4]	
Dry cleaning plants, wholesale	–	–	–	CUP	SPR	–	–	Section 22.140.190
Explosives storage, permanent	EP	EP	EP	EP	EP	–	EP	
Film laboratories	–	–	–	SPR	SPR	–	CUP[4]	
Food processing								
Bakeries	–	–	–	–	SPR	SPR	–	
Candy confectioneries	–	–	–	–	SPR	SPR	–	

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Fruit and vegetable juices, excluding the use of carbonization	–	–	–	–	SPR	–	–	
Ice cream	–	–	–	–	SPR	–	–	
Wineries								
In compliance with Section 22.140.610.D.1	–	–	–	–	SPR	–	–	Section 22.140.610
In compliance with Section 22.140.610.D3	–	–	–	–	CUP	–	–	Section 22.140.610
Frozen food lockers	–	–	–	SPR	SPR	–	CUP[4]	
Furniture and household goods, transfer and storage	–	–	–	SPR	SPR	–	CUP[4]	
Industrial gas storage, including oxygen, acetylene, argon, carbon dioxide, and similar gases in Interstate Commerce Commission approved-type cylinders	–	–	–	–	CUP	–	–	
Laboratories, research and testing	–	–	–	SPR	SPR	–	CUP[4]	
Laundry plants, wholesale	–	–	–	CUP	SPR	–	–	
Motion picture processing, reconstruction, and synchronizing of film with sound tracks	–	–	–	SPR	SPR	SPR	CUP[4]	
Motion picture studios and indoor sets	–	–	–	SPR	SPR	SPR	–	Section 22.140.060.A
Motion picture studios and sets	–	–	–	–	–	–	SPR	Section 22.140.060.A
Outdoor advertising signs	–	–	–	–	–	CUP	–	Section 22.114.070
Tire retreading or recapping	–	–	–	–	SPR	–	–	
Lodging Uses								
Hotels								
With banquet facilities and restaurants	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Without banquet facilities and restaurants	CUP	CUP	CUP	CUP	CUP	SPR	CUP	
Motels	CUP	CUP	CUP	CUP	CUP	–	CUP	
Youth hostels	CUP	CUP	CUP	CUP	CUP	CUP	CUP	

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Recreational Uses								
Amusement rides and devices, for longer than seven days	–	–	–	CUP[23]	CUP[23]	CUP[23, 24]	CUP[23, 24]	
Arcades, game or movie	–	–	CUP	CUP	CUP	CUP	CUP	
Archery ranges	–	CUP	CUP	CUP	CUP	CUP	CUP	
Athletic fields, excluding stadiums	–	SPR	SPR	SPR	SPR	SPR	SPR	
Billiard or pool halls	–	–	CUP	CUP	CUP	CUP	CUP	
Bowling alleys	–	–	CUP	CUP	CUP	CUP	CUP	
Campgrounds	–	–	–	–	–	–	SPR	
Card rooms or clubs	–	–	–	CUP	CUP	CUP	CUP	
Carnivals, commercial, including pony rides, for longer than seven days	–	–	–	CUP	CUP	CUP	CUP	
Circuses and wild animal exhibitions, for longer than seven days	–	–	–	CUP	CUP	CUP	CUP	
Entertainment parks	–	–	–	–	–	–	CUP	
Fishing and casting ponds	–	–	–	–	–	–	SPR	
Games of skill	–	–	CUP	CUP	CUP	CUP	CUP	
Golf courses								
Golf courses, including clubhouses and accessory facilities	CUP	SPR	SPR	SPR	SPR	–	SPR	
Golf driving ranges	–	CUP	CUP	CUP	CUP	CUP	SPR	
Miniature golf courses	–	CUP	CUP	CUP	CUP	SPR	SPR	
Gymnasiums	–	–	–	CUP	CUP	SPR	CUP	
Motor recreational facilities for the driving, testing, or racing of automobiles, dune buggies, motorcycles, trail bikes, or similar vehicles, including accessory facilities	–	–	–	–	–	–	CUP	
Outdoor festivals	–	–	–	–	CUP	–	CUP	
Parks, playgrounds, and beaches, including accessory facilities	SPR	SPR	SPR	SPR	SPR	SPR	SPR	
Polo fields	–	–	–	–	–	–	SPR	
Race tracks	–	–	–	–	–	–	CUP	
Recreation clubs, commercial	CUP	CUP	CUP	SPR	SPR	SPR	SPR	Section 22.140.480

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Recreational vehicle parks	CUP	CUP	CUP	CUP	CUP	–	CUP	Section 22.140.490
Riding and hiking trails, excluding trails for motor vehicles	SPR	SPR	SPR	SPR	SPR	SPR	SPR	
Rifle, pistol, or skeet ranges	–	–	–	CUP	CUP	–	CUP	
Rodeos, excluding horse racing	–	–	–	–	–	–	SPR	
Shooting galleries	–	–	–	CUP	CUP	CUP	CUP	
Skating rinks, ice or roller	–	–	–	CUP	CUP	CUP	CUP	
Ski lifts, tows, runs, and warming huts	–	–	–	–	–	–	CUP	
Sport courts, including tennis, volleyball, badminton, croquet, lawn bowling and similar uses, as a principal use	–	CUP	CUP	SPR	SPR	SPR	SPR	
Swimming pools as a principal use	–	SPR	SPR	SPR	SPR	SPR	SPR	
Trap ranges	–	–	–	CUP	CUP	–	CUP	
Renewable Energy Uses								
Utility-scale solar energy facilities, ground-mounted	CUP	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.510
Utility-scale solar energy facilities, structure-mounted	P	P	P	P	P	P	P	Section 22.140.510
Utility-scale wind energy facilities	–	–	–	–	–	–	–	
Residential Uses								
Adult residential facilities								
Facilities serving six or fewer persons	CUP	CUP	CUP	CUP	CUP	CUP	CUP[4]	
Facilities serving seven or more persons	CUP	CUP	CUP	CUP	CUP	CUP	–	
Convents and monasteries	CUP	CUP	CUP	CUP	CUP	–	–	
Farmworker housing								
Farmworker dwelling units	SPR	SPR	SPR	SPR	CUP	–	SPR	Section 22.140.230
Farmworker housing complexes	SPR	SPR	SPR	SPR	CUP	–	SPR	Section 22.140.230
Foster family homes, in an approved residential use	P	P	P	P	P	P	CUP	

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Fraternity and sorority houses	CUP	CUP	CUP	CUP	CUP	–	–	
Group homes for children								
Facilities serving six or fewer persons	CUP	CUP	CUP	CUP	CUP	CUP	CUP[4]	Section 22.140.520
Facilities serving seven or more persons	CUP	CUP	CUP	CUP	CUP	CUP	–	
Joint live and work units								
In compliance with Section 22.140.320.C.1 or C.2	SPR	SPR	SPR	SPR	MCUP	SPR	–	Section 22.140.320
In compliance with Section 22.140.320.C.3	CUP	CUP	CUP	CUP	CUP	CUP	–	Section 22.140.320
Mixed use developments								
In compliance with Section 22.140.350.A.3.a or A.3.b	SPR	SPR	SPR	SPR	MCUP	–	–	Section 22.140.350
In compliance with Section 22.140.350.A.3.c or 22.140.350.B	CUP	CUP	CUP	CUP	CUP	CUP	–	Section 22.140.350
Mobilehome parks	CUP	CUP	CUP	CUP	CUP	–	–	Section 22.140.370
Multi-family housing								
Apartment houses	MCUP[18]/ CUP	MCUP[18]/ CUP	MCUP[18]/ CUP	MCUP[18]/ CUP	MCUP[18]/ CUP	CUP	–	
Townhouses	CUP	CUP	CUP	CUP	CUP	CUP	–	Section 22.140.600
Two-family residences	CUP	CUP	CUP	CUP	CUP	–	–	
Qualified projects	HP	HP	HP	HP	HP	HP	HP	Chapter 22.120
Rooming and boarding houses	CUP	CUP	CUP	CUP	CUP	CUP	–	
Single-family residences	CUP	CUP	CUP	CUP	CUP	–	CUP	Section 22.140.580
Small family homes for children	P	P	P	P	P	P	CUP[4]	Section 22.140.520
Retail/Commercial Uses								
Adult businesses	–	–	–	ABP	ABP	–	–	
Alcoholic beverage sales, for off-site consumption	–	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.030
Antique shops, genuine antiques only	–	SPR	SPR	SPR	SPR	–	–	

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Appliance stores, household	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Art galleries	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Art supply stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Auction houses, excluding animal auctions	–	–	–	SPR	SPR	SPR	–	
Bakery shops, including baking only when accessory to retail sales from the premises	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Bakery shops	–	–	–	SPR	SPR	SPR	CUP[4]	
Bicycle shops	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Bookstores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Ceramic shops	–	SPR[10,11]	SPR[10,12]	SPR[13]	SPR	SPR[13]	CUP[4]	
Clothing stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Confectioneries and candy stores, including making only when accessory to retail sales from the premises	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Delicatessens	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Department stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Dress shops	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Drugstores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Farmers' markets	SPR	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.220
Feed and grain sales	–	–	–	SPR	SPR	–	CUP[4]	
Florist shops	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Furniture stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Furrier shops	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Gift shops	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Glass and mirror sales, including automobile glass installation[16]	–	SPR[10]	SPR[10]	SPR	SPR	–	CUP[4]	
Grocery stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Hardware stores	–	SPR[10]	SPR[10]	SPR[15]	SPR[15]	SPR[15]	CUP[4, 15]	
Health clubs and centers	–	–	–	CUP	CUP	SPR	CUP	
Health food stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Hobby supply stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Ice cream shops	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Ice sales, excluding ice plants	–	CUP	CUP	SPR	SPR	–	CUP[4]	
Jewelry stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Lapidary shops	–	–	–	–	SPR	–	–	
Leather goods stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Mail order houses	–	SPR[10]	SPR[10]	SPR	SPR	–	CUP[4]	
Meat markets, excluding slaughtering	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Millinery shops	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Mobilehome sales	–	–	–	SPR	SPR	–	CUP[4]	
Model home display centers and sales offices								
With residential units	–	–	–	CUP	CUP	CUP	CUP[4]	
Without residential units	–	–	–	SPR	SPR	SPR	CUP[4]	
Music stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Newsstands	–	–	–	SPR	SPR	SPR	CUP[4]	
Notion or novelty stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Office machines and equipment sales	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Paint and wallpaper stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Pawnshops	–	–	–	SPR	SPR	–	–	
Pet stores, including the sale of pets	–	CUP[16]	CUP[16]	SPR[16]	SPR[16]	SPR[16]	CUP[4, 16]	
Pet supply stores, excluding the sale of pets other than tropical fish or goldfish	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Photographic equipment and supply stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Plant nurseries, including propagation of nursery stock and retail sales	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Radio and television stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Recording studios	–	CUP	CUP	SPR	SPR	SPR	CUP[4]	
Retail stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Secondhand stores	–	–	SPR	SPR	SPR	–	–	Section 22.140.550
Shoe stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Silver shops	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Sporting goods stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Stamp redemption centers	–	SPR[10]	SPR[10]	SPR	SPR	–	CUP[4]	
Stationery stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Swap meets	–	–	–	CUP	CUP	CUP	–	
Tasting rooms, on-site								
In compliance with 22.140.590.D.1	–	–	–	–	MCUP	–	–	Section 22.140.590
In compliance with 22.140.590.D.2	–	–	–	–	CUP	–	–	Section 22.140.590
Tasting rooms, remote								
In compliance with 22.140.590.D.1	–	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Section 22.140.590
In compliance with 22.140.590.D.2	–	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.590
Tobacco shops	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Toy stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Yarn and yardage stores	–	SPR[10]	SPR[10]	SPR	SPR	SPR	CUP[4]	
Service Uses								
Alcohol beverage sales, for on-site consumption	–	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.030
Banks, savings and loans, credit unions, and finance companies	SPR	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Barber shops	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Bars and cocktail lounges	–	CUP	CUP	CUP	CUP	CUP	CUP	
Beauty shops	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Blueprint shops	–	–	–	SPR	SPR	–	CUP[4]	
Body piercing parlors	–	–	–	CUP	CUP	CUP	CUP	
Book binderies	–	–	–	SPR	SPR	–	CUP[4]	
Butane and propane service stations	–	–	–	CUP	CUP	CUP	–	
Carpet and rug cleaners	–	–	–	–	SPR	–	–	
Catering services	–	–	–	SPR	SPR	–	CUP[4]	
Catalog and internet order businesses	–	–	SPR	SPR	SPR	SPR	–	
Cemeteries	CEM	CEM	CEM	CEM	CEM	–	CEM	
Dance halls, indoor	–	–	–	CUP	CUP	CUP	CUP	
Dance pavilions, outdoor	–	–	–	–	–	–	SPR	
Day care								
Adult day care centers	CUP	CUP	CUP	CUP	CUP	CUP	–	
Child care centers	SPR	SPR	SPR	SPR	SPR	SPR	SPR	

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Large family child care homes	SPR	SPR	SPR	SPR	SPR	SPR	SPR	
Small family child care homes	P	P	P	P	P	P	P	
Domestic violence shelters	SPR	SPR	SPR	SPR	–	SPR	–	Section 22.140.180
Electricians' shops	–	–	–	SPR	SPR	–	CUP[4]	
Employment agencies	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Escort bureaus	–	–	–	CUP	CUP	–	CUP	
Health retreats	–	–	–	–	–	–	CUP	Section 22.140.260
Homeless shelters	CUP	SPR	SPR	SPR	SPR	CUP	–	Section 22.140.300
Interior decorating studios	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Laundries and cleaning services								
Agencies	–	SPR	SPR	SPR	SPR	–	CUP[4]	
Dry cleaning establishments, excluding wholesale dry cleaning plants	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	Section 22.140.190
Hand	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Retail	–	–	–	SPR[22]	SPR	SPR[22]	CUP[4]	
Self-service	–	SPR	SPR	SPR	SPR	–	CUP[4]	
Locksmith shops	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Massage parlors	–	–	–	CUP	CUP	CUP	CUP	
Medical services								
Ambulance emergency service facilities	CUP	CUP	SPR	SPR	SPR	–	CUP[4]	Section 22.140.050
Ambulance service facilities	–	–	–	CUP	CUP	CUP	–	
Dental clinics, including associated laboratories	CUP	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Dental laboratories	–	–	–	SPR	SPR	SPR	–	
First aid stations	–	–	–	–	–	–	CUP	
Hospitals	CUP	CUP	CUP	CUP	CUP	–	CUP	
Medical clinics, including associated laboratories and prescription pharmacies	CUP	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Medical laboratories	–	–	–	SPR	SPR	SPR	CUP[4]	

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Mimeograph and addressograph services	–	–	–	SPR	SPR	–	CUP[4]	
Mortuaries	–	–	–	SPR	SPR	–	CUP[4]	
Nightclubs	–	–	CUP	CUP	CUP	CUP	CUP	
Offices, business or professional	SPR	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Packaging businesses	–	–	–	–	SPR	–	–	
Parcel delivery terminals	–	–	–	SPR	SPR	–	CUP[4]	
Parking lots and parking buildings, commercial[17]	CUP	SPR	SPR	SPR	SPR	SPR	CUP	
Permanent cosmetics parlors	–	–	–	CUP	CUP	CUP	CUP	
Pet grooming services, excluding boarding	–	CUP	CUP	SPR	SPR	SPR	CUP[4]	
Photocopying and duplicating services	–	–	–	SPR	SPR	SPR	CUP[4]	
Photoengravers and lithographers	–	–	–	SPR	SPR	SPR	CUP[4]	
Photography studios	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Plumbing shops	–	–	–	SPR	SPR	–	CUP[4]	
Printers or publishers	–	–	–	SPR	SPR	–	CUP[4]	
Real estate offices	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Rental services								
Bicycle rentals	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Costume rentals	–	–	–	SPR	SPR	SPR	CUP[4]	
Furniture and appliance rentals	–	–	SPR[3]	SPR	SPR	SPR	CUP[4]	
Hospital equipment and supply rentals	–	–	SPR[3]	SPR	SPR	SPR	CUP[4]	
Party equipment rentals	–	–	SPR[3]	SPR	SPR	SPR	CUP[4]	
Tool rentals, including rototillers, power mowers, sanders and saws, cement mixers, and other equipment, excluding heavy machinery or trucks exceeding two tons capacity	–	–	SPR[3]	SPR	SPR	SPR[16]	CUP[4]	
Repair shops, household and fix-it	–	–	–	SPR	SPR	SPR	CUP[4]	

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Restaurants and other eating establishments, including food take-out and excluding outdoor dining	CUP	SPR	SPR	SPR	SPR	SPR	CUP	
Restaurants and other eating establishments, including food take-out and outdoor dining								
In compliance with Section 22.140.410.B.1	CUP	SPR	SPR	SPR	SPR	SPR	–	Section 22.140.410
In compliance with Section 22.140.410.B.2	CUP	CUP	CUP	CUP	CUP	CUP	–	Section 22.140.410
Reupholsterers, furniture	–	–	–	SPR	SPR	–	CUP[4]	
Self-service storage facilities	–	–	–	–	CUP	–	–	Section 22.140.560
Shoe repair shops	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Shoeshine stands	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Sightseeing agencies	–	–	–	SPR	SPR	SPR	CUP[4]	
Sightseeing agencies, automobile	–	–	–	–	SPR	–	–	
Steam or sauna baths	–	CUP	CUP	CUP	CUP	SPR[19]	CUP	
Tailor shops	–	–	SPR	SPR	SPR	SPR	CUP[4]	
Tattoo parlors	–	–	–	CUP	CUP	CUP	CUP	
Taxidermists	–	–	–	SPR	SPR	–	CUP[4]	
Tourist information centers	–	SPR	SPR	SPR	SPR	SPR	SPR	
Watch repair shops	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Wedding chapels	–	–	–	SPR	SPR	SPR	CUP[4]	
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses								
Air pollution sampling stations	CUP	SPR	SPR	SPR	SPR	SPR	CUP[4]	
Airports, heliports, helistops, and landing strips	CUP	CUP	CUP	CUP	CUP	CUP[20]	CUP	
Comfort stations and restroom facilities	–	SPR	SPR	SPR	SPR	SPR	SPR	
Communications equipment buildings	SPR	SPR	SPR	SPR	SPR	SPR	CUP	
Earth stations	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Electric distribution substations, including related microwave facilities	SPR	SPR	SPR	SPR	SPR	CUP	CUP	Section 22.140.200

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Electric transmission substations and generating plants, including related microwave facilities	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Fire stations	SPR	SPR	SPR	SPR	SPR	SPR	CUP	
Gas distribution depots, public utility	–	–	–	CUP	CUP	–	–	
Gas metering and control stations, public utility	CUP	SPR	SPR	SPR	SPR	–	CUP	
Microwave stations	CUP	SPR	SPR	SPR	SPR	CUP	CUP	
Police stations	SPR	SPR	SPR	SPR	SPR	SPR	CUP	
Post offices	SPR	SPR	SPR	SPR	SPR	SPR	CUP	
Publicly owned uses that are necessary to maintain the public health, convenience, or general welfare, other than uses specifically listed in the zone	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Public utility service centers	CUP	SPR	SPR	SPR	SPR	SPR	CUP	
Public utility service yards	–	–	–	CUP	CUP	–	–	
Radio and television broadcasting studios	–	–	–	SPR	SPR	SPR	CUP[4]	
Radio and television stations and towers, excluding studios	CUP	CUP	CUP	–	–	CUP	CUP	
Radio and television stations, studios, and towers	–	–	–	CUP	– CUP	CUP	–	
Road construction and maintenance yards	–	–	–	–	–	–	CUP	
Sewage treatment plants	CUP	CUP	CUP	CUP	CUP	–	CUP	
Stations, bus, railroad, or taxi	SPR	SPR	SPR	SPR	SPR	SPR	CUP	
Telephone repeater stations	CUP	SPR	SPR	SPR	SPR	SPR	CUP	
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, tanks, wells, and any use normal or accessory to the storage and distribution of water	CUP	CUP	CUP	CUP	CUP	–	CUP	
Vehicle-Related Uses								
Automobile washing								

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Automatic car wash	–	–	–	SPR	SPR	CUP	CUP[4]	
Coin-operated or hand wash	–	CUP	CUP	SPR	SPR	CUP	CUP[4]	
Vehicle sales and rentals								
Automobile rental and leasing agencies	–	–	SPR	SPR	SPR	SPR	CUP[4]	
Boat and other marine sales	–	SPR	SPR	SPR	SPR	SPR[21]	CUP[4]	
Boat rentals	–	–	–	SPR	–	SPR[21]	SPR	
Motorcycle, motor scooter, and trail bike, sales and rentals	–	–	–	SPR	SPR	SPR	CUP	
New automobile sales	–	SPR	SPR	SPR	SPR	SPR	CUP[4]	Sections 22.140.100, 22.140.110
Recreational vehicle sales and rentals	–	–	–	SPR	SPR	SPR	CUP[4]	
Trailer sales and rentals, box and utility	–	–	–	SPR	SPR	SPR	CUP[4]	Section 22.140.100
Truck rentals, excluding trucks exceeding two tons' capacity	–	–	–	SPR	SPR	SPR	CUP[4]	
Used automobile sales	–	–	–	SPR	SPR	SPR	–	
Vehicle services								
Automobile battery services	–	–	–	SPR[14]	SPR[14]	–	CUP[4, 14]	
Automobile body and fender repair shops	–	–	–	CUP[16]	CUP[16]	–	–	
Automobile brake repair shops	–	–	–	SPR[14]	SPR[14]	–	CUP[4, 14]	
Automobile impound yards	–	–	–	CUP	CUP	–	–	Section 22.140.120
Automobile muffler shops	–	–	–	SPR[14]	SPR[14]	–	CUP[4, 14]	
Automobile painting and upholstering shops	–	–	–	CUP[16]	CUP[16]	–	–	
Automobile radiator shops	–	–	–	SPR[14]	SPR[14]	–	CUP[4, 14]	
Automobile repair garages, excluding body and fender work, painting, and upholstering	–	–	–	SPR[14]	SPR[14]	–	CUP[4, 14]	
Automobile service stations	–	SPR	SPR	SPR	SPR	SPR	CUP	Section 22.140.100

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Automobile supply stores	–	SPR	SPR	SPR[14]	SPR[14]	SPR	CUP[4]	Section 22.140.100

Notes:

1. Roadside stands, retail sales from the premises, or signs advertising products produced on the premises are prohibited.
2. Minimum lot size is one acre.
3. Use shall maintain a commercial appearance by providing office or window display space across any side of the building with street or highway frontage. Office or window display space shall have a minimum depth of 10 feet.
4. The use shall comply with the standards in Section 22.20.080 (Development Standards for Zone C-R).
5. Minimum lot size is five acres.
6. Minimum lot size is one acre where sheltered employment or industrial-type training is conducted.
7. The use shall comply with the standards in Section 22.20.060 (Development Standards for Zone C-M), if assembly and manufacturing would be part of industrial-type training.
8. Use is permitted if publicly owned.
9. Individual crucibles that exceed a capacity of 16 square feet are prohibited.
10. Sales shall be limited to retail sales only and all goods sold shall be new.
11. Use does not permit a kiln or manufacture.
12. Use may permit manufacturing on the premises when accessory to retail sales, provided that total volume of kiln space does not exceed eight cubic feet.
13. Use may permit manufacturing on the premises when accessory to retail sales, provided that total volume of kiln space does not exceed 16 cubic feet.
14. Use includes related installation and repair if conducted within an enclosed building.
15. Use may include the sale of lumber and other building supplies, but shall exclude milling or woodworking other than accessory cutting of lumber to size, provided that all sale, display, storage and accessory cutting is within an enclosed building.
16. Use is permitted within an enclosed building only.
17. Parking provided is separate from required parking in Chapter 22.112 (Parking), however, use shall be developed in compliance with Chapter 22.112 (Parking).
18. When nonconforming in zones where the use is allowed with a Conditional Use Permit (Chapter 22.158).
19. Use is permitted only in conjunction with a health club or center.
20. Limited to helistops only.
21. Use does not permit storage.
22. Section 22.140.340 (Manufacturing as an Accessory Use in Commercial Zones) shall apply.
23. Use includes merry-go-rounds, ferris wheels, swings, toboggans, slides, rebound-tumbling, and similar equipment operated at one particular location.
24. Use includes zip-lines.

2. Accessory Uses. Table 22.20.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.20.030-C: ACCESSORY USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Access to property lawfully used for a purpose not permitted in the zone[1]	SPR	SPR	SPR	SPR	SPR	SPR	SPR	
Accessory buildings and structures, unless more specifically regulated by this Title 22	*As determined by the principal use*							Sections 22.110.030, 22.110.040

TABLE 22.20.030-C: ACCESSORY USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Alcoholic beverage sales, for off-site consumption	CUP[2]	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.030
Amateur radio antennas								
In compliance with Section 22.140.040.D.1	SPR	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.040
In compliance with Section 22.140.040.D.2	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Section 22.140.040
Boats, minor repair of, accessory to the sale of boats	–	–	–	P[3]	P[3]	–	–	
Building materials storage, for an approved project on the same site	P	P	P	P	P	P	P	Section 22.140.130
Cannabis cultivation, personal, accessory to a legally established dwelling unit	P	P	P	P	P	P	P	Section 22.140.134
Caretaker residences, including mobilehomes	–	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.140
Grading projects								
More than10,000 and up to 100,000 cubic yards of material to be transported off-site	SPR	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.240
More than 100,000 cubic yards of material to be transported off-site	CUP	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.240
On-site, excluding projects where the Review Authority has previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project	CUP	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.240
Guest houses	CUP	CUP	CUP	CUP	CUP	–	CUP	Section 22.140.250
Home-based occupations	P	P	P	P	P	P	P	
Live entertainment								
In compliance with Section 22.140.330.D.1	–	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.330
In compliance with Section 22.140.330.D.2	–	CUP	CUP	CUP	CUP	CUP	CUP	Section 22.140.330
Living quarters for persons employed and deriving a major portion of their income on the premises, with their immediate families	–	–	–	–	–	–	CUP	

TABLE 22.20.030-C: ACCESSORY USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Manufacturing, processing, treating, packaging, and storage, accessory to a business on the premises	–	–	–	SPR	SPR	–	CUP[3]	Section 22.140.340
Outdoor display	SPR	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.420
Outdoor storage	–	–	–	SPR	SPR	SPR	–	Section 22.140.430
Refreshment stands	–	–	–	–	–	–	SPR[4]	
Rental, leasing, and repair of articles sold on the premises, accessory to retail sales	–	P	P	P	–	P	–	
Restaurants and accessory commercial service concessions in hotels or apartment houses	CUP	–	–	–	–	–	–	Section 22.140.090
Room rentals[5]	P	P	P	P	P	P	P	
Signs	*As specified in Chapter 22.114 (Signs)*							
Small-scale solar energy systems, structure-mounted	P	P	P	P	P	P	P	Section 22.140.510
Small-scale solar energy systems, ground-mounted	SPR	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.510
Small-scale wind energy systems	–	–	–	–	–	–	–	
Used merchandise, retail sale of, taken as trade-in on the sale of new merchandise when such new merchandise is sold from the premises	–	P	P	P	P	P	P	

Notes:

1. Provided that there is no other practical access to such property available, and such access will not alter the character of the premises in respect to permitted uses in the subject zone.
2. Use excludes bars and cocktail lounges.
3. Use is permitted within an enclosed building only.
4. Use is permitted only in conjunction with, and intended to, serve the patrons of a use permitted in the zone, but not as a separate enterprise.
5. Rooms in a single-family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons.

3. Temporary Uses. Table 22.20.030-D, below, identifies the permit or review required to establish each temporary use.

TABLE 22.20.030-D: TEMPORARY USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	***C-1***	***C-2***	***C-3***	***C-M***	***C-MJ***	***C-R***	***Additional Regulations***
Amusement rides and devices, for up to seven days[1]	–	–	–	SPR[3]	SPR[3]	SPR[3,4]	SPR[3,4]	
Carnivals, commercial, including pony rides, for up to seven days[1]	–	–	–	SPR	SPR	SPR	SPR	
Circuses and wild animal exhibitions, for up to seven days[1]	–	–	–	–	–	SPR	SPR	Section 22.140.060.B
Explosives storage, temporary	EP	EP	EP	EP	EP	–	EP	
Holiday and seasonal sales	SPR	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.280
Mobilehomes used as a residence during construction	SPR	SPR	SPR	SPR	SPR	–	–	Section 22.140.380
Real estate tract offices	–	–	–	–	–	CUP	–	Section 22.140.470
Revival meetings, tent, for up to seven days[1,2]	–	–	–	SPR	SPR	–	–	
Special events	SEP	SEP	SEP	SEP	SEP	SEP	SEP	
Storage of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines, and similar uses for up to one year	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Yard sales	P	P	P	P	P	P	P	Section 22.140.620

Notes:

1. Limited to one occurrence within any six month period.
2. Use is not permitted within 300 feet of any public park or school, or area in any Residential Zone or residential use.
3. Use includes merry-go-rounds, ferris wheels, swings, toboggans, slides, rebound-tumbling, and similar equipment operated at one particular location.
4. Use includes zip-lines.

22.20.040 Development Standards for Commercial Zones.

A. Development on any lot in Zones C-H, C-1, C-2, C-3, C-M, C-MJ, C-R, and CPD shall comply with Division 6 (Development Standards), where applicable.

B. Table 22.20.040-A, below, identifies the development standards for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.

TABLE 22.20.040-A: DEVELOPMENT STANDARDS FOR COMMERCIAL ZONES				
Zone	***Maximum Lot Coverage (net)***	***Maximum Height of Building or Structure***	***Street-fronting Yard Depth***	***Minimum Required Landscaping (net)[1]***
C-H, C-1	90%	35 feet	See Section 22.20.050.A	10% of the lot
C-2	90%	35 feet	N/A	10% of the lot
C-3	90%	13x buildable area	N/A	10% of the lot
C-M	90%	13x buildable area	N/A	10% of the lot
C-MJ	90%	65 feet; 75 feet with a CUP	See Section 22.20.070.B.3	10% of the lot
C-R	N/A	13x buildable area	N/A	N/A

Notes:

1. Required landscaping shall consist of lawn, shrubbery, flowers, or trees and shall be continuously maintained in good condition. Incidental walkways may be developed in the landscaped area. In Zone C-MJ, any lawn provided for required landscaping shall be drought-tolerant.

22.20.050 Development Standards for Zones C-H and C-1.

A. Minimum Yard Depths for Zones C-H and C-1. In Zones C-H and C-1, the minimum front or corner side yard depths are:

1. Twenty feet where a lot fronts on a road classified as a major highway, secondary highway, or parkway; or

2. Equal to the front or corner side yard depth required on any contiguous Residential or Agricultural Zone where property adjoins a street.

B. Architectural Design for Zone C-1. In Zone C-1, the architectural design and general appearance of all such commercial buildings and grounds shall be in keeping with the character of the neighborhood such as not to be detrimental to the public health, safety, and general welfare of the community in which such uses are located.

22.20.060 Development Standards for Zone C-M.

In Zone C-M, all uses listed under "Assembly and Manufacturing" and "Food Processing" within the Industrial Uses category in Table 22.20.030-B, above, shall comply with the following development standards:

A. All activities shall be conducted within an enclosed building; and

B. Uses shall be limited to assembly and manufacture from previously prepared materials, and excludes the use of drop hammers, automatic screw machines, punch presses exceeding five tons' capacity and motors exceeding one horsepower capacity that are used to operate lathes, drill presses, grinders, or metal cutters.

22.20.070 Development Standards for Zone C-MJ.

A. Project Review and Evaluation.

1. An application for new construction or expansion of development in Zone C-MJ may be referred to Public Works for review of the project's impacts to infrastructure. In addition to the requirements of Section 22.116.030.B (Improvements), the application may be required to include, at the discretion of the Director of Public Works, technical studies in accordance with current County guidelines, or other information, including but not limited to the following:

a. A traffic impact analysis;

b. Certification from the public water purveyor that indicates water facilities in the area are adequate to meet the demands of the project and all other properties served by the same water facility; and

c. A sewer area study to determine the adequacy of the sewage system that will serve the project.

2. Where the Director of Public Works finds that based on the traffic, water, or sewer studies that the existing infrastructure is inadequate to serve a project, the Director may require the applicant to construct, install, or provide additional funds to construct or install, the necessary infrastructure to protect public health, safety, and welfare. Furthermore, the Director, in consultation with the Director of Public Works, may require that the application successfully demonstrate on a site plan that adequate sightlines are maintained from the vehicular access points of the project site to the public right-of-way, and that the proposed layout of the site does not impede vehicular movement in the public right-of-way.

B. Development Standards. Premises in Zone C-MJ shall be subject to the following development standards:

1. Minimum Project Area. The minimum area for a project located on one or more contiguous lots under the same ownership or control shall be two acres.

2. Maximum Floor Area Ratio (FAR). If a project is located on property regulated by an area, community, or neighborhood plan, the maximum FAR shall be determined as set forth in such plan. In all other cases, the maximum FAR for the project shall be 3.0.

3. Side and Rear Yards. Side and rear yards of new development that abut a lot located within a Residential or Agricultural Zone shall have a minimum depth of 30 feet to separate, screen, and buffer the development's buildings from the abutting Residential or Agricultural Zone. These yards may contain driveways, surface parking spaces, landscaping, and trees. If the side or rear lot line of the property on which new development is proposed is separated from an adjacent lot within a Residential or Agricultural Zone by a street or highway, the walls along the side and rear yards shall comply with the requirements in Section 22.112.080.F.2 (Side and Rear Yards).

4. Parking. Shared parking may be approved with a Minor Conditional Use Permit (Chapter 22.160) application, except that parking for commercial and residential uses shall be provided separately and designated by posting, pavement marking, and/or physical separation.

5. Sign Program. For multi-tenant retail centers containing three or more businesses, a sign program shall be required to coordinate all business signs within the development. The program shall establish uniform standards for sign location, style, size, color, font, materials, and other applicable sign features, so that all business signs in the development will be compatible with each other and in compliance with the sign requirements of this Title 22.

6. Trash Bin Enclosures. Trash enclosures for refuse and recycling bins shall be:

a. Located within parking areas or structures, or at the rear or side of buildings, or between buildings, and shall not be placed between a building and a street;

b. Located not farther than 150 feet from the building;

c. Not placed in any public right-of-way; and

d. If located outside, screened by masonry walls between five and six feet in height.

22.20.080 Development Standards for Zone C-R.

A. Sales and Service Uses. In Zone C-R, sales and service uses referenced in Table 22.20.030-B, above, shall comply with the following standards:

1. Minimum Lot Area. The minimum lot area shall be one acre.

2. Distance. The use shall be located within 600 feet of a recreational use permitted in the zone.

3. Sale of Goods. Sales shall be limited to retail and, with the exception of antiques, all goods sold shall be new.

22.20.090 Development Standards and Regulations for Zone CPD.

Premises in Zone CPD shall be subject to the following regulations:

A. Use Regulations.

1. Permitted Uses. Property in Zone CPD may be used for any uses listed as permitted in Zone R-A, under the same limitations and conditions, including accessory and transitional uses, front, side and rear yards, parking, and area requirements.

2. Conditional Use Permit. If a Conditional Use Permit (Chapter 22.158) application has first been approved, property in Zone CPD may be used for a planned commercial development in which the Commission or Hearing Officer may approve any nonresidential use listed in Zone C-1 if it finds that proposed commercial development is needed to serve the immediately adjacent area, and development has occurred, or is proposed, which will warrant such commercial

development. The Commission or Hearing Officer may modify any of the prescribed development standards in Subsection B, below:

B. Development Standards. Unless modified per Subsection A.2, above, conditionally permitted uses in Zone CPD shall comply with the following standards:

1. Design. The arrangement of buildings, architectural design and the types of commercial uses shall be such as to minimize adverse influences on adjacent properties.

2. Access and Parking. Adequate provision shall be made for vehicular access, parking and loading so as to prevent undue traffic congestion on adjacent streets and highways, particularly on local streets.

3. Building Coverage. Buildings shall not occupy more than 40 percent of the gross area. In calculating "gross area," any streets or highways on the perimeter of the lot, or any major or secondary highway, or parkway that traverses the property, or any area which is required to be dedicated, or a private easement given for any such street or highway, shall be excluded.

4. Utilities. The applicant shall submit to the Commission or Hearing Officer, and it shall be made a condition of approval, satisfactory evidence that the applicant has made arrangements with the serving utilities to underground all new facilities necessary to furnish service in the development. This requirement may be waived where it would cause undue hardship or constitute an unreasonable requirement.

5. Signs. The Commission or Hearing Officer, in granting the Conditional Use Permit, may allow business signs permitted in Zone C-1 if they find such sign will be in keeping with the concept of planned development.

6. Development Features. The development plan shall include yards, walls, walks, landscaping, and such other features as may be needed to make the commercial development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area.

7. Development Schedule. The Commission or Hearing Officer shall approve a progress schedule including all phases of development and indicating that the improvements described in the development plan will be made prior to occupancy of commercial structures. The Commission or Hearing Officer may modify without a hearing this condition pertaining to the development schedule based upon an affirmative showing, in writing of hardship.

8. Tentative Subdivision Map. A tentative map shall be filed and made a condition of approval.

Chapter 22.22 Industrial Zones.

Sections:

22.22.010 Purpose.
22.22.020 Industrial Zones Designated.
22.22.030 Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5.
22.22.040 Land Use Regulations for Zone M-3.
22.22.050 Land Use Regulations for Zones B-1 and B-2.
22.22.060 Development Standards for Industrial Zones.
22.22.070 Development Standards for Zone M-1.
22.22.080 Development Standards for Zone M-2.5.
22.22.090 Development Standards and Regulations for Zone MPD.

22.22.010 Purpose.

A. General Purpose. Industrial Zones provide for the orderly, well-planned, and balanced growth of industrial districts and designate adequate land for the growth of employment centers in the County.

B. Purpose of Individual Zones. The purposes of individual zones are established as follows:

1. Light Manufacturing Zone. The Light Manufacturing Zone (Zone M-1) allows for light industry, repair, wholesale, and packaging, including the manufacture, assembly, distribution, and storage of goods that have low nuisance impacts, but excluding raw-materials production, processing or bulk handling. Zone M-1 will also accommodate retail and service commercial uses to serve local employees and visitors.

2. Restricted Heavy Manufacturing Zone. The Restricted Heavy Manufacturing Zone (Zone M-1.5) allows for light and restricted heavy industry, repair, wholesale, and packaging, including manufacture, assembly, distribution, and storage of goods with low to medium nuisance impacts, but excluding raw-materials production, processing, or bulk handling.

3. Heavy Manufacturing Zone. The Heavy Manufacturing Zone (Zone M-2) allows for intensive manufacturing, mineral extraction and refining, processing, assembly, research, wholesale and storage uses, trucking terminals, railroad and freight stations, and similar activities that require separation from residential uses due to noise, vibration, odors, or other negative characteristics. Zone M-2 also accommodates warehousing, distribution, and port-related uses.

4. Aircraft and Heavy Industrial Zone. The Aircraft and Heavy Industrial Zone (Zone M-2.5) is to be used for the operation of large airports, aircraft manufacturing plants, aircraft modification, overhaul, repair plants, and aircraft power-plant testing stations (hereinafter collectively referred to as "zone aircraft uses"), as well as other heavy industrial uses which cause loud noises, heavy vibrations, or other similar conditions. Zone M-2.5 shall prohibit uses which will detrimentally affect, or be detrimentally affected by, such aircraft or other heavy uses for which Zone M-2.5 is designed. Zone M-2.5 also serves as a buffer zone to protect government-owned

airports, aircraft manufacturing plants, aircraft modification, overhaul or repair plants, and aircraft power testing stations (hereinafter referred to as "unzoned lawful aircraft uses") that are not subject to the zoning jurisdiction of the County but are contiguous or adjacent to any lot that is subject to the County's jurisdiction.

5. Unclassified Zone. Any remaining unzoned land that is located within the unincorporated area of the County shall be zoned as Unclassified Zone (M-3).

6. Manufacturing – Industrial Planned Zone. The Manufacturing-Industrial Planned Zone (MPD) allows for intensive manufacturing, mineral extraction and refining, processing, assembly, research, wholesale, and storage uses, trucking terminals, railroad and freight stations, and similar activities that require separation from residential uses due to noise, vibration, odors, or other negative characteristics. Zone MPD also accommodates warehousing, distribution, and port-related uses. With the exception of accessory retail and service and ancillary office uses serving local employees and visitors, there shall be no new commercial uses within buildings constructed in Zone MPD after the effective date of this ordinance amendment.

22.22.020 Industrial Zones Designated.

Table 22.22.020-A, below, identifies "Industrial Zones," as used in this Title 22:

TABLE 22.22.020-A: ZONES	
Abbreviation	***Full Name***
M-1	Light Manufacturing
M-1.5	Restricted Heavy Manufacturing
M-2	Heavy Manufacturing
M-2.5	Aircraft, Heavy Industrial
M-3	Unclassified
MPD	Manufacturing-Industrial Planned Development
B-1	Buffer Strip
B-2	Corner Buffer Strip

22.22.030 Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5.

A. General. This Section prescribes the land use regulations for Zones M-1, M-1.5, M-2, and M-2.5.

B. Permit and Review Requirements. Table 22.22.030-A, below, identifies the permit or review required to establish each use listed in Subsection C, below.

TABLE 22.22.030-A: PERMIT AND REVIEW REQUIREMENTS		
Abbreviation	***Permit and Review Requirement***	***Reference***
–	Not Permitted	
P	Permitted	
ABP	Adult Business Permit	Chapter 22.150
AP	Animal Permit	Chapter 22.152
CEM	Cemetery Permit	Chapter 22.154
CUP	Conditional Use Permit	Chapter 22.158
MCUP	Minor Conditional Use Permit	Chapter 22.160
EP	Explosives Permit	Chapter 22.164
HP	Housing Permit	Chapter 22.166
SPR	Ministerial Site Plan Review	Chapter 22.186
SEP	Special Events Permit	Chapter 22.188
SMP	Surface Mining Permit	Chapter 22.190

C. Use Regulations.

1. Principal Uses. Table 22.22.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Agricultural and Resource-Based Uses					
Borrow pits to a depth of over three feet	–	–	CUP	CUP	
Community gardens	P	P	P	CUP	
Crops, including field, tree, bush, berry, and row	P	P	P	CUP	
Greenhouses	SPR	SPR	SPR	CUP	
Land reclamation projects	CUP	CUP	SPR	CUP	
Manure, spreading, drying, and sales	–	–	SPR	CUP	
Oil wells					
In compliance with Section 22.140.400.C.1.a	SPR	SPR	SPR	CUP	Section 22.140.400
In compliance with Section 22.140.400.C.1.b	CUP	CUP	CUP	CUP	Section 22.140.400
Solid fill projects	CUP	CUP	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Surface mining operations	SMP	SMP	SMP	SMP	
Animal-Related Uses					
Animal experimental research institutes	SPR	SPR	SPR	CUP	
Animal hospitals	SPR	SPR	SPR	CUP	
Animal shelters and pounds	SPR	SPR	SPR	CUP	
Cemeteries and crematories for pets	–	–	CUP	CUP	
Dairies	–	–	CUP	CUP	Section 22.140.160
Dog breeding facilities	SPR	SPR	SPR	CUP	
Dog kennels	SPR	SPR	SPR	CUP	
Dog training schools	SPR	SPR	SPR	CUP	
Grazing of cattle, horses, sheep, goats, alpacas, or llamas	SPR	SPR	SPR	CUP	Section 22.140.080
Hogs or pigs	SPR	SPR	SPR	CUP	Section 22.140.080
Hog ranches	–	–	CUP	CUP	
Humane societies	SPR	SPR	SPR	CUP	
Livestock feed yards	–	–	CUP	CUP	
Livestock sales yards	–	–	CUP	CUP	
Menageries, zoos, animal exhibitions, or other facilities for the keeping of wild animals[1]	CUP	CUP	CUP	CUP	
Raising, breeding, and training of horses and other equine, cattle, sheep, goats, alpacas, and llamas	SPR/CUP	SPR	SPR	CUP	Section 22.140.080
Raising of poultry, fowl, birds, rabbits, chinchilla, nutria, mice, frogs, fish, bees, earthworms, and other similar animals of comparable nature, form, and size, including hatching, fattening, marketing, and sale, including eggs, honey, or similar products derived from such animals	SPR	SPR	SPR	CUP	Section 22.140.080
Riding academies[1]	SPR	SPR	SPR	CUP	
Stables, with the boarding of horses[1]	CUP[3]	SPR	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Stables, for the raising and training of racehorses, provided such use is not established for commercial purposes[1]	SPR	SPR	SPR	CUP	
Veterinaries, small animal					
Clinics	SPR	SPR	SPR	CUP	
Hospitals and veterinary consulting offices	SPR	SPR	SPR	CUP	
Wild animals, the keeping of; either individually or collectively for private or commercial purposes	P/AP	P/AP	P/AP	CUP	Sections 22.140.060, 22.140.070
Cannabis Uses					
Cannabis businesses and activities; including renting, leasing, and permitting	–	–	–	–	Section 22.140.134
Cannabis cultivation, personal; accessory to a legally established dwelling unit	*See Table 22.22.030-C: Accessory Use Regulations*				
Cultural, Educational, and Institutional Uses					
Amphitheaters	CUP	CUP	CUP	CUP	
Aquaria	–	SPR	SPR	CUP	
Arboretums and horticultural gardens	SPR	SPR	SPR	CUP	
Boxing arenas	CUP	SPR	SPR	CUP	
Churches, temples, or other places used exclusively for religious worship, including accessory educational and social activities	SPR	SPR	SPR	CUP	
Community centers	SPR	SPR	SPR	CUP	
Correctional institutions					
Camps	CUP	–	–	CUP	
Honor farms	CUP	CUP	CUP	CUP	
Jails	CUP	SPR	SPR	CUP	
Juvenile halls	–	SPR	SPR	CUP	
Disability rehabilitation and training centers[5]	SPR	SPR	SPR	CUP	
Grange halls	CUP	SPR	SPR	CUP	
Institutions of a philanthropic or charitable nature	–	SPR	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Libraries	SPR	SPR	SPR	CUP	
Lodge and union halls	SPR	SPR	SPR	CUP	
Museums	SPR	SPR	SPR	CUP	
Observatories	SPR	SPR	SPR	CUP	
Revival meetings, tent, for longer than seven days	CUP	SPR	SPR	CUP	
Theaters and other auditoriums having a seating capacity of up to 3,000 seats	CUP	SPR	SPR	CUP	
Theaters and other auditoriums having a seating capacity of more than 3,000 seats	–	CUP	CUP	CUP	
Theaters, drive-in	CUP	SPR	SPR	CUP	
Industrial Uses					
Airport-related					
Administrative offices in conjunction with airport	–	–	–	SPR	
Aircraft taxiways	–	–	–	SPR	
Facilities to supply water, gas, electricity, telephone service, or other utility service, except communication equipment buildings	–	–	–	SPR	
Ground operation and testing of aircraft power plants, including, without limitation, reciprocating and jet power plants	–	–	–	SPR	
Manufacture, storage, maintenance, repair, or overhaul of aircraft components, parts, accessories, equipment, and power plants	–	–	–	SPR	
Manufacture, storage, maintenance, repair, or overhaul of missiles, missile components, parts, accessories, equipment, and power plants	–	–	–	SPR	
Storage of aircraft fuels, lubricants, and propellants	–	–	–	SPR	
Assaying services	SPR	SPR	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Assembly, manufacture, packaging, and storage of finished or prepared materials; including on-site manufacture of raw natural or synthesized materials					
Earthen products, including ceramics, sand, and stone, but excluding brick, terra cotta, and tile manufacture	SPR	SPR	SPR	CUP	
Food, coffee, edible oil, liquor, soda, and juice products, including the baking, processing, packing, canning, and bottling, excluding meat, fish, lard, pickles, sausage, sauerkraut, or vinegar	SPR	SPR	SPR	CUP	*Also see "Food Processing"*
Precious and semi-precious metal products, including jewelry and lapidary	SPR	SPR	SPR	CUP	
Assembly, manufacture, packaging, and storage of finished or prepared materials, provided that no manufacturing of raw natural or synthesized materials, including flammable or toxic chemicals, are conducted on-site:					
Agricultural products	SPR	SPR	SPR	CUP	
Cloth and textile products, including apparel and upholstery, but excluding leatherwork and tanning	SPR	SPR	SPR	CUP	
Cosmetics and drygood products	SPR[4]	SPR	SPR	CUP	
Craft products	SPR	SPR	SPR	CUP	
Drug and pharmaceutical products	SPR	SPR	SPR	CUP	
Electric, electronical, and mechanical products and parts, including appliances, computers, equipment, and instruments	SPR	SPR	SPR	CUP	
Glass products and parts	SPR[6]	SPR[6]	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Metal products and parts, including the fabricating, engraving, spinning, storing, plating, and finishing	SPR[7]	SPR[7]	SPR	CUP	*Also see "Foundries" and "Forging works"*
Paper products	SPR	SPR	SPR	CUP	
Plastic products, including molding and grinding within an interior room	SPR	SPR	SPR	CUP	
Rubber products, excluding tires	SPR	SPR	SPR	CUP	
Wood products, including furniture	SPR[18]	SPR	SPR	CUP	
Assembly and storage of amusement rides and devices[17]	–	SPR	SPR	CUP	
Farm equipment repair shops	SPR	SPR	SPR	CUP	
Farm machinery repair shops	SPR	SPR	SPR	CUP	
Film laboratories	SPR	SPR	SPR	CUP	
Food processing					
Bakeries	SPR	SPR	SPR	CUP	
Breweries	SPR	SPR	SPR	CUP	
Byproducts and scrap, from the handling or utilization of fish, meat, or animals	–	–	CUP	CUP	
Candy confectioneries	SPR	SPR	SPR	CUP	
Dairy products depots	SPR	SPR	SPR	CUP	
Feed mills	–	SPR	SPR	CUP	
Fish processing, including fish canneries	–	–	CUP	CUP	
Frozen food lockers	SPR	SPR	SPR	CUP	
Ice plants	–	–	SPR	CUP	
Lard	–	–	CUP	CUP	
Linseed, cottonseed, and coconut oil processing plants	–	SPR	SPR	CUP	
Meat packing plants	–	–	CUP	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Slaughtering, dressing, processing, packing, and sale of poultry, fowl, rabbits, and other similar animals of comparable nature, form, and size[9,15]	SPR	SPR	SPR	CUP	
Starch mixing and bottling	SPR	SPR	SPR	CUP	
Tallow	–	–	CUP	CUP	
Vinegar	–	–	CUP	CUP	
Wineries					
In compliance with Section 22.140.610.D.1	SPR	SPR	SPR	CUP	Section 22.140.610
In compliance with Section 22.140.610.D3	CUP	CUP	CUP	CUP	Section 22.140.610
Fumigating contractors	SPR	SPR	SPR	CUP	
Heavy equipment training schools	CUP[10]	SPR	SPR	CUP	
Junk and salvage yards, including the baling of cardboard, cardboard boxes, paper, and paper cartons	–	–	CUP	CUP	Section 22.140.120
Laboratories for testing experimental motion picture film	SPR	SPR	SPR	CUP	
Laboratories, research and testing	SPR	SPR	SPR	CUP	
Laundries and cleaning services					
Cleaning and dyeing establishments, wholesale	SPR	SPR	SPR	CUP	
Curtain cleaning services	SPR	SPR	SPR	CUP	
Dry cleaning plants, wholesale	SPR	SPR	SPR	CUP	Section 22.140.190
Laundry plants, wholesale	SPR	SPR	SPR	CUP	
Linen and towel supply	SPR	SPR	SPR	CUP	
Rug and carpet cleaning plants	SPR	SPR	SPR	CUP	
Manufacture of:					
Ammonia, synthetic	–	–	CUP	CUP	
Asphalt plants	–	–	CUP	CUP	
Blacksmith shops	SPR	SPR	SPR	CUP	
Blast furnaces	–	–	CUP	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Bleaching powder	–	–	CUP	CUP	
Boat building	SPR	SPR	SPR	CUP	
Boiler works	–	–	CUP	CUP	
Bone distillation	–	–	CUP	CUP	
Bottling plants	SPR	SPR	SPR	CUP	
Box factories	SPR	SPR	SPR	CUP	
Brick	–	–	CUP	CUP	
Cabinetmaking	SPR	SPR	SPR	CUP	
Carpenter shops	SPR	SPR	SPR	CUP	
Caustic soda, manufacture by electrolysis	–	–	CUP	CUP	
Carpenter shops	SPR	SPR	SPR	CUP	
Celluloid	–	–	CUP	CUP	
Cellulose	–	–	CUP	CUP	
Cement	–	–	CUP	CUP	
Chlorine gas	–	–	CUP	CUP	
Coal and coal tar products, including distillation	–	–	CUP	CUP	
Coke ovens	–	–	CUP	CUP	
Concrete batching plants					
With mixers of one cubic yard capacity or smaller	SPR	SPR	SPR	CUP	
With mixers over one cubic yard capacity	–	–	CUP	CUP	
Creosote	–	–	CUP	CUP	
Drop hammers	–	–	CUP	CUP	
Engraving, machine metal engraving	SPR	SPR	SPR	CUP	
Explosives	–	–	EP	EP	
Fabricating	SPR[7]	SPR[7]	SPR	CUP	
Fat rendering	–	–	CUP	CUP	
Fireworks	–	–	CUP	CUP	
Forging works	–	–	CUP	CUP	
Foundries, other than an aluminum foundry employing only electric or low-pressure crucibles	–	–	CUP	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Gas	–	–	CUP	CUP	
Gelatin	–	–	CUP	CUP	
Glass, the production by hand of crystal glass art novelties within a closed building of fire-resistant construction	SPR[6]	SPR[6]	SPR	CUP	
Glue	–	–	CUP	CUP	
Grease	–	–	CUP	CUP	
Grinding of nonmetallic ore	–	–	CUP	CUP	
Guncotton products	–	–	CUP	CUP	
Gypsum	–	–	CUP	CUP	
Hydrocyanic acid products	–	–	CUP	CUP	
Ice, including distribution and storage	SPR	SPR	SPR	CUP	
Incinerators	SPR	SPR	SPR	CUP	
Lamp black	–	–	CUP	CUP	
Lime	–	–	CUP	CUP	
Lubricating oil canning and packaging, limited to 100 barrels stored aboveground at a time	SPR	SPR	SPR	CUP	
Lumberyards	SPR[8]	SPR	SPR	CUP	
Machine shops	SPR	SPR	SPR	CUP	
Oil reclaiming plants	–	–	CUP	CUP	
Ore reduction plants	–	–	CUP	CUP	
Paint mixing, excluding lacquers and synthetic enamels	SPR	SPR	SPR	CUP	
Petroleum refineries	–	–	CUP	CUP	
Phenol	–	–	CUP	CUP	
Plumbing contractor's shops	SPR	SPR	SPR	CUP	
Potash	–	–	CUP	CUP	
Presses, hydraulic presses for the molding of plastics	SPR	SPR	SPR	CUP	
Pyroxylin plastic materials	–	–	CUP	CUP	
Refrigeration plants	SPR	SPR	SPR	CUP	
Rubber	–	–	CUP	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Rubber reclaiming plants	–	–	CUP	CUP	
Sand, the washing of sand to be used in sandblasting	SPR	SPR	SPR	CUP	
Sandblasting plants	–	–	CUP	CUP	
Sheet metal shops	SPR	SPR	SPR	CUP	
Size	–	–	CUP	CUP	
Smelters	–	–	CUP	CUP	
Soda ash	–	–	CUP	CUP	
Stone, marble, and granite, including grinding, dressing, and cutting	SPR	SPR	SPR	CUP	
Tanneries	–	–	CUP	CUP	
Tar products, including byproducts	–	–	CUP	CUP	
Terra cotta products	–	–	CUP	CUP	
Tile with outdoor kilns	–	–	CUP	CUP	
Tobacco and chewing tobacco	–	–	CUP	CUP	
Wool-pulling plants	–	–	CUP	CUP	
Motion picture processing, reconstruction, and synchronizing of film with sound tracks	SPR	SPR	SPR	CUP	
Motion picture outdoor sets	–	–	SPR	CUP	
Motion picture studios and indoor sets	SPR	SPR	SPR	CUP	Section 22.140.060.A
Outdoor advertising signs	CUP	CUP	CUP	–	Section 22.114.070
Roofing contractor's establishments	SPR	SPR	SPR	CUP	
Scientific research or experimental development of materials, methods or products, including engineering and laboratory research, administrative and other related activities, and facilities in conjunction therewith	–	SPR	SPR	CUP	
Scrap metal processing yards	–	–	CUP	CUP	Section 22.140.530
Storage					
Acetylene and oxygen storage in tanks[11]	SPR	SPR	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Bakery goods distributors	SPR	SPR	SPR	CUP	
Barrel storage	SPR	SPR	SPR	CUP	
Building materials	SPR	SPR	SPR	CUP	
Bus storage	SPR	SPR	SPR	CUP	
Car barns for buses and streetcars	SPR	SPR	SPR	CUP	
Cold storage plants	SPR	SPR	SPR	CUP	
Contractor's equipment yards, including farm and building trade equipment	SPR	SPR	SPR	CUP	
Distributing plants	SPR	SPR	SPR	CUP	
Draying yards or terminals	SPR	SPR	SPR	CUP	
Explosives storage, permanent	EP	EP	EP	EP	
Fuel yards	SPR	SPR	SPR	CUP	
Furniture and household goods, transfer and storage	SPR	SPR	SPR	CUP	
Gas, above-surface storage of illumination in excess of 500,000 cubic feet	–	–	CUP	CUP	
Industrial gas storage, including oxygen, acetylene, argon, carbon dioxide, and similar gases in Interstate Commerce Commission approved-type cylinders	CUP	SPR	SPR	CUP	
Machinery storage yards	SPR	SPR	SPR	CUP	
Moving van storage or operating yards	SPR	SPR	SPR	CUP	
Oil, gasoline, or petroleum products storage					
Any quantity exceeding 2,500 barrels on any one lot	–	–	CUP	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
In conjunction with an oil well being drilled or in production not exceeding 6,000 barrels per each such well on the same lot upon which such well is located	–	–	CUP	CUP	*Also see "Oil wells"*
Plaster storage	SPR	SPR	SPR	CUP	
Produce yards and terminals	SPR	SPR	SPR	CUP	
Rock and gravel storage					
Up to 2,000 tons	–	–	SPR	CUP	
In excess of 2,000 tons	–	–	CUP	CUP	
Storage and rental of plows, tractors, buses, contractor's equipment, and cement mixers	SPR	SPR	SPR	CUP	
Truck storage	SPR	SPR	SPR	CUP	
Warehouses, including storage warehouses	SPR	SPR	SPR	CUP	
Wood yards	SPR	SPR	SPR	CUP	
Tire retreading or recapping	SPR	SPR	SPR	CUP	
Trade or commercial schools, specializing in manual training, shop work, or in the repair and maintenance of machinery or mechanical equipment	SPR	SPR	SPR	CUP	*Also see "Heavy equipment training schools"*
Valves, storage and repair of, including oil well valves	SPR	SPR	SPR	CUP	
Welding	SPR	SPR	SPR	CUP	
Renewable Energy Uses					
Utility-scale solar energy facilities, ground-mounted	CUP	CUP	CUP	–	Section 22.140.510
Utility-scale solar energy facilities, structure-mounted	P	P	P	–	Section 22.140.510
Utility-scale wind energy facilities	–	–	–	–	Section 22.140.510
Recreational Uses					
Amusement rides and devices for longer than seven days or permanent recreational use[17]	CUP	SPR	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Arcades, game or movie	CUP	SPR	SPR	CUP	
Archery ranges	CUP	SPR	SPR	CUP	
Athletic fields, excluding stadiums	SPR	SPR	SPR	CUP	
Athletic fields and stadiums	–	–	SPR	CUP	
Baseball parks	SPR	SPR	SPR	CUP	
Billiard or pool halls	CUP	SPR	SPR	CUP	
Bowling alleys	CUP	SPR	SPR	CUP	
Cardrooms or clubs	CUP	SPR	SPR	CUP	
Carnivals, commercial or otherwise	SPR	SPR	SPR	CUP	
Circuses and wild animal exhibitions, for longer than seven days	CUP	SPR	SPR	CUP	
Games of skill	CUP	SPR	SPR	CUP	
Golf					
Golf courses, including clubhouses and accessory facilities	SPR	SPR	SPR	CUP	
Golf driving ranges	CUP	SPR	SPR	CUP	
Miniature golf courses	CUP	SPR	SPR	CUP	
Gymnasiums	CUP	SPR	SPR	CUP	
Outdoor festivals	–	–	CUP	CUP	
Parks, playgrounds, and beaches, including accessory facilities	SPR	SPR	SPR	CUP	
Race tracks of any kind, excluding race tracks used exclusively for contests of speed, skill, or endurance between human beings only	–	–	CUP	CUP	
Recreation clubs, commercial	SPR	SPR	SPR	CUP	Section 22.140.480
Recreation clubs, private	CUP	SPR	SPR	CUP	Section 22.140.480
Riding and hiking trails	SPR[2]	SPR	SPR	CUP	
Rifle, pistol, or skeet ranges	CUP	CUP	CUP	CUP	
Shooting galleries	SPR	SPR	SPR	CUP	
Skating rinks, ice or roller	CUP	SPR	SPR	CUP	
Skating rinks, outdoors	SPR[12]	SPR[12]	SPR[12]	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Sport courts, including tennis, volleyball, badminton, croquet, lawn bowling, and similar courts, as a principal use	SPR	SPR	SPR	CUP	
Swimming pools as a principal use	SPR	SPR	SPR	CUP	
Trap ranges	CUP	CUP	CUP	CUP	
Retail/Commercial Uses					
Adult businesses	ABP	ABP	ABP	ABP	
Agricultural contractor equipment sales and rentals	SPR	SPR	SPR	CUP	
Alcoholic beverages sales, for off-site consumption	CUP	CUP	CUP	CUP	Section 22.140.030
Antique shops, genuine antiques only	SPR	SPR	SPR	CUP	
Appliance stores, household	SPR	SPR	SPR	CUP	
Art galleries	SPR	SPR	SPR	CUP	
Art supply stores	SPR	SPR	SPR	CUP	
Auction houses	SPR[13]	SPR	SPR	CUP	
Bakery shops	SPR	SPR	SPR	CUP	
Bicycle shops	SPR	SPR	SPR	CUP	
Bookstores	SPR	SPR	SPR	CUP	
Ceramic shops	SPR	SPR	SPR	CUP	
Clothing stores	SPR	SPR	SPR	CUP	
Confectioneries and candy stores, including making only when accessory to retail sales from the premises	SPR	SPR	SPR	CUP	
Delicatessens	SPR	SPR	SPR	CUP	
Department stores	SPR	SPR	SPR	CUP	
Dress shops	SPR	SPR	SPR	CUP	
Drugstores	SPR	SPR	SPR	CUP	
Farm equipment sales, rentals, and storage	SPR	SPR	SPR	CUP	
Farmers' markets	SPR	SPR	SPR	CUP	Section 22.140.220
Feed and grain sales	SPR	SPR	SPR	CUP	
Florist shops	SPR	SPR	SPR	CUP	
Fruit and vegetable markets	SPR	SPR	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Furniture stores	SPR	SPR	SPR	CUP	
Furrier shops	SPR	SPR	SPR	CUP	
Gift shops	SPR	SPR	SPR	CUP	
Glass and mirror sales, including automobile glass installation[15]	SPR	SPR	SPR	CUP	
Grocery stores	SPR	SPR	SPR	CUP	
Hardware stores, including the sale of lumber and other building supplies	SPR[14]	SPR	SPR	CUP	
Health clubs and centers	CUP	SPR	SPR	CUP	
Health food stores	SPR	SPR	SPR	CUP	
Hobby supply stores	SPR	SPR	SPR	CUP	
Ice cream shops	SPR	SPR	SPR	CUP	
Ice sales, excluding ice plants	SPR	SPR	SPR	CUP	
Jewelry stores	SPR	SPR	SPR	CUP	
Lapidary shops	SPR	SPR	SPR	CUP	
Leather goods stores	SPR	SPR	SPR	CUP	
Mail order houses	SPR	SPR	SPR	CUP	
Meat markets, excluding slaughtering	SPR	SPR	SPR	CUP	
Millinery shops	SPR	SPR	SPR	CUP	
Mobilehome sales	SPR	SPR	SPR	CUP	
Music stores	SPR	SPR	SPR	CUP	
Newsstands	SPR	SPR	SPR	CUP	
Notion or novelty stores	SPR	SPR	SPR	CUP	
Office machines and equipment sales and rentals	SPR	SPR	SPR	CUP	
Paint and wallpaper stores	SPR	SPR	SPR	CUP	
Pawnshops	SPR	SPR	SPR	CUP	
Pet stores[15]	SPR	SPR	SPR	CUP	
Pet supply stores	SPR	SPR	SPR	CUP	
Photographic equipment and supply stores	SPR	SPR	SPR	CUP	
Plant nurseries, including propagation of nursery stock and retail sales	SPR	SPR	SPR	CUP	
Radio and television stores	SPR	SPR	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Recording studios	SPR	SPR	SPR	CUP	
Refreshment stands	–	SPR	SPR	CUP	
Retail stores	SPR	SPR	SPR	CUP	
Secondhand stores	SPR	SPR	SPR	CUP	
Shoe stores	SPR	SPR	SPR	CUP	
Silver shops	SPR	SPR	SPR	CUP	
Sporting goods stores	SPR	SPR	SPR	CUP	
Stamp redemption centers	SPR	SPR	SPR	CUP	
Stationery stores	SPR	SPR	SPR	CUP	
Swap meets	CUP	SPR	SPR	CUP	
Tasting rooms, on site and remote					
In compliance with Section 22.140.590.D.1	MCUP	MCUP	MCUP	MCUP	Section 22.140.590
In compliance with Section 22.140.590.D.2	CUP	CUP	CUP	CUP	Section 22.140.590
Tobacco shops	SPR	SPR	SPR	CUP	
Toy stores	SPR	SPR	SPR	CUP	
Yarn and yardage stores	SPR	SPR	SPR	CUP	
Service Uses					
Alcohol beverage sales, for on-site consumption	CUP	CUP	CUP	CUP	Section 22.140.030
Automobile sightseeing agencies	SPR	SPR	SPR	CUP	
Banks, savings and loans, credit unions, and finance companies	SPR	SPR	SPR	CUP	
Barber shops	SPR	SPR	SPR	CUP	
Bars and cocktail lounges	CUP	CUP	CUP	CUP	Section 22.140.030
Beauty shops	SPR	SPR	SPR	CUP	
Blueprint shops	SPR	SPR	SPR	CUP	
Body piercing parlors	CUP	CUP	CUP	CUP	
Book binderies	SPR	SPR	SPR	CUP	
Butane and propane service stations	CUP	SPR	SPR	CUP	
Carpet and rug cleaners	SPR	SPR	SPR	CUP	
Catering services	SPR	SPR	SPR	CUP	
Cemeteries	CEM	CEM	CEM	CEM	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Cesspool pumping, cleaning, and draining	SPR	SPR	SPR	CUP	
Dance halls, indoor	CUP	SPR	SPR	CUP	
Dance pavilions, outdoor	SPR[12]	SPR[12]	SPR[12]	CUP	
Day care					
Child care centers	CUP	CUP	CUP	CUP	
Domestic violence shelters	SPR	SPR	SPR	CUP	Section 22.140.180
Electricians' shops	SPR	SPR	SPR	CUP	
Employment agencies	SPR	SPR	SPR	CUP	
Escort bureaus	CUP	SPR	SPR	CUP	
Homeless shelters	SPR	SPR	SPR	CUP	Section 22.140.300
Interior decorating studios	SPR	SPR	SPR	CUP	
Laundries and cleaning services					
Agencies	SPR	SPR	SPR	CUP	
Dry cleaning establishments, excluding wholesale dry cleaning plants	SPR	SPR	SPR	CUP	Section 22.140.190
Hand	SPR	SPR	SPR	CUP	
Retail	SPR	SPR	SPR	CUP	
Self-service	SPR	SPR	SPR	CUP	
Locksmith shops	SPR	SPR	SPR	CUP	
Marine oil service stations	SPR	SPR	SPR	CUP	
Massage parlors	CUP	CUP	CUP	CUP	
Medical services					
Ambulance services facilities	CUP	SPR	SPR	CUP	
Ambulance emergency services facilities	SPR	SPR	SPR	CUP	Section 22.140.050
Dental clinics, including associated laboratories	SPR	SPR	SPR	CUP	
Dental laboratories	SPR	SPR	SPR	CUP	
First aid stations	SPR	SPR	SPR	CUP	
Medical clinics, including associated laboratories	SPR	SPR	SPR	CUP	
Medical laboratories	SPR	SPR	SPR	CUP	
Mimeograph and addressograph services	SPR	SPR	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Mortuaries	SPR	SPR	SPR	CUP	
Nightclubs	CUP	CUP	CUP	CUP	
Offices, business or professional	SPR	SPR	SPR	CUP	
Packaging businesses	SPR	SPR	SPR	CUP	
Parcel delivery terminals	SPR	SPR	SPR	CUP	
Parking lots and parking buildings, commercial[16]	SPR	SPR	SPR	CUP	
Permanent cosmetics parlors	CUP	CUP	CUP	CUP	
Pest control services, including residential termite control	SPR	SPR	SPR	CUP	
Pet grooming services	SPR	SPR	SPR	CUP	
Photocopying and duplicating services	SPR	SPR	SPR	CUP	
Photoengravers and lithographers	SPR	SPR	SPR	CUP	
Photography studios	SPR	SPR	SPR	CUP	
Plumbing shops	SPR	SPR	SPR	CUP	
Printers or publishers	SPR	SPR	SPR	CUP	
Real estate offices	SPR	SPR	SPR	CUP	
Rental services					
Bicycle rentals	SPR	SPR	SPR	CUP	
Costume rentals	SPR	SPR	SPR	CUP	
Furniture and appliance rentals	SPR	SPR	SPR	CUP	
Hospital equipment and supply rentals	SPR	SPR	SPR	CUP	
Party equipment rentals and storage, including tables, chairs, and heat lamps	SPR	SPR	SPR	CUP	
Tool rentals, including rototillers, power mowers, sanders and saws, cement mixers, and other equipment	SPR	SPR	SPR	CUP	
Repair shops, household and fix-it	SPR	SPR	SPR	CUP	
Restaurants and other eating establishments, including food take-out	SPR	SPR	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Restaurants and other eating establishments, including food take-out and outdoor dining					
In compliance with Section 22.140.410.B.1	SPR	SPR	SPR	CUP	Section 22.140.410
In compliance with Section 22.140.410.B.2	CUP	CUP	CUP	CUP	Section 22.140.410
Reupholsterers, furniture	SPR	SPR	SPR	CUP	
Self-service storage facilities	SPR	SPR	SPR	CUP	Section 22.140.560
Shoe repair shops	SPR	SPR	SPR	CUP	
Shoeshine stands	SPR	SPR	SPR	CUP	
Sightseeing agencies	SPR	SPR	SPR	CUP	
Silkscreening shops	–	SPR	SPR	CUP	
Steam or sauna baths	CUP	SPR	SPR	CUP	
Tailor shops	SPR	SPR	SPR	CUP	
Tattoo parlors	CUP	CUP	CUP	CUP	
Taxidermists	SPR	SPR	SPR	CUP	
Tourist information centers	SPR	SPR	SPR	CUP	
Watch repair shops	SPR	SPR	SPR	CUP	
Wedding chapels	SPR	SPR	SPR	CUP	
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses					
Air pollution sampling stations	SPR	SPR	SPR	CUP	
Airports, heliports, helistops, and landing strips	CUP	CUP	CUP	SPR	
Comfort stations and restroom facilities	SPR	SPR	SPR	CUP	
Communications equipment buildings	SPR	SPR	SPR	CUP	
Earth stations	CUP	SPR	SPR	SPR	
Electric distribution substations, including related microwave facilities	SPR	SPR	SPR	SPR	Section 22.140.200
Electric transformer substations	SPR	SPR	SPR	SPR	
Electric transmission substations and generating plants, including related microwave facilities	CUP	SPR	SPR	SPR	
Fire stations	SPR	SPR	SPR	CUP	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Gas distribution depots, public utility	CUP	SPR	SPR	SPR	
Gas metering and control stations, public utility	SPR	SPR	SPR	SPR	
Microwave stations	SPR	SPR	SPR	SPR	
Police stations	SPR	SPR	SPR	CUP	
Post offices	SPR	SPR	SPR	CUP	
Publicly owned uses that are necessary to maintain the public health, convenience, or general welfare, other than uses specifically listed in the zone	CUP	SPR	SPR	SPR	
Public utility service centers	SPR	SPR	SPR	CUP	
Public utility service yards	CUP	SPR	SPR	SPR	
Radio and television broadcasting studios	SPR	SPR	SPR	CUP	
Radio and television stations, studios, and towers	CUP	CUP	CUP	CUP	
Road construction and maintenance yards	CUP	SPR	SPR	CUP	
Roundhouses	–	–	CUP	CUP	
Sewage disposal plants	–	CUP	CUP	CUP	
Sewage treatment plants	CUP	CUP	CUP	CUP	
Sewer farms or sewage disposal plants not operated by or under control of the County	–	–	CUP	CUP	
Stations and terminals; bus, railroad, and taxi	SPR	SPR	SPR	CUP	
Telephone repeater stations	SPR	SPR	SPR	SPR	
Waste disposal facilities	–	–	CUP	CUP	
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, tanks, wells, and any use normal or accessory to the storage and distribution of water	CUP	SPR	SPR	SPR	
Wharves	SPR	SPR	SPR	CUP	
Vehicle-Related Uses					
Automobile washing					

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Automatic car wash	SPR	SPR	SPR	CUP	
Coin-operated or hand wash	SPR	SPR	SPR	CUP	
Vehicle sales and rentals					
Automobile rental and leasing agencies	SPR	SPR	SPR	CUP	
Boat and other marine sales, including minor repairs and rentals	SPR	SPR	SPR	CUP	
Motorcycle, motor scooter, and trail bike, sales and rental	SPR	SPR	SPR	CUP	
New automobile sales	SPR	SPR	SPR	CUP	
Recreational vehicle sales and rentals	SPR	SPR	SPR	CUP	
Trailer sales and rentals, box and utility	SPR	SPR	SPR	CUP	
Truck sales, rentals, and storage	SPR	SPR	SPR	CUP	
Used automobile sales	SPR	SPR	SPR	CUP	
Vehicle services					
Automobile battery services	SPR[15]	SPR	SPR	CUP	
Automobile body and fender repair shops	SPR[15]	SPR	SPR	CUP	
Automobile brake repair shops	SPR[15]	SPR	SPR	CUP	
Automobile dismantling yards	–	–	CUP	CUP	Section 22.140.120
Automobile impound yards	CUP	SPR	SPR	CUP	Section 22.140.120
Automobile muffler shops	SPR[15]	SPR	SPR	CUP	
Automobile painting and upholstering shops	SPR[15]	SPR	SPR	CUP	
Automobile radiator shops	SPR[15]	SPR	SPR	CUP	
Automobile repair garages	SPR[15]	SPR	SPR	CUP	
Automobile service stations	SPR[19]	SPR	SPR	CUP	
Automobile supply stores	SPR[19]	SPR	SPR	CUP	
Boat repair	–	SPR	SPR	SPR	

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***

Notes:

1. All buildings on the property used in conjunction with the permitted use on the property shall be located at least 50 feet from any street or highway or any building used for human habitation.
2. Use excludes trails for motor vehicles.
3. Minimum lot size is five acres.
4. Excludes the manufacturing of soap.
5. Use is limited to sheltered employment and vocational training, with assembly and manufacturing activities that are permitted in said zone, and except that dormitories and similar structures used for living or sleeping accommodations are prohibited.
6. Individual crucibles that exceed a capacity of 16 square feet are prohibited.
7. Use prohibits snap riveting and any process used in bending or shaping which produces any annoying or disagreeable noise is prohibited. Use of perchloric acid is prohibited. Use excludes foundries and forging works.
8. Use excludes storage of boxes or crates.
9. Use includes boarding and raising of such animals on-site, limited to 20 percent of the floor area, and no hatcheries are permitted.
10. Minimum lot size is 100 acres.
11. Oxygen shall be stored in a room separate from acetylene and such rooms are separated by a not less than one-hour fire-resistant wall.
12. Use must be at least 500 feet away from any Residential Zone, Zone A-1, or any zone of similar restriction in any city or adjacent county.
13. Use excludes animal auctions.
14. Use excludes milling or other woodworking other than incidental cutting of lumber to size, provided that all sale, display, storage and incidental cutting is within an enclosed building.
15. Use is permitted within an enclosed building only.
16. Parking provided is separate from required parking in Chapter 22.112 (Parking), however, use shall be developed in compliance with Chapter 22.112 (Parking).
17. Use includes merry-go-rounds, ferris wheels, swings, toboggans, slides, rebound-tumbling, zip-lines, and similar equipment.
18. Use excludes a planing mill.
19. Use includes related installation and repair if conducted within an enclosed building.

2. Accessory Uses. Table 22.22.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.22.030-C: ACCESSORY USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Access to property lawfully used for a purpose not permitted in the zone[1]	SPR	P	P	CUP	
Accessory automobile body and fender repair, painting, and upholstering at new automobile dealerships	P	P	P	P	
Accessory automobile washing, waxing, and polishing at automobile service stations	P	P	P	P	

TABLE 22.22.030-C: ACCESSORY USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Accessory buildings and structures, unless more specifically regulated by this Title 22	*As determined by the principal use*				Sections 22.110.030, 22.110.040
Amateur radio antennas					
In compliance with Section 22.140.040.D.1	SPR	SPR	SPR	CUP	Section 22.140.040
In compliance with Section 22.140.040.D.2	MCUP	MCUP	MCUP	CUP	Section 22.140.040
Building materials storage, for an approved project on the same site	SPR	SPR	SPR	CUP	Section 22.140.130
Cannabis cultivation, personal, accessory to a legally established dwelling unit	P	P	P	P	Section 22.140.134
Caretaker residences, including mobilehomes					
For up to six months in any twelve month period	SPR	SPR	SPR	CUP	Section 22.140.140
For longer than six months in any twelve month period	CUP	CUP	CUP	CUP	Section 22.140.140
Grading projects					
More than 10,000 and up to 100,000 cubic yards of material to be transported off-site	SPR	SPR	SPR	SPR	Section 22.140.240
More than 100,000 cubic yards of material to be transported off-site	CUP	CUP	CUP	CUP	Section 22.140.240
On-site, excluding projects where the Review Authority has previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project	CUP	CUP	CUP	CUP	Section 22.140.240
Live entertainment					
In compliance with Section 22.140.330.D.1	SPR	SPR	SPR	CUP	Section 22.140.330
In compliance with Section 22.140.330.D.2	CUP	CUP	CUP	CUP	Section 22.140.330
Living quarters for persons employed and deriving a major portion of their income on the premises	–	–	CUP	–	

TABLE 22.22.030-C: ACCESSORY USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Manufacturing, processing, treating, packing, and storage, accessory to a business on the premises	P	P	P	P	
Outdoor display	SPR	SPR	SPR	SPR	Section 22.140.420
Outdoor storage	SPR	SPR	SPR	SPR	Section 22.140.430
Produce stands, including products from community gardens	P	P	P	CUP	Section 22.140.460
Signs	*As specified in Chapter 22.114 (Signs)*				
Small-scale solar energy systems, structure-mounted	P	P	P	P	Section 22.140.510
Small-scale solar energy systems, ground-mounted	SPR	SPR	SPR	SPR	Section 22.140.510
Small-scale wind energy systems	–	–	–	–	
Notes: 1. Provided that there is no other practical access to such property available and such access will not alter the character of the premises in respect to permitted uses in the subject zone.					

3. Temporary Uses. Table 22.22.030-D, below, identifies the permit or review required to establish each temporary use.

TABLE 22.22.030-D: TEMPORARY USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Amusement rides and devices for up to seven days[1,4]	SPR	SPR	SPR	CUP	
Carnivals, commercial[1]	SPR	SPR	SPR	CUP	
Circuses and wild animal exhibitions, for up to seven days[1]	SPR	SPR[2]	SPR	CUP	Section 22.140.060.B
Explosives storage, temporary	EP	EP	EP	EP	
Holiday and seasonal sales	SPR	SPR	SPR	CUP	Section 22.140.280
Revival meetings, tent for up to seven days	SPR[1,3]	SPR	SPR	CUP	
Special events	SEP	SEP	SEP	SEP	

TABLE 22.22.030-D: TEMPORARY USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	***M-1.5***	***M-2***	***M-2.5***	***Additional Regulations***
Storage of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines, and similar uses for a period not to exceed one year	CUP	SPR	SPR	CUP	

Notes:

1. Limited to one occurrence within any six month period.
2. In Zones M-1.5 and M-2, a circus may operate up to 14 days with a Ministerial Site Plan Review.
3. Use may not be located within 300 feet of any public park or school, residential use, or any area located in any Residential Zone.
4. Use includes merry-go-rounds, ferris wheels, swings, toboggans, slides, rebound-tumbling, zip-lines, and similar equipment operated at one particular location.

D. Additional Uses Not Listed. Any use not listed in Subsection C, above, and not listed in Subsection E, below, may be permitted:

1. Upon approval of a Ministerial Site Plan Review (Chapter 22.186) application, premises in Zone M-1.5 may be used for other industrial uses similar to any use permitted with a ministerial review in Zone M-1.5, as identified in Subsection C, above, that do not store hazardous or combustible materials, and are not listed in Subsection C, above, as requiring a discretionary review in Zone M-1.5.

2. Upon approval of a Ministerial Site Plan Review (Chapter 22.186) application, premises in Zone M-2 may be used for other industrial uses similar to any use permitted with a ministerial review in Zone M-2, as identified in Subsection C, above, that do not store hazardous or combustible materials, and are not listed in Subsection C, above, as requiring a discretionary review in Zone M-2.

3. Upon approval of a Conditional Use Permit (Chapter 22.158) application, premises in Zone M-2 may be used for any other industrial uses not listed in Subsection C, above, that may include heavy manufacturing processes or store hazardous materials.

E. Prohibited Uses. The following uses are prohibited in Zones M-1, M-1.5, M-2, and M-2.5:

1. Adult day care centers.

2. Adult residential facilities.

3. Business and professional schools, including art, barber, beauty, dance, drama, and music schools.

4. Colleges and universities.

5. Dwelling units, except for caretaker residences as provided in this Chapter.

6. Family child care homes.

7. Farmworker dwelling units and housing complexes.

8. Foster family homes.

9. Group homes for children.

10. Hospitals.

11. Hotels.

12. Mobilehomes or recreational vehicles for sleeping or residential purposes, except for temporary use as caretaker residences as provided in this Chapter.

13. Mobilehome parks.

14. Motels.

15. Rooming and boarding houses.

16. Schools, public or private, up to grade 12.

17. Small family homes for children.

22.22.040 Land Use Regulations for Zone M-3.

A. Permitted Uses. Premises in Zone M-3 may be used for any use, except that a use listed in Subsections B, C, and D, below, is permitted only as provided in such sections, below, and uses listed in Subsection E, below, are prohibited. In addition, the following uses are permitted in Zone M-3:

1. Grading projects, with off-site transport up to 100,000 cubic yards of material, subject to Section 22.140.240 (Grading Projects).

2. One mobilehome or recreational vehicle on the same lot may be permitted for up to six consecutive months in any 12-month period if it is legally being used as a caretaker's residence for a use that requires the continuous supervision of a caretaker.

3. Use of property to gain access to any lawfully maintained use.

B. Conditional Use Permit. If a Conditional Use Permit (Chapter 22.158) application has first been approved, premises in Zone M-3 may be used for:

1. Any use that is listed under Zone M-2 in Section 22.22.030 (Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5) that requires a Conditional Use Permit application and is subject to the same limitations and conditions as in Zone M-2.

2. The following additional uses:

a. Mobilehomes used as caretaker residences for a period of longer than six consecutive months in any 12-month period, in compliance with Section 22.140.140 (Caretaker Residences, including Mobilehomes).

C. Other Permits Required. If an application for a specified permit has first been approved, premises in Zone M-3 may be used for the following:

1. Adult Businesses, as provided by Chapter 22.150 (Adult Business Permits).

2. Cemeteries, as provided in Chapter 22.154 (Cemetery Permits).

3. Explosives storage, as provided in Chapter 22.164 (Explosives Permits).

4. Surface mining operations, as provided in Chapter 22.190 (Surface Mining Permits).

D. Prohibited Uses. The following uses are prohibited in Zone M-3:

1. Mobilehomes and recreational vehicles used for sleeping or residential purposes, except if used as caretaker residences as provided in Subsections A or B, above.

2. Mobilehome parks.

22.22.050 Land Use Regulations for Zones B-1 and B-2.

Table 22.22.050-A, below, identifies the permit or review required to establish each use.

TABLE 22.22.050-A: LAND USE REGULATIONS FOR ZONES B-1 AND B-2			
Use or Structure	***B-1***	***B-2***	***Additional Regulations***
Access to any property between which and a highway the area in Zone B-1 or Zone B- 2 is located	P	P	
Cemeteries	CEM	CEM	
Explosives storage, permanent or temporary	EP	EP	
Fences, open-work non-view-obscuring fences not exceeding eight feet in height, such as woven wire, welded wire, chain-link, or wrought iron	P	P	
Grading			
More than10,000 and up to 100,000 cubic yards of material to be transported off-site	SPR	SPR	Section 22.140.240
More than 100,000 cubic yards of material to be transported off-site	CUP	CUP	Section 22.140.240
On-site, excluding projects where the Review Authority has previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project	CUP	CUP	Section 22.140.240
Landscaping	P	P	
Parking lots accessory to a permitted principal use	SPR[1]	SPR[1]	
Parking lots as a principal use	CUP[1]	CUP[1]	
Railroad spur tracks	P[2]	P[2]	
Recreation areas for employees of a permitted use, excluding structures which require a building permit pursuant to Title 26 (Building Code) of the County Code	P	P	
Signs	*As specified in Chapter 22.114 (Signs)*		
Special events	SEP	SEP	
Surface mining operations	SMP	SMP	
Any lot in Zone B-2 between a street or highway and property developed to uses permitted in Zone C-3 may be used for uses permitted in and subject to all of the conditions of Zone C-3, except that outdoor advertising signs are prohibited	–	See Zone C-3	

TABLE 22.22.050-A: LAND USE REGULATIONS FOR ZONES B-1 AND B-2			
Use or Structure	***B-1***	***B-2***	***Additional Regulations***
Notes: 1. Excluding parking buildings. Use shall be developed in compliance with Chapter 22.112 (Parking). 2. Storage of railroad motive power equipment or rolling stock is not permitted.			

22.22.060 Development Standards for Industrial Zones.

A. Development on any lot in Zones M-1, M-1.5, M-2, M-2.5, M-3, MPD, B-1, and B-2 shall comply with Division 6 (Development Standards), where applicable.

B. Floor Area Ratio (FAR). In Zones M-1, M-1.5, M-2, M-2.5, and M-3, the maximum allowable FAR shall be 1.0.

22.22.070 Development Standards for Zone M-1.

A. Use Regulations. In Zone M-1, punch presses exceeding 20 tons rated capacity, drop hammers, and automatic screw machines are not permitted.

22.22.080 Development Standards for Zone M-2.5.

In Zone M-2.5, Conditional Use Permit (Chapter 22.158) applications shall be subject to the following additional procedures:

A. Additional Findings.

1. That the proposed use will not be a menace to or endanger the public health, safety, or general welfare.

2. That the proposed use will not detrimentally affect such zoned aircraft uses other heavy uses, or unzoned lawful aircraft uses.

3. Aircraft uses, other heavy uses, or unzoned lawful aircraft uses will not detrimentally affect the proposed use.

B. Additional Conditions. In addition to any other conditions which may be imposed, an approved Conditional Use Permit application shall contain conditions which will prevent the authorized use from detrimentally affecting or being detrimentally affected by any zoned aircraft use, other heavy use, or any unzoned lawful aircraft use.

C. Covenant and Agreement. In addition to Section 22.222.260 (Performance Guarantees and Covenants), the applicant shall record in the Registrar-Recorder's Office, an instrument reading substantially as follows:

"Whereas we have sought and have been granted a Conditional Use Permit, permitting the use of the following described property (name of use permitted) to wit, (describe property); and

"Whereas the whole of the said property (or a substantial portion thereof, if that be the fact) is in the unincorporated area of the County of Los Angeles and in Zone M-2.5, under Title 22, the Zoning Ordinance, which zone is designed to be used for the operation of large airports, aircraft manufacturing plants, aircraft modification, overhaul or repair plants, aircraft power plant testing stations, or other heavy industrial uses which cause loud noises, heavy vibrations, or other conditions which may be very detrimental to such trades and industries, and as a buffer zone for certain unzoned lawful aircraft uses referred to in said Title 22; and

"Whereas we have assured the County of Los Angeles that such heavy industrial uses will not be in any way detrimental to the use requested by us; and

"NOW, THEREFORE, as a condition (or one of the conditions) of the granting of said conditional permit, we hereby covenant and agree, both for ourselves and for our successors in interest, and assigns, that we will not, nor will any of us or any of our successors in interest, or assigns, seek damages for, or attempt to enjoin or complain of, the reasonable and necessary operation of any use permitted in Zone M-2.5, or of any unzoned lawful aircraft use and which use is not in violation of said Title 22 of the County Code, or of any other ordinance or law."

D. The execution of, or promise to execute, such instrument described in Subsection C, above, may be deemed to be evidence that zoned aircraft or other heavy uses permitted in Zone M-2.5, or unzoned lawful aircraft uses, will not detrimentally affect such use.

22.22.090 Development Standards and Regulations for Zone MPD.

Premises in Zone MPD shall be subject to the following regulations:

A. Use Regulations.

1. Permitted Uses. Property in Zone MPD may be used for the following uses, subject to the same limitations and conditions, including auxiliary and

transitional uses, front, side, and rear yards, parking standards, height limits, and other development requirements specified in the respective zones:

a. Any use permitted in Zone SR-D; and

b. Any nonresidential use permitted in Zone R-A.

2. Conditional Uses. If a Conditional Use Permit (Chapter 22.158) application has first been approved, property in Zone MPD may be used for:

a. A planned industrial development in which the Commission or Hearing Officer may approve any use permitted in Zone M-1.5, subject to the development standards in Subsection B, below.

b. Child care centers.

B. Development Standards. A planned industrial development, in accordance with Subsection A.2.a, above, shall comply with the following standards:

1. Area. The proposed development plan shall include a minimum lot area of five acres. A development plan may be considered on a lot less than five acres in area when such property is in Zone MPD and has a common boundary with property which has been developed under an approved planned industrial development pursuant to this Subsection B. In such case, the plan shall indicate that the proposed development will constitute an orderly extension in arrangement of buildings, facilities, and improvements throughout the combined lots in addition to all the other requirements for approval of a Conditional Use Permit (Chapter 22.158) application.

2. Compatibility. The proposed development, including the specific industrial uses proposed, shall not be in conflict with the objectives of the General Plan.

3. Design. The structural improvements shall not detract from the established or anticipated character of the surrounding area, as indicated by schematic drawings and renderings to scale showing the architectural design of buildings and structures to be established.

4. Access and Parking. Adequate provision shall be made for vehicular access, parking and loading so as to prevent undue traffic congestion on adjacent streets or highways, particularly local streets.

5. Building Density. The floor area ratio shall not be greater than 1.0, and the ground-floor area of buildings shall not exceed 60 percent of the gross area of the lot. This does not permit a reduction in the parking requirement specified in Chapter 22.112 (Parking). In calculating "gross area," any streets or highways on the perimeter of the lot, or any major or secondary highway or parkway that traverses the property, or any area which is required to be dedicated or a private easement given for any such street or highway, shall be excluded.

6. Utilities. The applicant shall submit to the Commission or Hearing Officer, and it shall be made a condition of approval, satisfactory evidence that the applicant has made arrangements with the serving utilities to install underground all new facilities necessary to furnish service in the development. This requirement may be waived where it would cause undue hardship or constitute an unreasonable requirement.

7. Signs. The Commission or Hearing Officer, in approving the Conditional Use Permit (Chapter 22.158) application, may allow signs which it finds will be in keeping with the concept of planned development.

8. Development Features. The development plan shall include yards, walls, walks, landscaping, and other such features as may be needed to make the industrial development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the established or anticipated development of the surrounding area.

9. Development Schedule. The Commission or Hearing Officer shall approve a progress schedule, including all phases of development, and indicating that the improvements described in the development plan will be made prior to occupancy of industrial buildings. The Commission or Hearing Officer may modify without a hearing this condition pertaining to the development schedule based upon an affirmative showing, in writing, of hardship.

10. Tentative Subdivision Map. A tentative map shall be filed and made a condition of approval.

Chapter 22.24 Rural Zones.

Sections:

22.24.010 Purpose.

22.24.020 Rural Zones Designated.

22.24.030 Land Use Regulations for Rural Zones.

22.24.040 Development Standards for Rural Zones.

22.24.010 Purpose.

A. General Purpose. The Rural Zones are established to implement the policies of preserving and maintaining the rural character of rural towns as identified in the General Plan.

B. Purpose of Individual Zones. The purposes of individual zones are established as follows:

1. Rural Commercial Zone. The Rural Commercial Zone (C-RU) is established to implement the CR (Rural Commercial) land use designation in areas of the County mapped as such in the General Plan. Zone C-RU provides for a mix of commercial uses that are compatible with rural, agricultural, or low-density residential uses. Zone C-RU regulates both the type and intensity of development to protect natural resources, promote an area's economic self-sufficiency, maintain compatibility between C-RU-zoned areas and surrounding Residential and Agricultural Zones, and preserve the rural character of a community.

2. Rural Mixed Use Development Zone. The Rural Mixed Use Development Zone (MXD-RU) is established to implement the MU-R (Mixed Use-Rural) land use designation in areas of the County mapped as such in the General Plan. Zone

MXD-RU provides for a mix of commercial uses, within a limited range, and low-density residential uses to be located within town centers. Zone MXD-RU encourages development of projects within town centers that serve as social and economic focal points, while maintaining compatibility of these projects with surrounding Rural Commercial, Residential, and Agricultural Zones.

22.24.020 Rural Zones Designated.

Table 22.24.020-A, below, identifies "Rural Zones," as used in this Title 22:

TABLE 22.24.020-A: RURAL ZONES	
Abbreviation	***Full Name***
C-RU	Rural Commercial
MXD-RU	Rural Mixed Use Development

22.24.030 Land Use Regulations for Rural Zones.

A. General. This Section prescribes the land use regulations for Zones C-RU and MXD-RU.

B. Permit and Review Requirements. Table 22.24.030-A, below, identifies the permit or review required to establish each use listed in Subsection C, below.

TABLE 22.24.030-A: PERMIT AND REVIEW REQUIREMENTS		
Abbreviation	***Permit or Review Requirement***	***Reference***
–	Not Permitted	
P	Permitted	
AP	Animal Permit	Chapter 22.152
CUP	Conditional Use Permit	Chapter 22.158
MCUP	Minor Conditional Use Permit	Chapter 22.160
HP	Housing Permit	Chapter 22.166
SPR	Ministerial Site Plan Review	Chapter 22.186
SEP	Special Events Permit	Chapter 22.188

C. Use Regulations.

1. Principal Uses. Table 22.24.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Agricultural and Resource-Based Uses			
Crops, including field, tree, bush, berry, row, and nursery stock	SPR	SPR	
Greenhouses	SPR	SPR	
Oil wells	CUP	–	Section 22.140.400
Animal-Related Uses			
Dog training schools, excluding boarding	CUP	–	
Menageries, zoos, animal exhibitions, or other facilities for keeping of wild animals	CUP	CUP	
Riding academies and stables, with the boarding of horses	CUP	–	
Veterinaries, small animal			
Clinics	SPR	SPR	
Hospitals	CUP	CUP	
Cannabis Uses			
Cannabis businesses and activities, including renting, leasing, and permitting	–	–	Section 22.140.134
Cannabis cultivation, personal, accessory to a legally established dwelling unit	*See Table 22.24.030-C: Accessory Use Regulations*		
Cultural, Educational, and Institutional Uses			
Amphitheaters	CUP	CUP	
Arboretums and horticultural gardens	SPR	SPR	
Churches, temples, or other places used exclusively for religious worship, including accessory educational and social activities	SPR	SPR	
Community centers	SPR	SPR	
Grange halls	SPR	–	
Libraries	SPR	SPR	
Lodge and union halls	SPR	SPR	
Museums	CUP	CUP	
Observatories	CUP	CUP	
Schools			
Business and professional schools, including art, barber, beauty, dance, drama, and music	SPR	SPR	

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Colleges and universities, accredited, excluding trade or commercial schools	CUP	CUP	
Schools, grades K-12; accredited by the State of California, excluding trade or commercial schools	SPR	SPR	
Theaters and other auditoriums	CUP	CUP	
Industrial Uses			
Assaying services	CUP	CUP	
Furniture and household goods, transfer and storage	SPR	–	
Motion picture processing, reconstruction, and synchronizing of film with sound tracks	CUP	CUP	
Plumbing contractor's shops	SPR	–	
Tire retreading or recapping	CUP	–	
Trade or commercial schools, specializing in manual training, shop work, or in the repair and maintenance of machinery or mechanical equipment	CUP	CUP	
Lodging Uses			
Cabins	CUP	–	
Hotels	CUP	CUP	
Motels	CUP	CUP	
Youth hostels	CUP	CUP	
Recreational Uses			
Amusement rides and devices, for longer than seven days	CUP[10]	–	
Arcades, game or movie	CUP	CUP	
Archery ranges	CUP	–	
Athletic fields, excluding stadiums	SPR	–	
Billiard or pool halls	CUP	CUP	
Bowling alleys	CUP	CUP	
Card rooms or clubs	CUP	CUP	
Carnivals, commercial, including pony rides, for longer than seven days	CUP	–	
Circuses and wild animal exhibitions	CUP	–	
Games of skill	CUP	–	
Golf courses			

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Golf courses, including clubhouses and accessory facilities	CUP	–	
Golf driving ranges	CUP	CUP	
Miniature golf courses	CUP	CUP	
Gymnasiums	SPR	CUP	
Motor recreational facilities for the driving, testing, or racing of automobiles, dune buggies, motorcycles, trail bikes, or similar vehicles, including accessory facilities	CUP	–	
Parks, playgrounds, and beaches, including accessory facilities	SPR	SPR	
Race tracks	CUP	–	
Recreation clubs, commercial	CUP	–	Section 22.140.480
Recreational vehicle parks	CUP	CUP	Section 22.140.490
Riding and hiking trails, excluding trails for motor vehicles	SPR	SPR	
Rifle, pistol, or skeet ranges	CUP	–	
Rodeos, excluding horse racing	CUP	–	
Shooting galleries	CUP	–	
Skating rinks, ice or roller	CUP	CUP	
Ski lifts, tows, runs, and warming huts	CUP	–	
Sport courts, including tennis, volleyball, badminton, croquet, lawn bowling and similar uses, as a principal use	CUP	CUP	
Swimming pools as a principal use	CUP	CUP	
Renewable Energy Uses			
Utility-scale solar energy facilities, structure-mounted	P	P	Section 22.140.510
Utility-scale solar energy facilities, ground-mounted	CUP	CUP	Section 22.140.510
Residential Uses			
Convents and monasteries	CUP	CUP	
Farmworker housing			
Farmworker dwelling units	SPR	SPR	Section 22.140.230
Farmworker housing complexes	SPR	SPR	Section 22.140.230
Foster family homes, in an approved residential use	P	P	
Group homes for children			

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Facilities serving six or fewer persons	P	P	Section 22.140.520
Facilities serving seven or more persons	CUP	CUP	
Joint live and work units			
In compliance with Section 22.140.320.C.1	SPR	SPR	Section 22.140.320
In compliance with Section 22.140.320.C.3	CUP	CUP	Section 22.140.320
Mixed use developments			
Single-family residences	SPR[1]	–	Section 22.140.580
Mixed use developments, vertical or horizontal			
Apartment houses, up to five units	–	SPR	Section 22.140.360
Apartment houses, more than five units	–	CUP	Section 22.140.360
Single-family residences	–	SPR	Sections 22.140.360, 22.140.580
Townhouses	–	SPR	Section 22.140.360
Two-family residences	–	SPR	Section 22.140.360
Mobilehome parks	CUP	CUP	Section 22.140.370
Multi-family housing			
Apartment houses	–	CUP[11]	
Qualified projects	–	HP	Chapter 22.120
Rooming and boarding houses	CUP	CUP	
Small family homes for children	P	P	Section 22.140.520
Retail/Commercial Uses			
Adult businesses	–	–	
Alcoholic beverage sales, for off-site consumption	CUP	CUP	Section 22.140.030
Antique shops, genuine antiques only	SPR	SPR	
Appliance stores, household	SPR	SPR	
Art galleries	SPR	SPR	
Art supply stores	SPR	SPR	
Auction houses	CUP	CUP[2]	
Bait and tackle shops	SPR	SPR	
Bakery shops, including baking only when accessory to retail sales from the premises	SPR	SPR	
Bicycle shops	SPR	SPR	
Bookstores	SPR	SPR	

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Ceramic shops[3]	SPR	SPR	
Clothing stores	SPR	SPR	
Confectioneries and candy stores, including making only when accessory to retail sales from the premises	SPR	SPR	
Delicatessens	SPR	SPR	
Dress shops	SPR	SPR	
Drugstores	SPR	SPR	
Farm equipment sales, rental, and storage	SPR	SPR	
Feed and grain sales	SPR	SPR	
Firewood sales	SPR[4]	SPR[5]	
Florist shops	SPR	SPR	
Fruit and vegetable markets	SPR	SPR	
Furniture stores	SPR	SPR	
Furrier shops	SPR	SPR	
Gift shops	SPR	SPR	
Glass and mirror sales, including automobile glass installation[12]	SPR	SPR	
Grocery stores	SPR	SPR	
Hardware stores[7]	SPR	SPR	
Health clubs and centers	CUP	CUP	
Health food stores	SPR	SPR	
Hobby supply stores	SPR	SPR	
Ice cream shops	SPR	SPR	
Ice sales, excluding ice plants	SPR	SPR	
Jewelry stores	SPR	SPR	
Lapidary shops	SPR	SPR	
Leather goods stores	SPR	SPR	
Meat markets, excluding slaughtering	SPR	SPR	
Millinery shops	SPR	SPR	
Mobilehome sales	SPR	–	
Model home display centers and sales offices			
With residential units	–	–	
Without residential units	SPR	SPR	
Music stores	SPR	SPR	
Newsstands	SPR	SPR	

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Notion or novelty stores	SPR	SPR	
Office machines and equipment sales	SPR	SPR	
Paint and wallpaper stores	SPR	SPR	
Pawnshops	CUP	CUP	
Pet supply stores, excluding the sale of pets other than tropical fish or goldfish	SPR	SPR	
Photographic equipment and supply stores	SPR	SPR	
Plant nurseries, including propagation of nursery stock and retail sales	SPR	SPR	
Radio and television stores	SPR	SPR	
Recording studios	CUP	CUP	
Retail stores	SPR	SPR	
Secondhand stores	SPR	SPR	
Shoe stores	SPR	SPR	
Silver shops	SPR	SPR	
Souvenir shops	SPR	SPR	
Sporting goods stores	SPR	SPR	
Stationery stores	SPR	SPR	
Swap meets	CUP	CUP	
Tasting rooms, remote			
In compliance with 22.140.590.D.1	MCUP	MCUP	Section 22.140.590
In compliance with 22.140.590.D.2	CUP	CUP	Section 22.140.590
Tobacco shops	SPR	SPR	
Toy stores	SPR	SPR	
Yarn and yardage stores	SPR	SPR	
Service Uses			
Alcohol beverage sales, for on-site consumption	CUP	CUP	Section 22.140.030
Banks, savings and loans, credit unions, and finance companies	SPR	SPR	
Barber shops	SPR	SPR	
Bars and cocktail lounges	CUP	CUP	
Beauty shops	SPR	SPR	
Blueprint shops	SPR	SPR	
Body piercing parlors	CUP	CUP	
Book binderies	SPR	CUP	

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Butane and propane service stations	SPR	CUP	
Carpet and rug cleaners	SPR	CUP	
Catalog and internet order businesses	SPR	SPR	
Catering services	SPR	SPR	
Dance halls, indoor	CUP	CUP	
Dance pavilions, outdoor	CUP	–	
Day care			
Adult day care centers	CUP	CUP	
Child care centers	SPR	SPR	
Large family child care homes	SPR	SPR	
Small family child care homes	P	P	
Domestic violence shelters	SPR	SPR	Section 22.140.180
Drive-through services	CUP	CUP	
Electricians' shops	SPR	SPR	
Employment agencies	SPR	SPR	
Homeless shelters	SPR	SPR	Section 22.140.300
Interior decorating studios	SPR	SPR	
Laundries and cleaning services			
Dry cleaning establishments, excluding wholesale dry cleaning plants	SPR	SPR	Section 22.140.190
Self-service	SPR	SPR	
Locksmith shops	SPR	SPR	
Massage parlors	CUP	CUP	
Medical services			
Ambulance emergency service facilities	SPR	SPR/CUP[8]	Section 22.140.050
Ambulance service facilities	CUP	CUP	
Dental clinics, including associated laboratories	SPR	SPR	
First aid stations	SPR	SPR	
Hospitals	CUP	CUP	
Medical clinics, including associated laboratories	SPR	SPR	
Mortuaries	CUP	–	
Nightclubs	CUP	CUP	
Offices, business or professional	SPR	SPR	
Packaging businesses	SPR	CUP	

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Permanent cosmetics parlors	CUP	CUP	
Pet grooming services, excluding boarding	SPR	SPR	
Photocopying and duplicating services	SPR	SPR	
Photoengravers and lithographers	CUP	CUP	
Photography studios	SPR	SPR	
Picture mounting and framing services	SPR	SPR	
Plumbing shops	SPR	SPR	
Printers or publishers	SPR	SPR	
Real estate offices	SPR	SPR	
Rental services			
Bicycle rentals	SPR	SPR	
Costume rentals	SPR	SPR	
Furniture and appliance rentals	SPR	SPR	
Hospital equipment and supply rentals	SPR	SPR	
Party equipment rentals	SPR	SPR	
Recreational equipment rentals	SPR	SPR	
Tool rentals, including rototillers, power mowers, sanders and saws, cement mixers, and other equipment, excluding heavy machinery or trucks exceeding two tons' capacity	SPR	CUP	
Repair shops, household and fix-it	SPR	SPR	
Restaurants and other eating establishments, including food take-out and outdoor dining			
In compliance with Section 22.140.410.B.1	SPR	SPR	Section 22.140.410
In compliance with Section 22.140.410.B.2	CUP	CUP	Section 22.140.410
Reupholsterers, furniture	SPR	–	
Shoe repair shops	SPR	SPR	
Shoeshine stands	SPR	SPR	
Sightseeing agencies	SPR	SPR	
Steam or sauna bath	CUP	CUP	
Tailor shops	SPR	SPR	
Tattoo parlors	CUP	CUP	
Taxidermists	SPR	–	

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Tourist information centers	SPR	SPR	
Watch repair shops	SPR	SPR	
Wedding chapels	CUP	CUP	
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses			
Air pollution sampling stations	SPR	SPR	
Airports, heliports, and helistops	CUP	CUP	
Comfort stations and restroom facilities	SPR	–	
Communications equipment buildings	SPR	SPR	
Earth stations	SPR	SPR	
Electric distribution substations, including related microwave facilities	SPR	SPR	Section 22.140.200
Fire stations	SPR	SPR	
Gas metering and control stations, public utility	SPR	SPR	
Microwave stations	SPR	SPR	
Pipeline or transmission lines	CUP	–	
Police stations	SPR	SPR	
Post offices	SPR	SPR	
Publicly owned uses that are necessary to maintain the public health, convenience, or general welfare, other than uses specifically listed in the zone	CUP	CUP	
Public utility service centers	SPR	SPR	
Public utility service yards	CUP	–	
Radio and television stations and towers, excluding studios	CUP	CUP	
Stations, bus, railroad, or taxi	CUP	CUP	
Telephone repeater stations	SPR	SPR	
Vehicle-Related Uses			
Automobile washing			
Automatic car wash	CUP	CUP	
Coin-operated or hand wash	CUP	CUP	
Vehicle sales and rentals			
Automobile rental and leasing agencies	SPR	SPR	
Boat and other marine sales	SPR	SPR	
Boat rentals	SPR	CUP	

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Motorcycle, motor scooter, and trail bike, sales and rentals	SPR	SPR	
New automobile sales	SPR	SPR	Sections 22.140.100, 22.140.110
Recreational vehicle sales and rentals	SPR	–	
Truck rentals, excluding trucks exceeding two tons' capacity	SPR[9]	SPR	
Used automobile sales	SPR	SPR	
Vehicle services			
Automobile battery services	SPR[6]	CUP[6]	
Automobile body and fender repair shops	CUP[12]	–	
Automobile brake repair shops	SPR[6]	CUP[6]	
Automobile muffler shops	SPR[6]	CUP[6]	
Automobile painting and upholstering shops	CUP[12]	–	
Automobile radiator shops	SPR	CUP	
Automobile repair garages, excluding body and fender work, painting, and upholstering	SPR[12]	CUP[12]	
Automobile service stations	SPR	SPR	Section 22.140.100
Automobile supply stores	SPR	SPR	Section 22.140.100

Notes:

1. Minimum lot size is one acre (gross).
2. Use excludes animal auctions.
3. Use does not permit a kiln or manufacture.
4. Use includes the incidental cutting of firewood to size.
5. Use excludes the incidental cutting of firewood to size.
6. Use includes related installation and repair if conducted within an enclosed building.
7. Use includes the sale of lumber and other building supplies, but excludes milling or woodworking other than accessory cutting of lumber to size.
8. Use requires a Conditional Use Permit (Chapter 22.158) application if there are residential uses located on the same lot.
9. Use requires that a specific parking area for fleet trucks is designated and located to the rear or side of the lot, separated from the customer parking area; and a customer drop-off parking area shall be designated in front of the lot and shall be clearly marked for customer drop-off parking.
10. Use includes merry-go-rounds, ferris wheels, swings, toboggans, slides, rebound-tumbling, zip-lines, and similar equipment.
11. When use is not part of a mixed-use development.
12. Use is permitted within an enclosed building only.

2. Accessory Uses. Table 22.24.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.24.030-C: ACCESSORY USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Access to property lawfully used for a purpose not permitted in the zone[1]	SPR	SPR	
Accessory buildings and structures, unless more specifically regulated by this Title 22	*As determined by the principal use*		Sections 22.110.030, 22.110.040
Agricultural processing, small scale	P	–	
Amateur radio antennas			
In compliance with Section 22.140.040.D.1	SPR	SPR	Section 22.140.040
In compliance with Section 22.140.040.D.2	MCUP	MCUP	Section 22.140.040
Boats, minor repair of, accessory to the sale of boats[2]	P	P	
Building materials storage, for an approved project on the same site	P	P	Section 22.140.130
Cannabis cultivation, personal, accessory to a legally established dwelling unit	P	P	Section 22.140.134
Caretaker residences, including mobilehomes	CUP	CUP	Section 22.140.140
Cargo shipping containers			
One container	P	P	Section 22.140.150
Two or more containers	CUP	CUP	Section 22.140.150
Grading projects			
More than10,000 and up to 100,000 cubic yards of material to be transported off-site	SPR	SPR	Section 22.140.240
More than 100,000 cubic yards of material to be transported off-site	CUP	CUP	Section 22.140.240
On-site, excluding projects where the Review Authority has previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project	CUP	CUP	Section 22.140.240
Home-based occupations	P	P	Section 22.140.290
Live entertainment			
In compliance with Section 22.140.330.D.1	SPR	SPR	Section 22.140.330
In compliance with Section 22.140.330.D.2	CUP	CUP	Section 22.140.330
Outdoor display	SPR	SPR	Section 22.140.420

TABLE 22.24.030-C: ACCESSORY USE REGULATIONS FOR RURAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Outdoor storage	SPR	SPR	Section 22.140.430
Rehabilitation facilities for small wild animals	AP	–	Section 22.140.500
Rental, leasing, and repair of articles sold on the premises, accessory to retail sales	P	P	
Room rentals[3]	P	P	
Signs	*As specified in Chapter 22.114 (Signs)*		
Small-scale solar energy systems, structure-mounted	P	P	Section 22.140.510
Small-scale solar energy systems, ground-mounted	SPR	SPR	Section 22.140.510
Small-scale wind energy systems	–	–	
Used merchandise, retail sale of, taken as trade-in on the sale of new merchandise when such new merchandise is sold from the premises	P	P	

Notes:

1. Provided that there is no other practical access to such property available, and such access will not alter the character of the premises in respect to permitted uses in the subject zone.
2. Use is permitted within an enclosed building only.
3. Rooms in a single-family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons.

3. Temporary Uses. Table 22.24.030-D, below, identifies the permit or review required to establish each temporary use.

TABLE 22.24.030-D:TEMPORARY USE REGULATIONS FOR COMMERCIAL ZONES			
	C-RU	***MXD-RU***	***Additional Regulations***
Amusement rides and devices, for up to seven days[1,2]	SPR	SPR	
Carnivals, commercial, including pony rides, for up to seven days[1]	SPR	SPR	
Circuses and wild animal exhibitions, for up to seven days[1]	SPR	–	Section 22.140.060.B
Holiday and seasonal sales	SPR	SPR	Section 22.140.280
Meteorological towers	MCUP	–	Section 22.140.510
Special events	SEP	SEP	
Yard sales	P	P	Section 22.140.620

Notes:

1. Limited to one occurrence within any six month period.
2. Use includes merry-go-rounds, ferris wheels, swings, toboggans, slides, rebound-tumbling, zip-lines, and similar equipment operated at one particular location.

D. Conditional Use Permit Required. In Zone C-RU, any use permitted with a ministerial review in Subsection C, above, that would generate vehicular traffic requiring the provision of new or additional traffic lights shall be subject to a Conditional Use Permit (Chapter 22.158) application.

22.24.040 Development Standards for Rural Zones.

A. Development on any lot in Zones C-RU and MXD-RU shall comply with Division 6 (Development Standards), where applicable.

B. Table 22.24.040-A, below, identifies the development standards for Zones C-RU and MXD-RU:

TABLE 22.24.040-A: DEVELOPMENT STANDARDS FOR RURAL ZONES

Zones	*Maximum Lot Coverage (net)*	*Maximum FAR (for nonresidential uses)*	*Maximum Height of Building or Structure*[1]
C-RU	50%	0.5	35 feet
MXD-RU	90%	0.5	35 feet or two stories

Notes:
1. Excluding signs and except as otherwise provided by an applicable CSD.

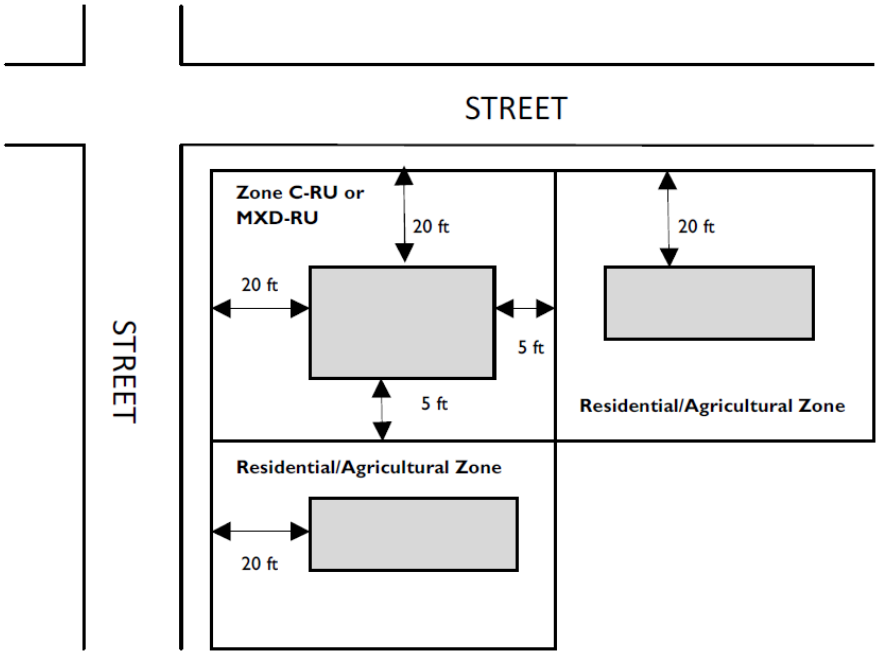
C. Minimum Yards. In Zones C-RU and MXD-RU:

1. Where a lot fronts on a parkway, highway or street, and an adjoining lot along the same frontage is zoned Residential or Agricultural, the lot shall have a front or corner side yard equal to the front or corner side yard required for the adjoining Residential or Agricultural zoned lot. For example, see Figure 22.24.040-A, below.

2. Where a lot adjoins a lot that is zoned Residential or Agricultural, the lot shall have a minimum side or rear yard of not less than five feet from the lot line adjoining the Residential or Agricultural zoned lot. For example, see Figure 22.24.040-A, below.

3. Except as provided in Subsections A.1, and A.2, above, all required yards also shall be subject to the applicable provisions of Chapter 22.110 (General Site Regulations).

FIGURE 22.24.040-A: MINIMUM YARDS



D. Landscaping. In Zones C-RU and MXD-RU, a minimum of 10 percent of the net lot area for lots devoted to commercial use, including parking and other accessory uses, shall be landscaped with drought-tolerant landscaping, which shall be continuously maintained in good condition. Incidental walkways may be developed in the landscaped area.

E. Parking Requirements. In Zones C-RU and MXD-RU, in addition to Chapter 22.112 (Parking), all vehicle parking facilities shall have the following requirements:

1. Location.

a. Where a lot fronts on a parkway, highway or street, vehicle parking and loading zone areas shall be set back not less than five feet from the right of way. The setback area shall be landscaped with at least one 24-inch box tree for every 20 linear feet of street frontage.

b. Where a lot adjoins a lot that is zoned Residential or Agricultural, the vehicle parking and loading zone areas shall be set back not less than five feet from the lot line adjoining the Residential or Agricultural zoned lot.

2. Parking spaces shall be used only by visitors, customers, owners, or tenants of the legally established use on the premises.

3. Except where parking is provided for residential uses, vehicles shall not be parked in the required parking spaces on the premises for more than 24 hours.

4. Parking spaces for recreational vehicles, trailers, and semi-trucks shall be designed as pull-through parking spaces.

5. Parking spaces for recreational vehicles, trailers, semi-trucks, and other large vehicles shall not be placed within the same row as parking spaces for passenger vehicles and other small vehicles.

6. Driveways for recreational vehicles and semi-trucks shall be separate from driveways for passenger vehicles wherever feasible. If a shared driveway is used where large vehicles cross into identified pedestrian walkways, pavement markers, paint schemes, or signs shall be used to indicate caution that pedestrians may be in the area.

7. Adequate turning spaces shall be provided on site so that vehicles enter into and exit out of the parking or loading zone area head first.

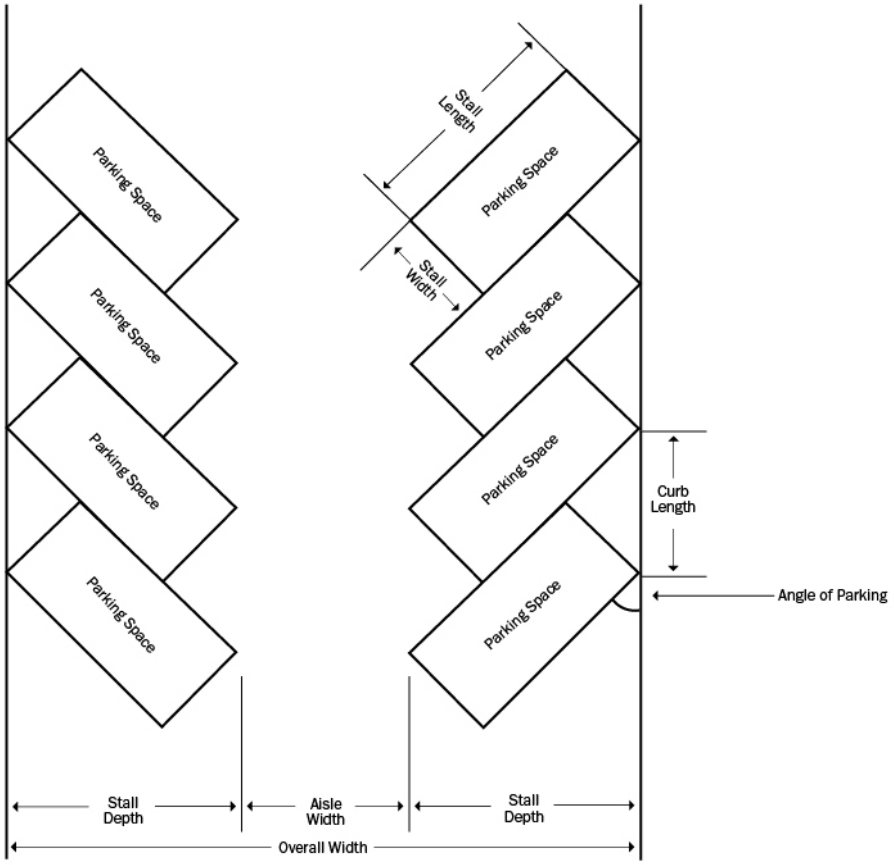
8. All requirements for ingress from and egress to public rights-of-way shall be designed to the satisfaction of Public Works.

F. Vehicle Parking Incentives. In Zones C-RU and MXD-RU, a maximum of 40 percent of the total required vehicle parking spaces may be converted to parking spaces for large vehicles, recreational vehicles, trailers, and semi-trucks, in any combination, in accordance with the following provisions:

1. The parking spaces shall be developed to provide the minimum dimensions and shall count towards compliance with the overall required number of parking spaces for the site as specified in Table 22.24.040-B and Figure 22.24.040-B, below.

TABLE 22.24.040-B: MINIMUM DIMENSIONS FOR PARKING		
Parking Type	*Minimum Dimensions (based on a 90-degree angle)*	*Equivalent Towards Overall Number of Required Parking Spaces*
Large Vehicles (Classes 2 through 6, based on Gross Vehicle Weight Rating)	13 x 23 ft	2 standard parking spaces
Recreational Vehicles and Trailers	13 x 50 ft	4 standard parking spaces
Semi-trucks	13 x 70 ft	5 standard parking spaces

FIGURE 22.24.040-B: MINIMUM PARKING SPACE DIMENSIONS



Angle of Parking (Degrees)	*Stall Depth (feet)*	*Aisle Width (feet)*	*Overall Width (feet)*	*Stall Length (feet)*	*Curb Length (feet)*
Large Vehicles (Classes 2 through 6, based on Gross Vehicle Weight Rating)					
90	23	26[1]	72[1]	23	13
60	27	20[2]	74[2]	23	15
45	26	14[2]	66[2]	23	19
30	23	12[2]	58[2]	23	26
Recreational Vehicles and Trailers (Pull-through design, 45 degree angle and one way traffic required)					
45	45	30[2]	120[2]	83' 5.25"	19
Semi-Truck Parking Stalls (Pull-through design, 45 degree angle and one way traffic required)					
45	59	50[2]	168[2]	83' 5.25"	19
1: Two-way aisle. 2: One-way aisle, double-loaded parking.					

2. These incentives for semi-truck parking spaces apply in Special Parking Districts identified in an Area or Community Plan or Community Standards District.

3. If any parking is provided pursuant to Subsection E.1, above, then compact parking spaces otherwise authorized by Section 22.112.070.E (Compact Spaces) shall be prohibited.

G. Screening. In Zones C-RU and MXD-RU, all mechanical equipment, trash containers, and dumpsters shall be completely screened from view from adjacent streets, walkways, and residences through the use of walls and/or landscaping. Trash and recycling containers shall conform Section 22.140.350.A.7.c (Trash/Recycling).

Chapter 22.26 Special Purpose Zones.

Sections:

22.26.010 Special Purpose Zones Designated.

22.26.020 Institutional Zone.

22.26.030 Mixed Use Development Zone.
22.26.040 Specific Plan Zone.
22.26.050 Scientific Research and Development Zone.
22.26.060 Parking Restricted Zone.

22.26.010 Special Purpose Zones Designated.

Table 22.26.010-A, below, identifies "Special Purpose Zones," as used in this Title 22:

TABLE 22.26.010-A: SPECIAL PURPOSE ZONES	
Abbreviation	***Full Name***
IT	Institutional
MXD	Mixed Use Development
SP	Specific Plan
SR-D	Scientific Research and Development
P-R	Parking Restricted

22.26.020 Institutional Zone.

A. Purpose. Institutional Zone (Zone IT) is established to provide for the preservation, maintenance, and enhancement of public and quasi-public uses and resources of the County as defined in the General Plan. It is the purpose and intent of Zone IT to:

1. Allow publicly and privately owned uses which provide public services to the community;

2. Protect and preserve public facilities; and

3. Provide and enhance all educational institutions, whether publicly or privately owned.

B. Land Use Regulations.

1. General. This Section prescribes the land use regulations for Zone IT.

2. Permit and Review Requirements. Table 22.26.020-A, below, identifies the permit or review required to establish each use listed according to Subsection B.3, below.

TABLE 22.26.020-A: PERMIT AND REVIEW REQUIREMENTS		
Abbreviation	***Permit or Review Requirement***	***Reference***
CEM	Cemetery Permit	Chapter 22.154
CUP	Conditional Use Permit	Chapter 22.158
SPR	Ministerial Site Plan Review	Chapter 22.186
SEP	Special Events Permit	Chapter 22.188

3. Use Regulations.

a. Principal Uses. Table 22.26.020-B, below, identifies the permit or review required to establish each use.

TABLE 22.26.020-B: LAND USE REGULATIONS FOR ZONE IT		
		Additional Regulations
Agricultural and Resource-Based Uses		
Secondary land uses under high-voltage transmission lines	SPR	Section 22.140.630
Cannabis Uses		
Cannabis businesses and activities, including renting, leasing, and permitting	–	Section 22.140.134
Cultural, Educational, and Institutional Uses		
Educational institutions, either publicly or privately owned	CUP	
Libraries	CUP	
Renewable Energy Uses		
Utility-scale solar energy facilities, ground-mounted	CUP	Section 22.140.510
Utility-scale solar energy facilities, structure-mounted	P	Section 22.140.510
Utility-scale wind energy facilities	–	
Recreational Uses		
Parks, playgrounds, and recreational areas, including accessory facilities	CUP	
Service Uses		
Cemeteries	CEM	
Hospitals, publicly and privately owned	CUP	
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses		
Fire stations	CUP	
Government offices and services	CUP	
Police stations	CUP	

b. Accessory Uses. Table 22.26.020-C, below, identifies the permit or review required to establish each use.

TABLE 22.26.020-C: ACCESSORY LAND USE REGULATIONS FOR ZONE IT		
		Additional Regulations
Accessory buildings and structures	*As determined by the principal use*	Sections 22.110.030, 22.110.040
Building materials storage, for an approved project on the same site	SPR	Section 22.140.130
Small-scale solar energy systems, structure-mounted	P	Section 22.140.510
Small-scale solar energy systems, ground-mounted	SPR	Section 22.140.510
Small-scale wind energy systems	–	

c. Temporary Uses. Table 22.26.020-D, below, identifies the permit or review required to establish each use.

TABLE 22.26.020-D: TEMPORARY LAND USE REGULATIONS FOR ZONE IT		
		Additional Regulations
Special events	SEP	

C. Development Standards. Development in Zone IT shall be subject to the following development standards:

1. Design. The arrangement of buildings, architectural design and types of uses shall be such so as to minimize adverse impacts on adjacent properties.

2. Access and Parking. Parking spaces as required by Chapter 22.112 (Parking) shall be provided, as well as adequate provisions for vehicular access and loading to prevent undue congestion on adjacent streets and highways, particularly on local streets.

3. Development Features. The development plan shall include yards, walls, walks, landscaping and such other features as may be needed to make the development attractive, adequately buffered from adjacent more restrictive uses and compatible with the character of the surrounding area.

4. Signs. The Director may allow signs subject to the standards specified in Chapter 22.114 (Signs) for Zone C-1, where he finds that said signs will be compatible with the character and nature of the surrounding area.

5. Division 6 (Development Standards). Development on any lot in Zone IT shall comply with Division 6 (Development Standards), where applicable.

22.26.030 Mixed Use Development Zone.

A. Established – Purpose. The Mixed Use Development Zone (MXD) allows for a mixture of residential, commercial, and limited light industrial uses and buildings in close proximity to bus and rail transit stations. Zone MXD integrates a wide range of housing densities with community-serving commercial uses to serve local residents, employees, pedestrians, and consumers. Compact development is encouraged to promote walking, bicycling, recreation, transit use, and community reinvestment, to reduce energy consumption, and to offer opportunities for employment and consumer activities in close proximity to residences.

B. Land Use Regulations.

1. General. This Section prescribes the land use regulations for Zone MXD.

2. Permit and Review Requirements. Table 22.26.030-A, below, identifies the permit or review required to establish each use listed in Subsection B.3, below.

TABLE 22.26.030-A: PERMIT AND REVIEW REQUIREMENTS

Abbreviation	*Permit or Review Requirement*	*Reference*
–	Not Permitted	
P	Permitted	
CEM	Cemetery Permit	Chapter 22.154
CUP	Conditional Use Permit	Chapter 22.158
HP	Housing Permit	Chapter 22.166
SPR	Ministerial Site Plan Review	Chapter 22.186
SEP	Special Events Permit	Chapter 22.188

3. Use Regulations.

a. Principal Uses.

i. Table 22.26.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.26.030-B: PRINCIPAL USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
Agricultural and Resource-Based Uses		
Community gardens	P	
Solid fill projects	CUP	
Cannabis Uses		
Cannabis businesses and activities, including renting, leasing, and permitting	–	Section 22.140.134
Cannabis cultivation, personal, accessory to a legally established dwelling unit	*See Table 22.26.030-D: Accessory Use Regulations for Zone MXD*	
Cultural, Educational, and Institutional Uses		
Libraries	SPR	
Museums	CUP	
Schools		
Business and professional schools, including art, cooking, dance, drama, martial arts, music, and professional education	SPR	
Schools, grades K-12, accredited by the State of California, excluding trade or commercial schools	SPR	
Lodging		
Hotels	CUP	
Recreational Uses		
Gymnasium	SPR	
Parks, playgrounds, and recreational areas, including accessory facilities	SPR	
Recreation clubs, commercial	CUP	Section 22.140.480
Riding and hiking trails, excluding trails for motor vehicles	SPR	
Swimming pools	SPR	
Renewable Energy Uses		
Utility-scale solar energy facilities, ground-mounted	CUP	Section 22.140.510
Utility-scale solar energy facilities, structure-mounted	P	Section 22.140.510
Utility-scale wind energy facilities	–	
Residential Uses		
Adult residential facilities		

Facilities serving six or fewer persons	P	Section 22.140.520
Facilities serving seven or more persons	CUP	
Foster family homes, in an approved residential use	P	
Group homes for children		
Facilities serving six or fewer persons	P	Section 22.140.520
Facilities serving seven or more persons	CUP	
Joint live and work units		
In compliance with Section 22.140.320.C.1	SPR	Section 22.140.320
In compliance with Section 22.140.320.C.3	CUP	Section 22.140.320
Mixed use developments with residential and commercial components	SPR	
Multifamily housing		
Apartment houses	SPR	
Townhouses	SPR	
Two-family residences[1]	SPR	
Qualified projects	HP	
Rooming and boarding houses	SPR	
Single-family residences[1]	SPR	Section 22.140.580
Small family homes for children	P	Section 22.140.520
Retail/Commercial Uses		
Alcoholic beverage sales, for off-site consumption	CUP	Section 22.140.030
Antique shops, genuine antiques only	SPR	
Appliance stores, household[6]	SPR	
Art galleries[6]	SPR	
Art supply stores[6]	SPR	
Bakery shops, including baking only when incidental to retail sales from the premises[6]	SPR	
Bicycle shops[6]	SPR	
Bookstores[6]	SPR	
Ceramic shops[2, 6]	SPR	
Clothing stores[6]	SPR	
Confectionaries and candy stores, including making only when incidental to retail sales from the premises[6]	SPR	
Delicatessens[6]	SPR	
Department stores[6]	SPR	
Dress shops[6]	SPR	
Drugstores[6]	SPR	

Farmers' markets	SPR	Section 22.140.220
Florist shops[6]	SPR	
Furniture stores[6]	SPR	
Furrier shops[6]	SPR	
Gift shops[6]	SPR	
Glass and mirror sales, household only[6]	SPR	
Grocery stores[6]	SPR	
Hardware stores, excluding sales of paint and other flammable products[6]	SPR	*Also see Subsection B.3.a.ii, below*
Health clubs and centers	CUP	
Health food stores[6]	SPR	
Hobby supply stores[6]	SPR	
Ice cream shops	SPR	
Jewelry stores[6]	SPR	
Leather good stores[6]	SPR	
Mail order houses[3, 6]	SPR	
Meat markets, excluding slaughtering[6]	SPR	
Millinery shops[6]	SPR	
Music stores[6]	SPR	
Notions or novelty shops[6]	SPR	
Office machines and equipment sales[6]	SPR	
Pet supply stores, excluding the sale of pets other than tropical fish or goldfish[6]	SPR	
Photographic equipment and supply stores[6]	SPR	
Plant nurseries, including propagation of nursery stock and retail sales	SPR	
Radio and television stores[6]	SPR	
Retail stores[6]	SPR	
Secondhand stores	SPR	Section 22.140.550
Shoe stores[6]	SPR	
Silver shops[6]	SPR	
Sporting good stores[6]	SPR	
Stationery stores[6]	SPR	
Tobacco shops[6]	SPR	
Toy stores[6]	SPR	
Yarn and yardage stores[6]	SPR	
Service Uses		
Alcohol beverage sales, for on-site consumption	CUP	Section 22.140.030

Banks, savings and loans, credit unions, and finance companies	SPR	
Barber shops	SPR	
Bars and cocktail lounges	CUP	
Beauty shops	SPR	
Cemeteries	CEM	
Day care		
Adult day care facilities	CUP	
Child care centers	SPR	
Large family child care homes	SPR	
Small family child care homes	SPR	
Domestic violence shelters	SPR	Section 22.140.180
Dry cleaning drop-off and pick-up services[4]	SPR	
Employment agencies	SPR	
Homeless shelters	SPR	Section 22.140.300
Interior decorating studios	SPR	
Locksmith shops	SPR	
Medical services		
Dental clinics, including accessory laboratories	SPR	
Medical clinics, including accessory laboratories	SPR	
Offices, business or professional	SPR	
Pet grooming services, excluding boarding	SPR	
Photocopying and duplicating services	SPR	
Photography studios	SPR	
Printers and publishers[3]	SPR	
Real estate offices	SPR	
Rental services		
Bicycle rentals	SPR	
Repair shops, household and fix-it, including electricity and plumbing[5]	SPR	
Restaurants and other eating establishments, including food take-out and outdoor dining		
In compliance with Section 22.140.410.B.1	SPR	Section 22.140.410
In compliance with Section 22.140.410.B.2	CUP	Section 22.140.410
Sauna and steam baths	CUP	
Shoe repair shops	SPR	
Shoeshine stands	SPR	
Tailor shops	SPR	
Tourist information centers	SPR	

Veterinary clinics, small animals, excluding overnight boarding	CUP	
Watch repair shops	SPR	
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses		
Comfort stations and restroom facilities	SPR	
Fire stations	SPR	
Police stations	SPR	
Post offices	SPR	
Public utility service centers	SPR	
Radio and television stations and towers, excluding studios	CUP	
Stations, bus, railroad, and taxi	CUP	
Notes: 1. Use is limited to lots of less than 5,000 square feet. 2. Use may permit manufacturing on the premises when accessory to retail sales, provided that total volume of kiln space does not exceed eight cubic feet. 3. Use is limited to a maximum of 10,000 square feet in floor area. 4. Use excludes on-site processing. 5. If the use is part of a mixed-use development, the service fleet shall have no more than two service vehicles stored on-site. 6. Sales shall be limited to retail sales only and all goods sold shall be new.		

ii. Table 22.26.030-C, below, identifies the permit or review required to establish each principal use. These uses may be established in commercial-only development projects or properties.

TABLE 22.26.030-C: PRINCIPAL LAND USE REGULATIONS FOR ZONE MXD IN COMMERCIAL-ONLY DEVELOPMENT PROJECTS OR PROPERTIES		
		Additional Regulations
Cannabis Uses		
Cannabis businesses and activities, including renting, leasing, and permitting	–	Section 22.140.134
Cultural, Educational, and Institutional Uses		
Churches, temples, or other places used exclusively for religious worship, including accessory educational and social activities	CUP	
Colleges and universities, accredited, excluding trade or commercial schools	CUP	
Community assembly	CUP	
Observatories	CUP	
Theaters and other auditoriums	CUP	
Industrial Uses		
Motion picture processing, reconstruction, and synchronizing of film with sound tracks	CUP	
Lodging Uses		
Motels	CUP	

TABLE 22.26.030-C: PRINCIPAL LAND USE REGULATIONS FOR ZONE MXD IN COMMERCIAL-ONLY DEVELOPMENT PROJECTS OR PROPERTIES		
		Additional Regulations
Youth hostels	CUP	
Recreational Uses		
Arcades, games or movie	CUP	
Billiard or pool halls	CUP	
Bowling alleys	CUP	
Games of skill	CUP	
Retail/Commercial Uses		
Hardware stores, including sales of paint and other flammable materials	SPR	
Paint and wallpaper stores	SPR	
Service Uses		
Medical services		
Hospitals	CUP	
Laundries and cleaning services		
Dry cleaning establishments, excluding wholesale dry cleaning plants	CUP	Section 22.140.190
Self-service	CUP	
Massage parlors	CUP	
Nightclubs	CUP	
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses		
Earth stations	CUP	
Publicly owned uses necessary for the maintenance of the public health, convenience, or general welfare, other than uses specifically listed in the zone	CUP	

b. Accessory Uses. Table 22.26.030-D, below, identifies the permit or review required to establish each accessory use.

TABLE 22.26.030-D: ACCESSORY USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
Accessory buildings and structures	*As determined by the principal use*	Sections 22.110.030, 22.110.040
Access to property lawfully used for a purpose not permitted in Zone MXD	SPR	
Building materials storage, for an approved project on the same site	SPR	Section 22.140.130
Cannabis cultivation, personal, accessory to a legally established dwelling unit	P	Section 22.140.134
Grading projects		

TABLE 22.26.030-D: ACCESSORY USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
More than10,000 and up to 100,000 cubic yards of material to be transported off-site	SPR	Section 22.140.240
More than 100,000 cubic yards of material to be transported off-site	CUP	Section 22.140.240
On-site, excluding projects where the Review Authority has previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project	CUP	Section 22.140.240
Home-based occupations	P	Section 22.140.290
Live entertainment		
In compliance with Section 22.140.330.D.1	SPR	Section 22.140.330
In compliance with Section 22.140.330.D.2	CUP	Section 22.140.330
Outdoor display	P	Section 22.140.420
Parking lots and parking buildings	SPR	
Rental, leasing, and repair of articles sold on the premises, accessory to retail sales	P	
Signs	*As specified in Chapter 22.114 (Signs)*	
Small-scale solar energy systems, structure-mounted	P	Section 22.140.510
Small-scale solar energy systems, ground-mounted	SPR	Section 22.140.510
Small-scale wind energy systems	–	
Sport courts, including tennis, volleyball, badminton, croquet, lawn bowling, and similar courts, in conjunction with a residential use	P	
Used merchandise, retail sale of, taken as trade-in on the sale of new merchandise when such new merchandise is sold from the premises	P	

c. Temporary Uses. Table 22.26.030-E, below, identifies the permit or review required to establish each temporary use.

TABLE 22.26.030-E: TEMPORARY USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
Holiday and seasonal sales	SPR	Section 22.140.280
Meteorological towers	MCUP	Section 22.140.510

TABLE 22.26.030-E: TEMPORARY USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
Real estate tract offices	SPR	Section 22.140.470
Special events	SEP	
Storage of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines, and similar uses for up to one year	CUP	
Yard sales	P	Section 22.140.620

C. Project Review and Evaluation.

1. An application for new construction or expansion of development in Zone MXD may be referred to Public Works for review of the project's impacts on infrastructure. In addition to the requirements of Section 22.116.030.B (Improvements), the application may be required to include, at the discretion of the Director of Public Works, technical studies in accordance with current County guidelines, or other information, including but not limited to the following:

a. A traffic impact analysis;

b. Certification from the public water purveyor that indicates water facilities in the area are adequate to meet the demands of the project and all other properties served by the same water facility; and

c. A sewer area study to determine the adequacy of the sewage system that will serve the project.

2. Where the Director of Public Works finds that based on the traffic, water, or sewer studies that the existing infrastructure is inadequate to serve a project, the Director may require the applicant to construct, install, or provide additional funds to construct or install the necessary infrastructure to protect public health, safety, and welfare. Furthermore, the Director, in consultation with the Director of Public Works, may require that the applicant demonstrate on a site plan that adequate sightlines are maintained from the vehicular access points of the project site to the public right-of-way,

and that the proposed layout of the site does not impede vehicular movement in the public right-of-way.

D. Development Standards. All new development projects in Zone MXD shall be subject to the following development standards:

1. Floor Area Ratio (FAR). The maximum allowable FAR shall be 3.0 for commercial-only, mixed use, and joint live and work developments.

2. Yards. Side and rear yards abutting Zone R-1 or R-2 lots shall have a minimum depth of 15 feet. If the side or rear lot line of the property in Zone MXD is separated from Zone R-1 or R-2 by a highway, street, alley, or an easement of at least 20 feet in width, this requirement regarding side or rear yard depth shall not apply.

3. Height. Except as otherwise provided by an applicable Community Standards District, a building or structure shall not exceed 65 feet above grade, excluding chimneys, rooftop antennas, and rooftop recreational spaces, except that the portion of any building sharing a common side or rear lot line with property located within Zone R-1 or R-2 shall have a stepback from the common side or rear lot line so that the height of the building in Zone MXD is no greater than 45 feet at the edge of the building wall facing that common lot line, and shall be recessed back one foot for every one-foot increase in building height, up to a maximum height of 65 feet.

4. Ground Floor Retail in Mixed Use Developments.

a. Minimum Width. The width of the street-facing retail component of the ground floor within a mixed use development shall be a minimum of 20 feet.

b. Minimum Height. The floor-to-ceiling height of the ground floor for a street-facing retail component of a mixed use development shall be a minimum of 14 feet.

5. Parking.

a. Parking facilities, including bicycle parking and storage facilities, shall be provided in compliance with Chapter 22.112 (Parking), however the number of required vehicle parking spaces as provided therein may be reduced by up to

25 percent except for required guest parking for residential uses. Parking for commercial and residential uses shall be separately designated by posting, pavement marking, or physical separation. These standards may be modified through a Parking Permit (Chapter 22.178) application.

b. With the exception of subterranean parking, all vehicle parking areas shall be:

i. Located in the rear of the structures or at the rear of the lot, except that up to 25 percent of required parking may be located along one side of the building if an access driveway is provided; and

ii. Completely screened with walls or landscaping so that the parking areas are not visible from a major or secondary highway, unless the parking areas are located along access driveways, in which case walls or landscaping may be placed only if they do not impede adequate line of sight to the public right of way.

c. Accessible Vehicle Parking. Accessible parking for persons with disabilities shall be calculated based on the total number of parking spaces required prior to the 25 percent reduction authorized by Subsection D.5.a, above.

6. Loading Areas.

a. Loading areas shall comply with the standards and conditions of Section 22.112.120 (Loading Spaces). However, the loading area requirements may be modified or waived for non-residential projects of less than 20,000 square feet in floor area with the approval of a Minor Conditional Use Permit (Chapter 22.160) application.

b. Loading areas shall be located away from primary pedestrian ingress and egress areas by at least 20 feet. Wherever feasible, loading areas shall be located at the rear of the building.

7. Landscaping. A minimum of five percent of the lot shall be landscaped with drought-tolerant lawn, shrubbery, flowers, or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be

developed in the landscaped area. Such landscaping may be a part of the building, and may include features such as atriums and ground-floor planters.

8. Screening.

a. Façades and Windows. In addition to complying with Subsection D.10.a, below, if the building's frontage faces a major or secondary highway, no more than 25 percent of landscaping shall screen from public view the façade or windows on the ground floor of the building's frontage.

b. Trash/Recycling. Trash enclosures for refuse and recycling bins shall be:

i. Located within parking structures, at the rear or side of buildings, or between buildings, and shall not be between a building and a street or highway;

ii. Located not farther than 150 feet from the building;

iii. Not placed in any public right-of-way; and

iv. Screened by solid masonry walls between five and six feet in height, if located outside.

c. Mechanical Equipment. Mechanical equipment shall be completely screened from view through the use of walls or landscaping.

9. Security.

a. Chain-link, barbed, and concertina wire fences are prohibited.

b. Security bars and accordion folding grilles installed on the exterior of a storefront are prohibited.

c. Building security grilles may be placed within the interior of the building if the grilles are concealed so that they are not visible from the exterior of the building when not in use during business hours.

10. Pedestrian Character.

a. Transparency. At least 50 percent of any building's ground floor façade that is oriented towards a street or highway with the greatest right-of-way width shall be composed of entrances and display windows or other displays.

b. Glass. All glass utilized in windows or entrances on the first two stories shall be either clear or lightly tinted to maximize pedestrian visibility of building interiors from the sidewalk area. Mirrored, highly reflective glass, or densely tinted glass shall be prohibited for use in windows and entrances.

c. Entry Orientation. The primary entrance to a commercial use in a building shall face the sidewalk in front of, or at the corner of, a street or highway with the greatest right-of-way width, or face an interior courtyard if the courtyard's entrance is located on such a street or highway.

d. Façade. At least 50 percent of the building façade facing the street, highway, or corner of such street or highway shall include design features such as recessed windows, balconies, offset planes, stepbacks, vertical or horizontal modulations or articulations, or other architectural or decorative accents that create visual interest in lieu of a long unarticulated wall. If the frontage of the first three stories of a building is flush to the street or highway, then the frontage above the third story shall be stepped back a minimum of two feet from the frontage of the first three stories.

e. Rooflines. Buildings having 100 feet or more of street frontage shall be designed to provide roofs of varying heights, materials, textures, or motifs.

11. Recreational Spaces for Residential and Mixed Use Developments.

a. Areas Defined.

i. Common Recreational Space. Recreational space is for the exclusive use of residents of the development, and may include features as listed in Table 22.26.030-F:

TABLE 22.26.030-F: RECREATIONAL SPACE FEATURES	
Atriums	Playgrounds
Barbecue and picnic areas	Pool decks
Community or multipurpose rooms	Swimming pools and spas

Courtyards	Tennis, volleyball, and other ball courts
Gardens, including rooftop gardens	Terraces
Indoor or outdoor exercise areas and rooms	Yards, interior side and rear, exclusive of vehicular access
Lawns	

ii. Private Recreational Space. Recreational space attached to, and accessed from within an individual dwelling unit, may include an atrium, balcony, patio, porch, or terrace.

iii. Excluded from Recreational Space. Off-street parking and loading areas, driveways, and other vehicular access areas, service areas, and perimeter landscaping that is no more than two feet in width, shall not count as usable recreational space.

b. Minimum Dimensions Required for Recreational Space.

i. For all new residential and mixed use developments with up to 60,000 square feet of total floor area, at least 10 percent of the project area shall be provided and maintained as recreational space, either for common or private use of the residents of the development. Landscaping required for the development may count towards this requirement as long as the landscaping is usable recreational space.

ii. For all new residential and mixed use developments with over 60,000 square feet of total floor area, a minimum of 100 square feet per dwelling unit shall be provided for private or common recreational space. Landscaping required for the development may count towards this requirement as long as the landscaping is usable recreational space.

c. Additional Standards for Common Recreational Space.

i. Accessibility. Common recreational space shall be located on the same property as the units served, and shall be available exclusively for the use of all residents of the development.

ii. Roof Top Common Recreational Space. Where a roof top is used for common recreational space, the roof top shall incorporate landscaping, decorative paving and materials, and recreational amenities listed in

Subsection D.11.a.i, above. Mechanical equipment storage areas on roof tops shall not be counted towards recreational space.

12. Other Residential Amenities. Any development that includes dwelling units shall provide adequate private or common laundry facilities reserved for the exclusive use of the residents residing in the development.

13. Division 6 (Development Standards). Development on any lot in Zone MXD shall comply with Division 6 (Development Standards), where applicable.

E. Modifications of Development Standards. With the exception of a height bonus granted through lot consolidation in Subsection G, below, requests for modifications to the requirements listed in Subsections D.3, D.4, D.10, or D.11, above, shall require approval of a Conditional Use Permit (Chapter 22.158) application. In addition to the findings required by Section 22.158.050 (Findings and Decision), findings shall be made that any modifications to the proposed standards above would result in a better quality development that will meet the objectives of this Section, by, for example, providing:

1. Adequate light, air and privacy to adjacent Zone R-1 and R-2 properties by preventing casting of a permanent shadow on adjacent residences;

2. Adequate common and private recreation space accessible to all residents of the development; and

3. A variety of architectural elements and landscaping to contribute to or improve an active pedestrian-oriented streetscape, and prevent casting a towering or monotonous effect on the streetscape.

F. Performance Standards. All developments in Zone MXD shall comply with the following performance standards:

1. Hours of Operation. The hours of operation for commercial uses shall be no earlier than 6:00 a.m. and no later than 11:00 p.m. daily, unless modified by a Conditional Use Permit (Chapter 22.158) application.

2. Loading. Loading, unloading, and all maintenance activities shall be conducted within the hours of operation noted in Subsection F.1. above, and in such fashion to prevent annoyance to adjacent residents and tenants.

3. Noise. Noise generated by activities on the premises shall be controlled in such a manner so as not to create a nuisance or hazard on any adjacent property.

4. Operating Activities Prohibited. The following operating activities shall be prohibited in commercial uses located within mixed use developments:

a. Storage or shipping of flammable liquids or hazardous materials beyond that normally associated with a residential use; and

b. Welding, machining, or open flame work.

5. Graffiti. To encourage the maintenance of exterior walls free from graffiti that would impact pedestrian views, the following shall apply to all properties:

a. All structures, walls, and fences open to public view shall remain free of graffiti; and

b. In the event of such graffiti occurring, the property owner, tenant, or their agent shall remove or cover said graffiti within 72 hours, weather permitting. Paint utilized in covering such graffiti shall be a color that matches, as closely as possible, the color of the adjacent surfaces.

G. Lot Consolidation. To encourage consolidation of two or more small lots to make it economically viable to build a mixed use development, the applicant may be granted an incentive bonus on FAR and height per Table 22.26.030-G:

TABLE 22.26.030-G: LOT CONSOLIDATION

Total Lot Size After Consolidation	FAR Bonus	Height Bonus*
0.5 acre to 1.0 acre	0.10	–
1.0 acre to 2 acres	0.25	5 feet
2 acres or more	0.50	10 feet

* The height bonus shall comply with the stepback requirement for lots abutting Zones R-1 or R-2 per Section 22.26.030.D.4 unless modified per Section 22.26.030.E.

22.26.040 Specific Plan Zone.

A. Purpose. The Specific Plan Zone (Zone SP) is established to provide a zone for property which is subject to a specific plan adopted in accordance with the provisions of the California Government Code and this Title 22. Zone SP recognizes the detailed and unique nature of specific plans and the need to ensure that development conforms to the uses, development standards and procedures contained in specific plans. Zone SP may be established for an area concurrently or following the adoption of a specific plan. Provisions relating to the adoption and administration of specific plans and a list of all adopted specific plans are found in Chapter 22.46 (Specific Plans) and Volume III (Specific Plans).

B. Land Use Regulations.

1. Premises in Zone SP may be used for any principal, accessory, or temporary use permitted in the specific plan, subject to all of the limitations and conditions of the specific plan.

2. In addition, Table 22.26.040-A, below, identifies additional uses that are permitted if authorized by the specific plan:

TABLE 22.26.040-A: ADDITIONAL USES

Use	***Permit Requirement***	***Reference***
Cemeteries	Cemetery Permit	Chapter 22.154
Explosives storage, temporary or permanent	Explosives Permit	Chapter 22.164
Special events	Special Events Permit	Chapter 22.188
Surface mining operations	Surface Mining Permit	Chapter 22.190

C. Development Standards. Premises in Zone SP shall be subject to the following development standards:

1. Any development standards contained in the specific plan.

2. Any development standards contained in this Title 22 which are referred to in the specific plan.

22.26.050 Scientific Research and Development Zone.

A. Land Use Regulations.

1. General. This Section prescribes the land use regulations for the Scientific Research and Development Zone (Zone SR-D).

2. Permit and Review Requirements. Table 22.26.050-A, below, identifies the permit or review required to establish each use listed in Subsection A.3, below.

TABLE 22.26.050-A: PERMIT AND REVIEW REQUIREMENTS		
Abbreviation	***Permit or Review Requirement***	***Reference***
–	Not Permitted	
P	Permitted	
CEM	Cemetery Permit	Chapter 22.154
CUP	Conditional Use Permit	Chapter 22.158
MCUP	Minor Conditional Use Permit	Chapter 22.160
EP	Explosives Permit	Chapter 22.164
SPR	Ministerial Site Plan Review	Chapter 22.186
SEP	Special Events Permit	Chapter 22.188
SMP	Surface Mining Permit	Chapter 22.190

3. Use Regulations.

a. Principal Uses. Table 22.26.050-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.26.050-B: PRINCIPAL USE REGULATIONS FOR ZONE SR-D		
Use Category		***Additional Regulations***
Agricultural and Resource-Based Uses		
Community gardens	P	
Crops, including field, tree, bush, berry, and row	P	
Greenhouses	SPR	
Plant nurseries, propagation of nursery stock only	SPR	Section 22.140.450
Surface mining operations	SMP	
Cannabis Uses		
Cannabis businesses and activities, including renting, leasing, and permitting	–	Section 22.140.134
Cannabis cultivation, personal, accessory to a legally established dwelling unit	*See Table 22.26.050-B: Accessory Use Regulations for Zone SR-D*	
Cultural, Educational, and Institutional Uses		
Aquaria	SPR	

TABLE 22.26.050-B: PRINCIPAL USE REGULATIONS FOR ZONE SR-D		
Use Category		***Additional Regulations***
Arboretums and horticultural gardens	SPR	
Institutions of educational, philanthropic, or charitable nature, excluding any commercial or industrial enterprise sponsored or operated by such institutions	SPR	
Libraries	SPR	
Museums	SPR	
Schools		
Colleges and universities, accredited, excluding trade or commercial schools	SPR	
Schools, grades K-12, accredited by the State of California, excluding trade or commercial schools	SPR	
Industrial Uses		
Explosives storage, permanent	EP	
Scientific research or experimental development of materials, methods, or products, including engineering and laboratory research and including administrative and other accessory activities and facilities	SPR[1]	
Recreational Uses		
Parks, playgrounds, and beaches, including accessory facilities	SPR	
Service Uses		
Cemeteries	CEM	
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses		
Communication equipment buildings	CUP	
Electric distribution substations, including related microwave facilities	CUP	Section 22.140.200
Electric transmission substations, including related microwave facilities	CUP	
Fire stations	CUP	
Gas metering and control stations, public utility	CUP	
Helistops	CUP	
Microwave stations	CUP	
Police stations	CUP	
Public utility service centers	CUP	
Publicly owned uses necessary to maintain the public health, convenience, or general welfare	CUP	
Radio and television stations and towers, excluding studios	CUP	
Stations, bus, railroad, and taxi	SPR	
Telephone repeater stations	CUP	
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, tanks, wells, and any use normal and accessory to the storage and distribution of water	CUP	

TABLE 22.26.050-B: PRINCIPAL USE REGULATIONS FOR ZONE SR-D		
Use Category		***Additional Regulations***
Notes: 1. Scientific research uses are permitted provided that all products initiated, developed or completed shall be restricted to prototypes and subject to the development standards of Subsection B of this Section.		

b. Accessory Uses. Table 22.26.050-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.26.050-C: ACCESSORY USE REGULATIONS FOR ZONE SR-D		
Use Category		***Additional Regulations***
Cafeterias and eating facilities designed primarily to serve a permitted use	CUP	
Cannabis cultivation, personal, accessory to a legally established dwelling unit	–	Section 22.140.134
Caretaker residences, excluding mobilehomes	SPR	Section 22.140.140
Grading projects		
More than 10,000 and up to 100,000 cubic yards of material to be transported off-site	SPR	Section 22.140.240
More than 100,000 cubic yards of material to be transported off-site	CUP	Section 22.140.240
On-site transport, excluding projects where the Review Authority has previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project	CUP	Section 22.140.240
Recreation areas for employees of a permitted use		
Excluding structures which require a building permit pursuant to Title 26 (Building Code) of the County Code	SPR	
Including structures that require a building permit pursuant to Title 26 (Building Code) of the County Code	CUP	

c. Temporary Uses. Table 22.26.050-D, identifies the permit or review required to establish each temporary use.

TABLE 22.26.050-D: TEMPORARY USE REGULATIONS FOR ZONE SR-D		
Use Category		***Additional Regulations***
Explosives storage, temporary	EP	
Special events	SEP	

B. Development Standards.

1. Division 6 (Development Standards). Development on any lot in Zone SR-D shall comply with Division 6 (Development Standards), where applicable.

2. Scientific Research and Development Facilities. Scientific research and development facilities shall be subject to the following development standards:

a. Enclosure. All operations shall be conducted in a completely enclosed building.

b. Floor Area Ratio. The floor area ratio of each lot shall be limited to 1.0 and the ground floor area of all structures shall not exceed 35 percent of the total area of the lot.

c. Yards. All structures not exceeding 30 feet in height shall be set back not less than 30 feet from the front property line and 100 feet from any property in a Residential or Agricultural Zone. Structures exceeding 30 feet in height shall be set back one additional foot from the front property line for each foot of height in excess of 30 feet, and not less than 500 feet from any property in a Residential or Agricultural Zone. In no event shall the required setback exceed 60 feet from the front property line.

d. Parking. Parking space shall be furnished for all vehicles used in conducting such enterprise and, in addition, employee and visitor parking shall be furnished with at least one automobile parking space for each person employed or intended to be employed, or one space for each 200 square feet of gross building floor area except building floor area devoted exclusively to warehouse purposes, whichever is greater, on such lot together with adequate ingress and egress thereto. Where more than one work-shift is employed and the required employee parking is determined by the number of employees, such required parking shall be based on a ratio of 1.25 parking spaces for each person employed or intended to be employed on the largest work shift. Required employee parking shall be determined on the basis of 400 square feet of usable lot area per vehicle, unless the plot plan required by this Section contains a detailed parking arrangement showing individual parking spaces of not less than nine feet by 20 feet in size, accurately dimensioned, together with adequate ingress and

egress thereto, and the Director finds that such parking arrangement satisfies the requirements of this Section. All vehicle parking areas and access roads required by this Section shall be paved with asphaltic or concrete surfacing as provided in Section 22.112.090.D (Surfacing).

e. Screening. Screening shall be provided to effectively screen loading platforms and parking areas having more than 10 parking spaces so as not to be visible from any street or highway or property situated in a Residential or Agricultural Zone of equal elevation or within 10 feet thereof. Such screening shall consist of a masonry wall, fence, or densely planted compact hedge, or other suitable vegetation between five feet and six feet in height.

f. Landscaping. All portions of the lot exclusive of structures, parking areas, recreational uses, and access roads shall be landscaped and maintained in a neat, clean, and healthful condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings by means of a fixed and permanent water system consisting of piped water lines terminating in an appropriate number of sprinklers and/or hose bibs to ensure a sufficient amount of water for plants within the landscaped area. Where the watering system consists of hose bibs alone, these bibs shall be located not more than 50 feet apart within the required landscaped area. Sprinklers used to satisfy the requirements of this provision shall be spaced to assure complete coverage of the required landscaped area.

C. Performance Standards. Any existing or proposed use, or portion thereof, shall comply with the following performance standards:

1. Any use or portion thereof causing noise shall be operated in such a manner so as not to create a nuisance or hazard on any adjacent property.

2. Any use or portion thereof emitting odorous, toxic or noxious matter shall be controlled in such a manner that no concentration of such matter, at or beyond the lot boundaries, shall be detrimental to the public health, safety or comfort, or cause injury or damage to property.

3. No smoke or other air pollutant shall be discharged into the atmosphere from any single source of emission for a period or periods aggregating more than three minutes in any one hour which impedes vision within apparent opaqueness equivalent to or greater than the No. 1 designation on the Ringelmann Smoke Chart, published by the United States Bureau of Mines in 1967.

4. No use or portion thereof shall cause or emit heat or glare which is perceptible at any point beyond the lot boundaries.

5. No use or portion thereof shall cause or emit vibration which is perceptible, without instruments, at any point beyond the lot boundaries.

22.26.060 Parking Restricted Zone.

A. Purpose. Parking Restricted Zone (Zone P-R) is established to provide an area for motor vehicle parking that may also serve as a means of reducing conflicts between incompatible uses along zone boundaries.

B. Land Use Regulations.

1. General. This Section prescribes the land use regulations for Zone P-R.

2. Permit and Review Requirements. Table 22.26.060-A, below, identifies the permit or review required to establish each listed in Subsection B.3, below.

TABLE 22.26.060-A:PERMIT AND REVIEW REQUIREMENTS		
Abbreviation	***Permit or Review Requirement***	***Reference***
CUP	Conditional Use Permit	Chapter 22.158
SPR	Ministerial Site Plan Review	Chapter 22.186
SEP	Special Events Permit	Chapter 22.188
SMP	Surface Mining Permit	Chapter 22.190

3. Use Regulations.

a. Principal Uses. Table 22.26.060-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.26.060-B:PRINCIPAL USE REGULATIONS FOR ZONE P-R		
		Additional Regulations
Cannabis businesses and activities, including renting, leasing, and permitting	–	Section 22.140.134

TABLE 22.26.060-B:PRINCIPAL USE REGULATIONS FOR ZONE P-R		
		Additional Regulations
Parking lots or buildings providing supplemental parking for motor vehicles having a rated capacity of not more than two tons as accessory to any lawful use.[1]	SPR	
Surface mining operations	SMP	
Notes: 1. Use is not prohibited from confining such parking to the owners, proprietors, or customers of such use. Use shall be developed in compliance with Chapter 22.112 (Parking).		

b. Accessory Uses. Table 22.26.060-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.26.060-C: ACCESSORY USE REGULATIONS FOR ZONE P-R		
		Additional Regulations
Access to property lawfully used for a purpose not permitted in the zone[1]	SPR	
Grading projects		
More than 10,000 and up to 100,000 cubic yards of material to be transported off-site	SPR	Section 22.140.240
More than 100,000 cubic yards of material to be transported off-site	CUP	Section 22.140.240
On-site, excluding projects where the Review Authority has previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project	CUP	Section 22.140.240
Signs	*As specified in Chapter 22.114 (Signs)*	
Small-scale solar energy systems, structure-mounted	P	Section 22.140.510
Small-scale solar energy systems, ground-mounted	SPR	Section 22.140.510
Notes: 1. Provided that there is no other practical access to such property available, and such access will not alter the character of the premises in respect to permitted uses in the subject zone.		

c. Temporary Uses. Table 22.26.060-D, below, identifies the permit or review required to establish each temporary use.

TABLE 22.26.060-D: TEMPORARY USE REGULATIONS FOR ZONE P-R		
		Additional Regulations
Special events	SEP	

C. Development Standards for Zone P-R. Development on any lot in Zone P-R shall comply with Division 6 (Development Standards), where applicable.

DIVISION 4: COMBINING ZONES AND SUPPLEMENTAL DISTRICTS.

Chapters:

Chapter 22.44 Santa Monica Mountains Local Implementation Program.
Chapter 22.46 Specific Plans.
Chapter 22.48 Combining Zones.
Chapter 22.50 Billboard Exclusion Zone.
Chapter 22.52 Development Program Zone.
Chapter 22.54 Parking Zone.
Chapter 22.56 Coastal Development Permits.
Chapter 22.58 Commercial – Residential Zone.
Chapter 22.60 Industrial Preservation Zone.
Chapter 22.68 Supplemental Districts.
Chapter 22.70 Equestrian Districts.
Chapter 22.72 Setback Districts.
Chapter 22.74 Flood Protection Districts.
Chapter 22.76 Noise Insulation Program.
Chapter 22.78 Community Standards Districts.
Chapter 22.80 Rural Outdoor Lighting District.
Chapter 22.82 Historic Districts.

Chapter 22.48 Combining Zones.

Sections:

22.48.010 Purpose and Applicability.
22.48.020 Establishment of Combining Zones.
22.48.030 Basic Zones and Combining Zones.

22.48.010 Purpose and Applicability.

Combining Zones, established in Section 22.06.030 (Combining Zones), carry out specific purposes by regulating specific uses and imposing requirements that apply in designated geographic areas.

22.48.020 Establishment of Combining Zones.

A. New Combining Zones and delineation of Combining Zones on the Zoning Map may be established by the Board or Commission, in compliance with Section 22.244 (Ordinance Amendments).

B. Delineation of Combining Zones on the Zoning Map may be established by filing an application in compliance with Chapter 22.198 (Zone Changes).

C. New Combining Zones may be established without being delineated on the Zoning Map.

22.48.030 Basic Zones and Combining Zones.

The zone designated prior to the letters of any Combining Zone shall be known as the "basic zone." For example, where Zone R-3 is combined with Zone ( )-P, Zone R-3 is considered the basic zone and the combined zones shall appear on the Zoning Map as Zone R-3-P.

Chapter 22.50 Billboard Exclusion Zone.

Sections:

22.50.010 Purpose.
22.50.020 Applicability.
22.50.030 Land Use Regulations.

22.50.010 Purpose.

The Billboard Exclusion Zone, Zone ( )-BE, is established to exclude new outdoor advertising signs in designated commercial and industrial areas within the County where such signs could cause hazards to pedestrians and motorists, or detract from the appearance or character of such areas, or be detrimental to an important aspect of the economic base of such areas. Content or subject matter on an existing or potential outdoor advertising sign shall not be used as a criterion for establishment of Zone ( )-BE.

22.50.020 Applicability.

Zone ( )-BE may be combined with Zones C-2, C-3, C-M, M-1, M-1.5, M-2, M-2.5, and M-3. When Zone ( )-BE is combined with a basic zone, the letters "BE" shall be added to the basic zone; for example, Zone C-2-BE.

22.50.030 Land Use Regulations.

Zone ( )-BE may be used for any use permitted in the basic zone, subject to the same standards and limitations, except that outdoor advertising signs are prohibited.

Chapter 22.52 Development Program Zone.

Sections:

22.52.010 Purpose.
22.52.020 Applicability.
22.52.030 Land Use Regulations.
22.52.040 Development Program.
22.52.050 Permit Conditions.
22.52.060 Review of Zone Classification.

22.52.010 Purpose.

The Development Program Zone, Zone ( )-DP, is established to provide a zone in which development occurring after a property has been rezoned, will conform to plans and exhibits submitted by the applicant in instances where such plans and exhibits constitute a critical factor in the decision to rezone. Adherence to such developmental plans is assured by the requirement of submission and approval of a Conditional Use Permit (Chapter 22.158) incorporating a development program by the applicant providing necessary safeguards to insure completion as specified.

22.52.020 Applicability.

Zone ( )-DP may be combined with any zone. When Zone ( )-DP is combined with a basic zone, the letters "DP" shall be added to the basic zone; for example, Zone

C-1-DP. Zone ( )-DP may be combined with another zone only when used in combination with a Zone Change (Chapter 22.198) application.

22.52.030 Land Use Regulations.

A. Property in Zone ( )-DP may be used for any use permitted in the basic zone, subject to the limitations and conditions of the approved Conditional Use Permit (Chapter 22.158) that incorporates an approved development program.

B. Any future development in an established Zone ( )-DP shall require a Conditional Use Permit application with a proposed development program in conformance with this Chapter.

22.52.040 Development Program.

A Conditional Use Permit (Chapter 22.158) application in Zone ( )-DP shall include a proposed development program submittal in compliance with Subsection A, below, and shall be subject to additional findings in accordance with Subsection B, below.

A. Development Program Submittal Requirements:

1. A site plan showing the location of all proposed structures, the alteration or demolition of any existing structures, and the height, bulk, arrangement, color, and appearance of buildings and structures. The site plan shall show development features, including grading, yards, walls, walks, landscaping, and signs. In addition, the site plan shall show any other features necessary to make the development attractive, adequately buffered from adjacent uses, and in keeping with the character of the surrounding area; and

2. A progress schedule, which includes all phases of development shown on a site plan in compliance with Subsection A.1, above. Each phase of development shall include the sequence and time period for the demolition, grading, and construction of the described improvements.

B. Additional Findings. Approval of any development program must include a finding that the development program provides necessary safeguards to ensure completion of the proposed development by the applicant, and it does not allow for

substitution of a lesser type of development that is contrary to the public convenience, welfare, or development needs of the area.

22.52.050 Permit Conditions.

A. Conditions of Approval. The following shall be required conditions of every development program approved with the application, whether such conditions are set forth in the approved Conditional Use Permit (Chapter 22.158) or not, unless otherwise specified as part of such development program:

1. No building or structure of any kind, except a temporary structure used only in the developing of the lot according to the development program, shall be built, erected, or moved onto any part of the lot;

2. No existing building or structure which under the program is to be demolished shall be used;

3. No existing building or structure which, under the program, is to be altered shall be used until such building or structure has been so altered;

4. All improvements shall be completed prior to the occupancy of any structures; and

5. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.

B. Where specifically indicated in approval of the development program, the schedule may permit development to be completed in phases. In interpreting Subsections A.4 and A.5, above, each separately designated phase shall be considered a separate development program.

22.52.060 Review of Zone Classification.

A. Upon expiration of an unused Conditional Use Permit in Zone ( )-DP, or if no Conditional Use Permit (Chapter 22.158) application has been filed within two years following the effective date of an ordinance placing lots in Zone ( )-DP, the Commission

or Hearing Officer may investigate the circumstances resulting in failure to apply for or use such Conditional Use Permit.

B. In all cases, the Commission or Hearing Officer may extend such time for a period not to exceed one year, in compliance with Section 22.222.270.B.

C. If neither the applicant nor the owner can substantiate to the satisfaction of the Commission or Hearing Officer that additional time should be granted for the filing or resubmittal of a Conditional Use Permit (Chapter 22.158) application, the Commission or Hearing Officer may institute proceedings to rezone such lots back to the previous zone prior to the adoption of a Zone ( )-DP designation or rezone to such other zone as deemed appropriate.

D. If the additional time granted by the Commission or Hearing Officer expires before a Conditional Use Permit (Chapter 22.158) application has been filed or if a second Conditional Use Permit has expired unused, the Commission or Hearing Officer may initiate proceedings to rezone such lots as provided in Subsection C, above.

Chapter 22.54 Parking Zone.

Sections:

22.54.010 Purpose.
22.54.020 Applicability.
22.54.030 Land Use Regulations.
22.54.040 Development Standards.

22.54.010 Purpose.

The Parking Zone, Zone ( )-P, is established to create supplemental off-street parking facilities in areas where additional parking is needed. Development standards are imposed to provide for vehicle parking areas with a functional design that will be harmoniously integrated with adjacent land uses.

22.54.020 Applicability.

Zone ( )-P may be combined with any basic zone. When Zone ( )-P is combined with a basic zone, the letters "P" shall be added to the basic zone; for example, Zone M-1-P.

22.54.030 Land Use Regulations.

Property in Zone ( )-P may be used for the following uses:

A. Any permitted use or use subject to permit in the basic zone, subject to the same permit or review application and standards; and

B. Parking facilities, in compliance with this Subsection B:

1. A Ministerial Site Plan Review (Chapter 22.186) application may approve:

a. Parking lots that provide supplemental parking for motor vehicles having a rated capacity of not more than two tons. Such parking lots shall be incidental to a lawfully established agricultural, residential, commercial, industrial, or special purpose use. Such parking facilities may, but need not, be confined to use by the owners, proprietors, clients, or customers of the lawful principal use. This Subsection B.1.a shall not permit a parking building or structure; and

b. A parking attendant structure not to exceed 30 square feet in floor area.

2. A Conditional Use Permit (Chapter 22.158) application may approve: Parking buildings, when used for supplemental parking as provided in Subsection B.1.a, above.

22.54.040 Development Standards.

Premises in Zone ( )-P shall be subject to the following development standards:

A. When developed with parking as the principal use, as provided in Section 22.54.030.B.1, property in Zone ( )-P shall be subject to Section 22.112.080 (Parking Design).

B. When developed as a principal use permitted in the basic zone, property in Zone ( )-P shall be subject to the development standards of the basic zone.

Chapter 22.56 Coastal Development Permits.

This Chapter 22.56 shall not apply to the Santa Monica Mountains Coastal Zone, which instead shall refer to Section 22.44.600 et seq. (Santa Monica Mountains Local Implementation Program) of this Title 22. Unless where specified otherwise, all references used in this Chapter 22.56 are to Title 22 regulations in effect on December 29, 1989 when Ordinance No. 89-0147 became effective.

COASTAL DEVELOPMENT PERMITS.

Sections:

22.56.2270 Established – Purpose.
22.56.2280 Permit Required.
22.56.2290 Exemptions and Categorical Exclusions.
22.56.2300 Application – Filing.
22.56.2310 Application – Information Required.
22.56.2320 Application – Burden of Proof.
22.56.2330 Application – Filing Fee.
22.56.2340 Application – Denial for Lack of Information.
22.56.2350 Application – Concurrent Filing.

22.56.2360 Determination of Jurisdiction.
22.56.2370 Resolving Determination Disputes.
22.56.2380 Public Hearings.
22.56.2390 Director's Action on Non-Appealable Permits.
22.56.2400 Notice Requirements.
22.56.2410 Approval or Denial Findings.
22.56.2420 Condition of Approval.
22.56.2430 Notice of Action and County Appeal Rights.
22.56.2440 Notice of Final Decision.
22.56.2450 Appeals to the Coastal Commission.
22.56.2460 Effect of Appeal to the Coastal Commission.
22.56.2470 De Novo Review by the Coastal Commission.
22.56.2480 Appeal by Two Coastal Commissioners.
22.56.2490 Effective Date of Permit.
22.56.2500 Expiration of Unused Permits.
22.56.2510 Expiration Following Cessation of Use.
22.56.2520 Continuing Validity of Permit.
22.56.2530 Amendments to Permits.
22.56.2540 Revocation of Coastal Development permits.
22.56.2550 Enforcement.

22.56.2270 Established – Purpose.

The coastal development permit is established to ensure that any development, public or private, within the coastal zone conforms to the policies and programs of the County local coastal program land use plans and implementation programs in accordance with Division 20 of the California Public Resources Code. References to

the Coastal Commissioner's Executive Director are indicated by the words "Executive Director." See Section 22.14.050 of Division 2 (Definitions).

22.56.2280 Permit Required.

A. In addition to obtaining any other permits required by law, any person wishing to perform or undertake any development in the coastal zone, other than either a power facility subject to the provisions of California Public Resources Code Section 25500, a development subject to the provisions of California Public Resources Code Section 30519(b) or a development specifically exempted by Part 17 of Chapter 22.56, shall obtain a coastal development permit.

B. A determination on whether a development is exempt or has been categorically excluded from the coastal development permit requirements shall be made by the Director at the time an application is submitted for development within the coastal zone. Any dispute arising from the Director's determination shall be resolved pursuant to the procedure described in Section 22.56.2370.

C. The processing of a coastal development permit shall be subject to the provisions of Chapter 4.5 (Section 65920 et seq.) Division I, Title 7 of the California Government Code.

22.56.2290 Exemptions and Categorical Exclusions.

A. Exemptions: The provisions of this Part 17 shall not apply to:

1. Additions to single-family residences consistent with the provisions of Section 13250, Title 14, California Code of Regulations.

2. Improvements to any structure other than a single family residence or Public Works facility consistent with the provisions of Section 13253, Title 14, California Code of Regulations.

3. Repair or maintenance activities that are consistent with the provisions of Section 13252, Title 14, California Code of Regulations.

4. The installation, testing and placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to Division 20, the California Coastal Act, of the

California Public Resources Code; provided, however, that the Director may, where necessary, require reasonable conditions to mitigate any adverse impacts on coastal resources, including scenic resources. All repair, maintenance and utility hookups shall be consistent with the provisions adopted by the Coastal Commission on September 5, 1978.

5. The replacement of any structure, other than a Public Works facility, destroyed by a disaster. The replacement structure shall conform to applicable existing zoning requirements; shall be for the same use as the destroyed structure, shall not exceed either the floor area, height or bulk of the destroyed structure by more than 10 percent; and shall be sited in the same location on the affected property as the destroyed structure.

6. Any activity anywhere in the coastal zone that involves the conversion of any existing multiple-unit residential structure to a time-share project, estate or use, as defined in Section 11003.5 of the California Business and Professions Code. If any improvement to an existing structure is otherwise exempt from the permit requirements of this Chapter, no coastal development permit shall be required for that improvement on the basis that it is to be made in connection with any conversion exempt pursuant to this Subsection. The division of a multiple-unit residential structure into condominiums, as defined in Section 783 of the California Civil Code, shall not be considered a time-share project, estate or use for the purposes of this Subsection.

7. Maintenance dredging of existing navigation channels or moving dredged material from those channels to a disposal area outside the coastal zone, pursuant to a permit from the United States Army Corps of Engineers.

B. Categorical Exclusions. (Reserved)

C. As used in this Section, "disaster" means any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of its owners; "bulk" means total interior cubic volume as measured from the exterior surface of the structure; and "structure" includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster.

D. A determination on whether a development is exempt shall be made by the Director at the time an application for development within the coastal zone is submitted. Any dispute arising from the Director's determination shall be resolved pursuant to the procedure described in Section 22.56.2370.

22.56.2300 Application – Filing.

Any person desiring a coastal development permit required or provided for in this Title 22 may file an application with the Director, except that no application shall be filed or accepted if final action has been taken within one year prior thereto by either the Hearing Officer, Commission or Board of Supervisors on an application requesting the same or substantially the same permit.

22.56.2310 Application – Information Required.

An application for a coastal development permit shall contain the following information, accuracy of which is the responsibility of the applicant:

A. Names and addresses of the applicant and of all persons owning any or all of the property proposed to be used.

B. Evidence that the applicant meets the following criteria:

1. Is the owner of the premises involved; or

2. Has written permission of the owner or owners to make such application; or

3. Is or will be the plaintiff in an action in eminent domain to acquire the premises involved, or any portion thereof; or

4. In the case of a public agency, is negotiating to acquire a portion of the premises involved.

C. Location of the subject property by address and/or vicinity.

D. Legal description of the property involved.

E. Nature of the requested use, indicating the business, occupation or purpose for which such building, structure or improvement is to be erected, constructed, altered, enlarged, moved, occupied or used.

F. Indication of the nature, condition and development of adjacent uses, buildings and structures.

G. A site plan drawn to a scale satisfactory to and in the number of copies prescribed by the Director indicating the following:

1. The area and dimensions of the proposed site for the requested use.

2. The location and dimensions of all existing and proposed structures, yards, walls, fences, parking and loading facilities, landscaping and other development features.

3. The dimensions and state of improvement of the adjoining streets and highways providing access to the proposed site of the requested use.

4. Existing and/or proposed public access to and along the shoreline for projects proposed between the first through public road and the sea.

H. Architectural drawings showing the following:

1. Elevations of all sides of building(s).

2. Roof plan of proposed building(s).

3. Indication of colors and materials for all exterior surfaces.

I. Indication of other permits and approvals secured or to be secured in compliance with the provisions of Title 22 and other applicable ordinances and laws, including CEQA.

J. Maps in the number prescribed, and drawn to a scale specified by the Director, showing the location of all property included in the request, the location of all highways, streets, alleys and the location and dimensions of all lots or parcels of land within a distance of 700 feet from the exterior boundaries of such proposed use. One copy of said map shall indicate the uses established on every lot and parcel of land shown within said 700-foot radius.

K. A list, certified to be correct by affidavit or by a statement under penalty of perjury pursuant to Section 2015.5 of the California Code of Civil Procedure, of the names and addresses of all persons who are shown on the latest available assessment

roll of the County as owners of the subject property and as owning property within a distance of 500 feet from the exterior boundaries of the parcel of land on which the development is proposed. In addition, the list shall include the names and addresses of persons residing within 100 feet of said parcel; if the names of the residents are not known, they shall be listed as "occupants." One copy of the map described in Subsection J of this Section shall indicate where such ownerships and residents are located.

L. Proof satisfactory to the Director that water for fire protection will be available in quantities and pressures required by the Water Ordinance, set out at Division 1 of Title 20 of the County Code, or by a variance granted pursuant to said Division 1. The Director may accept as such proof a certificate from the person who is to supply water that water can be supplied as required by said Division 1 of Title 20, also stating the amount and pressure, which certificate also shall be signed by the Forester and Fire Warden, or a certificate from Public Works that such water will be available.

M. The Director may waive the filing of one or more of the above items if the Director finds that the nature of the development is unrelated to the required item and may require additional information.

22.56.2320 Application – Burden of Proof.

In addition to the information required in the application by Section 22.56.2310, the applicant shall substantiate to the satisfaction of the County the following facts:

A. That the proposed development is in conformity with the certified local coastal program; and, where applicable,

B. That any development, located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the California Public Resources Code.

22.56.2330 Application – Filing Fee.

When an application for a coastal development permit is filed, it shall be accompanied by the filing fee as required in Section 22.60.100.

22.56.2340 Application – Denial for Lack of Information.

The Hearing Officer may deny, without a public hearing, an application for a coastal development permit if such application does not contain the information required by Sections 22.56.2310 and 22.56.2320 and any other pertinent sections. The Hearing Officer may accept the original file with the supplementary information when refiled by the applicant.

22.56.2350 Application – Concurrent Filing.

A coastal development permit shall be considered concurrently with the granting of any other tentative maps or permits required by Titles 21 or 22 of the County Code. A coastal development permit shall be considered subsequent to the granting of required tentative maps or other permits which were approved prior to the effective date of this Section. Where a coastal development permit is being considered concurrently with other permits or maps that do not have a public hearing requirement, a public hearing for such concurrent cases shall be held if the coastal development permit is subject to Section 22.56.2380.

22.56.2360 Determination of Jurisdiction.

A. A determination on whether a coastal development permit is in the County's or Coastal Commission's jurisdiction shall be made by the Director at the time an application for a coastal development permit has been submitted. The County's jurisdiction over coastal development permits does not include tidelands, submerged lands, public trust lands, certain ports, State university, or State college lands as described in Section 30519 of the California Public Resources Code. In making such determination the Director may refer to the "Post-LCP Certification Permit and Appeals Jurisdictional Map" adopted by the Coastal Commission. A coastal development permit within the County's jurisdiction shall be processed pursuant to the provisions of Part 17 of Chapter 22.56 and applicable provisions of the Coastal Act. Any such permit not

within the County's jurisdiction shall be referred to the Coastal Commission for processing.

B. For a coastal development permit within the County's jurisdiction, the Director shall also determine if such permit is appealable to the Coastal Commission. In making this determination, the Director shall use the criteria contained in Section 22.56.2450. The Director may also use the "Post-LCP Certification Permit and Appeals Jurisdictional Map."

C. Any dispute arising from the Director's determination of jurisdiction or appealability shall be resolved pursuant to the procedure described in Section 22.56.2370.

22.56.2370 Resolving Determination Disputes.

A. If the Director's determination made pursuant to Sections 22.56.2280, 22.56.2290, or 22.56.2360 is challenged by the applicant or interested person, or if the local government wishes to have a Coastal Commission determination as to the appropriate determination, the Director shall notify the Coastal Commission by telephone of the dispute and shall request an opinion of the Coastal Commission's Executive Director.

B. Processing of such coastal development permit shall be suspended pending a final determination by the Executive Director or Coastal Commission.

22.56.2380 Public Hearings.

A. A coastal development permit which may be appealed to the Coastal Commission pursuant to Section 22.56.2450 shall have a public hearing before the Hearing Officer or Commission.

B. A public hearing for a coastal development permit may be continued to another day pursuant to Section 22.60.178. If the public hearing is continued to a date uncertain, new notice of the continued public hearing shall be provided in accordance with Section 22.56.2400.

22.56.2390 Director's Action on Non-Appealable Permits.

A coastal development permit which is not subject to appeal to the Coastal Commission shall be acted on by the Director who shall cause notices to be sent in accordance with Section 22.56.2400. The Director's decision to approve or deny a permit shall be based on the findings contained in Section 22.56.2410. After the Director's decisions, notices shall be sent pursuant to Section 22.56.2430.

22.56.2400 Notice Requirements.

A. The Director shall provide notice by first class mail for a coastal development permit at least 20 calendar days prior to the public hearing or decision on the application to:

1. The applicant, property owners and residents whose names and addresses appear on the verified list of persons required to be submitted by Section 22.56.2310 and other pertinent sections;

2. The California Coastal Commission; and

3. Any person who has requested to be noticed of such permit.

B. The notice for a coastal development permit shall contain the following information:

1. A statement that the development is within the coastal zone;

2. The date of filing and name of the applicant;

3. The number assigned to the application;

4. The location and description of the development; and

5. In addition, a notice for a coastal development permit which requires a public hearing shall also contain the following:

a. The date, time and place of the public hearing;

b. A statement that written comments may be submitted to the Director prior to the hearing and that oral comments may be made or written material may be submitted at the public hearing;

c. A brief description of the procedures concerning the conduct of the hearing, the action likely to occur and that the notice will be given after the action; and

d. A description of the procedure for filing an appeal with the County and California Coastal Commission.

6. In addition, a notice for a coastal development permit which does not require a public hearing shall contain the following:

a. The date the Director will make a decision on the application;

b. A statement that written or oral comments may be submitted to the Director during the 20-day period between the time that the notice is mailed and the date of the Director's decision, which would allow sufficient time for the submission of comments by mail prior to the Director's decision; and

c. A description of the procedure for filing an appeal with the County.

22.56.2410 Approval or Denial Findings.

A. An application for a coastal development permit shall be approved where the information submitted by the applicant, discovered during the staff investigation process and/or presented at a public hearing substantiates to the satisfaction of the County the following findings:

1. That the proposed development is in conformity with the certified local coastal program; and, where applicable,

2. That any development, located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 or the California Public Resources Code.

B. An application shall be denied where the information submitted by the applicant and/or presented at a public hearing fails to substantiate the above-mentioned findings to the satisfaction of the County.

22.56.2420 Condition of Approval.

The County, in approving an application for a coastal development permit, may impose such conditions as are deemed necessary to insure that such use will be in accord with the findings required by Sections 22.56.2320 and 22.56.2410. The land

owner and applicant shall record with the office of the Registrar-Recorder/County Clerk an affidavit accepting and agreeing to implement all conditions of permit approval.

22.56.2430 Notice of Action and County Appeal Rights.

A. The Director shall notify by first class mail the applicant, any person who specifically required notice of such action of the decision made on an application for a coastal development permit and any person who participated at the public hearing.

B. The notice shall contain the following information:

1. That a coastal development permit decided by the Director with no public hearing may be appealed by filing an appeal with the secretary of the Commission. The decision of the Commission shall be based on the findings of Section 22.56.2410 and shall be final.

2. That a coastal development permit decided by the Hearing Officer or Commission after a public hearing may be appealed or called for review by following the procedure contained in Part 5 of Chapter 22.60.

C. An appeal may be filed by any interested person dissatisfied with a decision on a coastal development permit within:

1. 14 calendar days following the date on the notice of action for a coastal development permit that is not appealable to the Coastal Commission;

2. 10 business days from the date of receipt by the Executive Director of the Coastal Commission of the notice of the County's final action for a coastal development permit that is appealable to the Coastal Commission.

22.56.2440 Notice of Final Decision.

Within seven calendar days of a final decision on a coastal development permit, the Director shall provide notice of such decision by first class mail to the applicant, the Coastal Commission and to any persons who specifically requested notice of such decision by submitting a self-addressed stamped envelope to the Department. A decision shall be considered final when all local appeals have been exhausted and the effective dates contained in Sections 22.60.260 and 22.56.2490 have been reached. Such notice shall include written findings, conditions of approval and the procedures for

appeal of the decision, if applicable pursuant to Section 22.56.2450, to the Coastal Commission.

22.56.2450 Appeals to the Coastal Commission.

A. A coastal development permit may be appealed to the Coastal Commission for only the following types of development:

1. Approvals of developments which are located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance. The appeal jurisdiction described in Section 30603 of the California Public Resources Code is shown on the "Post-LCP Certification Permit and Appeals Jurisdiction Map";

2. Approvals of developments not included within Subsection A.1 of this Section that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff. The appeal jurisdiction described in Section 30603 of the California Public Resources Code is shown on the "Post-LCP Certification Permit and Appeals Jurisdiction Map";

3. Approvals of developments that are not designated as principal permitted uses in this Title 22; and

4. Any development which constitutes a major Public Works project or a major energy facility. The phrase "major Public Works project or a major energy facility" shall mean facilities that cost more than $100,000. An energy facility means any public or private processing, producing, generating, storing, transmitting or recovering facility for electricity, natural gas, petroleum, coal or other source of energy.

B. The grounds for an appeal of a development described in Subsection A.1 shall be limited to one or more of the following allegations:

1. The development fails to provide adequate physical access or public or private commercial use or interferes with such uses.

2. The development fails to protect public views from any public road or from a recreational area to and along the coast.

3. The development is not compatible with the established physical scale of the area.

4. The development may significantly alter existing natural landforms.

5. The development does not comply with shoreline erosion and geologic setback requirements.

C. The grounds for an appeal of a development described in Subsections A.2, A.3, or A.4 shall be limited to an allegation that the development does not conform to the certified local program.

D. An appeal of the County's decision on a coastal development permit application may be filed by an applicant or any aggrieved person who exhausted local appeals or any two members of the Coastal Commission. The appeal must contain the following information:

1. The name and address of the permit applicant and appellant;

2. The date of the local government action;

3. A description of the development;

4. The name of the governing body having jurisdiction over the project area;

5. The names and addresses of all persons who submitted written comments or who spoke and left his or her name at any public hearing on the project, where such information is available;

6. The names and address of all other persons known by the appellant to have an interest in the matter on appeal;

7. The specific grounds for appeal;

8. A statement of facts on which the appeal is based;

9. A summary of the significant questions raised by the appeal. The filing of the notice of appeal should also contain information which the local government has specifically requested or required.

E. The appeal must be received in the Coastal Commission district office with jurisdiction over the local government on or before the 10th working day after receipt of the notice of the permit decision by the Executive Director.

F. The appellant shall notify the applicant, any persons known to be interested in the application and the local government of the filing of the appeal. Notification shall be by delivering a copy of the completed notice of appeal to the domicile, office or mailing address of said parties. In any event, such notification shall be by such means as may reasonably advise said parties of the pendency of the appeal. Unwarranted failure to perform such notification may be grounds for dismissal of the appeal by the Commission.

22.56.2460 Effect of Appeal to the Coastal Commission.

Upon receipt in the Coastal Commission office of a timely appeal by a qualified appellant, the Executive Director shall notify the permit applicant and the County that the operation and effect of the development permit has been stayed pending Coastal Commission action on the appeal. Upon receipt of a notice of appeal, the County shall refrain from issuing a development permit for the proposed development and shall within five working days, deliver to the Executive Director all relevant documents and materials used by the County in its consideration of the coastal development permit application. If the Coastal Commission fails to receive the documents and materials, they shall set the matter for hearing and the hearing shall be left open until all relevant materials are received.

22.56.2470 De Novo Review by the Coastal Commission.

Where the appellant has exhausted County appeals a de novo review of the project by the Coastal Commission shall occur only after the County decision has become final.

22.56.2480 Appeal by Two Coastal Commissioners.

A. Where a coastal development permit is appealed by two Coastal Commissioners, such appeal shall be transmitted to the appropriate County appellate body, either the Commission or Board of Supervisors, who shall follow the procedures

of Part 5 of Chapter 22.60 and Part 17 of Chapter 22.56. If the appellate body modifies or reverses the previous decision, the Coastal Commissioners shall file a new appeal from the decision if they are still dissatisfied. During the period of County appellate body review, the Coastal Commissioners' appeal will be suspended from the Coastal Commission appeal process pursuant to Section 13573 of the California Coastal Commission administrative regulations.

B. Where review by all County appellate bodies has left the originally appealed action unchanged, the Coastal Commissioners' appeal will be no longer suspended and the appeal may then be brought before the Coastal Commission.

22.56.2490 Effective Date of Permit.

A. A coastal development permit which is not appealable to the Coastal Commission shall have the following effective dates:

1. The decision of the Director shall become effective on the 15th calendar day following the date on the notice of action taken, unless timely appealed to the Commission pursuant to the provisions of Part 5 of Chapter 22.60.

2. The decision of the Commission is final and shall become effective on the date of its decision.

B. A coastal development permit which is appealable to the Coastal Commission shall become effective at the close of business on the 10th business day following the date of receipt of the notice of the County's final action on the permit by the Executive Director of the Coastal Commission, unless an appeal is filed prior to the effective date and time. If an appeal has been filed, the operation and effect of the coastal development permit shall be stayed pending Coastal Commission action on the appeal. The effective date of the Coastal Commission decision will be the date of decision by the Coastal Commission.

22.56.2500 Expiration of Unused Permits.

Unused coastal development permits shall expire based on the following schedule:

A. A permit which is not used within the time specified in such permit, or, if no time is specified, within two years after the granting of the permit, becomes null and void and of no effect with the exception of the following:

1. In all cases, the Hearing Officer may extend such time for a period of not to exceed one year, provided an application requesting such extension is filed prior to such expiration date. In the case of a non-profit corporation organized to provide low-income housing for the poor or elderly, the Hearing Officer may grant an additional one-year extension, provided that an application requesting such extension is filed prior to the expiration of the first such extension.

2. In the case of a coastal development permit heard concurrently with a land division, Conditional Use Permit, variance or other permit authorized in this Title 22, the Hearing Officer shall specify time limits and extensions to be concurrent and consistent with those of the land division, variance or permits.

B. A coastal development permit shall be considered used, within the intent of this Section, when construction or other development authorized by such permit has commenced that would be prohibited if no permit had been granted.

22.56.2510 Expiration Following Cessation of Use.

A coastal development permit granted by action of the Hearing Officer, Commission or Board of Supervisors shall automatically cease to be of any force and effect if the use for which such coastal development permit was granted has ceased or has been suspended for a consecutive period of two or more years.

22.56.2520 Continuing Validity of Permit.

A coastal development permit that is valid and in effect and was granted pursuant to the provisions of this Chapter shall adhere to the land and continue to be valid upon change of ownership of the land or any existing building or structure on said land.

22.56.2530 Amendments to Permits.

A. An amendment may be made to a coastal development permit previously approved by the County by filing a written application with the Director. Such

application shall contain a description of the proposed amendment, the reason for the amendment, together with maps, drawings or other material appropriate to the request. A filing fee as required by Section 22.60.100 shall accompany a request for an amendment.

B. An application for an amendment shall be rejected if, in the Director's opinion, the proposed amendment would lessen or void the effect of the permit unless the applicant presents newly discovered material information which could not, with reasonable diligence, have been discovered and produced before the permit was granted.

C. For those applications accepted, the Director shall determine whether the proposed amendment represents an immaterial or material change to the permit.

1. For applications representing immaterial changes, the Director shall prepare a written notice which contains the information required by Subsection B of Section 22.56.2400, a description of the proposed amendment and a statement informing persons of the opportunity to submit written objection of the determination to the Director within 10 days of the date the notices were posted at the subject property and mailed to interested persons. The Director shall cause notices to be posted conspicuously along the exterior property line of the proposed development, not more than 300 feet apart and at each change of direction of the property line. The Director shall also mail notices to all persons who testified at a public hearing on the permit or who submitted written testimony on the permit, and such other persons as the Director has reason to know may be interested in the application. If no written objection is received by the Director within 10 days of posting and mailing, the Director's determination shall be conclusive and the proposed amendment approved.

2. For applications representing material changes, applications which have objects to determinations of immateriality, or amendments to conditions affecting coastal resource protection or coastal access, the Director shall refer such applications to the Commission for a public hearing. The Director shall mail notices in accordance with the procedures of Section 22.56.2400 to all persons who testified at the public

hearing on the permit, who submitted written testimony on the permit, who objected to the Director's determination of immateriality, or such other persons as the Director has reason to know may be interested in the application.

3. The Commission, unless the proposed amendment has been found to be immaterial, shall determine and make appropriate findings by a majority vote of the membership present whether the proposed development with the proposed amendment is consistent with the California Coastal Act and the certified local coastal program.

22.56.2540 Revocation of Coastal Development Permits.

In addition to the provisions pertaining to revocations contained in Part 13 of Chapter 22.56, the following shall apply to coastal development permits:

A. Grounds for revocation of a permit may also include:

1. Intentional inclusion of inaccurate, erroneous or incomplete information where the County finds that accurate and complete information would have caused additional or different conditions to be required on a permit or denial of an application:

2. Failure to comply with the notice provisions of Section 22.56.2400, where the views of the person not notified were not otherwise made known to the County and could have caused the County to require additional or different conditions on a permit or deny an application.

B. Initiation of proceedings to revoke a permit may be made by any person who did not have an opportunity to fully participate in the original permit proceeding because of the reasons stated in Subsection A of this Section and who applies to the Director specifying the particular grounds for revocation. The Director shall review the stated grounds for revocation and, unless the request is patently frivolous and without merit, shall initiate revocation proceedings. The Director may initiate revocation proceedings when the grounds for revocation have been established.

C. Where the Director determines that grounds exist for revocation of a permit, the operation of the permit shall be automatically suspended until the denial of

the request for revocation. The Director shall notify the permittee by mailing a copy of the request for revocation and a summary of the procedures contained in this Section and in Part 13 of Chapter 22.56, to the address shown in the permit application. The Director shall advise the applicant in writing that any development undertaken during suspension of the permit may be in violation of the California Coastal Act and subject to the penalties contained therein.

22.56.2550 Enforcement.

In addition to the enforcement provisions contained in this Title 22, the provisions of Chapter 9 of Division 20 of the California Public Resources Code shall also apply with respect to violations and enforcement.

Chapter 22.58 Commercial – Residential Zone.

Sections:

22.58.010 Purpose.
22.58.020 Applicability.
22.58.030 Land Use Regulations.
22.58.040 Development Standards.

22.58.010 Purpose.

The Commercial – Residential Zone, Zone ( )-CRS, is established to create areas in Zone C-3 for the combination of commercial and residential uses on the same property, subject to specific development standards or as approved by the Director. It is the intent of this Combining Zone to provide additional opportunities for housing development and to reduce transportation costs, energy consumption, and air pollution.

22.58.020 Applicability.

Zone ( )-CRS may be combined with Zone C-3. When ( )-CRS is combined with a basic zone, the letters "CRS" shall be added to the basic zone; for example, Zone C-3-CRS.

22.58.030 Land Use Regulations.

Property in Zone ( )-CRS may be used for the following uses:

A. Any permitted use or use subject to permit in Zone C-3, subject to the same permit or review application and standards; and

B. Notwithstanding Subsection A, above, the following uses, in compliance with this Subsection B:

1. A Minor Conditional Use Permit (Chapter 22.160) application may approve:

a. Any single-family residence, two-family residence, or apartment house; and

b. Commercial developments with residential uses, subject to Section 22.58.040 (Development Standards).

22.58.040 Development Standards.

A. Separation of Mixed Uses in Same Building. Commercial uses and residential uses shall not be established on the same floor, except that professional offices may be established on the same floor as residential uses, in accordance with the following:

1. Where professional offices and residential uses are located on the same floor, they shall not have common entrance hallways or entrance balconies, except for single-story structures; and

2. Where professional offices and residential uses have a common wall, such wall shall be constructed to minimize the transmission of noise and vibration.

B. Parking.

1. Parking spaces shall be provided for all uses, in compliance with Chapter 22.112 (Parking).

2. Commercial and residential parking spaces shall be specifically designated by signage, striping, pavement marking, or physical separation.

Chapter 22.60 Industrial Preservation Zone.

Sections:

22.60.010 Purpose.

22.60.020 Applicability.

22.60.030 Prohibited Uses.

22.60.010 Purpose.

The Industrial Preservation Zone, Zone ( )-IP, is intended to preserve industrially-zoned properties specifically for current and future industrial uses, labor-intensive activities, wholesale sales of goods manufactured on-site, major centers of employment, and limited employee-serving commercial uses. The Combining Zone serves to expressively prohibit uses that do not align with the purpose of this zone.

22.60.020 Applicability.

Zone ( )-IP may be combined with Zone M-1, M-1.5, M-2, M-2.5, M-3, MPD, B-1, B-2, and P-R properties. When Zone ( )-IP is combined with a basic zone, the letters "IP" shall be added to the basic zone; for example, Zone M-1-IP.

22.60.030 Prohibited Uses.

In addition to uses listed in Section 22.22.030.E (Prohibited Uses), premises in Zone ( )-IP shall not be used for the following uses listed in Table 22.60.030-A:

TABLE 22.60.030-A: USES PROHIBITED IN ZONE ( )-IP	
Amphitheaters, theaters, and other auditoriums, as principal uses	Ice cream shops

TABLE 22.60.030-A: USES PROHIBITED IN ZONE ( )-IP	
Amusement rides and devices, including merry-go-rounds, ferris wheels, swings, toboggans, slides, rebound-tumbling, zip-lines, and similar equipment for recreational use	Ice sales, retail only
Animal breeding facilities	Jewelry stores
Animal kennels, shelters, and pounds	Lapidary shops
Antique shops	Leather goods stores
Appliance stores, household	Libraries
Aquaria	Live entertainment, accessory
Arboretums and horticultural gardens	Livestock breeding, feeding, grazing, keeping, and raising, including horses and other equine, cattle, sheep, goats, alpacas, llamas, pigs, and hogs
Arcades, game or movie	Livestock feed and sales yards
Archery ranges	Locksmith shops
Art galleries	Lodge halls
Art supply stores	Massage parlors
Athletic fields and stadiums	Menageries, zoos, animal exhibitions, or other facilities for the keeping or maintaining of wild animals
Auction houses	Millinery shops
Barber shops	Mobilehome sales
Bars and cocktail lounges	Model home display centers and sales offices
Baseball parks	Mortuaries
Beauty shops	Museums
Bicycle, motorcycle, and motorscooter sales and rentals	Music stores
Billiard and pool halls	Nightclubs
Boat and other marine sales and rentals	Notions or novelty stores
Body piercing parlors	Observatories
Bookstores	Outdoor festivals
Bowling alleys	Outdoor skating rinks
Boxing arenas	Paint and wallpaper stores
Candy stores and confectioneries	Pawnshops
Car washes, automatic, coin-operated, and hand wash	Permanent cosmetics parlors
Card rooms or clubs	Pet cemeteries and crematories
Carnivals, commercial or otherwise	Pet grooming services
Ceramics shops, retail only	Pet stores and pet supply stores
Churches, temples, or other places of religious worship	Photographic equipment and supply stores
Circuses and wild or domestic animal exhibitions	Plant nurseries, including the growing of nursery stock
Clothing stores	Race tracks of any kind

TABLE 22.60.030-A: USES PROHIBITED IN ZONE ( )-IP	
Comfort stations and restroom facilities	Radio and television stores
Community centers	Raising of poultry, fowl, birds, rabbits, chinchilla, nutria, mice, frogs, fish, bees, earthworms, and other similar animals of comparable nature, form and size, including hatching, fattening, marketing, sale, and including eggs, honey, or similar products derived therefrom
Community gardens	Recreation clubs, including tennis, polo, swimming, and similar outdoor recreational activities
Correctional institutions, including camps, honor farms, jails, and juvenile halls	Recreational vehicle sales and rentals
Costume rentals	Retail stores, as principal uses
Crops	Revival meetings in tents
Dairies	Riding academies and stables, including the boarding of horses
Dance halls, indoor	Riding and hiking trails, including trails for motor vehicles
Dance pavilions, outdoor	Rifle, pistol, skeet, or trap ranges
Dental clinics	Secondhand stores
Department stores	Self-service storage facilities
Dog training schools	Shoe repair shops
Domestic violence shelters	Shoe stores
Dress shops	Shooting galleries
Drugstores	Sightseeing agencies
Escort bureaus	Silver shops
Farmers' markets	Skating rinks, ice or roller
Feed and grain sales	Sporting goods stores
Florist shops	Stables for the boarding, raising, or training of horses
Furniture and appliance sales and rentals	Stamp redemption centers
Furrier shops	Stationary stores
Games of skill	Steam or sauna baths
Gift shops	Swap meets
Glass and mirror sales	Swimming pools
Golf courses and driving ranges, including miniature golf courses	Tasting rooms, remote
Grange halls	Tattoo parlors
Greenhouses	Tennis, volleyball, badminton, croquet, lawn bowling, and similar courts
Gymnasiums	Theaters, drive-in
Health food stores	Tobacco shops
Hobby supply stores	Tourist information centers
Holiday and season sales	Toy stores
Homeless shelters	Watch repair shops

TABLE 22.60.030-A: USES PROHIBITED IN ZONE ( )-IP	
Hospital equipment and supply rentals	Wedding chapels
Humane societies	Yarn and yardage stores

Chapter 22.68 Supplemental Districts.

Sections:

22.68.010 Purpose and Applicability.

22.68.020 Establishment, Expansion, and Repeal.

22.68.010 Purpose and Applicability.

Supplemental Districts, established in Section 22.06.040 (Supplemental Districts), are established to carry out specific purposes by regulating specific uses and imposing requirements that apply in designated geographic areas.

22.68.020 Establishment, Expansion, and Repeal.

A. New Supplemental Districts and the delineation, expansion, or repeal of Supplemental Districts may be established by the Board or Commission, in compliance with Chapter 22.244 (Ordinance Amendments).

B. Delineation, expansion, or repeal of Supplemental Districts may be established by filing an application in compliance with Chapter 22.198 (Zone Changes). In addition, the application shall include evidence that the applicant:

1. Is an owner of the property involved; or

2. Has written permission of an owner of all or a portion of the property involved.

C. New Supplemental Districts may be established without being delineated on the Zoning Map.

Chapter 22.70 Equestrian Districts.

Sections:

22.70.010 Purpose.

22.70.020 Applicability and Land Use Regulations.

22.70.030 Establishment, Expansion, or Repeal of Equestrian Districts.

22.70.040 Established Equestrian Districts.

22.70.050 Development Standards.

22.70.010 Purpose.

Equestrian Districts are established to recognize areas where the keeping of horses and other large domestic animals for residents' personal use has become or is intended to become integral to the character of the area. An Equestrian District (EQD) permits the keeping of horses and other large domestic animals as accessory to residential uses and is subject to development standards intended to ensure compatibility with surrounding areas and within the EQD itself while also taking the individual characteristics of the particular area under consideration.

22.70.020 Applicability and Land Use Regulations.

Property in an EQD may be used for any use permitted in the basic zone, subject to the same standards of that zone. This Chapter shall supersede provisions in this Title 22 which regulate the keeping of horses and other large domestic animals

(animals), including other equine, cattle, sheep, and goats, as accessory to a residential use.

22.70.030 Establishment, Expansion, or Repeal of Equestrian Districts.

A. Establishment, Expansion, or Repeal. In addition to Section 22.68.020.B, no petition for the establishment, expansion, or repeal of an EQD shall be accepted unless signed by at least 75 percent of the property owners within the area under consideration.

B. Requirements for Establishment or Expansion. An EQD may be established or expanded where the proposed district will comply with the following requirements:

1. Area. The proposed EQD shall contain a minimum area of five acres. The expansion of an existing EQD may be considered on less than five acres, where it is an orderly and contiguous extension of an existing EQD.

2. Buffer Area.

a. Animals regulated by the proposed EQD shall be separated by a buffer area from any lot which is used for residential purposes or located in a Residential Zone or Zone A-1 having the potential for residential development and not within the EQD. Such buffer area shall consist of:

i. A designated setback of not less than 25 feet, located contiguous to and within the boundaries of the proposed EQD. Such setback shall provide a permanently established buffer within which animals regulated by such district will not be kept or maintained; or

ii. A physical separation in lieu of such setback located contiguous to and either outside or inside of the boundary of the proposed EQD, which provides an equivalent setback or satisfactorily eliminates the need for such setback, within the intent of this Section. Such physical separation may consist of, but is not limited to, a public street, highway, riding trail or other public or private easement, or an appropriate topographical separation.

b. Where animals to be regulated within the proposed EQD are permitted in the same or greater numbers on property contiguous to its boundary, the Commission may recommend, and the Board may waive, such setback along the common boundary in adopting the District.

3. Findings. In addition to the findings in Section 22.198.050 (Findings and Decision), the Commission may recommend approval of a petition requesting the establishment of an EQD where the information submitted or presented at the public hearing substantiates the following findings:

a. That the requested animals within the proposed EQD will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare; and

b. That the properties in the EQD are adequate in size and shape to accommodate the requested animals without material detriment to the use, enjoyment, or valuation of property of other persons located in the vicinity of the EQD.

4. Conditions of Approval. The Commission may recommend, and the Board may impose conditions as deemed necessary to ensure that animals permitted in an EQD will be kept in compliance with the findings required by Subsection B.3, above. Conditions imposed may involve any pertinent factors affecting the establishment, operation, and maintenance of the requested EQD, including, but not limited to:

a. The number and location of animals permitted;

b. The type, and construction of corrals, stables, or other structures used for the housing of such animals;

c. Fencing requirements;

d. Required setbacks; or

e. The inclusion of riding areas or equestrian trails within the EQD.

22.70.040 Established Equestrian Districts.

Established EQDs are listed in Table 22.70.040-A, below. These EQDs are shown on the Zoning Map and are incorporated with all provisions specified in each respective ordinance of adoption.

TABLE 22.70.040-A: ESTABLISHED EQUESTRIAN DISTRICTS			
Equestrian Zone Number	***District Name***	***Ordinance of Adoption***	***Date of Adoption***
EQD-1	Rancho Potrero De Felipe Lugo	11297	1-27-1976
EQD-2	West Altadena	11301	2-17-1976
EQD-3	Pellissier Village	11384	7-27-1976
EQD-4	Kinneloa Mesa	11515	4-26-1977
EQD-5	Trailside Ranch	11690	4-4-1978
EQD-6	Beverly Acres	11841	12-28-1978
EQD-7	Avocado Heights	91-0054Z	4-9-1991

22.70.050 Development Standards.

A. General Development Standards.

1. Maintenance. All animals authorized to be kept in an EQD shall be maintained in a safe and healthy manner, in compliance with all applicable regulations provided in any other statute or ordinance.

2. Stable and Corral.

a. Animals shall be kept in a stable or fenced corral.

b. No part of any stable or corral shall be located within 35 feet from any existing habitable structure.

c. No part of any stable or corral shall be located within 100 feet of an existing school building or hospital building.

B. Agency Review. As part of the review of an application for a project in an EQD, the Director shall notify and request reports from the Departments of Animal Care and Control and Public Health regarding the ability of the applicant to maintain such animals properly as indicated in the application and site plan.

C. Equestrian District Specific Development Standards.

1. Rancho Potrero De Felipe Lugo. The maximum number of animals in EQD-1: Rancho Potrero De Felipe Lugo shall comply with Table 22.70.050-A and Figure 22.70.050-A: Rancho Potrero De Felipe Lugo, below.

TABLE 22.070.050-A: EQD-1: RANCHO POTRERO DE FELIPE LUGO	
Net Size of Lot	***Maximum Number of Animals Permitted Per Lot***
Under 6,400 square feet	1
6,400 – 7999 square feet	2
8,000 – 9,499 square feet	3
9,500 – 10,999 square feet	4
11,000 – 12,499 square feet	5
12,500 – 19,999 square feet	6
20,000 – 39,999 square feet	7
Over 40,000 square feet	1 additional animal per each additional 5,000 square feet

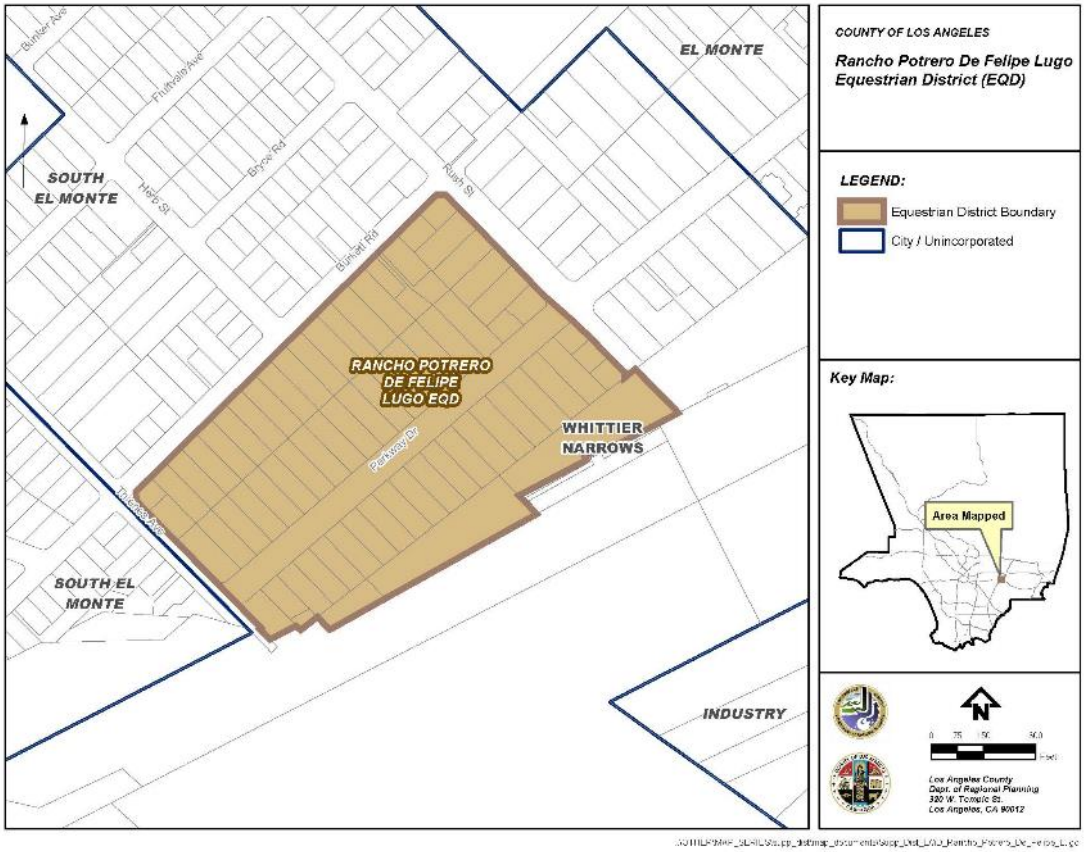


FIGURE 22.70.050-A: RANCHO POTRERO DE FELIPE LUGO

2. West Altadena. The maximum number of animals in EQD-2: West Altadena shall comply with Table 22.70.050-B and Figure 22.70.050-B: West Altadena, below.

TABLE 22.70.050-B: EQD-2: WEST ALTADENA	
Net Size of Lot	***Maximum Number of Animals Permitted Per Lot***
3,750 – 7,499 square feet	1
7,500 – 11,249 square feet	2
11,250 – 14,999 square feet	3
15,000 – 18,749 square feet	4
18,750 – 22,499 square feet	5
22,500 – 26,249 square feet	6
26,250 – 29,999 square feet	7
30,000 – 44,999 square feet	8
45,000 – 49,999 square feet	9
50,000 – 54,999 square feet	10
55,000 – 59,999 square feet	11
60,000 – 64, 999 square feet	12
65,000 square feet and over	1 additional animal per each additional 5,000 square feet

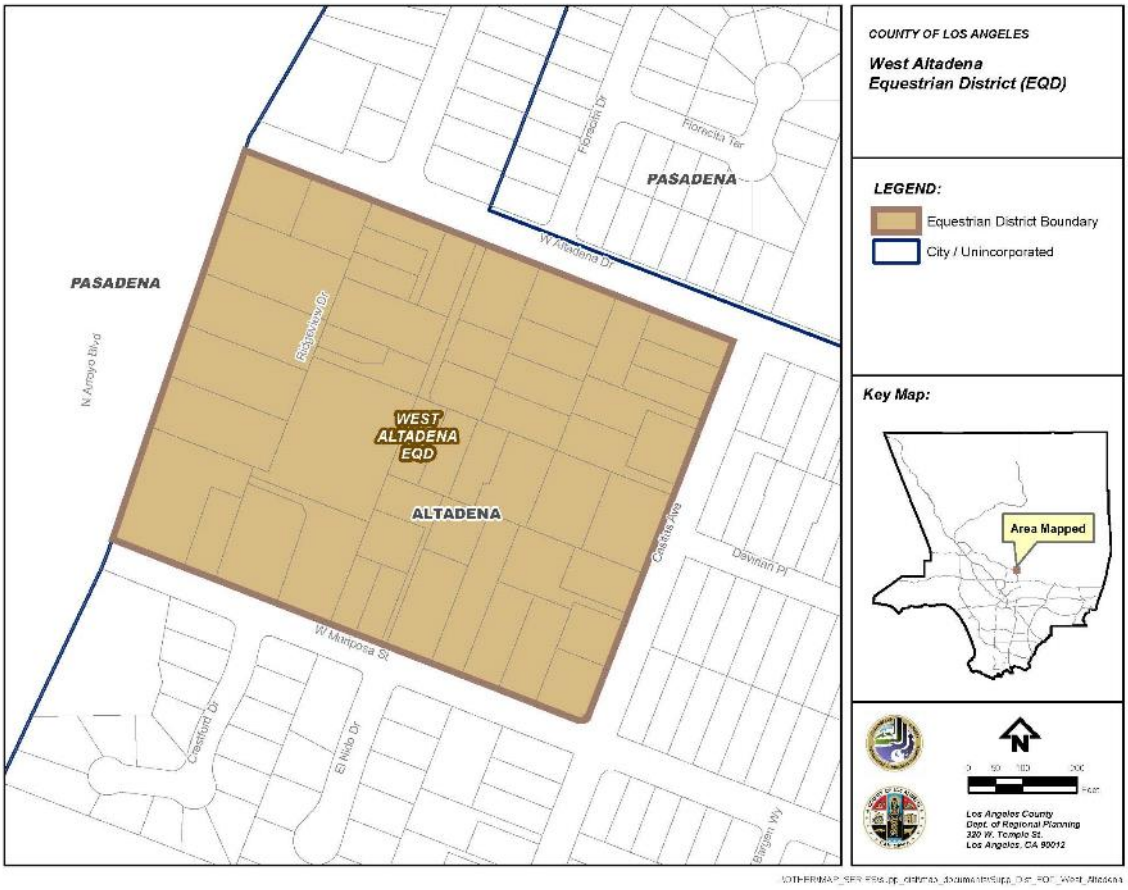


FIGURE 22.70.050-B: WEST ALTADENA

3. Pellissier Village. The maximum number of animals in EQD-3: Pellissier Village shall comply with Table 22.70.050-C and Figure 22.70.050-C: Pellissier Village, below.

TABLE 22.70.050-C: EQD-3: PELLISSIER VILLAGE	
Net Size of Lot	***Maximum Number of Animals Permitted Per Lot***
Under 5,000 square feet	1
5,000 – 5,999 square feet	2
6,000 – 7,999 square feet	3
8,000 – 10,999 square feet	4
11,000 – 16,999 square feet	5
17,000 – 24,999 square feet	6

TABLE 22.70.050-C: EQD-3: PELLISSIER VILLAGE	
Net Size of Lot	***Maximum Number of Animals Permitted Per Lot***
25,000 – 29,999 square feet	7
40,000 – 44,999 square feet	8
45,000 square feet and over	1 additional animal per each additional 5,000 square feet

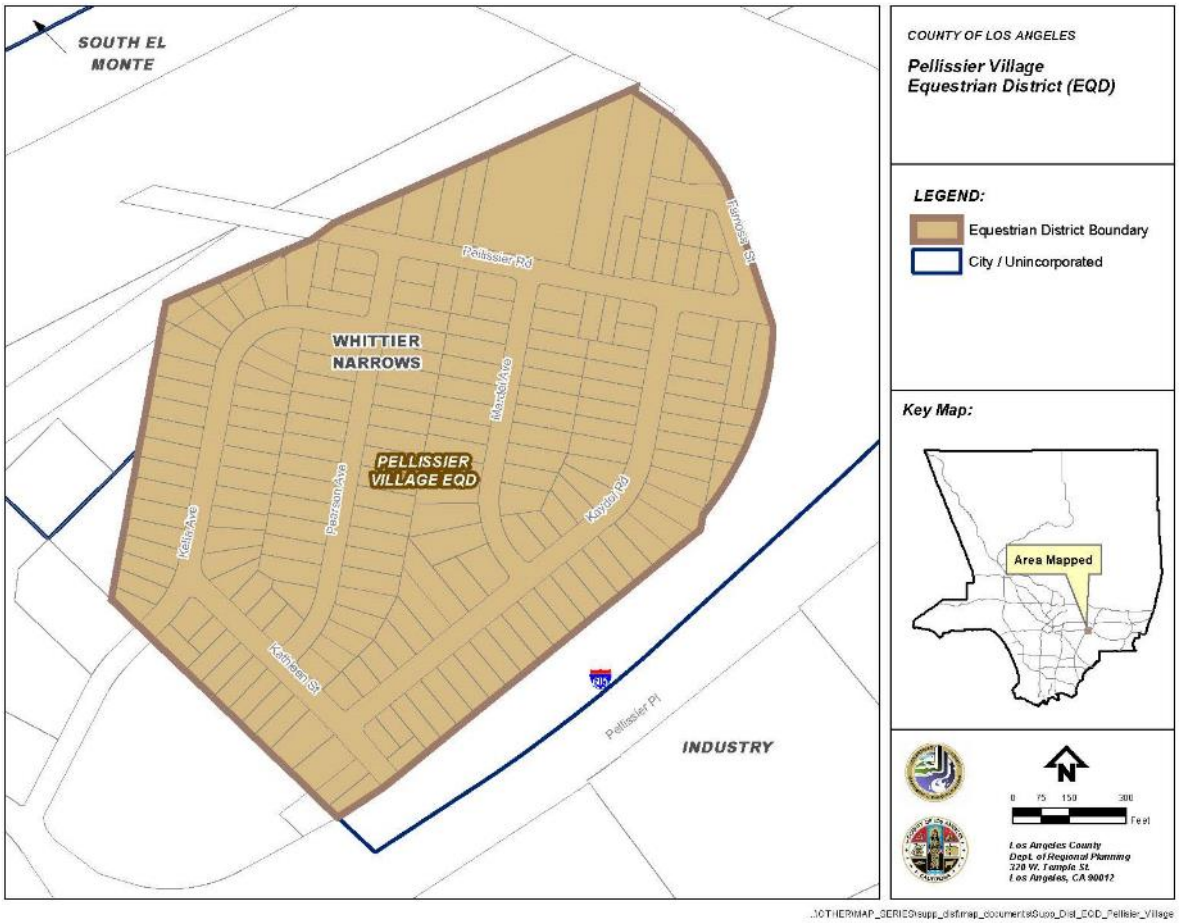


FIGURE 22.70.050-C: PELLISSIER VILLAGE

4. Kinneloa Mesa. The maximum number of animals in EQD-4: Kinneloa Mesa shall comply with Table 22.70.050-D and Figure 22.70.050-D: Kinneloa Mesa, below.

TABLE 22.70.050-D: EQD-4: KINNELOA MESA	
Net Size of Lot	***Maximum Number of Animals Permitted Per Lot***
Under 5,000 square feet	1
5,000 – 5,899 square feet	2
6,000 – 7,999 square feet	3
8,000 – 10,999 square feet	4
11,000 – 16,999 square feet	5
17,000 – 24,999 square feet	6
25,000 – 29,999 square feet	7
40,000 – 44,999 square feet	8
45,000 square feet and over	1 additional animal per each additional 5,000 square feet

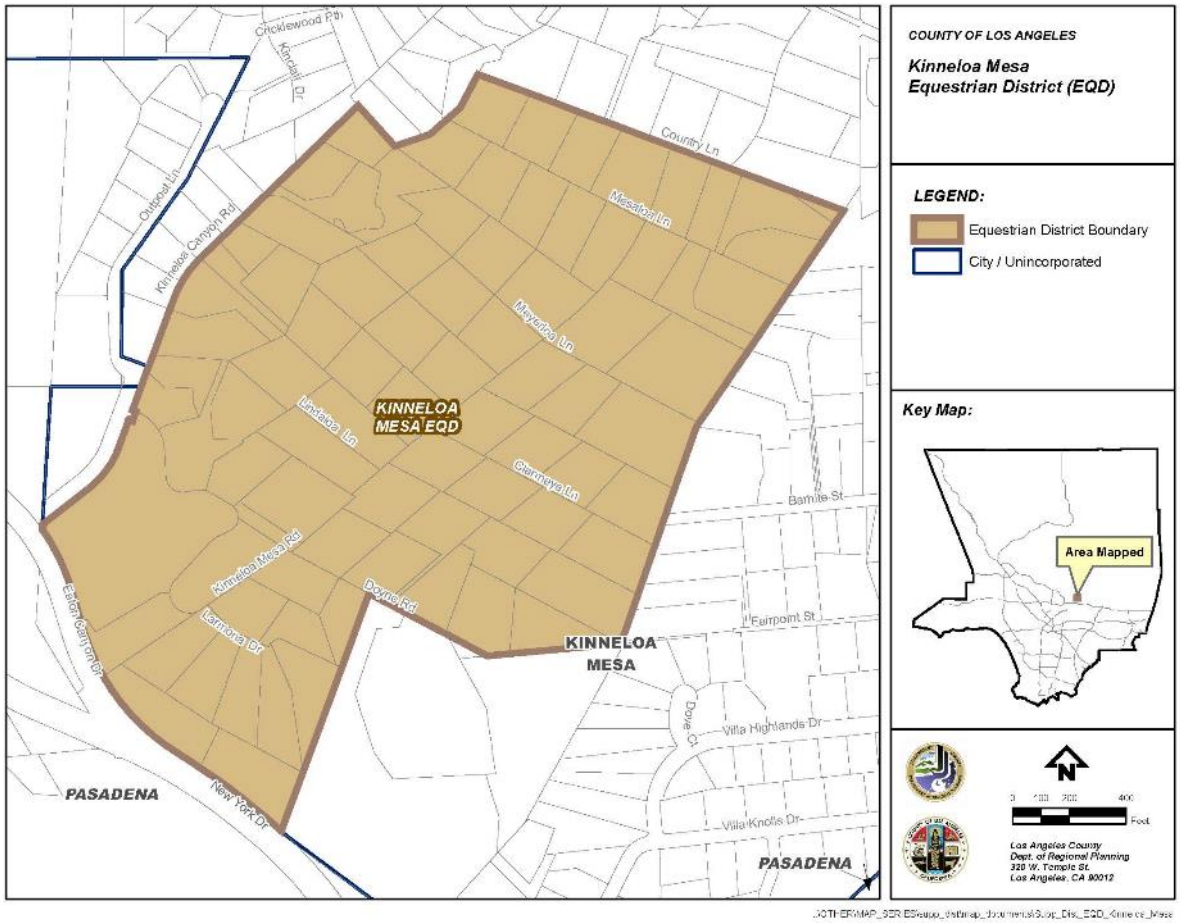


FIGURE 22.70.050-D: KINNELOA MESA

5. Trailside Ranch. The maximum number of animals in EQD-5: Trailside Ranch shall comply with Table 22.70.050-E and Figure 22.70.050-E: Trailside Ranch, below.

TABLE 22.70.050-E: EQD-5: TRAILSIDE RANCH	
Net Size of Lot	***Maximum Number of Animals Permitted Per Lot***
10,000 square feet	2
10,001 square feet and over	1 additional animal per each additional 5,000 square feet

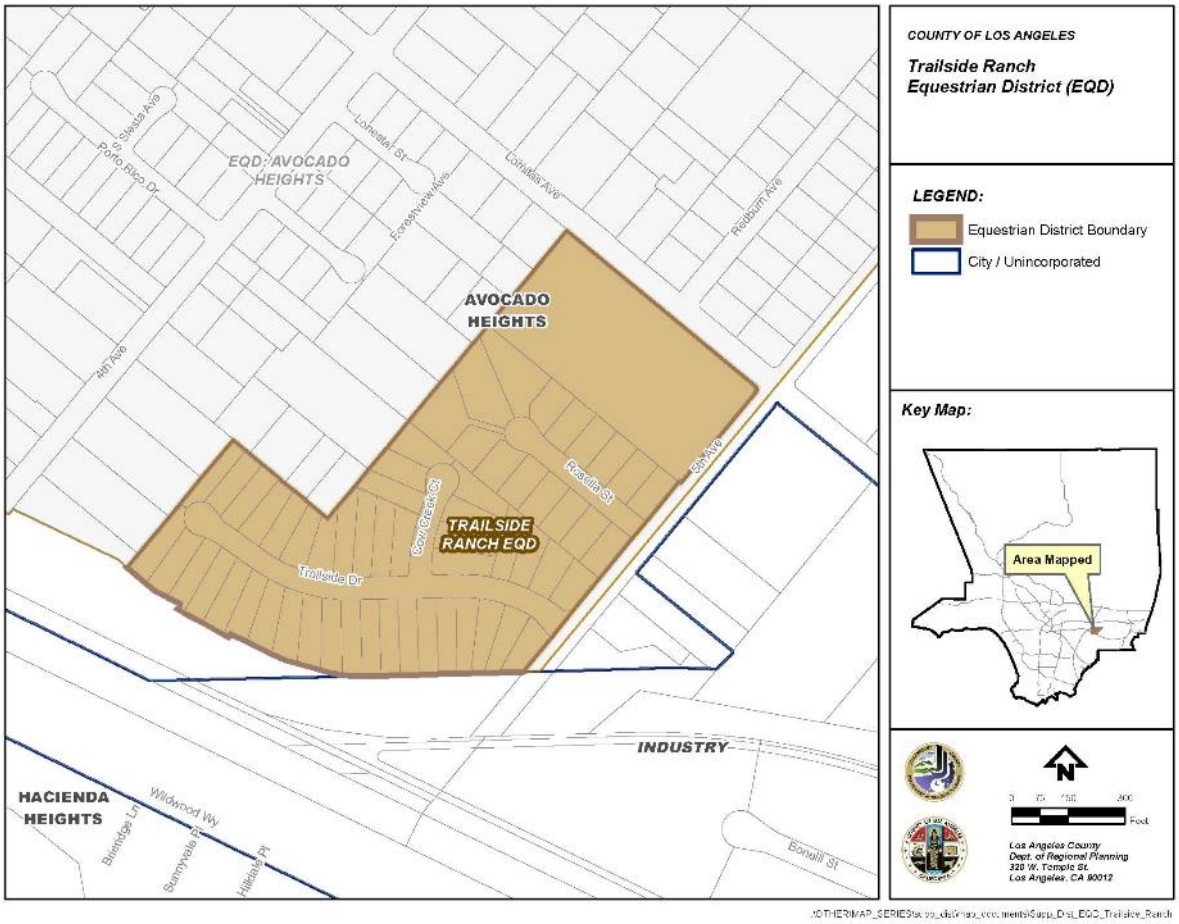


FIGURE 22.70.050-E: TRAILSIDE RANCH

6. Beverly Acres. The maximum number of animals in EQD-6: Beverly Acres shall comply with Table 22.70.050-F and Figure 22.70.050-F: Beverly Acres, below.

TABLE 22.70.050-F: EQD-6: BEVERLY ACRES	
Net Size of Lot	***Maximum Number of Animals Permitted Per Lot***
5,000 – 8,499 square feet	1
8,500 – 13,499 square feet	2
13,500 – 19,999 square feet	3
20,000 square feet and over	1 additional animal per each additional 5,000 square feet

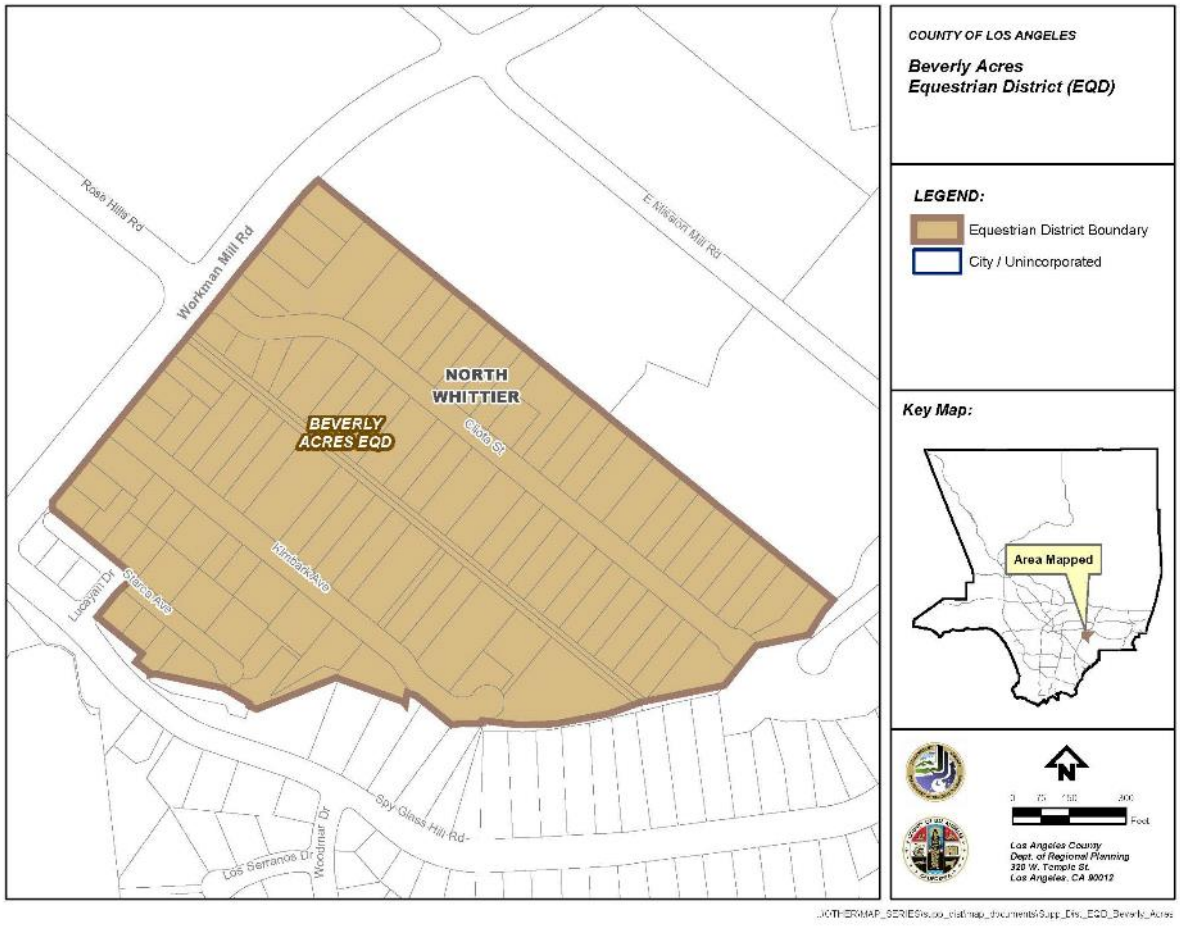


FIGURE 22.70.050-F: BEVERLY ACRES

7. Avocado Heights. EQD-7: Avocado Heights shall comply with this Subsection C.7.

a. Number of Animals. The maximum number of animals shall comply with Table 22.70.050-G and Figure 22.70.050-G: Avocado Heights, below.

TABLE 22.70.050-G: EQD-7: AVOCADO HEIGHTS	
Net Size of Lot	***Maximum Number of Animals Permitted Per Lot***
10,000 – 14,999 square feet	2
Over 15,000 square feet	1 additional animal per each additional 5,000 square feet

b. Additional Regulations. In Zone B-1:

i. Animals shall not be maintained; and

ii. Trails shall not be established.

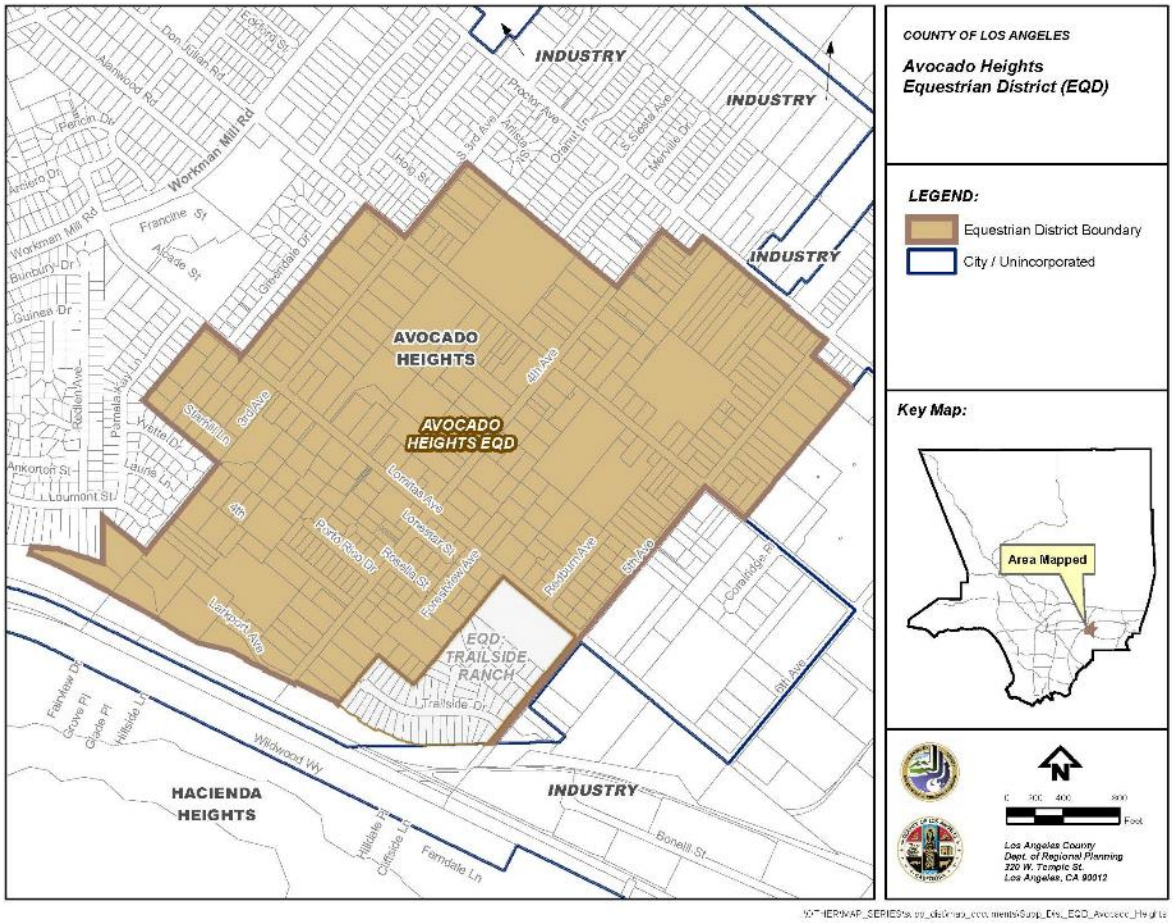


FIGURE 22.70.050-G: AVOCADO HEIGHTS

Chapter 22.72 Setback Districts.

Sections:

22.72.010 Purpose.

22.72.020 Front Yard Setback Districts.

22.72.030 District Maps.

22.72.040 Modification of Setback Requirements.

22.72.010 Purpose.

Setback Districts are established to develop properties with minimum building setbacks in designated yards. This Chapter shall supersede other provisions in this Title 22 that require building setbacks in designated yards.

22.72.020 Front Yard Setback Districts.

Established Front Yard Setback Districts are listed in Table 22.72.020-A, below. Front Yard Setback Districts are shown on the Zoning Map and are incorporated with all provisions specified in each respective ordinance of adoption.

TABLE 22.72.020-A: FRONT YARD SETBACK DISTRICTS

District Number	*District Name*	*Ordinance of Adoption*	*Date of Adoption*
1	City Terrace	2179	11-25-1932
3	Walnut Park	2189	12-12-1932
4	Southwest	2190	12-12-1932
5	Second Unit Eastside	2191	12-12-1932
6	First Unit Eastside	2426	3-5-1934
7	Altadena Unit No. 1	3757	1-14-1941
8	Altadena Unit No. 2	3854	5-20-1941
9	E. Pasadena Unit No. 1	3900	7-15-1941

12	Altadena Unit No. 3	5541	5-9-1950
13	Whittier Downs, Dist. No. 43, Tr. No. 10411	5600	9-19-1950
14	Southwest Puente	6526	8-24-1954

22.72.030 District Maps.

The boundaries of the Setback Districts are shown on Figures 22.72.030-A through Q, at the end of this Chapter.

22.72.040 Modification of Setback Requirements.

Every lot in a Setback District shall conform to the building setbacks established by this Chapter, except where a subject lot adjoins another lot that fronts on the same highway, parkway, or street that has a lesser setback or yard, the building setback shall be the average of the building setbacks or yards of the adjacent lots on both sides of the

subject lot. Otherwise, the setback shall conform to the distance established for the lot in this Title 22.

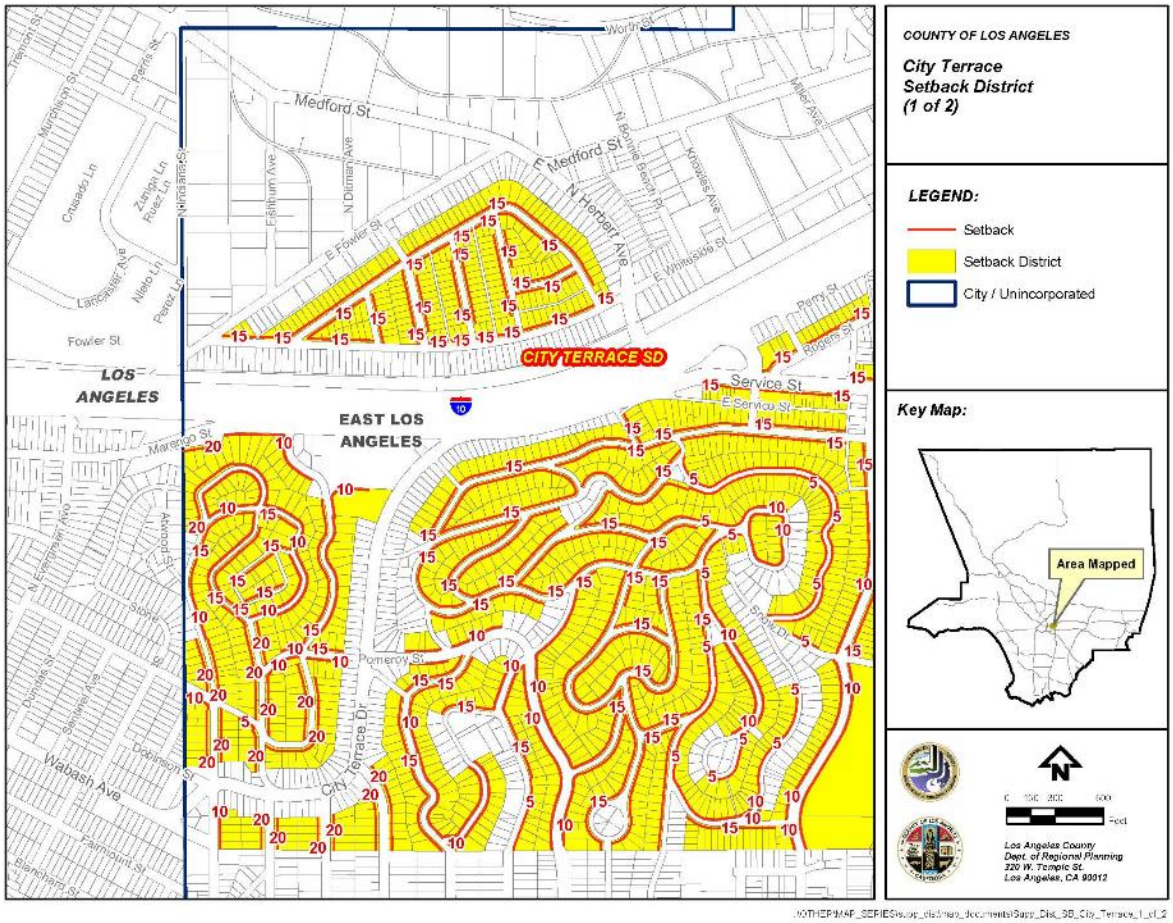


FIGURE 22.72.030-A: CITY TERRACE

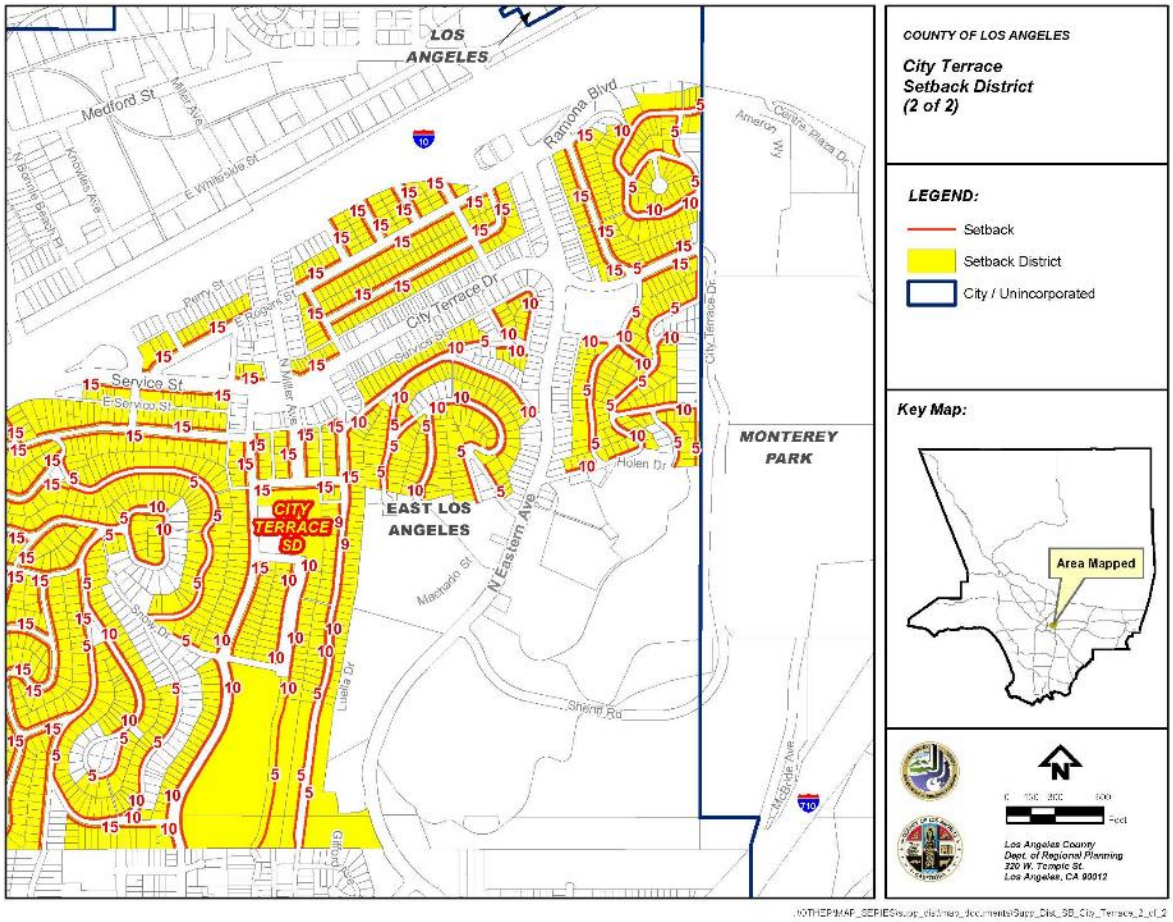


FIGURE 22.72.030-B: CITY TERRACE

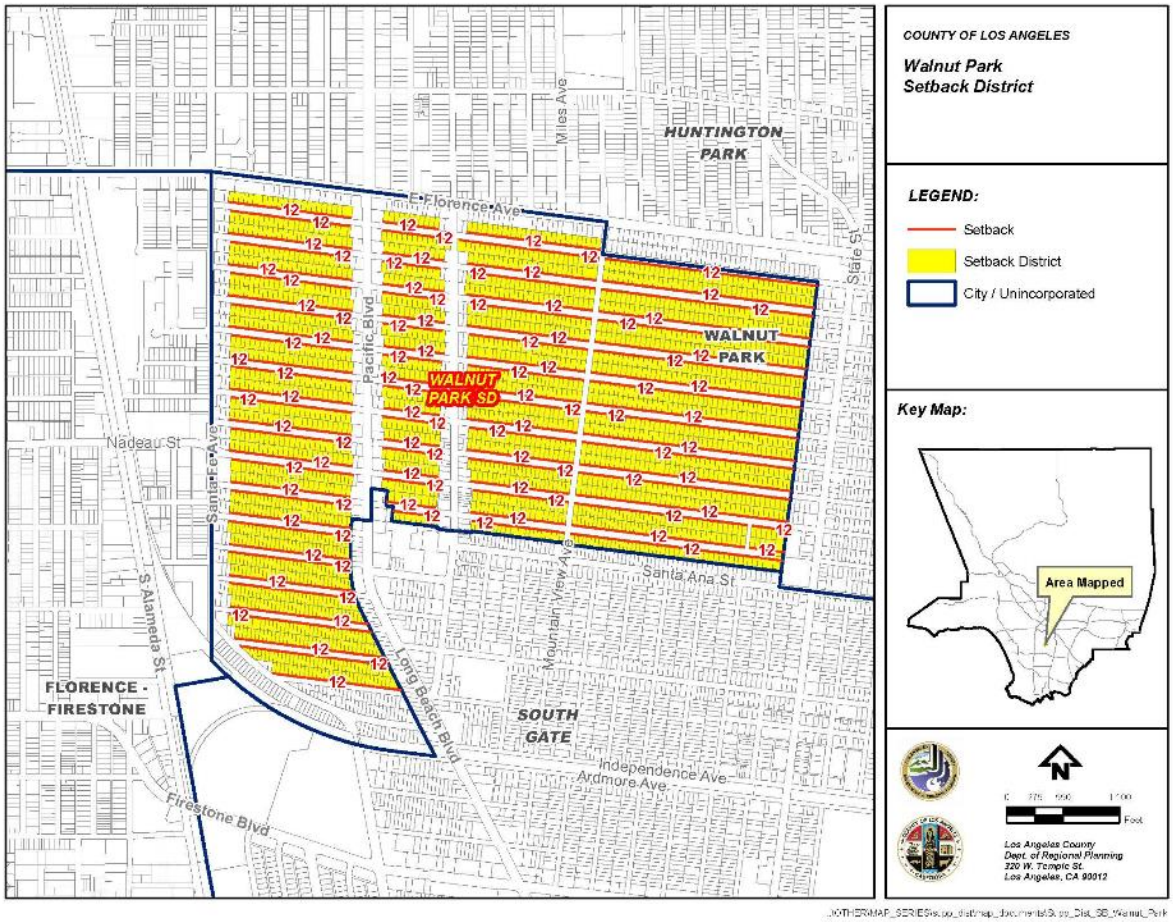


FIGURE 22.72.030-C: WALNUT PARK

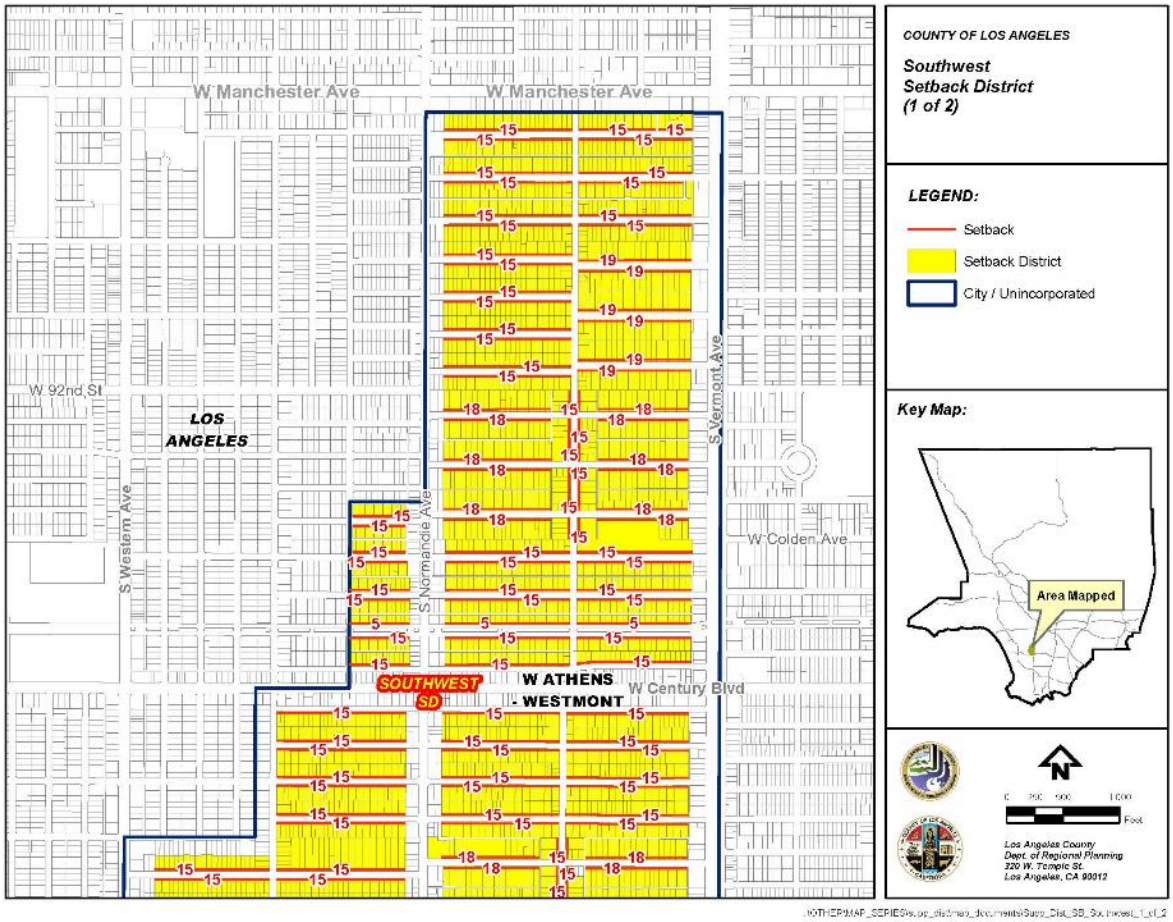


FIGURE 22.72.030-D: SOUTHWEST

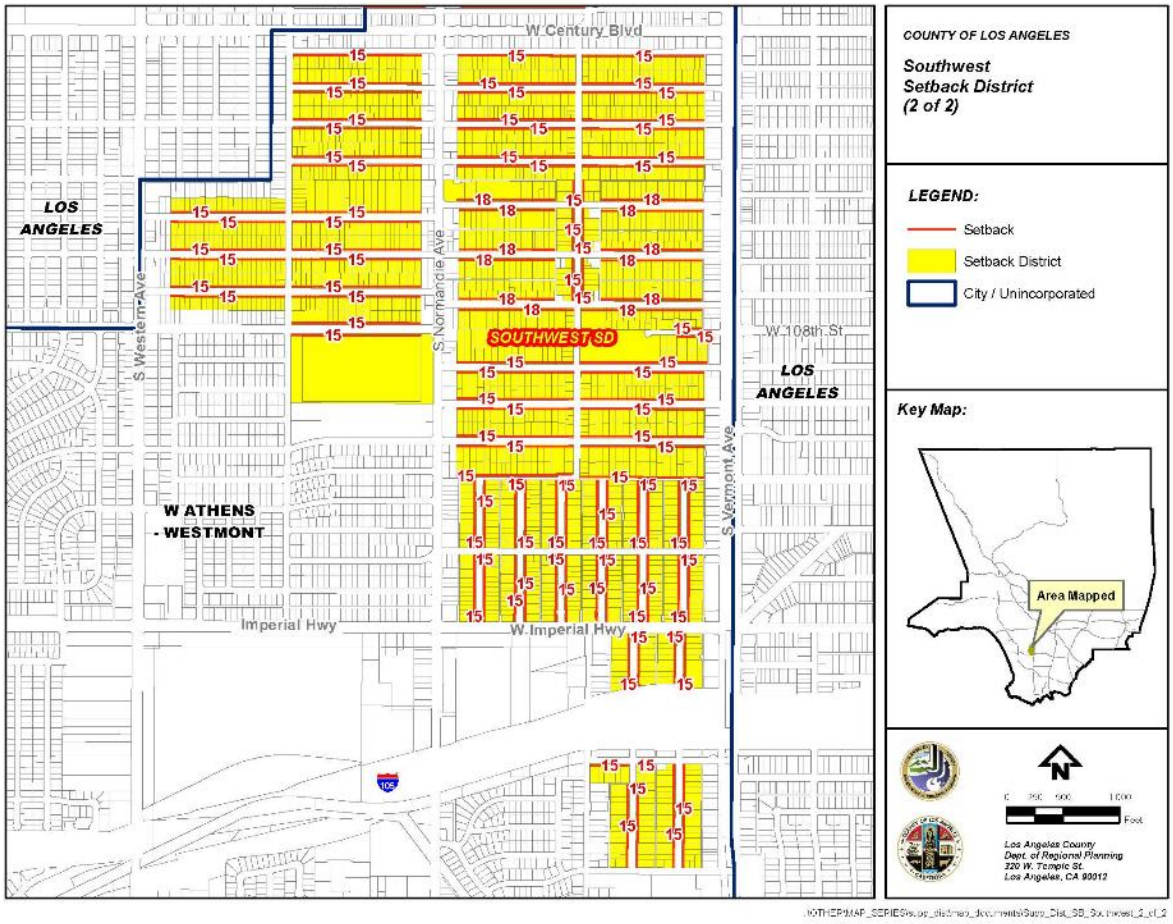


FIGURE 22.72.030-E: SOUTHWEST



FIGURE 22.72.030-F: SECOND UNIT EASTSIDE

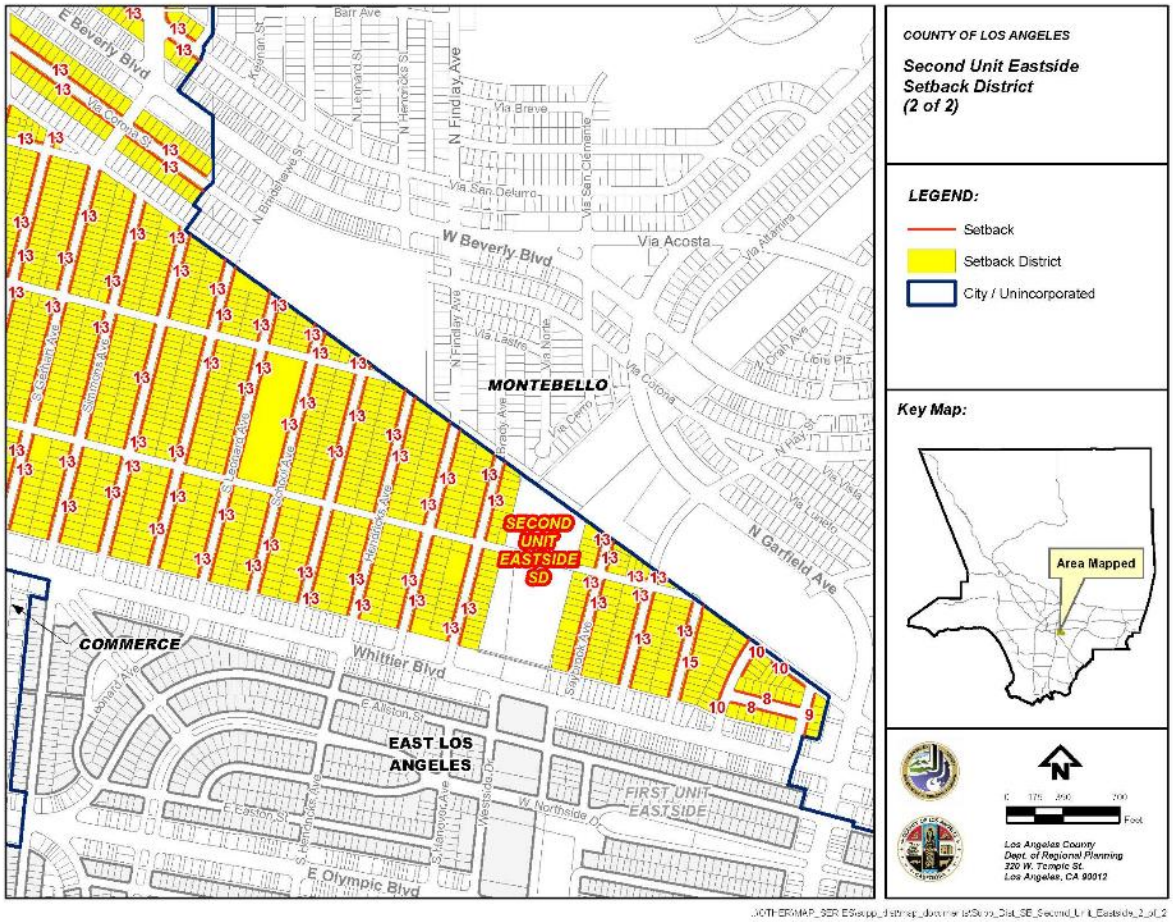


FIGURE 22.72.030-G: SECOND UNIT EASTSIDE

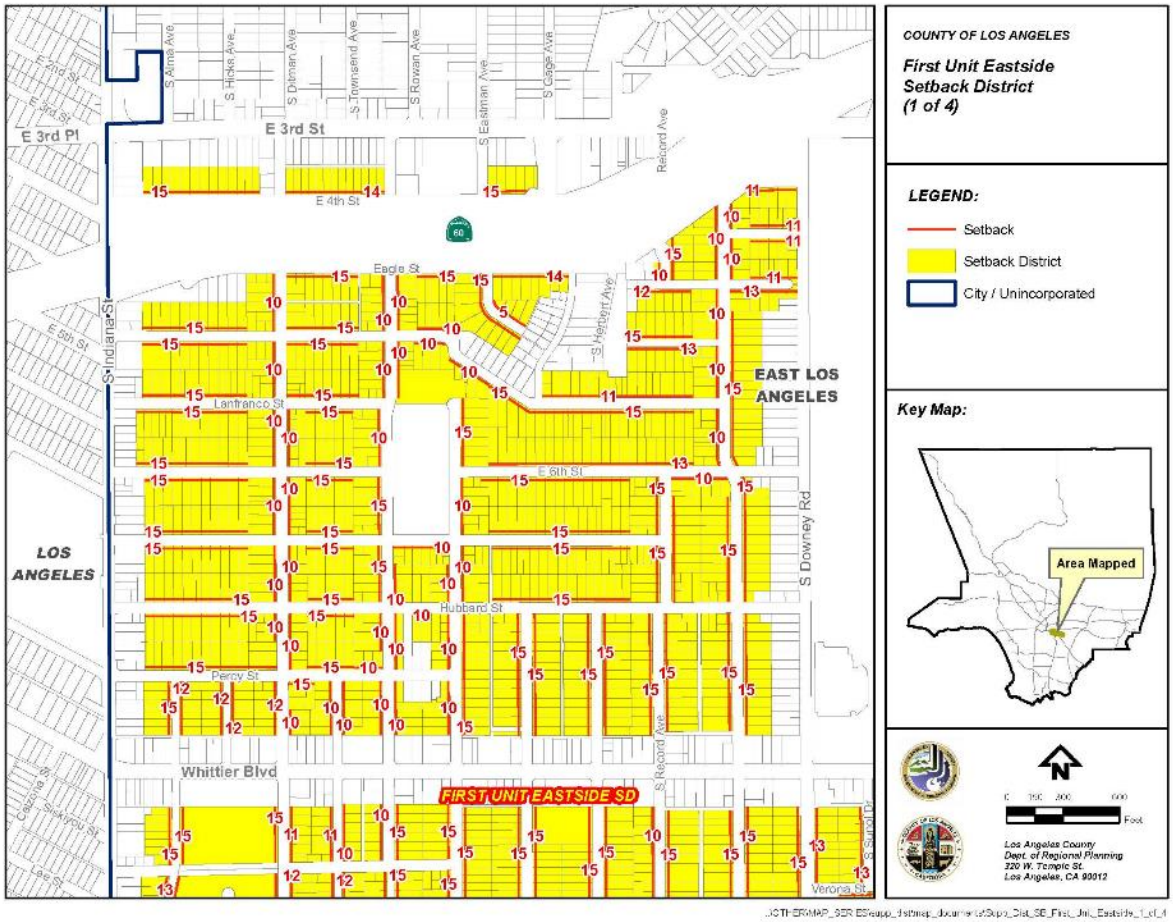


FIGURE 22.72.030-H: FIRST UNIT EASTSIDE



FIGURE 22.72.030-I: FIRST UNIT EASTSIDE



FIGURE 22.72.030-J: FIRST UNIT EASTSIDE

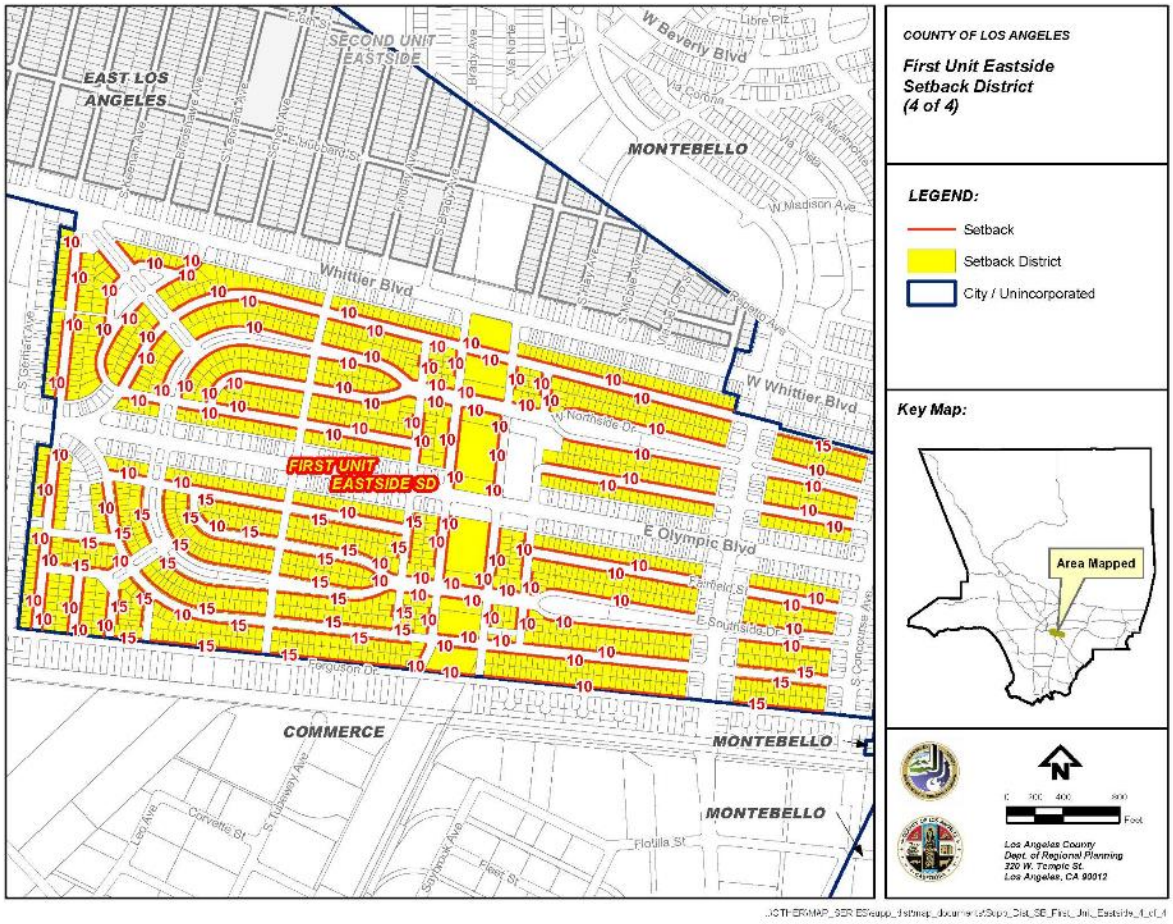


FIGURE 22.72.030-K: FIRST UNIT EASTSIDE

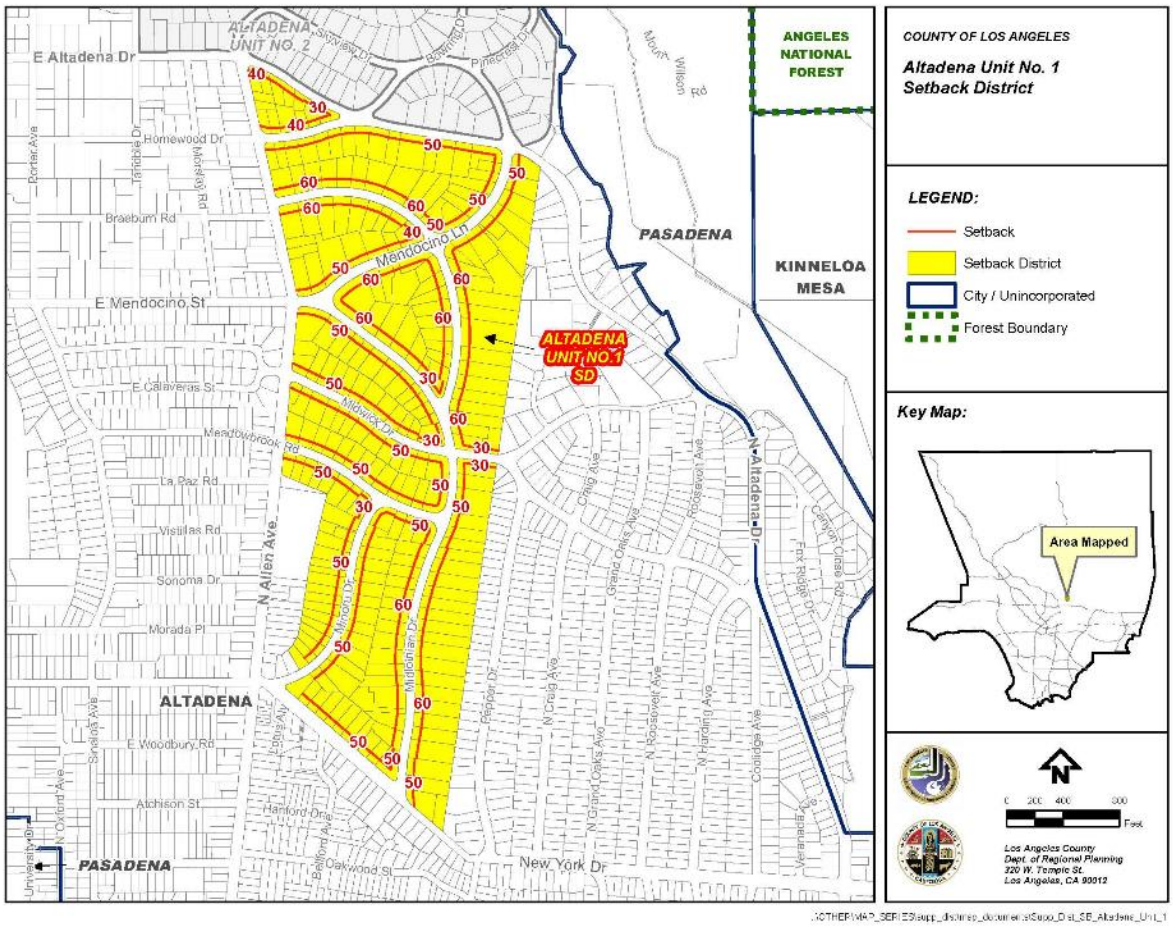


FIGURE 22.72.030-L: ALTADENA UNIT NO. 1

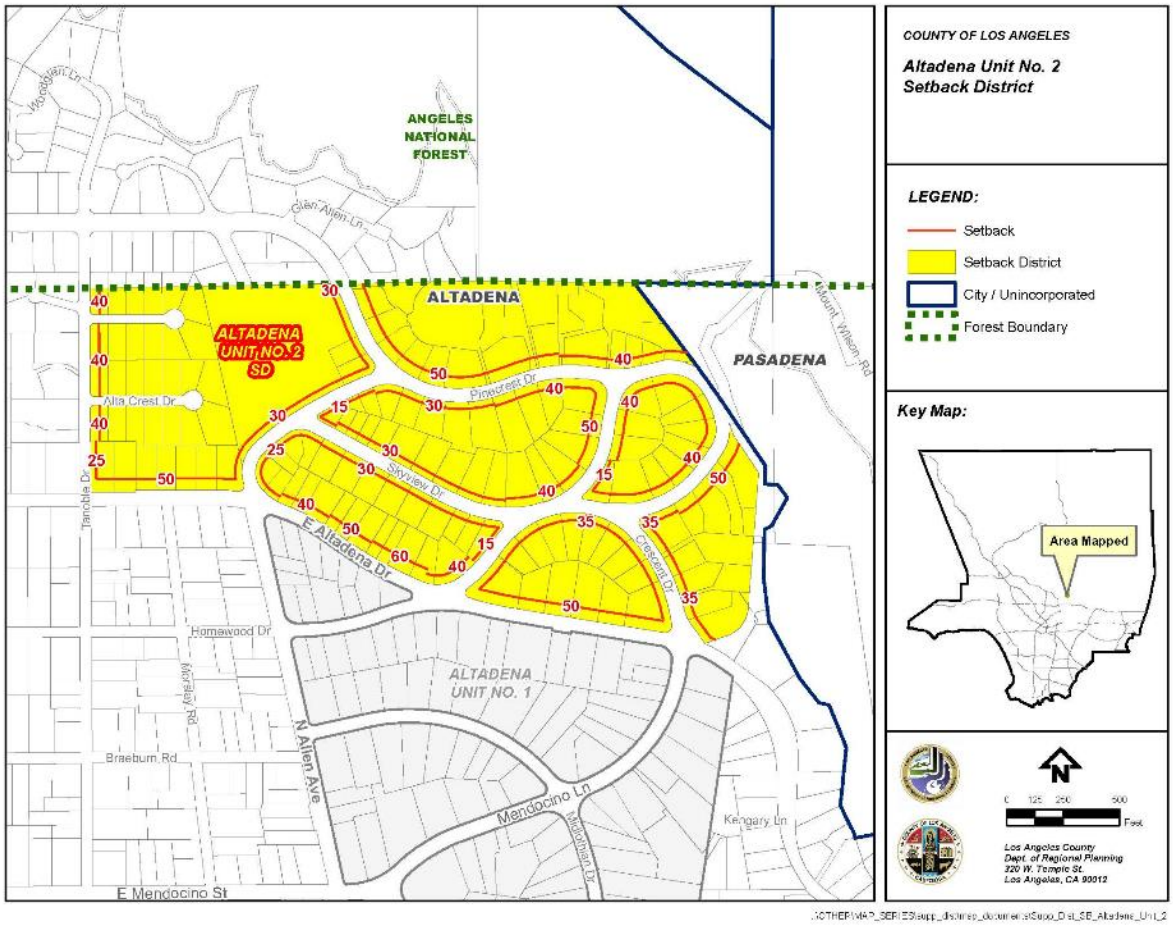


FIGURE 22.72.030-M: ALTADENA UNIT NO. 2

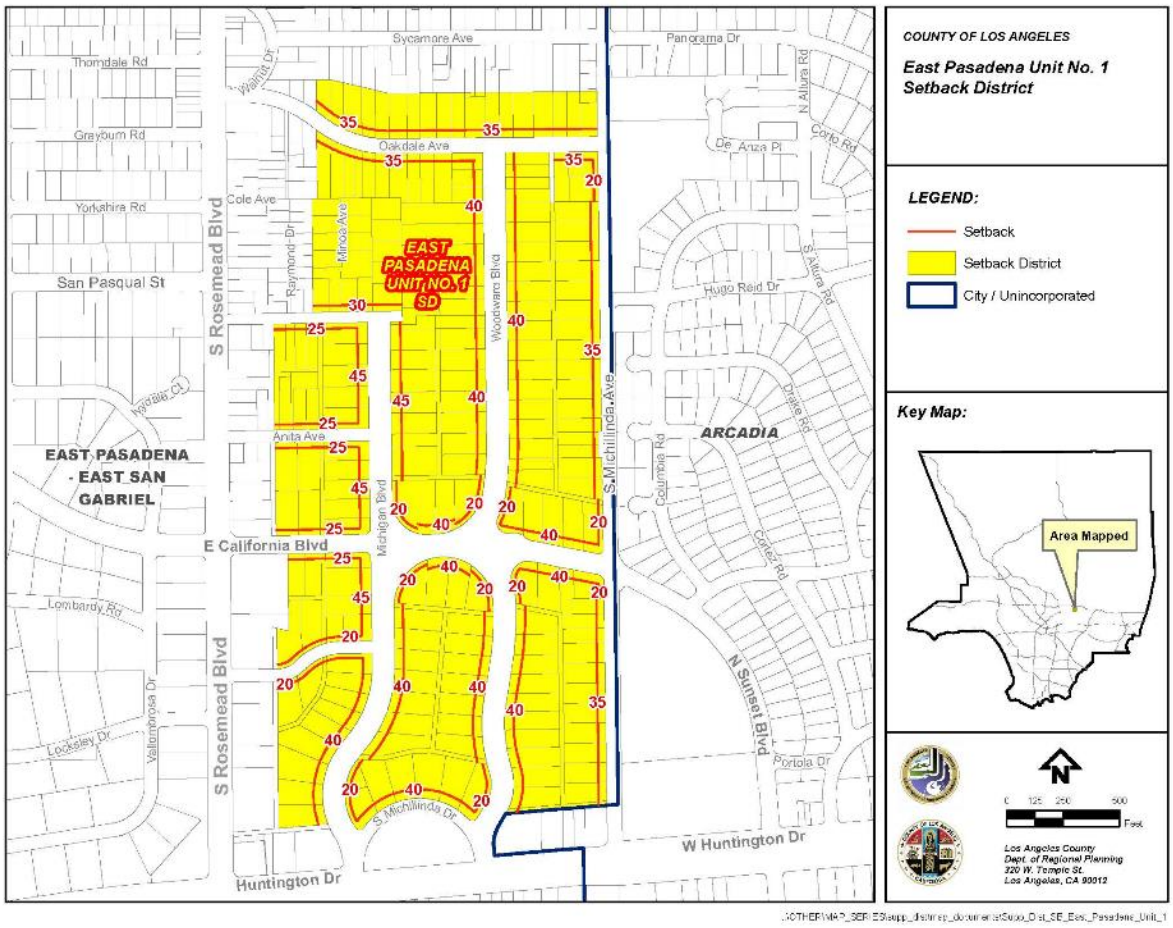


FIGURE 22.72.030-N: EAST PASADENA UNIT NO. 1

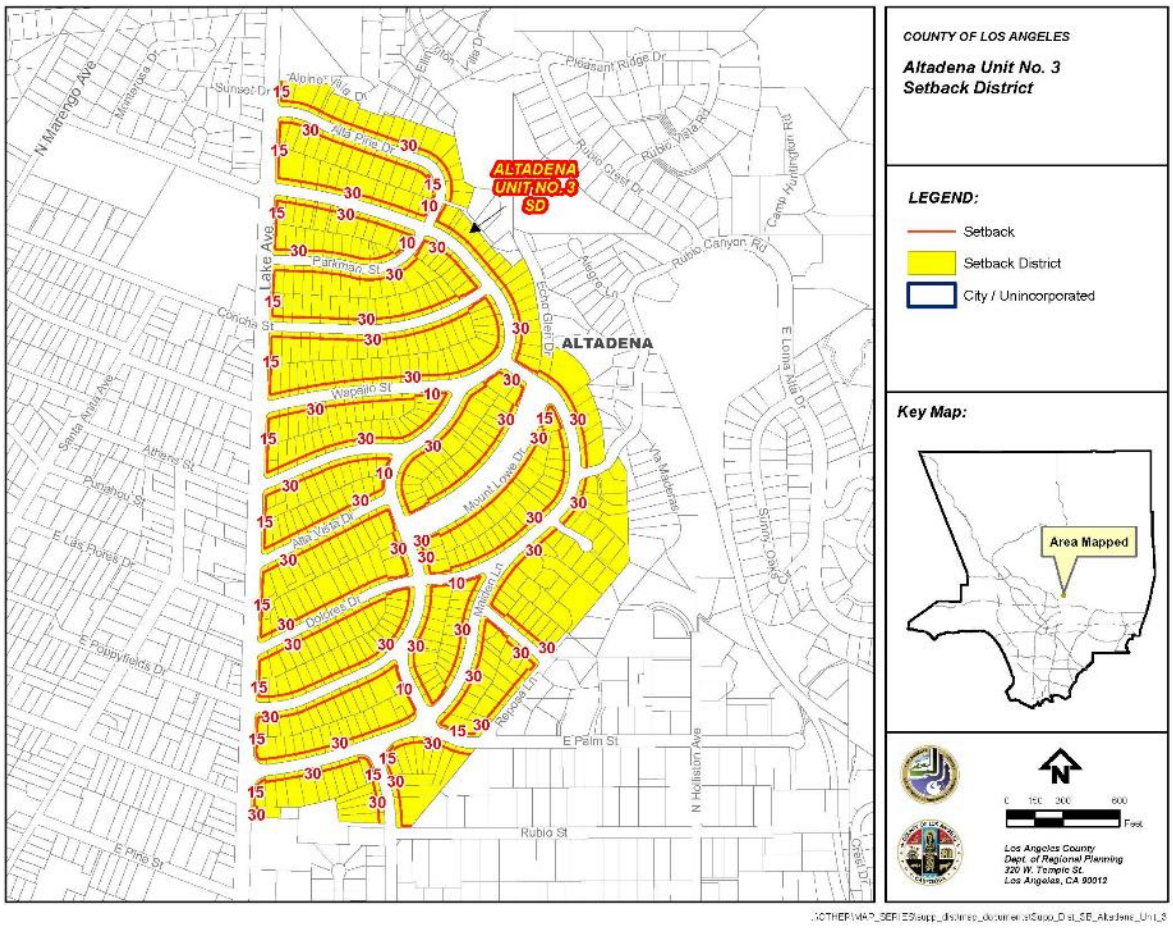


FIGURE 22.72.030-O: ALTADENA UNIT NO. 3

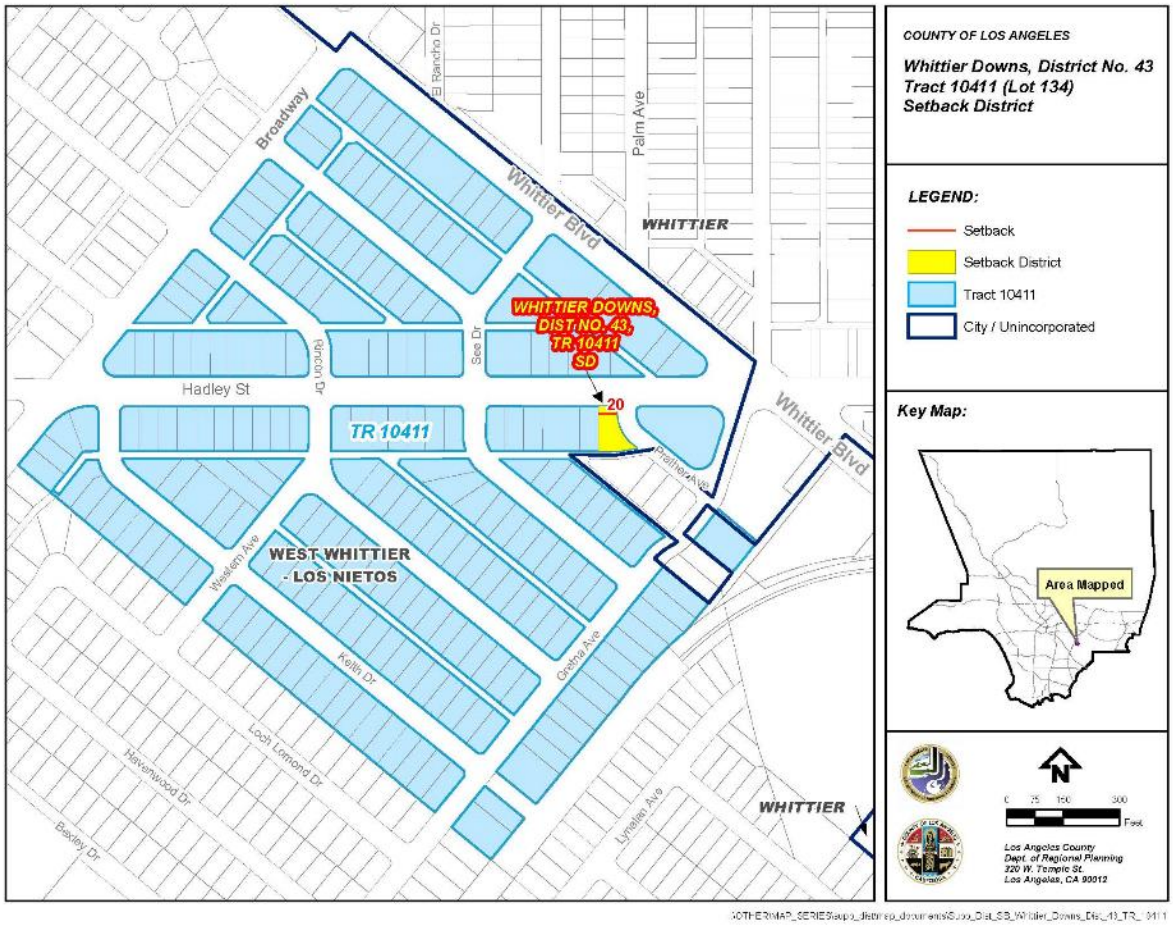


FIGURE 22.72.030-P: WHITTIER DOWNS, DISTRICT NO. 43, TR. NO 10411



FIGURE 22.72.030-Q: SOUTHWEST PUENTE

Chapter 22.74 Flood Protection Districts.

Sections:

22.74.010 Purpose.

22.74.020 Development Standards.

22.74.030 List of Districts.

22.74.010 Purpose.

Flood Protection Districts are established to regulate properties within areas designated by Public Works as subject to substantial flood hazard. These districts include both the existing washes or channels and additional areas as necessary to provide reasonable protection from overflow of floodwaters, bank erosion, and debris deposition. The regulations contained in the district are supplemental to other flood protection regulations of this Title 22.

22.74.020 Development Standards.

A. No building or structure shall be used, erected, constructed, or moved onto a lot within the boundaries of a Flood Protection District, except for the following structures:

1. Accessory buildings and structures that will not substantially impede the flow of water, including sewer, gas, electrical, and water systems, approved by Public Works pursuant to Title 26 (Building Code) of the County Code;

2. Parking lots or buildings incidental to a lawfully established use; and

3. Flood-control structures approved by Public Works.

B. No building or structure shall be altered, modified, enlarged, or reconstructed on a lot within the boundaries of a Flood Protection District, except for nonconforming buildings and structures, subject to Sections 22.172.020.B (Additions to a Nonconforming Use or a Building or Structure Nonconforming Due to Use and/or Standards) and 22.172.020.C (Additions to a Building or Structure Nonconforming Due to Standards).

22.74.030 List of Districts.

Established Flood Protection Districts are listed in Table 22.74.030-A, below. Flood Protection Districts are shown on the Zoning Map and are incorporated with all provisions specified in each respective ordinance of adoption.

TABLE 22.74.030-A: FLOOD PROTECTION DISTRICTS

District Number	District Name	Ordinance of Adoption	Date of Adoption
3	Mill Creek	12413	8-11-1981

Chapter 22.76 Noise Insulation Program.

Sections:

22.76.010 Intent and Purpose.

22.76.020 Description of Noise Zone Boundaries.

22.76.030 Community-Wide Development Standards.

22.76.010 Intent and Purpose.

The Noise Insulation Program is intended to safeguard the public health and safety by establishing minimum building requirements for residential occupancies in the vicinity of Los Angeles International Airport. These requirements are not intended to supersede any health or safety provisions required under any applicable codes or ordinances. These requirements shall apply to all construction, additions, alterations, improvements, and repairs of Group R buildings, as defined by Title 26 (Building Code) of the County Code, in the 65 decibel Community Noise Equivalent Level (CNEL) and above noise zones of the Los Angeles International Airport.

22.76.020 Description of Noise Zone Boundaries.

The location and boundaries of the 65 decibel CNEL and above noise zones are shown and delineated on the most recent Los Angeles World Airports Quarterly Report Noise Contour Map, as required by Title 21 of the California Code of Regulations.

22.76.030 Community-Wide Development Standards.

Proposed construction, additions, alterations, improvements and repairs requiring a building permit within the 65 decibel CNEL and above noise zones depicted on the most recent Quarterly Report Noise Contour Map, shall comply with such building requirements as may be specified for these zones in Title 26 (Building Code) of the County Code. No building permit shall be issued within these zones unless the covered work is in compliance with the specified Building Code requirements to the satisfaction of Public Works, Building and Safety Division. Deviations from the specified building requirements are permissible only if all deviations are certified, by a person experienced in the field of acoustical engineering retained by the permit applicant, to comply with and achieve the 45 decibel standard for every habitable room constructed or modified.

Chapter 22.78 Reserved.

Chapter 22.80 Rural Outdoor Lighting District.

Sections:

22.80.010 Purpose.
22.80.020 Definitions.
22.80.030 Applicability.
22.80.040 Prohibited Outdoor Lighting.
22.80.050 General Development Standards.
22.80.060 Additional Standards for Commercial, Industrial, and Mixed Uses.

22.80.070 Additional Standards for Outdoor Recreational Activity Areas.
22.80.080 Additional Standards for Signage.
22.80.090 Street Light Standards.
22.80.100 Exemptions.

22.80.010 Purpose.

The Rural Outdoor Lighting District (ROLD) is established as a supplemental district for the rural areas of the County to promote and maintain dark skies for the health and enjoyment of individuals and wildlife by:

A. Curtailing light pollution and preserving the nighttime environment.

B. Permitting reasonable uses of outdoor lighting for nighttime safety, security, productivity, and enjoyment, while protecting the natural environment from the adverse effects of excessive outdoor nighttime lighting from artificial sources.

C. Conserving energy and resources.

D. Minimizing adverse offsite impacts of outdoor lighting, such as light trespass.

22.80.020 Definitions.

Specific terms used in this Chapter are defined in Section 2.140.180 of Division 2 (Definitions), under "Rural Outdoor Lighting District."

22.80.030 Applicability.

A. General Applicability. This Chapter shall apply within the ROLD, as depicted on Figure 22.80.030-A: Rural Outdoor Lighting District, located at the end of this Chapter, to the following:

1. Outdoor lighting for new land uses, structures, buildings, or developments.

2. Outdoor lighting for all portions of any structure, building, or development following a major addition thereto.

3. New street lights.

4. Abandoned uses that are resumed.

B. Applicability to Existing Outdoor Lighting and Replacement Lighting.

1. Except as otherwise provided in this Subsection B, outdoor lighting, including street lights that were lawfully existing on December 13, 2012, the effective date of this Chapter, may remain in their present condition without complying with this Chapter.

2. Additions, upgrades, or replacements that are made to outdoor lighting, including street lights, that were lawfully existing on December 13, 2012, shall comply this Chapter, where applicable, except that when less than 50 percent of the outdoor lighting fixtures on a property are replaced for a commercial, industrial, or mixed use, Section 22.80.060.C (Automatic Controls) shall not apply. For purposes of this provision, the term replacement shall include the replacement of outdoor lighting, including street lights, due to damage or destruction.

3. Outdoor lighting, other than street lights, located on properties in a Residential or Agricultural Zone that was lawfully existing at the time this Chapter became effective shall be removed or made to comply with this Chapter within six months after December 13, 2012, if such outdoor lighting causes light trespass, the determination of which shall be made by the Director, and in all other cases, shall be removed or made to comply with the applicable provisions of this Chapter within three years after the effective date of this Chapter.

4. Outdoor lighting, other than street lights, located on properties in a zone other than a Residential or Agricultural Zone that was lawfully existing at the time this Chapter became effective shall be removed or made to comply with this Chapter within six months after December 13, 2012, if such outdoor lighting causes light trespass onto a property located in a Residential, Agricultural or Open Space Zone or onto the improved portion of any public right-of-way, as such determination is made by the Director.

22.80.040 Prohibited Outdoor Lighting.

Subject to Section 22.80.030 (Applicability), the following types of outdoor lighting shall be prohibited within ROLD:

A. Drop-down lenses.

B. Mercury vapor lights.

C. Ultraviolet lights.

D. Searchlights, laser lights, or other outdoor lighting that flashes, blinks, alternates, or moves.

22.80.050 General Development Standards.

In addition to complying with the applicable provisions of Title 26 (Building Code) and Title 27 (Electrical Code) of the County Code, outdoor lighting within the ROLD, other than street lights, shall be subject to the following requirements:

A. Lighting Allowance. For properties located in a Residential, Agricultural, Open Space, or Watershed Zone, outdoor light fixtures installed above 15 feet in height shall have a manufacturer's maximum output rating of no greater than 400 lumens.

B. Light Trespass. Outdoor lighting shall cause no unacceptable light trespass.

C. Shielding. Outdoor lighting shall be fully shielded.

D. Maximum Height.

1. The maximum height for an outdoor light fixture, as measured from the finished grade to the top of the fixture, shall be as follows:

a. 20 feet for a property located in a Residential, Agricultural, Open Space, or Watershed Zone.

b. 35 feet for a property located in an Industrial Zone.

c. 30 feet for property located in any other zone.

2. Notwithstanding Subsection D.1, above, the height of any new outdoor light fixture used for an outdoor recreational activity area, regardless of the zone, shall be the minimum height necessary to illuminate the activity area, but in no event shall exceed 75 feet; and

3. Notwithstanding Subsections D.1 and D.2, above, the Director may approve an outdoor light fixture with a height higher than as otherwise permitted by these subsections through a Ministerial Site Plan Review (Chapter 22.186) application, if the applicant demonstrates that a higher light fixture would reduce the total number of light fixtures needed at the involved site, or would reduce the light trespass of the outdoor lighting.

E. Maintenance. Outdoor lighting shall be maintained in good repair and function as designed, with shielding securely attached to the outdoor lighting.

22.80.060 Additional Standards for Commercial, Industrial, and Mixed Uses.

In addition to complying with the applicable provisions of Section 22.80.050 (General Development Standards) outdoor lighting located on a property with a commercial, industrial, or mixed use shall be subject to the following requirements:

A. Building Entrances. All building entrances shall have light fixtures providing light with an accurate color rendition so that persons entering or exiting the building can be easily recognized from the outside of the building.

B. Hours of Operation.

1. Outdoor lighting shall be turned off between the hours of 10:00 p.m. and sunrise every day, unless the use on the involved property operates past 10:00 p.m., and then the outdoor lighting shall be turned off within one hour after the use's operation ends for the day. Notwithstanding the foregoing, if the use on the involved property requires outdoor lighting between 10:00 p.m. and sunrise every day for safety or security reasons, outdoor lighting shall be allowed during these hours, but only if:

a. Fully-shielded motion sensors are used to turn the outdoor lighting on after 10:00 p.m., and these sensors turn the outdoor lighting off automatically no more than 10 minutes after the involved area has been vacated; or

b. Where the use is commercial or industrial, at least 50 percent of the total lumen levels for the outdoor lighting are reduced, or 50 percent of the total number of outdoor light fixtures are turned off, between 10:00 p.m. and sunrise.

2. Exemption from Hours of Operation. Outdoor lighting shall be exempt from the hours of operation requirements of Subsection B.1, above, if such lighting:

a. Is required by Title 26 (Building Code) for steps, stairs, walkways, or points of ingress and egress to buildings; or

b. Is governed by an approved discretionary permit which specifically provides for different hours of operation.

C. Automatic Controls. Outdoor lighting shall use automatic control devices or systems to turn the outdoor lighting off so as to comply with the applicable hours of operation requirements of Subsection B.1, above. These devices or systems shall have backup capabilities so that, if power is interrupted, the schedule programmed into the device or system is maintained for at least seven days.

22.80.070 Additional Standards for Outdoor Recreational Activity Areas.

In addition to complying with the applicable requirements of Section 22.80.050 (General Development Standards), outdoor light fixtures, when used to illuminate outdoor recreational activity areas, shall be mounted, aimed, and fully shielded so that their light beams fall onto said areas in such a way so as to prevent unacceptable light trespass onto surrounding areas or properties, and shall use high pressure sodium or metal halide lamps as their preferred lighting source.

22.80.080 Additional Standards for Signage.

In addition to complying with the applicable requirements of Section 22.80.050 (General Development Standards) outdoor lighting for new signs, including outdoor advertising signs, business signs, and roof and freestanding signs, shall comply with the following:

A. The outdoor lighting shall be fully shielded;

B. When the signs use externally-mounted light fixtures, they shall be mounted to the top of the sign and shall be oriented downward; and

C. Externally-mounted bulbs or lighting tubes used for these signs shall not be visible from any portion of an adjoining property or public right-of-way unless such bulbs or tubes are filled with neon, argon, krypton, or other self-illuminating substance.

22.80.090 Street Light Standards.

So as to maintain the dark skies characteristics of the ROLD to the maximum extent possible, street lights in the district shall be prohibited except where necessary at urban cross sections with sidewalks, curbs, and gutters or at intersections and driveways on County roads, where the Director of Public Works finds that street lights will alleviate traffic hazards, improve traffic flow, and/or promote safety and security of pedestrians and vehicles based on Public Works' highway safety lighting standards. Where street lights are installed in the district, they shall:

A. Be placed at the maximum distance apart, with the minimum lumens allowable pursuant to Public Works' highway safety lighting standards, as determined by the Director of Public Works;

B. Utilize full-cutoff (flat glass lens) luminaries so as to deflect light away from adjacent parcels; and

C. Be designed to prevent off-street illumination and glare.

22.80.100 Exemptions.

The following outdoor lighting shall be exempt from the provisions of this Chapter:

A. Outdoor lighting for a public facility operated by the Sheriff's Department, Probation Department, or similar department or entity that keeps incarcerated persons, provided such lighting is needed for the security or operation of the facility.

B. Temporary outdoor lighting, which is outdoor lighting that does not persist beyond 60 consecutive days or more than 120 days per year.

C. Outdoor lighting used in or around swimming pools or water features for safety purposes.

D. Outdoor lighting required for compliance with the federal Americans with Disabilities Act.

E. Outdoor lighting for industrial facilities and sites, including but not limited to, rail yards, maritime shipyards and docks, piers and marinas, chemical and petroleum processing plants, and aviation facilities, where such lighting is needed for safety reasons.

F. Outdoor lighting for outdoor theme parks, fairs, or carnivals.

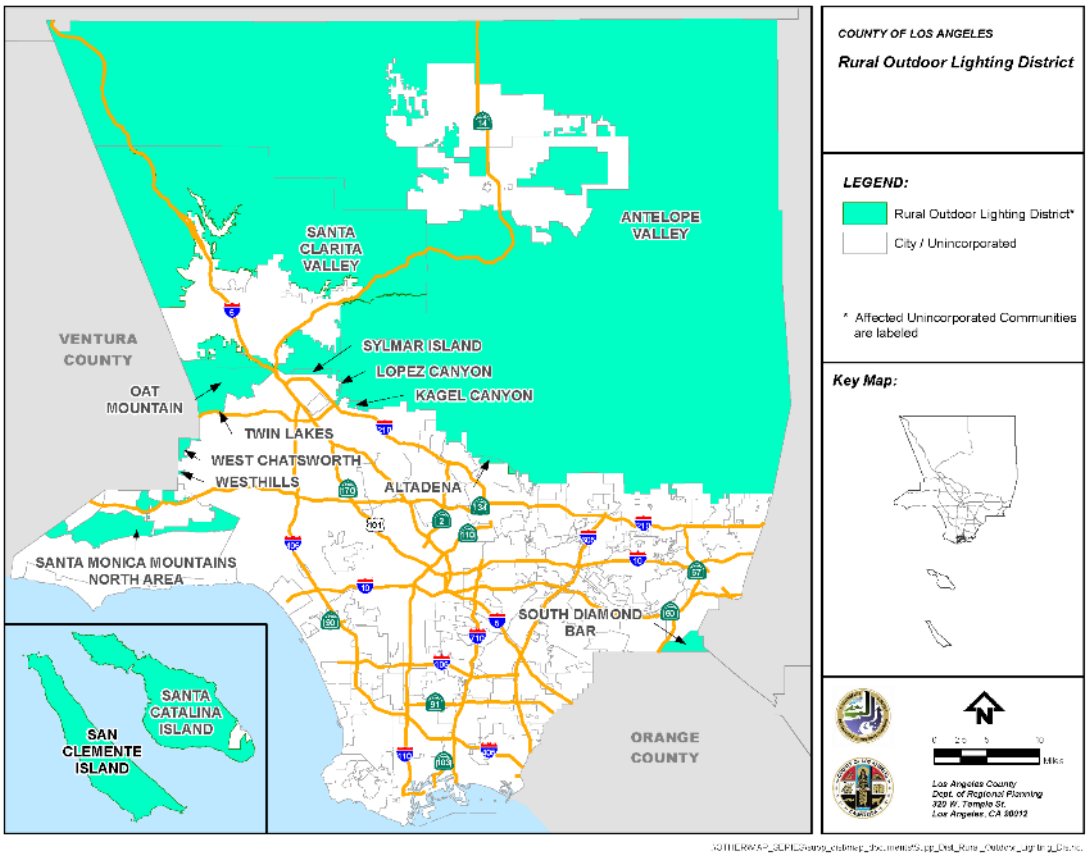


FIGURE 22.80.030-A: RURAL OUTDOOR LIGHTING DISTRICT

Chapter 22.82 Historic Districts.

Sections:

22.82.010 Purpose.

22.82.020 Establishment of a Historic District.

22.82.030 Development Restrictions.

22.82.040 Zoning Map Designation.

22.82.050 District Maps.

22.82.010 Purpose.

Historic districts are established as supplemental districts to:

A. Implement special development standards to promote, protect, enhance, perpetuate, and preserve property of historic importance within the unincorporated areas of the County for the educational, cultural, economic, and general welfare of the public;

B. Implement the General Plan by ensuring development consistent with the General Plan's policies concerning urban design, neighborhood enhancement, housing, land use, and historic and cultural resources;

C. Deter the demolition, destruction, alteration, misuse, or neglect of historically significant buildings and structures which constitute an important link to the County's past;

D. Stimulate the economic health and residential quality of unincorporated County communities and stabilize and enhance the value of property in those communities; and

E. Encourage development tailored to the character and significance of each historic district.

22.82.020 Establishment of an Historic District.

An historic district shall be established or amended by ordinance adopted in accordance with the procedures set forth in Chapter 22.124 (Historic Preservation).

22.82.030 Development Restrictions.

A. Property within the boundaries of an historic district may be used for any purpose permitted in the basic zone to which the historic district is added, subject to all applicable provisions of this Title 22, including but not limited to Chapter 22.124 (Historic Preservation), and any development standards, limitations, conditions, or other regulations applicable to the historic district as may be set forth in the ordinance establishing or amending the historic district.

B. Notwithstanding Section 22.300.020 (Application of Community Standards Districts to Property), where an ordinance establishing or amending a historic district imposes development standards, limitations, conditions or regulations which are inconsistent with those otherwise imposed by this Title 22, the development standards, limitations, conditions, and regulations set forth in the ordinance establishing or amending the historic district shall supersede any inconsistent provisions in this Title 22.

22.82.040 Zoning Map Designation.

Established historic districts are listed in Table 22.82.040-A, below. These historic districts are shown on the Zoning Map and are incorporated with all provisions specified in each respective ordinance of adoption.

TABLE 22.82.040-A: HISTORIC DISTRICTS			
District Number	***District Name***	***Ordinance of Adoption***	***Date of Adoption***

22.82.050 District Maps.

(Reserved)

DIVISION 5: SPECIAL MANAGEMENT AREAS.

Chapters:

Chapter 22.100 Special Management Areas.

Chapter 22.102 Significant Ecological Areas.

Chapter 22.104 Hillside Management Areas.

Chapter 22.100 Special Management Areas.

(Reserved)

Chapter 22.102 Significant Ecological Areas.

Sections:

22.102.010 Purpose.

22.102.020 Application Required.

22.102.030 Exemptions.

22.102.040 Additional Contents of Application.

22.102.050 Burden of Proof.

22.102.060 Hearings.

22.102.070 Director's Report.

22.102.080 Findings and Decision.

22.102.090 Conditions.

22.102.010 Purpose.

A Conditional Use Permit (Chapter 22.158) application is required to protect resources contained in Significant Ecological Areas as specified in the General Plan from incompatible development, which may result in or have the potential for environmental degradation. In extending protection to these environmentally sensitive areas, it is intended further to provide a process whereby the reconciliation of potential conflict within these areas may equitably occur. It is not the purpose to preclude development within these areas but to ensure, to the extent possible, that such development maintains and where possible enhances the remaining biotic resources of the Significant Ecological Areas, while allowing for limited controlled development therein.

22.102.020 Application Required.

Except as specified in Section 22.102.030 (Exemptions), below, prior to the issuance of any building or grading permits, the relocation of two or more property lines between three or more contiguous lots in a coordinated effort as determined by the Director regardless of the ownership of the involved lots and regardless of whether the relocations are applied for concurrently or through multiple or successive applications, approval of a minor land division or subdivision, or the commencement of any construction or enlargement of any building or structure on a lot which is in or partly in an area designated in the General Plan and related maps as a Significant Ecological Area, a Conditional Use Permit for Significant Ecological Areas shall be applied for and approved as provided by Chapter 22.158 (Conditional Use Permits) and this Chapter only when, unless a Conditional Use Permit is otherwise required by this Title 22, the property contains an area that, on or after January 1, 2012, was designated in the General Plan as a Significant Ecological Area, and if the proposed project includes development on the portion of that property that is located in the Significant Ecological Area.

22.102.030 Exemptions.

Permit exemptions include:

A. Accessory buildings and structures as defined in this Title 22.

B. Additions or modifications to existing residences; provided, however, that such additions or modifications do not increase the number of families that can be housed in said residences.

C. Individual single-family residences where not more than one such residence is proposed to be built by the same person on contiguous lots. This exemption shall not apply to the relocation of two or more property lines between three or more contiguous lots as described in Section 22.102.020 (Application Required).

D. Final maps and development approvals (permits) related thereto which are in substantial conformance with a tentative map approved or extended by the County since December 31, 1978, except as State law may otherwise specify.

E. Complete applications for development proposals which were filed for approval prior to February 5, 1981, except at the specific request of the applicant. This exemption shall also apply to the refiling of applications which were denied solely by reason of Sections 65950 through 65967 of the California Government Code and were originally filed prior to February 5, 1981. Any development proposals within this exemption still must be consistent with the General Plan.

F. Property located in both a Significant Ecological Area and a Sensitive Environmental Resource Area.

22.102.040 Additional Contents of Application.

In addition to the requirements for a Conditional Use Permit (Chapter 22.158) application, an application for a Conditional Use Permit for Significant Ecological Areas shall contain the following information:

A. Panoramic or composite photographs from all major corners of the subject property and from major elevated points within the property.

B. A map showing the existing topography of the subject property. Commercially available maps may be deemed acceptable. Such map shall identify the

locations of all drainage patterns, watercourses, and any other physical features that are customarily found on topographical maps prepared by the United States Geological Survey.

C. A grading plan to a scale satisfactory to the Director indicating all proposed grading, including the natural and finished elevations of all slopes to be graded.

D. The following, if the construction of dwelling or other structures are part of the proposed project:

1. Exterior elevation drawings, to a scale satisfactory to the Director, indicating proposed building heights and major architectural features; and

2. Plans for decorative landscaping, showing the location of proposed groundcover areas, shrub mass, and existing and proposed tree locations for common or open space areas not left in a natural state. Such plan shall also include botanical and common names of all planting materials.

E. Identification and location of the resources constituting the basis for classification of such area as a Significant Ecological Area where not provided by the environmental assessment or the initial study for an environmental document.

F. Proposed natural open areas, buffer areas, or other methods to be used to protect resource areas from the proposed use.

G. Such other information as the Director determines to be necessary for adequate evaluation. The Director may waive one or more of the above items where the Director deems such items to be unnecessary to process the application.

22.102.050 Burden of Proof.

In addition to information required in Section 22.158.050 (Findings and Decision) the Conditional Use Permit for Significant Ecological Areas shall substantiate to the Commission or Hearing Officer the following facts:

A. That the requested development is designed to be highly compatible with the biotic resources present, including by setting aside appropriate and sufficient undisturbed areas;

B. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state;

C. That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;

D. That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said development;

E. That where necessary, fences, or walls are provided to buffer important habitat areas from development; and

F. That roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths.

22.102.060 Hearings.

In all cases where formal filing for an application for a Conditional Use Permit for Significant Ecological Areas is submitted, a public hearing shall be held pursuant to current procedures. In all cases, however, where an application for a Conditional Use Permit for Significant Ecological Areas is filed and processed as a single application with a land division case, such public hearings shall be held concurrently.

22.102.070 Director's Report.

A. In all cases where a public hearing is required, the Director shall prepare a report to the Commission or Hearing Officer containing, but not limited to, the following:

1. Detailed review of the applicant's development proposal, including:

a. Appraisal of measures taken to protect scenic, biotic, and other resources;

b. Recommended changes in the proposed development necessary or desirable to achieve compliance with the findings required by Section 22.102.080 (Findings and Decision), below, and the provisions of the General Plan; and

c. Recommended conditions to be imposed to ensure that the proposed development will be in accord with the findings required by

Section 22.102.080 (Findings and Decision), below, and the provisions of the General Plan.

2. In cases where the proposed development would impact a Significant Ecological Area and where such information is not included in the environmental document, identification and location of the resources constituting the basis for classification of such area as a Significant Ecological Area.

B. The Director, in developing such a report and recommendation, will consult with appropriate agencies and will compile the recommendations and comments of such agencies, including any recommendation of SEATAC.

22.102.080 Findings and Decision.

The Commission or Hearing Officer shall not approve an application for a Conditional Use Permit for Significant Ecological Areas unless it finds that the proposal is consistent with the General Plan and that the burden of proof set forth in Section 22.102.050 (Burden of Proof) has been met by the applicant.

22.102.090 Conditions.

The Commission or Hearing Officer shall, as a condition of approval, require that the proposed development incorporates those measures necessary to protect identified resources and meet the burden of proof described in Section 22.102.060 (Burden of Proof), above. The Commission or Hearing Officer, in granting approval of the application for the Conditional Use Permit for Significant Ecological Areas, may impose additional conditions.

Chapter 22.104 Hillside Management Areas.

Sections:

22.104.010 Purpose.

22.104.020 Definitions.
22.104.030 Permit Required.
22.104.040 Application Materials.
22.104.050 Conditions of Approval.
22.104.060 Findings.
22.104.070 Development by the County or Special District.
APPENDIX I Hillside Design Guidelines.

22.104.010 Purpose.

A. This Chapter is established to ensure that development preserves and enhances the physical integrity and scenic value of Hillside Management Areas ("HMAs"), to provide open space, and to be compatible with and enhance community character. These goals are to be accomplished by:

1. Locating development outside of HMAs to the extent feasible;

2. Locating development in the portions of HMAs with the fewest hillside constraints; and

3. Using sensitive hillside design techniques tailored to the unique site characteristics.

B. This Chapter does not determine maximum allowable density or intensity for a proposed development. Maximum allowable density or maximum intensity for a proposed development shall be determined as set forth in the applicable area, community, neighborhood, or specific plan. Where there is no applicable area, community, neighborhood, or specific plan, the maximum density or intensity for a proposed development shall be determined using the methodology and parameters set forth by the Land Use Element of the General Plan.

22.104.020 Definitions.

Specific terms used in this Chapter are defined in Section 22.14.080 of Division 2 (Definitions), under "Hillside Management Areas."

22.104.030 Permit Required.

A Conditional Use Permit (Chapter 22.158) application shall be required for any development located wholly or partially in an HMA, except for:

A. Development on a single lot, provided that grading in connection with the development does not exceed 15,000 cubic yards of total cut plus total fill material. Notwithstanding the foregoing, a Community Standards District may require a Conditional Use Permit application for a lesser amount of total cut plus fill material, in which case the Community Standards District controls. The exception to the Conditional Use Permit requirement in this Subsection A shall not apply when two or more lots are developed in a coordinated effort, regardless of the ownership of the involved lots, and regardless of whether the developments are applied for concurrently or through multiple successive applications.

B. Lot line adjustments of property lines between two lots. This exception to the Conditional Use Permit application requirement in this Subsection B shall not apply to the adjustment of two or more property lines between three or more contiguous lots in a coordinated effort, regardless of the ownership of the involved lots, and regardless of whether the adjustments are applied for concurrently or through multiple successive applications.

C. Activities undertaken as on-site or off-site mitigation for biota impacts from another development, such as restoration of natural habitat or planting of oak trees.

D. Development in one contiguous HMA, provided that the HMA is:

1. Within a rural land use designation, one-half acre or less in size (as measured from base of slopes to slopes 25 percent or greater) and not contiguous with any other terrain with a natural slope gradient of 25 percent or steeper; or

2. Within a land use designation other than rural, one-quarter acre or less in size (as measured from base of slopes to slopes of 25 percent or steeper) and not contiguous with any other terrain with a natural slope gradient of 25 percent or steeper.

E. Development designed such that all HMAs on the development site remain in a natural state or are restored to a natural state to the satisfaction of the Director, and are designated as Open Space – Restricted Use Areas on a recorded final map or parcel map waiver, or on a recorded covenant if not associated with a land division.

F. Development to be undertaken by or for the County, or a special district, provided that such development complies with Section 22.104.070 (Development by the County or Special District).

G. Development located within any adopted Specific Plan, provided that such development complies with the provisions of that Specific Plan.

H. Development related to drilling for and production of oil and gas within the Baldwin Hills Community Standards District ("CSD"), provided that such development complies with the provisions of that CSD.

I. Development where the project's fuel modification affects slopes of 25 percent or greater to satisfy Fire Department requirements. For this exemption to apply, there must be no accompanying grading activities, and only minimal disturbance to plant roots is allowed.

J. Any of the following activities required, requested, authorized, or performed by a governmental agency:

1. Removal or thinning of vegetation, including trees for fire/public/roadway/bridge safety (including under bridge hydraulic vegetation reduction) in response to an emergency;

2. Operations and maintenance of flood, water supply, water conservation, and roadway infrastructure that includes the removal or thinning of vegetation, including trees; or

3. Hazard management activities in response to an emergency or other public safety concerns including maintenance, preservation, or restoration of existing roadways or trails, bridges, soil erosion, or flood protection facilities involving adjacent slopes, shoulders, drains, and appurtenant structures (e.g. guardrail, rail and

timber walls, head walls, etc.) located near or within dedicated public right of way or associated easements.

22.104.040 Application Materials.

If a Conditional Use Permit (Chapter 22.158) application is required by this Chapter, the applicant shall submit the following:

A. All materials and information required by Section 22.158.030 (Application and Review Procedures) and a statement that substantiates the findings required by Section 22.104.060 (Findings), below.

B. Site Photographs. Six panoramic or composite color photographs taken from each corner of the development site and from the highest elevated points within the development site, taken no more than 90 days prior to application submission, along with a photograph key. Additional photographs may be required if the Director determines such materials are necessary for adequate evaluation.

C. Proposed Development Exhibits. The following exhibits, each of the same size and scale, showing the natural topography of the site in accordance with the Hillside Design Guidelines in the appendix following this Chapter:

1. A slope map that includes the following:

a. The land use designations and all existing and proposed development as defined in Section 22.104.020 (Definitions).

b. The following slope categories as determined by a licensed civil engineer, licensed land surveyor, or a registered geologist; and associated color for: Zero to 24.99 percent natural slope (green), 25 to 49.99 percent natural slope (yellow), and 50 percent or greater natural slope (red).

c. A table listing the number of gross and net acres, land use designations, proposed non-residential square footage or proposed number of units, and proposed grading amounts within each slope category and within the overall project boundary.

2. An open space exhibit that includes the following:

a. A site plan depicting proposed lot configuration, proposed streets, proposed grading design, and proposed open space areas. The site plan shall number and label each proposed open space area. The site plan shall also indicate natural open space or improved open space, and within an open space lot or within an Open Space – Restricted Use Area. The site plan shall also depict and describe the type of improved open space within each improved open space area.

b. A table listing the acreage and percentage of natural open space areas and improved open space areas on each proposed lot, the total acreage and percentage of natural open space areas, and the total acreage and percentage of improved open space areas.

3. A map showing hillside constraints as defined in Section 22.104.020 (Definitions).

4. A vegetation exhibit showing existing groundcover, shrubs, and trees.

D. Information on Proposed Structures. If a new structure is proposed, exterior elevation cross sections at a scale satisfactory to the Director, indicating proposed building, retaining wall heights, and proposed retaining wall construction materials.

E. Additional Materials. The Director may request additional materials at the time of application submission or during review by the Department if the Director determines such materials are necessary for adequate evaluation. These materials may include the exhibits listed in the Hillside Design Guidelines.

22.104.050 Conditions of Approval.

Every Conditional Use Permit (Chapter 22.158) application required by this Chapter shall be subject to the following requirements which shall be included as a condition of the permit. Each condition of an approved Conditional Use Permit application shall specify whether it applies to the entire development, to the portion of the development within HMAs, or to an individual lot. For a land division, the conditions may specify that any subsequent applications to modify the approved Conditional Use

Permit pursuant to Chapter 22.238 (Minor Modification or Elimination of Conditional Use Permit Conditions) need only relate to the lots affected by such modification. The Review Authority, in granting approval of a Conditional Use Permit application may impose additional conditions as necessary so that an approved project meets the requirements of this Section and Section 22.104.060 (Findings), below. Other than as provided herein, any other modification to conditions required by this Section may be granted pursuant to Chapter 22.194 (Variances):

A. Open Space Requirement.

1. Rural Land Use Designation.

a. Required Open Space. At least 70 percent of the net area of the development site shall be provided as required open space.

b. Type of Open Space. Up to 33 percent of total required open space may be provided as improved open space. The Review Authority may approve a greater percentage of improved open space if the Review Authority finds that improvement of open space is necessary for public safety or is aesthetically superior.

2. Other Land Use Designations.

a. Required Open Space. At least 25 percent of the net area of the development site shall be provided as required open space. Development in Zone RPD shall also comply with open space requirements in accordance with Section 22.18.050.C.4 (Open Space).

b. Type of Open Space. The Review Authority may approve up to 100 percent of total required open space as improved open space, except that in a rural transition site, up to 50 percent of the required open space may be improved open space. In determining the required amount of improved open space, the Review Authority shall consider the characteristics of the development site and the surrounding area.

B. Open Space Use and Configuration

1. Required open space areas shall not be used for residential, commercial, industrial, or agricultural activities, except for community gardens and golf courses.

2. At least 51 percent of required natural open space shall be configured into one contiguous area. Land with hillside constraints shall be prioritized for inclusion as required open space. The 51 percent natural area may be configured in two areas only if the County biologist determines that such configuration is environmentally superior to one contiguous area.

3. A street may be placed within the contiguous natural open space area if the Review Authority finds such street is necessary to ensure adequate circulation or access. Such a street shall not be counted as a portion of the total required open space provided.

4. The contiguous natural open space area shall be contiguous with dedicated natural open space areas on adjoining lots as feasible.

5. If the development is located on a rural transition site, the contiguous natural space area shall also be contiguous with the portions of the site perimeter that adjoin land within a rural land use designation as feasible.

6. For a land division:

a. The following types of improved open space shall be configured into, or contained within open space lots, unless owned in common and maintained by a home owner's or property owner's association:

i. Parks, playgrounds, golf courses, and other recreational facilities.

ii. Equine riding, hiking, and mountain biking trails.

iii. Pedestrian paseos.

iv. Community gardens.

b. Natural open space shall be configured into separate open space lots if the land division is a "density-controlled development" as defined in Division 2 (Definitions), Section 22.14.040, or if the land division is in a rural land use

designation with 20 or more dwelling units and residential lots of 15,000 square feet or smaller.

C. Open Space Recordation.

1. If the development is a land division, required open space areas shall be shown on the tentative map and the final map or parcel map waiver, and shall be subsequently recorded on the final map or parcel map waiver as a fee lot or as an Open Space – Restricted Use Area with the Registrar-Recorder/County Clerk.

2. If the development is not a land division, required open space areas shall be shown on the site plan or lot line adjustment exhibit. All required open space shall be labeled as Open Space – Restricted Use Area in a covenant recorded with the Registrar-Recorder/County Clerk.

D. Open Space Ownership and Management. If the development is a land division and open space lots are provided or required by Subsection B.6, above, a condition of approval shall provide for ownership and management of the open space lots. This may be established through one or more of the following, listed in the order of County preference:

1. Dedication to a government entity, such as a federal, State, County, city, or joint powers authority.

2. Dedication to a non-profit land conservation organization that meets the qualifications of non-profits requesting to hold mitigation land pursuant to Section 65965 et seq. of the California Government Code.

3. A conservation easement recorded with the Registrar-Recorder/County Clerk as an Irrevocable Offer to Dedicate or equivalent instrument that requires the open space to remain in perpetuity and extinguishes all future development rights.

4. A maintenance agreement with a home owners' association or property owner's association.

E. Design. The Review Authority may impose additional conditions pertaining to sensitive hillside design techniques provided such conditions are consistent with the Hillside Design Guidelines.

22.104.060 Findings.

The Review Authority shall approve a Conditional Use Permit application if the Review Authority finds that the application substantiates, in addition to those required by Section 22.158.050 (Findings and Decision), the following findings:

A. That the proposed development preserves the physical integrity of HMAs to the greatest extent feasible, resulting in lesser impacts to hillside resources, by:

1. Locating development outside of HMAs to the extent feasible;

2. Locating development in the portions of HMAs with fewer hillside constraints; and

3. Using sensitive hillside design techniques tailored to the site requirements.

B. That the proposed development preserves the scenic value of HMAs to the extent feasible, resulting in lesser impacts to on-site and off-site scenic views of slopes and ridgelines as well as views of other unique, site-specific aesthetic or significant natural features of the hillside, by:

1. Locating development outside of HMAs to the extent feasible;

2. Locating development in the portions of HMAs with the fewest hillside constraints; and

3. Using sensitive hillside design techniques tailored to the site requirements.

C. That the proposed development is compatible with or enhances community character, and provides open space as required in this Chapter.

D. Where open space requirements of this Chapter are modified:

1. For development in a rural land use designation, that a greater percentage of improved open space is necessary for public safety or is aesthetically superior; or

2. For streets within a natural open space area, that such street is necessary to ensure adequate circulation or access. In such cases, no portion of the street shall be counted as open space.

E. That the proposed development is in substantial compliance with the Hillside Design Guidelines.

22.104.070 Development by the County or Special District.

The lead County department or the district shall prepare a written report that documents substantial compliance with the Hillside Design Guidelines. This report shall be included as part of the development's publicly available documents and included as part of any subsequent project reports to the Board and its attendant commissions. A report shall not be required for maintenance or operations activities or any activities listed in Section 22.104.030.I, above.

APPENDIX I HILLSIDE DESIGN GUIDELINES.

I. PURPOSE AND OVERVIEW

The policies of the General Plan, and area and community plans, where applicable, seek to preserve significant natural features in hillside areas. These Hillside Design Guidelines (Guidelines) are intended to implement these policies by ensuring that hillside development projects use sensitive and creative engineering, architectural, and landscaping site design techniques. The Guidelines also help ensure that hillside development projects are designed in a manner that allows the project to meet the findings of the Hillside Management Areas Ordinance (Ordinance). To accomplish this, the Guidelines include specific and measurable design techniques that can be applied to residential, commercial, industrial, and other kinds of projects.

Some design techniques may be more appropriate or feasible than others, depending on the type of project, location, size, complexity, and site constraints, and other design techniques incorporated into the project. The design techniques most appropriate for a project to achieve the purpose of Chapter 22.104 (Hillside Management Areas) shall be determined by the project applicant and the Director.

The Guidelines are encouraged but optional for all other hillside projects not subject to Chapter 22.104. Hillside Management Areas (HMAs) have 25 percent or greater natural slopes; however, development on 24 percent or "lesser" slopes can have negative impacts on hillside terrain that could be minimized by following these Guidelines.

II. SUBSTANTIAL COMPLIANCE

Subsection 22.104.060.E (Design) of Chapter 22.104 (Hillside Management) requires that the projects subject to said Chapter "substantially comply" with the Guidelines. The Guidelines are divided into five major design categories containing a variety of sensitive hillside design measures. The five major categories are:

- Site Planning
- Grading and Facilities
- Road Circulation
- Building Design
- Landscaping

For substantial compliance with Chapter 22.104, projects must use the design measures contained in the Guidelines that reasonably can be implemented in the project design. The project applicant should consult and coordinate with County staff to determine the most appropriate design measures. While the design measures are not individually weighted in the Guidelines, more weight may be given to a particular design measure based on the location, context, size or complexity of the project. No individual design measure should be used as a sole means to deny or recommend denial of a project; rather, all characteristics of a project's design "as a whole" should be taken into consideration when making a final determination. The Board, Commission, or Hearing Officer is the authority in determining whether the findings required by Chapter 22.104 can be made for a project.

Due to the variety, size, geology, hydrology, and complexity of development projects, there is no set number of design measures required in a project to ensure that it, as stated in Section 22.104.010 (Purpose), preserves and enhances the physical

integrity and scenic values of HMAs, provides open space, and is compatible with and enhances community character. Staff and project applicants are advised that four design measures per category (Site Planning, Grading and Facilities, Road Circulation, Building Design, and Landscaping) is typically the appropriate number of design measures to be included in a project to allow the findings required by Chapter 22.104 to be made for that project.

Staff and project applicants are also advised that these numbers are general recommendations, and not absolute requirements. Because projects are tailored to the individual site requirements and conditions, it is possible that more or less measures may be appropriate. When considering whether to support a request for a lower number of measures from a project applicant, factors staff may consider include density, the size of the project, or whether the project is able to meet several partial credit design measures.

In situations where it is unclear whether a design measure is being fully utilized, County staff will use its recommendation for whole or partial design measure "credit" towards satisfying the findings required by Chapter 22.104. Half-credit may be given for a design measure if the project design does not fully meet the design measure but partially satisfies it to the satisfaction of the County. Staff will also work with project applicants to determine which design measures can be implemented as project conditions of approval.

III. OTHER STANDARDS

In addition to meeting the findings required by Chapter 22.104, all projects are still subject to applicable Plans, County policies, Titles 21 (Subdivisions) and 22 (Planning and Zoning) of the County Code, Healthy Design standards, and CEQA. These standards or policies could influence which design measures to use within a project.

IV. FACTORS AFFECTING RESIDENTIAL DENSITY

Sensitive hillside design techniques can be used to achieve a better project design while still maintaining a desired number of dwelling units. The General Plan land

use designation ("plan category") establishes the appropriate residential density range for a project, including the density maximum. However, there are a number of other factors that can affect the project's density, such as:

- Land division standards (minimum lot size, lot width, street frontage and access)
- Zoning designation (minimum lot size/lot area per dwelling unit)
- Zoning standards (building setbacks, maximum lot coverage)
- Biological constraints (such as woodlands and wildlife habitats and corridors)
- Natural environmental hazards (such as geologic, seismic, fire, flood)
- Open space and parking requirements
- Public easements and dedications (such as for utilities)
- Community compatibility and neighbor concerns

V. LAND DIVISIONS

Past development patterns within the unincorporated County suggest that the largest hillside projects involve land divisions. Land divisions often have large amounts of grading along with the creation of new infrastructure and landscaping. While it should be expected that more design measures will be applicable to land divisions, quantity should not be confused with quality. Smaller land divisions and non-land division projects should be evaluated not only by the number of design measures utilized, but also by how effectively they are used to achieve a sensitive hillside design.

VI. SENSITIVE HILLSIDE DESIGN MEASURES

1. Site Planning

Conserve land area and form, link open spaces, and promote a more attractive pattern of development that complements the hillside terrain.

1.1. Locate 50 percent or more of the project's buildings and developable lots within 500 feet of existing sewer, water, and roadway infrastructure.

1.2. Locate at least 50 percent of the development footprint on the flattest portions of the site[1] (i.e., those areas having slopes of less than 25 percent), when that area does not contain rare, sensitive, or federal or State listed threatened or endangered species.

1.3. Utilize all previously graded or disturbed areas on the site for new development to the greatest extent possible, before developing new areas, such that new development within undisturbed areas is reduced.

1.4. For new land divisions, contain at least 75 percent of developable lots within blocks that have a perimeter of one-quarter mile (1,320 feet) or less, measured from the roadway centerline. *(Note: The purpose of this design measure is to avoid unattractive "superblocks" of development on the hillside and instead use smaller block sizes that are more distinguishable from each other and can better fit in with the natural topography.)*

1.5. For new land divisions, where lot clustering is allowed and compatible with community character, reduce all single-family lot sizes to 15,000 square feet or less.

1.6. For new land divisions, utilize a variety of small, medium, and large lot sizes (such as 5,000, 10,000, and 20,000 square feet) in such a manner that it will produce different building layouts and sizes.

1.7. Throughout the project site, differentiate elevations so that elevations between adjacent pads, between adjacent blocks, or between adjacent streets, range from one to 30 feet.

1.8. Place the narrow side of the lot (or building pad) such that it allows the building façade to face the roadway.

1.9. Utilize terraced building pads in select areas within the site to preserve slopes that exceed 50 percent.

[1] "Site" referred to in the Design Measures means the "project site" or "subject property."

1.10. Preserve the most prominent and unique slopes, hilltops, and ridgelines[2] on the site for recreational uses within dedicated (or common) open space areas.

1.11. Exceed the minimum open space acreage requirements by 10 percent or more.

1.12. Preserve contiguous undisturbed open space throughout the site, utilizing segments of land that are at least 150 feet wide.

1.13. Utilize at least 25 percent of the overall project's disturbed (improved) open space for recreational purposes.

1.14. Locate and design improved open space as a buffer (recommended at least 50 feet wide) between undisturbed open space and development.

1.15. Create scenic vista points at prominent locations such as hilltops and ridgelines, providing amenities[3] at the points and making them accessible to the public. When provided, this shall count as improved open space.

1.16. Provide private (connector) trails or pedestrian paseos that link together all of the project's open space areas (one acre or larger) and connect to any onsite or offsite public trails.

1.17. For new land division blocks of development that exceed 800 feet between intersections, design mid-block through-paths such as trails or pedestrian paseos, that connect to intervening streets or open space areas, and make the paths accessible to the public.

1.18. Use any other site planning techniques not listed in this Chapter that either through innovation or in consideration of specific site constraints or other specific project factors, are tailored to allow the project to meet the findings required by Section 22.104.060 (Findings).

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[2] When ridgelines are mapped as "significant ridgelines" by the County, the stricter regulations applicable to those ridgelines shall apply and staff shall determine whether it is appropriate for such compliance to also apply towards substantial compliance with the Hillside Management Areas Ordinance as described in Section II of this Appendix.

[3] Such as decks, seating arrangements, overhead cover (trellis or gazebo), landscaping and shade trees, and information signs for landmarks or points of interest.

2. Grading and Facilities

Avoid mass landform alteration, preserve the physical shape of the hillside, and maintain pleasant views.

2.1. For projects with more than 100,000 cubic yards of onsite earthwork, avoid any mass cut and fill grading that would result in a change of 25 feet or greater in elevation from the existing natural grade to the finished manufactured grade at any one point on the site.

2.2. Use contoured grading lines that match or closely match the existing topography, generally avoiding lines that trace 45 to 90 degrees against the natural contour.

2.3. Utilize undulating banks for graded slopes to maintain the natural pattern of the topography to the greatest extent feasible.

2.4. Design the project's longer graded horizontal slope surfaces and slope increments (typically 300 or more feet in length) to be variable in terms of height and spacing to replicate natural topographical patterns, taking into account hydrology design and any sewer, water, and storm drain infrastructure.

2.5. Locate water tanks and other similar types of structures that are 20 feet tall or taller so that their highest point is at least 50 feet below the crest of the highest hilltop or ridgeline, on or off the site, that is located within 500 feet of the water tank or similar structure.

2.6. Locate visually intrusive structures (such as water tanks) so that they are hidden from public views, placing them behind hills, buildings, landscaping, existing trees, or other more appropriate and attractive screening objects.

2.7. Avoid berms and block walls that obstruct views from or to buildings; instead, locate and design the buildings in accordance with the other site planning, road circulation, building, and landscaping design measures contained in the Guidelines.

2.8. Design drainage facilities as multi-purpose site features[4] that are attractively landscaped, conserve water, improve water quality, and provide opportunity for

[4] Subject to the approval of Public Works.

recreational activity. *(Note: These features may be counted towards required open space acreage, as improved open space, if designed to the County's satisfaction. Such features should be located in areas already designated for improvement such as park sites, roadsides, or previously-graded flat areas.)*

2.9. Build retaining walls to be less than six feet in exposed height, and terrace the walls where appropriate and in a manner that does not substantially increase visual impacts.

2.10. Use earth-tone colors and materials[5] for exposed hardscape surfaces such as block walls, retaining walls, drainage terraces, and storm gutters.

2.11. Use attractive designs and materials that are compatible with, or that enhance, community character for any walls or fencing used to enclose public facilities (such as debris and retention basins), especially when such facilities are in highly-visible locations or are designed as "multi-purpose" site features. *(Note: Safety and security shall be maintained for the facilities when using a more attractive wall or fence design.)*

2.12. Use any other grading and public facility design techniques not listed in this Chapter that either through innovation or in consideration of specific site constraints or other specific project factors, are tailored to the site, and allow the project to meet the findings required by Section 22.104.060 (Findings).

3. Road Circulation

Preserve the physical shape of the hillside, maintain good connectivity, and provide scenic roadway views.

3.1. Provide at least two points of paved roadway access[6] to a County highway (major or secondary) for any project (or portion of development) greater than 50 dwelling units and 10 acres in size. *(Note: This practice should only be considered when the second road connection will not require a substantial amount of additional*

[5] Subject to the approval of the Department.
[6] May be a private roadway or fire lane but shall be un-gated, accessible by the public, and of sufficient width to meet Fire Department requirements.

grading; special consideration may be given when connecting to an adjacent community or providing access to community services such as schools and parks.)

3.2. Locate and design new roadways to follow the existing natural slope contours, avoiding mass landform alteration and excessive grading.[7]

3.3. Utilize private drives instead of public streets on 50 percent or more of the project road circulation system to allow slightly higher gradients (up to 15 percent) that result in less grading and better conformance to natural slope contours, taking into account hydrology design and any sewer, water, and storm drain infrastructure.

3.4. Use undulating patterns and varying grades[8] for roadway segments exceeding 1,000 feet in length.

3.5. Connect roadways to form blocks wherever feasible (2,000 square feet or less block perimeter), such that at least 75 percent of the development footprint (to include public facilities) is contained within blocks. *(Note: The purpose of this is to provide good access and connectivity for safety reasons, and to use roadways to buffer development from natural vegetated areas.)*

3.6. Use culs-de-sacs in limited instances, such as where road connections would require grading into 50 percent or greater slopes or grading into 25 percent or greater slopes for a distance of more than 500 feet.

3.7. Provide unpaved trail or paved pedestrian path thru-connections (e.g. pedestrian paseos) for all culs-de-sacs. *(Note: Fee-dedicated strips are recommended instead of easements on private lots.)*

3.8. Utilize "edge" (single-loaded) roads along at least 50 percent of the development perimeter, in areas with steep hillside terrain, and to buffer development from undisturbed open space.

3.9. Place all new roadways and paved driveways at least 100 feet below the crest of the tallest hilltop or ridgeline located onsite, or offsite within 500 feet of the project boundary.

[7] Subject to the sight distance, signing, striping and marking requirements of Public Works.
[8] Subject to the maximum allowed street grade requirements of Public Works.

3.10. Design "split" roadways or landscaped medians to preserve unique or important natural features (such as oak trees or rock outcroppings).

3.11. Use bridge design techniques that are attractive, maximize the preservation of natural watercourses, and allow easy wildlife migration beneath the bridge (minimum 6 feet of vertical and horizontal clearance recommended).

3.12. Use private drives instead of public roadways when it will result in narrower roadway widths that create less grading. *(Note: Private drives should conform to the Los Angeles County Private Drives and Traffic Calming Manual, and should not eliminate sidewalks or reduce sidewalk connections throughout the development.)*

3.13. Use any other roadway circulation design techniques not listed in this Chapter that either through innovation or in consideration of specific site constraints or other specific project factors, are tailored to the site and allow the project to meet the findings required by Section 22.104.060 (Findings).

4. Building Design

Promote more attractive views through building siting and orientation, and use of building materials and colors that complement natural hillside features.

4.1. Place structures or limit their height so that their rooflines are equal to or below the elevation of the roadway grade of the development above.

4.2. Utilize terraced (split-level) or "cantilevered" building designs wherever feasible on 25 percent or greater slopes. *(Note: Split-level homes should have a second floor exterior that is visibly set-back from the first floor exterior so that a terraced profile can be seen from the public view.)*

4.3. Use a variety of house, garage, and other building placements that better responds to the hillside terrain and creates a more interesting and attractive streetscape.

4.4. Limit building heights to two stories (or 25 feet) when sited on 25 percent or greater slopes or when the building pad elevation is located less than 50 feet below the crest of the nearest hilltop or ridgeline located within a linear distance of 500 feet.

4.5. Use a wider variety of architectural treatments and materials[9] for the façades and exteriors of buildings that are located in highly-visible areas on the site (such as main entryways, higher elevations, and isolated lots or building pads that can be seen from public view).

4.6. Use pitched roofs (at least 1.5:1) and shingles for new residences.[10]

4.7. Utilize architectural design techniques to screen rooftop mechanical equipment from public view.

4.8. Design building exteriors with stonework or woodwork that matches rock and tree varieties found in visible locations on the site or in the surrounding community within a distance of one mile. (*Note: Materials shall not be sourced from sensitive or scarce local resources such as oak trees, unless the project design is already removing these materials on site due to other project constraints and reusing them*).

4.9. For business signs, use wood construction materials and painted lettering/logos, avoiding the use of metal and plastic, and with 18 square feet or less total sign surface area (10 square feet for projecting signs) per business establishment.

4.10. Design monument signs to be constructed with wood, stone, brick, or decorative concrete, and to be no more than six feet in height. *(Note: The placement of all monument signs shall accommodate an adequate line of sight to the adjacent roadway.)*

4.11. Limit all signs so that they project upward no higher than the roofline of the building (or nearest adjacent building), and do not disrupt sightlines to the horizon.

4.12. Illuminate signs from the exterior, with downward-projecting, hooded light fixtures that minimize light trespass.

4.13. Use any other building design techniques not listed in this Chapter that either through innovation or in consideration of specific site constraints or other specific project factors, are tailored to the site and allow the project to meet the findings required by Section 22.104.060 (Findings).

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[9] Such as metal, stone, wood, brick, plaster, and concrete.

[10] Subject to approval by the Fire Department.

5. Landscaping

Preserve existing vegetation, conserve water, and provide more attractive and comfortable settings within the developed areas of the hillside project.

5.1. Retain and incorporate 50 percent or more of existing onsite trees and woodlands (particularly native and drought-tolerant species, and oak woodlands) into the overall project landscaping plan.[11]

5.2. Avoid all healthy[12] oak tree encroachments and removals through the sensitive location and design of development.

5.3. Landscape all graded slopes and improved open spaces in an attractive manner that accomplishes at least two or more of the following beyond a State- or County-required minimum (whichever is more restrictive): a) restores habitat; b) conserves water or improves water quality; c) provides shade for pedestrians and bicyclists; d) enhances slope stability (must landscape all slopes at least five feet high); e) increases fire protection; and f) provides recreational opportunities.

5.4. Utilize native and drought-tolerant trees, shrubs, and ground cover over all exposed graded areas.

5.5. Landscape at least 50 percent of all graded slopes and improved open spaces at a minimum ratio of one new shrub per 100 square feet of total graded slopes and improved open space area and one new tree per 800 square feet of total graded slopes and improved open space area.

5.6. Vary the height, placement, and color of appropriate landscaping materials throughout the site.

5.7. Use a wide variety of local and non-invasive plant species within the project's improved open space areas, matching or exceeding the variety found onsite and listed in the project's plant surveys and biota reports.

[11] May require consultation with the County biologist prior to conceptual landscaping plan approval.
[12] As determined by a qualified arborist. Only applies to oaks that are the minimum ordinance size or larger.

5.8. Plant new native and drought-tolerant trees and shrubs of a sufficient interval, size, and height to screen hardscape surfaces and unadorned features such as block walls, infrastructure, and exposed and prominently located building façades.

5.9. Use plant materials and irrigation systems that, combined, conserve water 20 percent or more beyond State and County requirements.

5.10. Reapply the graded topsoil to manufactured slopes and improved open space areas.

5.11. Use any other landscaping design techniques not listed in this Chapter that either through innovation or in consideration of specific site constraints or other specific project factors, are tailored to the site and allow the project to meet the findings required by Section 22.104.060 (Findings).

VII. List of Design Exhibits

Design exhibits are necessary to evaluate the proposed development in accordance with County policies, code requirements, and case processing procedures. Some projects may not need to provide all exhibits listed below, but rather on an as-needed basis at the discretion of County staff when applicable.

- Site Plan (Exhibit "A") – A plan that shows existing contour intervals (10 feet or less), existing development and proposed development, to include lots, structures, roadways, driveways, grading, and building pads. Should also depict roadway and retaining wall cross sections.
- Site Profile – A scaled drawing that shows a cross-section view of the site from one edge to the other, showing the location of all development in the hillside and the overall extent of hillside encroachment and landform alteration. *(Note: More than one cross section may be required to accurately assess hillside impacts.)*
- Block Elevation – (For land divisions or larger multi-unit developments as applicable) A drawing that shows a row of

multiple house (or other building) elevations as they would appear to the public from a lower vantage point on or adjacent to the site. May also include depictions of landscape screening.

- Landscape Plan – A color plan that shows all proposed landscaped areas, to include plant materials and any pedestrian and aesthetic features such as walkways, recreation equipment, fountains, gardens, etc. Should also depict existing vegetation that will be preserved, as well as oak or other mitigation trees (if known).
- Fuel Modification Plan – A specific type of landscape plan that shows all fuel modification zone boundaries, distances between boundaries, and types of vegetation, as required by the Fire Department. (Please refer to the Fire Department's separate guidelines when creating this plan.)
- Open Space Exhibit – A simplified site plan showing all proposed lots, roadways, and grading only; also depicts, numbers, and labels the restricted-use areas and separate lots to be preserved as open space; distinguishes between different types of open space and provides a legend that describes each type of open space; and provides a table listing the approximate acreage of the individual open space types and the quantity and percentage of improved (disturbed) and undisturbed open space within each lot, and for the overall project.
- Slope Map – A complete site plan (road and retaining wall cross sections excluded) that depicts the three different slope ranges (<25 percent, 25 – 49 percent, and ≥50 percent) according to a color scheme of green – yellow – red, respectively.
- Buildout Simulation – A color exhibit that shows how new development would impact existing hillside views. It typically depicts a "before" and "after" perspective view of the hillside(s), and

includes realistic or semi-realistic photos or renderings of the actual buildings and landscaping that will be used in the development, showing how they will affect the hillside views.

- Viewshed Analysis – A site plan or cross section showing the specific degree angle of view from one or more vantage points on the site. The "sight-line" is drawn from the point of view to some object of observation (such as a road intersection or ridge-top) depicted at some distance from the point of view on or off-site. The sight line will show any intervening features that may block the line of sight.

DIVISION 6: DEVELOPMENT STANDARDS.

Chapters:

Chapter 22.110 General Site Regulations.
Chapter 22.112 Parking.
Chapter 22.114 Signs.
Chapter 22.116 Highway Lines, Road Dedication, and Access.
Chapter 22.118 Flood Control.
Chapter 22.120 Density Bonuses and Affordable Housing Incentives.
Chapter 22.122 Low Impact Development.
Chapter 22.124 Historic Preservation.
Chapter 22.126 Tree Planting Requirements.

Chapter 22.110 General Site Regulations.

Sections:

22.110.010 Purpose.

22.110.020 Applicability.

22.110.030 Accessory Buildings.

22.110.040 Accessory Structures and Equipment.

22.110.050 Distance Between Buildings.

22.110.060 Height Limits.

22.110.070 Fences and Walls.

22.110.080 Required Yards.

22.110.090 Projections into Yards.

22.110.100 Conversion or Alteration of Buildings and Structures.

22.110.110 Relocation of Buildings and Structures.

22.110.120 Density.

22.110.130 Required Area and Width.

22.110.140 Required Area or Width for Specific Circumstances.

22.110.150 Substandard Lots.

22.110.160 Resubdivision Conditions for Undersized or Underwidth Lots.

22.110.170 Flag Lots.

22.110.180 Modifications Authorized.

22.110.190 Modifications for Public Sites.

22.110.010 Purpose.

This Chapter prescribes development and site regulations to encourage development that produces an environment of desirable character, is compatible with existing development, and protects the use and enjoyment of neighboring properties.

22.110.020 Applicability.

A. This Chapter shall apply to development in all zones, unless superseded by more specific regulations in this Title 22.

B. A person shall not use any building, structure, equipment, or obstruction within any yard or highway line except as hereinafter specifically permitted in this Title 22, and subject to all regulations and conditions enumerated in this Title.

22.110.030 Accessory Buildings.

The following accessory buildings are permitted in required yards:

A. Garages or Carports within Front Yards on Sloping Terrain. A one-story attached or detached garage or carport may be used within a required front yard on sloping terrain, provided that:

1. The difference in elevation between the curb level and the natural ground at a point 25 feet from the highway line is five feet or more; or where there is no curb, that a slope of 20 percent or more from the highway line to a point on natural ground 25 feet from said highway line exists. Measurement in all cases shall be made from a point midway between the side lot lines;

2. The garage or carport is located not closer than five feet to a highway line or closer to a side lot line than is permitted for a main building on such lot; and

3. The garage or carport does not exceed a height of 15 feet above the level of the centerline of the adjoining street or highway.

B. Garages and Carports in Rear and Side Yards. One-story detached garages and carports may be used within a required interior side and rear yard, provided that:

1. The detached garages and carports are located 75 feet or more from the front lot line;

2. Where the garages or carports have direct vehicular access to an alley, they shall be located a distance of not less than 26 feet from the opposite right-of-way line of such alley;

3. On a corner or reversed corner lot, the garage or carport is located not closer to the highway line than a distance equal to the corner side yard;

4. The provision is made for all roof drainage to be taken care of on the same property; and

5. No more than 50 percent of the required rear yard shall be covered by buildings or other roofed structures.

C. Other Accessory Buildings in Rear Yards. Other one-story accessory buildings permitted in the zone, excluding guest houses or any other building designed or used for living or sleeping purposes, may be used within a required rear yard, provided that:

1. Such buildings are not placed within a required side yard;

2. Such buildings are placed not closer than five feet to any lot line; and

3. Not to exceed 50 percent of the required rear yard shall be covered by buildings or other roofed structures.

D. Replacement of Open Space. The Director may modify Subsection C.3, above, and approve buildings or other roofed structures covering an area in excess of 50 percent of a required rear yard, provided that:

1. An equivalent area replacing the covered area is substituted elsewhere on the property;

2. The Director determines that the equivalent area substituted is equally satisfactory with regard to usability and location; and

3. Such equivalent area does not exceed 10 percent in grade and has a minimum dimension of not less than 15 feet. Such dimension may include area contained in the required rear or side yard but required yards shall not be included in computing such equivalent replacement area.

22.110.040 Accessory Structures and Equipment.

The following structures are permitted in required yards:

A. Planter Boxes and Masonry Planters. The maximum height of planter boxes and masonry planters in required front yards shall not exceed a height of three and one-half feet.

B. Swimming Pools. A swimming pool is permitted in a required rear yard, provided that it is at least five feet from any lot line.

C. Guard Railings or Fences for Safety Protection. Guard railings or fences for safety protection adjacent to depressed ramps may be placed in any yard, provided that:

1. An open-work railing or fence is used; and

2. Such railing or fence does not exceed a height of three and one-half feet.

D. Driveways, Walkways, and Patio Slabs. Driveways, walkways, patio slabs, and other areas constructed of concrete, asphalt, or similar materials, and wooden decks, may be used in any required yard. The maximum height of such structures in a required yard may not exceed one foot above ground level. Steps providing access between areas of different elevation on the same property are included in this requirement.

E. Ground-Mounted Equipment. Ground-mounted air conditioners, swimming pool pumps, heaters, filters, and fans may be used in required rear yards, provided that:

1. Such structures or equipment are at least two and one-half feet from any lot line; and

2. Such structures or equipment do not exceed a height of six feet measured from the base of the unit.

F. Equipment in Rear Yards. The following equipment may be placed in rear yards:

1. Trash enclosures.

2. Movable dog houses.

3. Movable children's play equipment.

G. Temporary Signs. Temporary signs advertising the sale or lease of the premises on which the sign is located may be placed within the front or corner side yard if a minimum setback of 10 feet is maintained from the highway line. All such signs shall comply with Chapter 22.114 (Signs).

H. Projecting On-Site Signs. On-site signs permitted by Chapter 22.114 (Signs) and attached to a lawfully existing building may extend a maximum of 18 inches into the front or corner side yard. This Subsection H does not authorize the projection of such signs beyond the right-of-way line established by the highway line.

I. Freestanding Signs in Zones C-H and C-1. Freestanding signs in Zones C H and C-1 may be placed in the front yard subject to Chapter 22.114 (Signs).

22.110.050 Distance Between Buildings.

A. Where more than one building is placed on a lot, the following minimum distances shall apply in any zone where front, side, and rear yards are required by this Title 22:

1. Distance Between Main Buildings. A minimum distance of 10 feet shall be required between all main residential buildings on the same lot.

2. Distance Between Accessory and Main Buildings. Except where a greater distance is required by this Title 22, a minimum distance of six feet shall be required between any main residential building and any accessory building on the same lot.

3. Projections Permitted Between Buildings on the Same Lot. The following projections are permitted within the required distance between buildings, provided they are developed subject to the same standards as, and are not closer to, a line midway between such buildings than is permitted in relation to a side lot line within a required interior side yard:

a. Eaves and cantilevered roofs.

b. Fireplace structures, buttresses, and wing walls.

c. Rain conductors and spouts, water tables, sills, capitals, cornices, and belt courses.

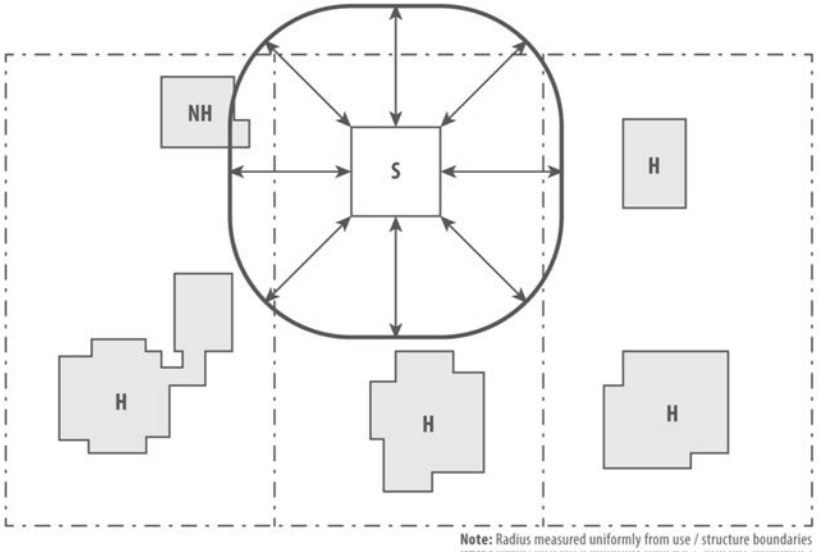
d. Awnings and canopies.

e. Water heaters, water softeners, and gas or electric meters; including service conductors and pipes.

f. Exterior stairways and balconies above the level of the first floor.

B. Uncovered porches, platforms, landings, decks, and related access stairs that do not extend above the first floor, are permitted between buildings without any distance restriction.

FIGURE 22.110.050-A: DISTANCE BETWEEN BUILDINGS



Legend:

S = Structure
NH = Non-Habitable Structure
H = Habitable Structure

22.110.060 Height Limits.

A. Maximum Height. The height of buildings, except where otherwise provided, shall be determined by the total floor area in all the buildings on any one lot shall not exceed 13 times the buildable area of such lot. Cellar floor space, parking floor space with related interior driveways and ramps, or space within a roof structure or penthouse for the housing of building operating equipment or machinery shall not be considered in determining the total floor area within a building.

B. Buildable Area. Where any provision of this Title 22, or of any other ordinance, requires any front, side, or rear yards, or prohibits the occupation of more than a certain portion of a lot by a structure, the portion of such lot which may be occupied by structures is the "buildable area" as used in Subsection A, above.

C. Exceptions from Height Limit. The following are exceptions from the maximum permitted height limits stated by this Title 22:

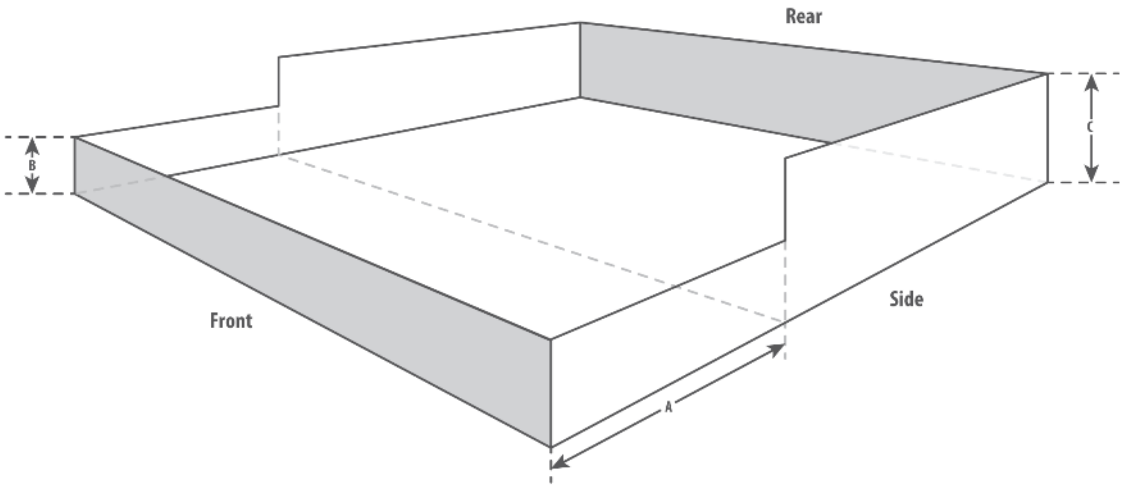
1. Chimneys and rooftop antennas.

2. Signs, as regulated by this Title 22.

22.110.070 Fences and Walls.

A. Measuring Height of Fences and Walls. The height of a fence or wall shall be measured at the highest average ground level within three feet of either side of said wall or fence. In order to allow for variation in topography, the height of a required fence or wall may vary an amount not to exceed six inches; provided that the average height of such fence or wall shall not exceed the specified maximum height. For example, see Figure 22.110.070-A, below.

FIGURE 22.110.070-A: MEASURING FENCE HEIGHT



Legend:

A = Required front yard

B = Fence height within the required front yard

C = Fence height after the required front yard

B. Maximum Height of Fences and Walls. Fences and walls may be erected and maintained in required yards subject to the following requirements:

1. Front Yards. Fences and walls within a required front yard shall not exceed three and one-half feet in height. For example, see Figure 22.110.070-A, above.

2. Interior Side and Rear Yards. Fences and walls within a required interior side yard or rear yard shall not exceed six feet in height, provided that on the street or highway side of a corner lot such fence or wall shall be subject to the same requirements as for a corner side yard. For example, see Figure 22.110.070-A, above.

3. Corner Side Yards. Fences and walls within a required corner side yard shall not exceed three and one-half feet in height where closer than five feet to the highway line, nor exceed six feet in height where located five feet or more from said highway line.

4. Retaining Walls.

a. Retaining Walls. Retaining walls within required yards shall not exceed six feet in height.

b. Retaining Walls Topped with Walls or Fences.

i. Where a retaining wall protects a cut below the natural grade and is located on a front, side, or rear lot line, such retaining wall may be topped by a fence or wall of the same height that would otherwise be permitted at the location if no retaining wall existed. Where such retaining wall contains a fill, the height of the retaining wall built to retain the fill shall be considered as contributing to the permissible height of a fence or wall; provided that a non-view-obscuring fence of three and one-half feet may be erected at the top of the retaining wall for safety protection.

ii. Where a wall or fence is located in the required yard adjacent to a retaining wall containing a fill, such wall or fence shall be set back from said retaining wall a distance of one foot for each one foot in height, to a maximum distance of five feet. This Subsection B.4.ii does not permit a wall or fence in required yards higher than permitted by this Section. The area between such wall or fence and said retaining wall shall be landscaped and continuously maintained in good condition.

5. Flag Lots. Notwithstanding this Subsection B, fences or walls are permitted within any required yard on flag lots to a height not to exceed six feet, pursuant to the approval of a Ministerial Site Plan Review (Chapter 22.186) application.

6. Exemption. Where a fence or wall that is required by any law or regulation of the State of California, and that fence or wall exceeds any height limitation specified by this Title 22, said fence or wall shall be permitted and shall not exceed such required height by any law or regulation of the State of California.

C. Landscaping as Fences and Walls. Trees, shrubs, flowers, and plants may be placed in any required yard, provided that all height restrictions applying to fences and walls shall also apply to hedges planted within yards and forming a barrier serving the same purpose as a fence or wall.

22.110.080 Required Yards.

A. Yard Determination. On corner lots, through lots with three or more frontages, flag lots, and irregularly shaped lots, where the provisions of this Title 22 do not clearly establish location of yards and lot lines, the Director shall make such determination.

B. Front Yards.

1. On Partially Developed Blocks. Where some lots in a block are improved or partially improved with buildings, each lot in said block may have a front yard of not less than the average depth of the front yards of the land adjoining on either side. A vacant lot, or a lot having more than the front yard required in the zone, shall be considered for this purpose as having a front yard of the required depth.

2. On Key Lots. The depth of a required front yard on key lots shall not be less than the average depth of the required front yard of the adjoining interior lot and the required side yard of the adjoining reversed corner lot.

3. On Sloping Terrain. The required front yard of a lot need not exceed 50 percent of the depth required in a zone where the difference in elevation between the curb level and the natural ground at a point 50 feet from the highway line, measured midway between the side lot lines, is 10 feet or more; or, if there is no curb, where a slope exists of 20 percent or more from the highway line to a point on natural ground 50 feet from said highway line. Measurement in all cases shall be made from a point midway between the side lot lines.

C. Side Yards.

1. Reversed Corner Lots Adjoining Key Lots. Where the front yard of a key lot adjoining a reversed corner lot is less than 10 feet in depth, such reversed corner lot may have a corner side yard of the same depth, but not less than five feet.

2. Interior Side Yards on Narrow Lots. Where a lot is less than 50 feet in width, such lot may have interior side yards equal to 10 percent of the average width, but in no event less than three feet in width.

D. Rear Yards on Shallow Lots. Where a lot is less than 75 feet in depth, such lot may have a rear yard equal to 20 percent of the average depth, but in no event less than 10 feet in depth.

E. Limited Secondary Highways.

1. Supplemental Yard. A supplemental yard eight feet wide shall be established in all zones along and contiguous to the highway lines of limited secondary highways; any other yard requirements established in Division 3 (Zones), Chapter 22.50 (Billboard Exclusion Zone), Chapter 22.52 (Development Program Zone), Chapter 22.54 (Parking Zone), Chapter 22.58 (Commercial – Residential Zone), and Chapter 22.60 (Industrial Preservation Zone) shall be in addition to this requirement.

2. Use of Supplemental Yard. A person shall not use any building or structure within this supplemental yard except for openwork railings or fences which do not exceed six feet in height and except as permitted within a yard by Section 22.110.040.A (Planter Boxes and Masonry Planters) and Section 22.110.040.D (Driveways, Walkways, and Patio Slabs).

3. Yard Modification. The supplemental yard requirement established by this Subsection E may be modified with the approval of a Yard Modification (Chapter 22.196) application.

22.110.090 Projections into Yards.

The following projections are permitted in required yards subject to the provisions of this Title 22 and Title 26 (Building Code) of the County Code.

A. Eaves and Cantilevered Roofs. Eaves and cantilevered roofs may project a maximum distance of two and one-half feet into any required yard, provided that:

1. Such eaves or cantilevered roofs are not closer than two and one-half feet to any lot or highway line;

2. No portion of such eaves or cantilevered roofs are less than eight feet above grade; and

3. There are no vertical supports within the required yard.

B. Awnings and Canopies. Awnings and canopies may project a maximum distance of two and one-half feet into a required interior side yard and five feet into a required front, rear, and corner side yard, provided that:

1. Such structures are not closer than two and one-half feet to any lot or highway line;

2. Such structures have no vertical support within such yard; and

3. Such awnings or canopies extend only over the windows or doors to be protected, and for not more than one foot on either side thereof.

C. Fireplace Structures. Fireplace structures, not wider than eight feet measured in the general direction of the wall of which they are a part, buttresses, and wing walls may project a maximum distance of two and one-half feet into any required yard, provided that:

1. Such structures are not closer than two and one-half feet to any lot or highway line; and

2. Such structures shall not be utilized to provide closets or otherwise increase usable floor area.

D. Uncovered Porches, Platforms, Landings, and Decks. Uncovered porches, platforms, landings, and decks, including any access stairs exceeding an average height of one foot, which do not extend above the level of the first floor may project a maximum distance of three feet into required interior side yards, and a maximum distance of five feet into required front, rear, and corner side yards, provided that:

1. Such porches, platforms, landings, and decks shall not be closer than two feet to any lot or highway line; and

2. Such porches, platforms, landings, and decks are open and unenclosed; provided, that an openwork railing not to exceed three and one-half feet in height may be installed.

E. Rain Conductors. Rain conductors, spouts, utility-service risers, shut-off valves, water tables, sills, capitals, bases, cornices, and belt courses may project a maximum distance of one foot into any required yard.

F. Equipment. Water heaters, water softeners, and gas or electric meters, including service conduits and pipes, enclosed or in the open, may project a maximum distance of two and one-half feet into a required interior side or rear yard, provided that such structures or equipment are not closer than two and one-half feet to any lot line. Gas meters, if enclosed or adequately screened from view by a structure permitted in the yard, may project a maximum distance of two and one-half feet into a required front or corner side yard, provided that such equipment is not closer than two and one-half feet to any lot or highway line.

G. Stairways and Balconies. Stairways and balconies above the level of the first floor may project a maximum distance of two feet into a required interior or corner side yard, or four feet into a required front or rear yard, provided that:

1. Such stairways and balconies shall not be closer than three feet to any lot or highway line;

2. Such stairways and balconies are open and unenclosed; and

3. Such stairways and balconies are not covered by a roof or canopy except as otherwise provided by Subsection B, above.

H. Covered Patios. Covered patios attached to a dwelling unit may project into a required rear yard, provided that:

1. Such patio roofs are not closer than five feet to any lot line;

2. No more than 50 percent of the required rear yard is covered by buildings or other roofed structures, except as provided in Section 22.110.030.D (Replacement of Open Space); and

3. Such patio shall remain permanently open and unenclosed on at least two sides. This provision does not preclude the placement of detachable screens.

I. Uncovered Patios. Uncovered patios shall comply with Section 22.110.030.C (Other Accessory Buildings in Rear Yards).

J. Wall and Window Mounted Air Conditioners, Coolers, and Fans. Wall- and window-mounted air conditioners, coolers, and fans may be used in any required yard, provided that such equipment is not closer than two and one-half feet to any lot line.

22.110.100 Conversion or Alteration of Buildings and Structures.

No building or structure existing at the time of the effective date of this Section, or by any subsequent amendment to this Section, which is designed, arranged, intended for, or devoted to a use not permitted in the zone in which such building or structure is located, shall be enlarged, extended, reconstructed, built upon, or structurally altered unless the use of such building or structure is changed to a use permitted in the zone where the building is located.

22.110.110 Relocation of Buildings and Structures.

A. Conditions. No building or structure shall be moved from one lot or premises to another unless such building or structure can be made to conform to all provisions of this Title 22 relative to all building or structures on the new lot or premises, and shall be made to conform to the general character of the existing buildings in the neighborhood, or better.

B. For Public Use. Where a building or structure is lawfully located on property acquired for public use (by condemnation, purchase, or otherwise), such building or structure may be relocated on the same lot, even if such building or structure exists as a nonconforming use or even if it is not in compliance with the area or width regulations of this Title 22. Where any part of such building or structure is acquired for public use, the remainder of such building or structure may be repaired, reconstructed, or remodeled, with the same or similar kind of materials as used in the existing buildings.

22.110.120 Density.

A. Density Conversion Table for Residential Zones. Where the letter U is used in combination with a numeral to designate units per net acre, as provided in Section 22.06.020 (Suffixes to Zoning Symbols), Table 22.110.120-A, below, shall be

used to determine the required lot area per dwelling unit on lots containing fractional parts of an acre. Nothing contained in this Section shall be deemed to modify required area as defined in Division 2 (Definitions) and as set forth in Section 22.110.130 (Required Area and Width).

TABLE 22.110.120-A: DENSITY CONVERSION TABLE FOR RESIDENTIAL ZONES	
Dwelling Units per Net Acre	***Lot Area per Dwelling Unit in sf***
1 U	43,560
2 U	21,780
3 U	14,520
4 U	10,890
5 U	8,712
6 U	7,260
7 U	6,223
8 U	5,445
9 U	4,840
10 U	4,356
11 U	3,960
12 U	3,630
13 U	3,351
14 U	3,111
15 U	2,904
16 U	2,723
17 U	2,562
18 U	2,420
19 U	2,293
20 U	2,178
21 U	2,074
22 U	1,980
23 U	1,894
24 U	1,815
25 U	1,742
26 U	1,675
27 U	1,613
28 U	1,556
29 U	1,502
30 U	1,452
31 U	1,405
32 U	1,361

TABLE 22.110.120-A: DENSITY CONVERSION TABLE FOR RESIDENTIAL ZONES	
Dwelling Units per Net Acre	***Lot Area per Dwelling Unit in sf***
33 U	1,320
34 U	1,281
35 U	1,245
36 U	1,210
37 U	1,177
38 U	1,146
39 U	1,117
40 U	1,089
41 U	1,062
42 U	1,037
43 U	1,013
44 U	990
45 U	968
46 U	947
47 U	927
48 U	908
49 U	889
50 U	871

B. Zone R-3 Dwelling Unit Density.

1. The maximum number of dwelling units per net acre for any residential use in Zone R-3 shall not exceed the number preceding the letter U specified in the suffix to the zoning symbol. Such required area per dwelling unit shall not exceed 30 units per net acre.

2. Subsection A, above, shall apply on lots containing fractional parts of an acre.

C. Zone R-4 Dwelling Unit Density.

1. The maximum number of dwelling units per net acre for any residential use in Zone R-4 shall not exceed the number preceding the letter U specified in the suffix to the zoning symbol. Such required area per dwelling unit shall not exceed 50 units per net acre.

2. Subsection A, above, shall apply on lots containing fractional parts of an acre.

D. Zone R-5 Dwelling Unit Density.

1. The maximum number of dwelling units per net acre for any residential use in Zone R-5 shall not exceed the number preceding the letter U specified in the suffix to the zoning symbol. Depending on the land use category in the General Plan prescribed for the property, such required area shall not exceed 100 or 150 units per net acre.

2. Subsection A, above, shall apply on lots containing fractional parts of an acre.

E. Zone C-MJ Maximum Density. In Zone C-MJ, if a project is located on property regulated by an area, community, or neighborhood plan, the maximum residential density shall be determined as set forth in such plan. In all other cases, the maximum residential density for the project shall be 150 dwelling units per net acre.

F. Zone C-RU Maximum Density. In Zone C-RU, the maximum residential density is five dwelling units per net acre.

G. Zone MXD-RU Maximum Density. In Zone MXD-RU, the maximum residential density is five dwelling units per net acre.

H. Zone MXD Maximum Density. In Zone MXD, the maximum density for residential-only and mixed use developments shall be 150 dwelling units per net acre.

22.110.130 Required Area and Width.

A. Required Area. Required area is established by the zone standards, suffixes to zoning symbols as provided in Section 22.06.020 (Suffixes to Zoning Symbols) and this Subsection A. As used in this Title 22, "required area" means:

1. The area of a lot which is shown as a part of a subdivision for purposes of sale, recorded as a final map or filed as a record of Survey Map approved as provided in the Subdivision Map Act or as provided in Title 21 (Subdivisions) of the County Code, except that where a lot which otherwise would have been shown as one lot, is divided into two or more lots because of a city boundary line or a line between land the title to which was registered under the Land Title Law (Torrens Title) and land

the title to which was not so registered, in which case "required area" means the area of such lot; or

2. The area of a lot, the right of possession of which, by virtue of a deed duly recorded, or by a recorded contract of sale, is vested in a person who neither owns nor has a right of possession of any contiguous lot or property; provided, that the deed or contract of sale by which such right of possession was separated has been recorded prior to the adoption by the Board of the ordinance which imposes the area requirements upon such lot; or

3.

a. Where a number follows the zoning symbol and Subsection A.1 or A.2, above, does not apply:

i. A gross area, including that portion, if any, subject to a highway easement or other public or private easement where the owner of the servient tenement does not have the right to use the entire surface, of the number of acres shown by such number if such number is less than 100, provided that the portion of the lot not subject to any such easement shall have an area not less than 40,000 square feet, if the lot was established on or after September 22, 1967, or not less than 32,000 square feet if the lot was established before September 22, 1967, or

ii. A net area of the number of square feet shown by such number if such number is greater than 100.

b. "Required area" shall not include the access strip of a flag lot extending from the main portion of the lot to the adjoining parkway, highway, or street.

4. Where no number follows the zoning symbol and Subsection A.3.a.i or A.3.a.ii, above, does not apply, the required area is:

a. In Zone C-R, the same as in Zone C-R-5;

b. In Zone A-2, the same as in Zone A-2-10,000;

c. In Zones R-1, R-2, R-3-30U, R-4-50U, R-5, R-A, RPD, A-1, R-R, CPD, and M-3, the same as in Zone R-1-5000;

5. A lot shown as such on a subdivision for the purpose of lease only does not have the required area unless it complies with Subsection A.2, A.3, or A.4, above;

6. The area of a lot created prior to March 4, 1972, for which a certificate of compliance has been granted pursuant to Section 21.60.060 (Notices of Violation);

7. The area of a lot for which a Variance (Chapter 22.194) application for lot area has been approved shall be deemed to have the required area.

B. Required Width. As used in this Title 22, "required width" means:

1. The average width of a lot which is shown as part of a subdivision recorded as a final map or filed as a Record of Survey Map in accordance with law, except that where a parcel which otherwise would have been shown as one lot is divided into two or more lots because of the city boundary line or a line between land, the title to which is registered under the Land Title Law (Torrens Title) and land the title to which is not so registered in which case the "required width" means the average width of such lot;

2. The average width of a lot, the right of possession of which, by virtue of a deed duly recorded, or by a recorded contract of sale, is vested in a person who neither owns nor has the right of possession of any contiguous lot, provided that the deed or contract of sale by which such right of possession was separated has been recorded prior to the adoption by the Board of the ordinance which imposes the width requirement upon such lot;

3. The width specified by any legislative restriction except in those cases in which the Hearing Officer, in approving a tentative map of a subdivision as provided in Title 21 (Subdivisions) of the County Code, finds, pursuant to Section 21.52.010 (Modification or Waiver of Provisions Authorized When) of such Title that such width should be modified;

4. An average width of 60 feet if the required area is 7,000 square feet or more; or

5. An average width of 50 feet where there is a required area and such required area is less than 7,000 square feet. If there is no required area, there is no required width.

6. Exceptions.

a. Neither Subsection B.4 nor B.5, above, applies except in the Lancaster District No. 31 and Palmdale District No. 54, which are established in Section 22.06.060 (Zoned Districts Established).

b. Except in the zoned districts in Subsection B.6.a, above, and except where a legislative restriction requires an average width of 60 feet, the average width of a lot created pursuant to Section 22.110.160 (Resubdivision Conditions for Undersized or Underwidth Lots) need not be more than 50 feet even if the required area is 7,000 square feet or greater.

22.110.140 Required Area or Width for Specific Circumstances.

A. Required Area – For a Housing Permit. Where a Housing Permit (Chapter 22.166) application for qualified projects is approved, lot area and/or lot area per dwelling unit requirements specified by said approval shall be deemed the required area and/or required area per dwelling unit established for the lot or the lots where approved.

B. Required Area – Reduced by Certain Public Uses – Computation. If a lot has not less than the required area, and after creation of such lot a part thereof is acquired for a public use other than for highway purposes, in any manner including dedication, condemnation, or purchase, and if the remainder of such lot has not less than 80 percent of the area indicated by the number which follows the zoning symbol, such remainder shall be considered as having the required area. If no number follows the zoning symbol, the following numbers shall be deemed to follow the zoning symbol:

1. The number 5 in Zone C-R;

2. The number 10,000 in Zone A-2; and

3. The number 5,000 in Zones R-1, R-2, RPD, R-A, A-1, R-R, CPD, and M-3.

C. Required Area – Reduced for Highways – Conditions. If a lot has not less than the required area and after the creation of such lot a part thereof is acquired for highway purposes exclusively, in any manner including dedication, condemnation, or purchase, and if the remainder of such lot has not less than 75 percent of the required area, then such remainder shall be considered as having the required area, provided the remaining portion of said lot has an area of not less than 2,500 square feet, or an area as is otherwise provided herein. The Director, without notice of hearing, may approve a reduction of lot area to 75 percent of the required area where the remaining lot would have less than 2,500 square feet, but not less than 2,000 square feet, where topographic features, subdivision design, or other conditions create an unnecessary hardship or unreasonable limitation making it obviously impractical to comply with the stated minimum.

D. Required Width – Reduced by Public Use – Conditions. If a lot has not less than the required width, and after the creation of such lot a part thereof is acquired for public use in any manner, including dedication, condemnation, or purchase, if the remainder of such lot has an average width of not less than 40 feet, such remainder shall be considered as having the required width.

E. Conveyance or Division of Land – Lot Area and Width Restrictions. Except a conveyance for public use or as otherwise provided in this Chapter, a person shall not divide any lot, and shall not convey any lot or any portion thereof, if as a result of such division or conveyance the area or average width of any lot is so reduced, or a lot is created, which lot has an area or average width less than:

1. Sufficient so that the number and type of structures on such resulting lot comply with the provisions of this Chapter;

2. The required area, or required width, if any portion of such lot is in Zone R-1, R-2, R-3, R-4, R-A, A-1, A-2, C-R, or M-3; or

3. The required area or required width, if any portion of such lot is in Zone RPD or CPD, except as otherwise provided in this Section, or by a Conditional Use Permit (Chapter 22.158) for a planned residential or commercial development

pursuant to Section 22.18.050 (Development Standards and Regulations for Zone RPD) or Section 22.20.080 (Development Standards for Zone CPD).

F. Temporary Dwellings. The provisions of this Chapter do not prohibit the use for residential purposes of any temporary building on any such lot in Zones R-1, R-2, R-A, A-1, or A-2, pending the construction and completion of a permanent residence building thereon, in the event that such temporary building contains an aggregate floor area of not to exceed 400 square feet and the nearest portion thereof is located 75 feet or more from the front line of such lot, if in Zones R-1, R-A, or R-2, or not less than 50 feet from the street or highway upon which such property fronts if in Zones A-1 or A-2, and in the further event that such temporary buildings and each portion thereof is distant not less than 30 feet from the designated site of such permanent building and each portion thereof.

G. Sales – Portions of Lots. Where a portion of a lot is sold or transferred and as a result of such sale or transfer one or more lots are created of such an area that the number and locations of the buildings thereon no longer conform to the requirements of this Chapter, then, in the determination of the permissible number and location of any buildings on any other lot so created by such sale or transfer, the portion sold or transferred and the remainder shall be considered as one lot.

H. Sales – Contracts Voidable When. Any deed of conveyance, sale, or contract to sell made contrary to the provisions of this Chapter is voidable at the sole option of the grantee, buyer, or person contracting to purchase, his heirs, personal representative, or trustee in insolvency or bankruptcy within one year after the date of execution of the deed or conveyance, sale, or contract to sell, but the deed of conveyance, sale, or contract to sell is binding upon any assignee or transferee of the grantee, buyer, or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor, or person contracting to sell, his assignee, heir, or devisee.

I. Zones R-1, R-A, RPD, A-1, and A-2 – Required Area. No person shall use any main buildings or structures in Zones R-1, R-A, RPD, A-1, or A-2 unless the lot

on which they are located has the required area as specified in this Chapter for each such building or structure. This provision shall not apply to accessory buildings or structures, senior citizen residences, or second units.

J. Zone R-2 – Restrictions.

1. Use Restrictions on Certain Undersized Lots. A person shall not erect, construct, occupy, use, alter, or enlarge more than one building or structure on any lot in Zone R-2 which has less than twice the required area, except:

a. Accessory buildings permitted in Zone R-2; or

b. A single-family residence as specifically permitted by this Chapter.

2. More Than One Building Per Lot – Restrictions. A person shall not erect, construct, occupy, use, alter, or enlarge more than one building or structure per required area on any lot in Zone R-2, except:

a. Accessory buildings permitted in Zone R-2;

b. One single-family residence, together with accessory buildings customary to such use permitted in Zone R-1, if there are no other buildings or structures thereon, may be used:

i. On a lot having the required area, or

ii. On an area equal to half the required area, but in no event less than 2,500 square feet; or

c. A two-family residence, together with accessory buildings customary to such use permitted in Zone R-2, if there are no other buildings or structures thereon, may be used on a lot having the required area and an area not less than:

i. 4,000 square feet if no number follows the zoning symbol, or

ii. The area designated by the number following the zoning symbol.

22.110.150 Substandard Lots.

A. Required Area for Undersized Lots. If, as a result of the normal division of an undersized section of land, a lot would be created having less than the required area, such lot shall be considered as having the required area, provided that:

1. In no event shall more lots be created under this Section than would result from the breakdown of a normal section of land in the same zone;

2. This Subsection A shall apply only to lots when division of a normal section would create lots having not less than a minimum gross area of two and one-half acres;

3. The total reduction of all lots in a division of an undersized section shall not exceed 10 percent;

4. No lot shall be created which contains less than a minimum gross area of two and one-quarter acres; and

5. The creation of such lots shall meet all the requirements of Title 21 (Subdivisions) of the County Code.

B. Substandard Area or Width. A building or structure shall not be erected, constructed, altered, enlarged, occupied, or used in Zones R-1, R-2, R-A, A-1, or A-2 on any lot which has less than the required area or the average width of which is less than the required width, except that one single-family residence and such other structures as are permitted in Zone R-1 may be erected, constructed, altered, enlarged, occupied, and used on a lot in Zone R-2 the average width of which is not less than the required width and has an area of not less than 2,500 square feet.

22.110.160 Resubdivision Conditions for Undersized or Underwidth Lots.

A. Undersized Lots.

1. The owner of two or more contiguous lots, one or more of which has an area less than that indicated by the number which follows the zoning symbol, or, if no number follows the zoning symbol, less than five acres if in Zone C-R, or less than 10,000 square feet in Zone A-2, or less than 5,000 square feet in any other zone, may

file a map with the Director resubdividing such lots into the same number or a lesser number of lots. The Director may approve such map if:

a. The lot on such map having the smallest area has an area not less than the original lot having the smallest area;

b. The lot on such map having the narrowest average width has an average width not less than that of the original lot having the least average width, except that such average width need not be more than 60 feet if the required area is 7,000 square feet or more and need not be more than 50 feet in other cases; and

c. The division made by such map tends to promote the public health, safety, comfort, convenience, general welfare, and other purposes of this Title 22 to a greater extent than the division of the original lots.

2. Each lot shown on a map approved by the Director pursuant to this Section shall be deemed to have the required area.

B. Underwidth Lots.

1. The owner of two or more contiguous lots, one or more of which has an average width of less than 50 feet if the required area is less than 7,000 square feet or of less than 60 feet if the required area is 7,000 square feet or more, may file a map with the Director resubdividing such lots into the same or a lesser number of lots. The Director may approve such maps if:

a. The areas of the lots created by such map are either equal to the required area or could be approved pursuant to Subsection A, above;

b. The lot on such map having the narrowest average width, has an average width not less than that of the original lot of land having the least average width, except that such average width need not be more than 60 feet if the required area is 7,000 square feet or more and need not be more than 50 feet in other cases; and

c. The division made by such map tends to promote the public health, safety, comfort, convenience, general welfare, and other purpose of this Title 22 to a greater extent than the division of the original lots.

2. Each lot shown on a map approved by the Director pursuant to this Section shall be deemed to have the required width.

C. Contiguous Narrow Lots.

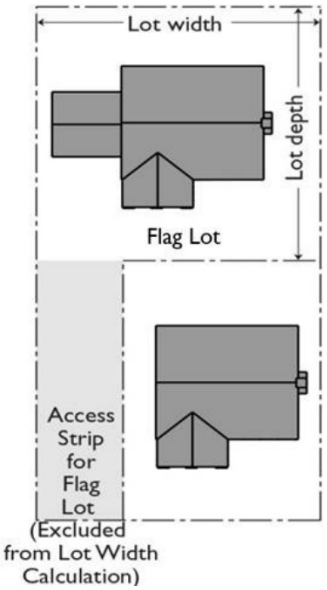
1. Where, prior to the territory being zoned R-1, R-2, R-A, A-1, or A-2, lots exist not less than 100 feet deep but less than 50 feet wide, if two or more such contiguous lots, or one or more such contiguous lots and one or more lots also contiguous thereto which have a depth of not less than 100 feet, have a total frontage of not less than 50 feet, such lots may be treated and considered as one lot.

2. If such lot is in Zone R-1, R-A, A-1, or A-2, two single-family dwellings may be constructed thereon and so used. If such lot is in Zone R-2, two single-family dwellings or two two-family dwellings or one single-family dwelling and one two-family dwelling may be constructed thereon and so used.

22.110.170 Flag Lots.

A. Measurement. Average width and depth of flag lots shall exclude the access strip for the lot. For example, see Figure 22.110.170-A, below.

FIGURE 22.110.170.A: FLAG LOT WIDTH AND DEPTH



B. Development. The development of a single-family residence on a flag lot shall comply with the following:

1. Yards.

a. Front, side, and rear yards required by this Title 22 shall be established on the main portion of a flag lot exclusive of the access strip.

b. In lieu of any yard required by this Title 22, a uniform distance of 10 feet from all lot lines may be substituted.

2. Access Strip. The access strip shall be maintained clear except for driveways, landscaping, fences, or walls, which shall be subject to the same requirements specified for yards on adjoining properties fronting on the same parkway, highway, or street.

22.110.180 Modifications Authorized.

A. Regional Planning. Yard or setback regulations required by this Title 22 may be modified with the approval of a Yard Modification (Chapter 22.196) application.

B. Public Works. The Director of Public Works, without notice or hearing, may grant a modification to yard or setback regulations required by this Title 22 or any other ordinance where topographic features, subdivision plans, or other conditions create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with the yard requirements or setback line. The Director of Public Works shall notify the Director of all modifications which the Director of Public Works has granted.

22.110.190 Modifications for Public Sites.

The Director, without notice or hearing, may grant a modification of yard and setback regulations for public sites unless such modification would be incompatible with adjoining development.

Chapter 22.112 Parking.

Sections:

22.112.010 Purpose.

22.112.020 Applicability.

22.112.030 Exemptions.

22.112.040 General Standards and Measurements.

22.112.050 Ownership of Required Parking Facilities.

22.112.060 On-Site Parking.

22.112.070 Required Parking Spaces.

22.112.080 Parking Design.

22.112.090 Accessible Parking for Persons with Disabilities.

22.112.100 Bicycle Parking Spaces and Bicycle Facilities.

22.112.110 Reduction in Required Parking Spaces When Bicycle Parking Provided.

22.112.120 Loading Spaces.

22.112.010 Purpose.

This Chapter:

A. Establishes comprehensive parking provisions to effectively regulate the design of parking facilities and equitably establish the number of parking spaces required for various uses;

B. Promotes vehicular and pedestrian safety and efficient land use;

C. Promotes compatibility between parking facilities and surrounding neighborhoods and to protect property values by providing such amenities as landscaping, walls, and setbacks; and

D. Establishes parking requirements to assure that an adequate number of spaces be made available to accommodate anticipated demand in order to lessen traffic congestion and adverse impacts on surrounding properties.

22.112.020 Applicability.

A. Parking and Loading Spaces. Parking and loading spaces shall be provided in compliance with this Chapter in the following circumstance:

1. New Development. Any new building or structure is constructed and/or any new use is established.

2. Alteration, Enlargement, Expansion, or Intensification to an Existing Development.

a. Any existing building, structure, or use is altered, enlarged, expanded, or intensified. Required parking or loading spaces shall be provided to serve the altered, enlarged, expanded, or intensified building, structure, or use.

b. For the purposes of this Chapter, alteration, enlargement, expansion, or intensification includes an increase to the number of dwelling units, guest rooms, floor area, occupant load, employees, or any other unit of measurement used to establish required parking and loading spaces.

B. Reduction of Required Parking and Loading Spaces. A reduction in the number of required parking or loading spaces may be granted pursuant to any of the following:

1. Section 22.112.110 (Reduction in Required Parking Spaces When Bicycle Parking Provided).

2. Chapter 22.176 (Minor Parking Deviations).

3. Chapter 22.178 (Parking Permits).

4. Section 22.24.040.F (Vehicle Parking Incentives).

5. As otherwise authorized by this Title 22.

C. Bicycle Parking. Bicycle parking shall be provided in compliance with this Chapter when a new building or structure is constructed, and when an existing building

or structure is altered or enlarged to increase floor area if the alteration or enlargement results in the addition of at least 15,000 square feet of gross floor area.

22.112.030 Exemptions.

A. Exemptions to this Chapter. This Chapter shall not apply to the following:

1. Santa Catalina or San Clemente Islands. Property on Santa Catalina or San Clemente Islands.

2. Special Event Permits. Temporary parking facilities authorized by an approved Special Event Permit (Chapter 22.188), except where specifically required by the Director.

3. Community Standards Districts. Community Standards Districts where different standards are provided.

4. Housing. Qualified projects, as provided for in Chapter 22.120 (Density Bonuses and Affordable Housing Incentives), where either of the following apply:

a. If requested by the applicant, the development standards described in Section 22.120.060 (Parking Reduction) shall apply; or

b. The development standards described in this Chapter as waived or modified in accordance with Chapter 22.120 (Density Bonuses and Affordable Housing Incentives), as applicable.

5. Scientific Research and Development Zone. Scientific Research and Development Zone established pursuant to Section 22.26.050 (Scientific Research and Development Zone), where different development standards are provided.

6. Nonconforming Due to Parking. Buildings, structures, and uses nonconforming due to parking may be continuously maintained, provided there is no alteration, enlargement, intensification, or addition to any building or structure, no increase in occupant load, nor any enlargement of area, space, or volume occupied by such a use.

B. Residential Uses on Lots of One Acre or More. Any single-family residence, two-family residence, apartment house, and other structure designed for or

intended to be used as a dwelling on a lot having an area of one acre or more per dwelling unit shall be exempt from Section 22.112.070 (Required Parking Spaces) and Section 22.112.080.E (Paving).

C. Access. Where vehicular access to any parking space on the same lot as the residential structure to which it would be accessory is not possible from any highway or street due to topographical or other conditions, or is so difficult that to require such access is unreasonable in the opinion of the Director or Director of Public Works, such parking space is not required if:

1. Alternate parking facilities approved by either the Director or Director of Public Works are provided; or

2. The Director or Director of Public Works finds that alternate parking facilities are not feasible.

22.112.040 General Standards and Measurements.

A. Improved Prior to Occupancy. Any parking facilities required by this Chapter shall be established in compliance with this Chapter and improved prior to:

1. Occupancy of new buildings or structures; or

2. Occupancy of a new use in the case of an existing building or structure that has been altered, enlarged, expanded, or intensified, in accordance with this Chapter.

B. Permanent Maintenance Required. Any parking facilities required by this Chapter shall be conveniently accessible and permanently maintained as such unless and until substituted for in full compliance with this Title 22.

C. Residential and Agricultural Zones. The following standards apply in all Residential and Agricultural Zones:

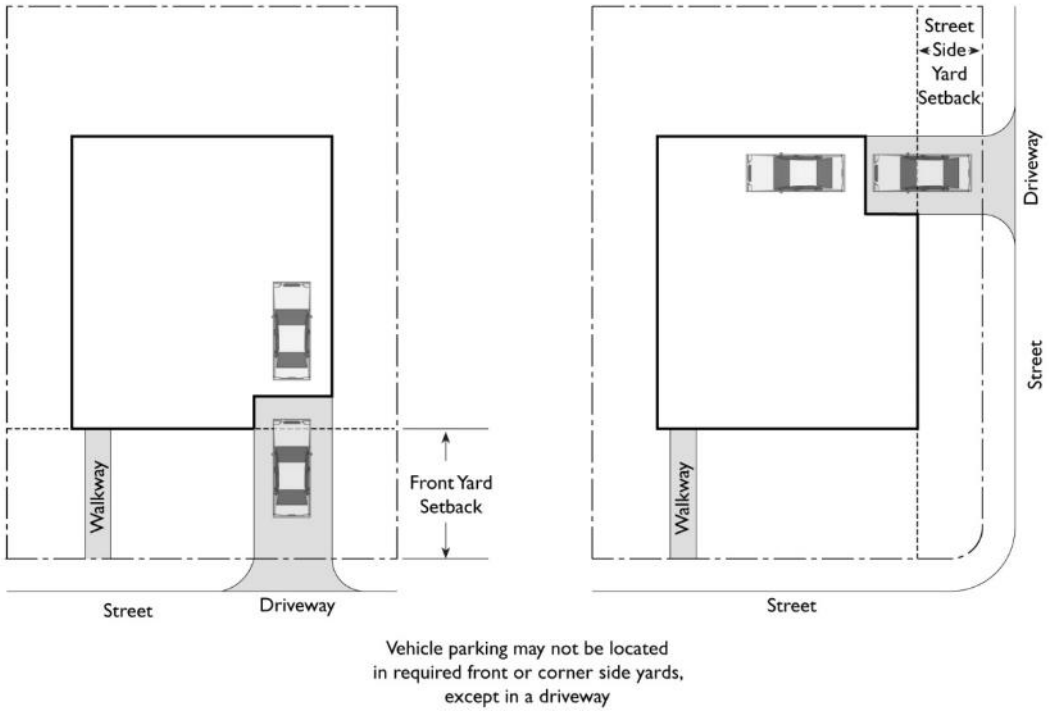
1. A person shall not keep, store, park, maintain, or otherwise permit any vehicle or any component thereof in the front yard, corner side yard, or any additional area of a lot situated between the road and any building or structure located thereon, except that the parking of passenger vehicles including pickup trucks, other

than a motor home or travel trailer, is permitted on a driveway. For example, see Figure 22.112.040-A, below.

2. A person shall not keep, store, park, maintain, or otherwise permit an "inoperative vehicle", as defined in Section 22.14.090 of Division 2 (Definitions), in any Residential or Agricultural Zone. Inoperative vehicles shall be removed within 30 days of June 7, 1991, the effective date of this Subsection C.

3. Notwithstanding Subsections C.1 and C.2, above, a person may keep and maintain a historic vehicle collection, provided the Director finds it to be in full compliance with Section 22.140.270 (Historic Vehicle Collections).

FIGURE 22.112.040-A: LOCATION OF PARKING AREAS – RESIDENTIAL ZONES



D. Measurement.

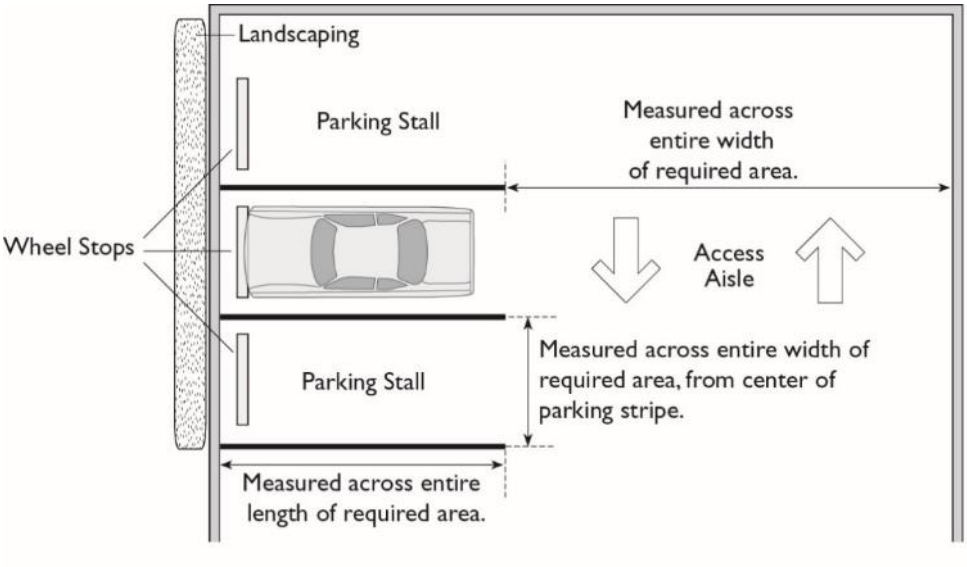
1. Measurement of space lengths, aisle widths, and stacking areas for parking spaces required by this Chapter are measured from across the entire width and length of the required areas.

2. Where single striping lines are used, the width shall be measured from the center of the striping line.

3. Where double striping is used, the width shall be measured from the midpoint between the striping lines.

4. For examples of this Subsection D, see Figure 22.112.040-B, below.

FIGURE 22.112.040-B: MEASUREMENT



E. Calculation. The following rules shall apply for calculation of parking spaces required by this Chapter:

1. Multiple Uses. When two or more uses are located on the same lot or within the same building or structure, the required parking for each use shall be calculated separately. The number of on-site parking spaces required shall be the sum total of the requirements for the individual uses, unless as otherwise provided for by this Chapter.

2. Area – Based Standards.

a. Area – based parking space ratios shall be computed based on gross floor area in square feet. Gross floor area shall be calculated in compliance with Section 22.04.050.E (Gross Floor Area and Floor Area Ratio).

b. The Director is authorized to determine the area measurement for uses or portions of uses not located within buildings or structures.

3. Occupancy Load. Occupant load parking space ratios shall be computed based on the occupant load as determined by the Director of Public Works.

22.112.050 Ownership of Required Parking Facilities.

A. Ownership. Except as provided in Subsection B, below, parking facilities required by this Chapter shall be owned by the owner of the premises on which the use required to be served by said parking facility is located.

B. Alternative Compliance. Ownership of any parking facility required by Subsection A, above, is not necessary if another alternative is granted pursuant to Chapter 22.178 (Parking Permit).

22.112.060 On-Site Parking.

A. General. Every use shall provide the number of required parking spaces on the same lot on which the use is located. For the purposes of this Section, transitional parking spaces separated only by an alley from the use shall be considered to be located on the same lot.

B. Exemptions. The following shall be exempt from this Section:

1. Density – Controlled Developments (Section 22.140.170), where off-site parking is specifically approved by the Commission or Hearing Officer;

2. Off-site parking, when granted pursuant to a Parking Permit (Chapter 22.178); or

3. Unless as otherwise provided for by this Title 22.

22.112.070 Required Parking Spaces.

A. Required Parking Spaces. Table 22.112.070-A, below, identifies the minimum number of parking spaces required to establish each use.

TABLE 22.112.070-A: MINIMUM REQUIRED PARKING SPACES	
Use	***Number of Spaces***
Boat slips	0.75 spaces per boat slip.
Bowling alleys	3 spaces per bowling alley.
Churches, temples, and other places of worship[1]	1 space per 5 persons based on occupant load of the largest assembly area.
Commercial uses	

TABLE 22.112.070-A: MINIMUM REQUIRED PARKING SPACES	
Use	***Number of Spaces***
Any use permitted in Zone C-3 but not permitted in Zone R-4, including commercial, retail, or service uses and medical or dental offices	1 space per 250 square feet.
Business and professional offices, excluding medical and dental offices	1 space per 400 square feet.
Electrical substations and similar public utilities which has no offices or places visited by the public	No spaces required.
Day care facilities	
Adult day care	1 space per staff member and 1 space per vehicle used directly for the business.
Child care center	1 space per staff member, 1 space per vehicle used directly for the business, 1 space per 20 children for whom a license has been issued by the State of California, and 1 designated area for on-site drop-off and pickup for children.
Entertainment, assembly, and dining	
Conference rooms	1 space per 3 persons based on the occupant load of all indoor and outdoor areas. A minimum of 10 spaces is required for each use.
Dining rooms, cafes, cafeterias, coffee shops, nightclubs, outdoor dining areas, restaurants, and other similar uses	
Drinking establishments, bars, cocktail lounges, nightclubs, soda fountains, taverns, and other similar uses	
Exhibit rooms, stages, lounges, and other similar uses	
Theaters, auditoriums, lodge rooms, stadiums, or other places of amusement and entertainment, not otherwise listed in this Chapter	
Mortuaries	
Dancehalls, skating rinks, and gymnasiums	
Health clubs and centers	
Golf courses, excluding miniature golf courses	10 spaces per hole and parking for all other buildings, structures, or uses, excluding starter offices, comfort stations, and locker/shower rooms.
Hospitals	
Convalescent hospitals	Spaces equal to the number of residents for whom a license has been issued by the State of California and spaces for each employee residential unit in the number required and subject to the same conditions as specified for "Residential uses."

TABLE 22.112.070-A: MINIMUM REQUIRED PARKING SPACES	
Use	***Number of Spaces***
Hospitals[2]	2 spaces per patient bed, with 25% reserved for employees and 1 space per 250 square feet for outpatient clinics, laboratories, pharmacies, and other similar uses.
Industrial uses – in any zone, excluding Zone SR-D	
Industrial/manufacturing uses, excluding scrap metal processing, automobile dismantling, junk and salvage yards, and warehouses	1 space per 500 square feet and 1 space per vehicle directly used for the business.
Scrap metal processing, automobile dismantling, and junk and salvage yards[3]	1 space per vehicle directly used for business, and 1 space per 7,000 square feet or fraction thereof of yard area up to 42,000 square feet and 1 space per 20,000 square feet or fraction thereof of yard area in excess of 42,000 square feet. A minimum of 10 spaces is required for each use.
Warehouses, as defined in Division 2 (Definitions)	1 space per 1,000 square feet used for warehousing and 1 space per 400 square feet used for office.
Lodging	
Hotels	1 space per 2 guest rooms and 1 space per suite of guestrooms.
Motels	1 space per guest room and spaces for each dwelling unit in the number required and subject to the same conditions as specified for "Residential uses."
Clubs, fraternity and sorority houses, dormitories, and hostels	1 standard space per guest room and 1 space per 100 square feet of dormitory floor area.
Mobilehome parks[4,5,6]	2 standard spaces per mobilehome and 1 standard space for guests per 4 mobilehomes.
Private and public parks[7]	
Private and public parks, up to 50 acres	1 space per 45 square feet in the largest public assembly area in each building excluding gymnasiums; 1 space per 100 square feet of the largest room in each gymnasium; 1 space per 400 square feet in the remaining area of each building in the park, excluding parking structures, maintenance, and utility buildings, and other structures not open to the public; 1 space per half-acre of developed park up to 15 acres and 1 space per acre of developed park in excess of 15 acres.
Private and public parks, over 50 acres	Spaces shall be required based on the occupant load of each facility. Where an occupant load is not available, the Director shall make a determination based on the recommendation of the Director of Parks and Recreation.
Racquetball, tennis, and similar courts	2 spaces per court.

TABLE 22.112.070-A: MINIMUM REQUIRED PARKING SPACES	
Use	***Number of Spaces***
Residential uses[4]	
Adult residential facility	1 space per staff member on the largest shift and 1 space per vehicle directly used for the business.
Apartments[5]	
Bachelor	1 covered standard space per dwelling unit.
Efficiency and one-bedroom	1.5 covered standard space per dwelling unit.
Two or more bedrooms	1.5 covered standard space per dwelling unit and 0.5 covered or uncovered standard spaces per dwelling unit.
Guest parking for apartment houses with at least 10 units[6]	1 standard space for guests per 4 dwelling units of the total number of dwelling units.
Two-family residences	3 covered standard spaces and 1 covered or uncovered standard space per two-family residence.
Farmworker housing[8]	Spaces for each dwelling unit in the number required and subject to the same conditions as specified for "Residential uses" and where farmworker housing consists of group living quarters, such as barracks or a bunkhouse, 1 space per 3 beds.
Group homes for children	1 space per staff member on the largest shift and 1 space per vehicle used directly for the business.
Housing developments for senior citizens and persons with disabilities[9]	0.5 standard space per dwelling unit and 1 standard space for guests per 8 dwelling units.
Joint live and work units	2 uncovered standard spaces per joint live and work unit.
Second units[10]	1 standard space per second unit with fewer than 2 bedrooms or 2 standard spaces per second unit with 2 or more bedrooms.
Single-family residences	2 covered standard spaces per unit.
Schools[1]	
Schools, up to grade 6	1 space per classroom.
Schools, grade 7 and up	1 space per classroom and 1 space per 5 persons based on the occupant load of the auditorium or largest assembly room.
Tasting rooms and remote tasting rooms	1 space per 100 square feet, including any outdoor floor area.
Wineries	1 space per 500 square feet of enclosed floor area.

TABLE 22.112.070-A: MINIMUM REQUIRED PARKING SPACES	
Use	***Number of Spaces***
1. Parking shall be located within 500 feet of the lot of the use. 2. Parking shall be located within 500 feet of the lot of the use served. 3. The parking spaces required herein shall not be used for the parking of vehicles used directly in the conducting of such use or of renovated, repaired, or reassembled vehicles which are owned, operated, or in the possession of the proprietor of the yard. The addition of automobile parking spaces on an adjacent lot for purposes of complying with the parking requirements of this Section shall not be considered an expansion of the use. 4. Tandem parking spaces for residential uses may be provided in compliance with Section 22.112.080.B.1.c.i. 5. Parking spaces shall be standard in size unless compact size spaces are granted pursuant to Chapter 22.178 (Parking Permits). At least one parking space shall be assigned to each dwelling unit. 6. Guest spaces shall be clearly marked for guest parking only. 7. In addition to Section 22.112.020.B (Reduction of Required Parking and Loading Spaces), the Review Authority shall consider additional findings: a. That the Director of Parks and Recreation has determined that due to location, size or other factors, anticipated client usage would indicate that a lesser parking requirement is adequate and so recommends; and b: Sufficient land area is reserved to ensure that the parking requirements of this Section may be complied with should such additional parking be required in the future due to changes in client usage. 8. Parking spaces may be uncovered and/or in tandem. 9. Parking spaces may be covered or uncovered. If parking is uncovered, the screening requirements of Section 22.112.080.F (Walls) shall be followed. A deed restriction, covenant, or similar document shall be recorded to ensure that the occupancy of the units is restricted to senior citizens or persons with disabilities. 10. A parking space for a second unit may be located in tandem with a space serving the existing single-family residence if the design is necessary to provide the required number of spaces for both units, and if either space may be accessed from the driveway without moving an automobile parked in the other space. In addition, notwithstanding the parking requirements for single-family dwelling units specified above, if tandem parking is provided, one of the spaces for the single-family residence may be uncovered.	

B. Uses not specified – Number of spaces required. Where parking requirements for any use are not specified, parking shall be provided in an amount that the Director finds adequate to prevent traffic congestion and excessive on-street parking. Whenever practical, such determination shall be based upon the requirements for the most comparable use specified in this Chapter.

C. Fractions. If the number of on-site parking spaces for a use required by this Chapter contains a fraction, that fraction shall be rounded to the nearest whole number. Any such fraction equal to or greater than 0.50 shall be rounded up to the nearest whole number and any such fraction less than 0.50 shall be rounded down to the nearest whole number. For example, "Use A" requires 9.7 spaces and "Use B" requires 9.4 spaces. "Use A" rounds up and requires 10 spaces and "Use B" rounds down and requires 9 spaces. A total of 19 spaces would be required for the two uses.

D. Parking as a Transitional Use. Where parking as a transitional use is allowed by this Title 22, it shall comply with all locational and design standards of Section 22.140.440 (Parking as a Transitional Use).

E. Compact Spaces. A maximum of 40 percent of the number of parking spaces required by this Chapter may be compact automobile parking spaces, except as otherwise provided in this Chapter. Compact spaces shall be distributed throughout the parking area. Any compact parking spaces provided in excess of the number of parking spaces required by this Chapter shall be excluded from this Subsection E.

22.112.080 Parking Design.

A. Applicability. This Section shall apply to parking areas in all zones. Parking spaces shall be provided pursuant to this Section and Figure 22.112.080-A, below.

B. General Standards for Parking Spaces and Maneuvering Aisles.

1. Parking Spaces.

a. Standard. Standard parking spaces shall have a minimum width of 8.5 feet and a minimum depth of 18 feet, based on a 90-degree parking layout.

b. Compact. Compact parking spaces shall have a minimum width of eight feet and a minimum depth of 15 feet, based on a 90-degree parking layout.

c. Tandem.

i. Tandem Parking Spaces for Residential Uses.

(1) When two or more parking spaces are reserved or required for a dwelling unit, such spaces may be developed as tandem parking spaces.

(2) Standard tandem parking spaces shall have a minimum width of 8.5 feet and a minimum depth of 36 feet to accommodate two vehicles.

(3) Compact tandem parking spaces are allowed for apartment uses when granted pursuant to Chapter 22.178 (Parking Permit).

Compact tandem parking spaces shall have a minimum width of eight feet and minimum depth of 30 feet long to accommodate two vehicles.

ii. Tandem Parking Spaces for Nonresidential Uses. Tandem parking spaces for nonresidential uses are allowed when granted pursuant to Chapter 22.178 (Parking Permits).

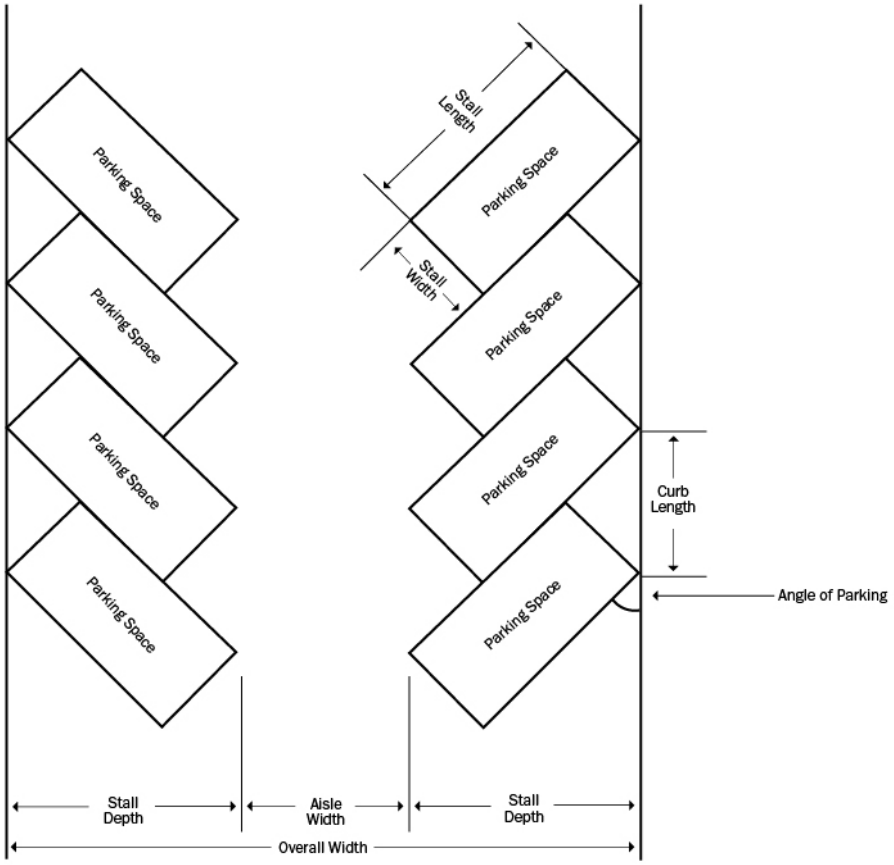
2. Maneuvering Aisles.

a. Standard. Maneuvering aisles that provide access to standard parking spaces shall have a minimum width of 26 feet.

b. Compact. Maneuvering aisles that provide access to only compact parking spaces shall have a minimum width of 23 feet, except where a 26-foot wide access road is required by the Fire Department.

3. Covered Parking. Where required, covered parking spaces shall be provided in a garage, carport, or other suitable vehicle storage structure that complies with all applicable codes and ordinances. Tarps or other temporary structures do not count toward required covered parking spaces.

FIGURE 22.112.080-A: MINIMUM PARKING SPACE DIMENSIONS



Angle of Parking (Degrees)	*Stall Depth (feet)*	*Aisle Width (feet)*	*Overall Width (feet)*	*Stall Length (feet)*	*Curb Length (feet)*
Standard Parking					
90	18	26[1]	62[1]	18	8' 6"
60	20	20[2]	60[2]	18	9' 10"
45	19	14[2]	52[2]	18	12
30	16	12[2]	44[2]	18	17
Compact Parking					
90	15	23[1]	53[1]	15	8
60	16' 6"	16[2]	49[2]	15	9' 5"
45	15' 6"	13[2]	44[2]	15	11' 4"
30	14'	12[2]	40[2]	15	16

1. Two-way aisle.
2. One-way aisle, double-loaded parking.

C. Striping.

1. Each parking space shall be clearly striped with paint or other similar distinguishable material, except that spaces established in a garage or carport having not more than three parking spaces need not be striped.

2. The Director may approve alternate means of striping parking spaces if:

a. There is a dual use of the parking facility; or

b. An alternate paving material is allowed by Public Works, pursuant to Subsection E, below.

3. Each compact parking space shall be clearly marked with the words "Compact Only."

D. Wheel Stops.

1. Wheel stops shall be provided for parking lots with a slope of more than three percent, except that the installation of wheel stops is optional for parking stalls oriented at right angles to the direction of slope.

2. Wheel stops shall be provided along the perimeter of parking lots that are adjacent to walls, fences, or pedestrian walkways.

E. Paving.

1. Where access to parking spaces is from a highway, street, or alley which is paved with asphaltic or concrete surfacing, such parking areas, as well as the maneuvering areas and driveways used for access thereto, shall be paved with:

a. Concrete surfacing to a minimum thickness of three and one-half inches, with expansion joints as necessary; or

b. Asphalt surfacing, rolled to a smooth, hard surface having a minimum thickness of one and one-half inches after compaction, and laid over a base of crushed rock, gravel, or other similar material compacted to a minimum thickness of four inches. The requirement for said base may be modified if:

i. A qualified engineer, retained to furnish a job-site soil analysis, finds that said base is unnecessary to insure a firm and unyielding subgrade,

equal, from the standpoint of the service, life and appearance of the asphaltic surfacing, to that provided if said base were required, and so states in writing, together with a copy of his findings and certification to such effect, or

ii. Other available information provides similar evidence; or

c. Other alternative material that will provide at least the equivalent in service, life and appearance of the materials and standards which would be employed for development pursuant to Subsection E.1.a or E.1.b, above; and

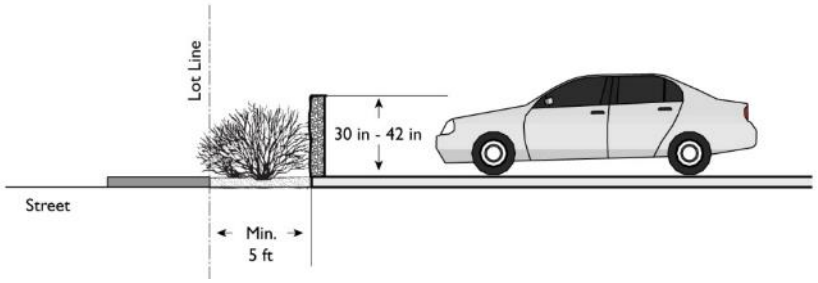
d. Public Works, at the request of the Director, shall review and report on the adequacy of paving where modification of base is proposed under Subsection E.1.b, above, or where alternative materials are proposed under Subsection E.1.c. The Director of Public Works may approve such modification or such alternative materials if, in said Director's opinion, the evidence indicates compliance with Subsection E.1.b or E.1.c., above, as the case may be.

F. Walls.

1. Front Yards. Where parking facilities are located adjacent to the front lot line, a solid masonry wall not less than 30 inches nor more than 42 inches in height shall be established parallel to and not nearer than five feet to the front lot line, except that:

a. The required wall shall be set back at least to the line of the front or side yard line required in any adjacent Residential or Agricultural Zone for a distance of 50 feet from the common boundary line. For example, see Figure 22.112.080-B, below.

FIGURE 22.112.080-B: SCREENING WALL – FRONT YARD

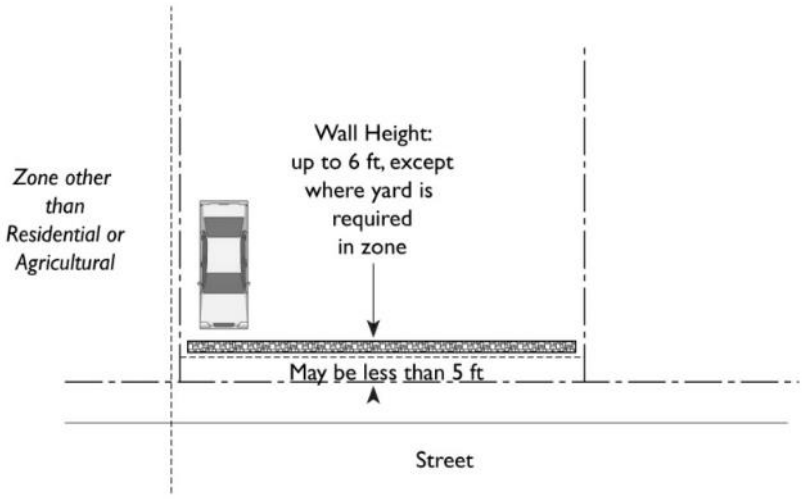


b. Where abutting and adjacent property is in a zone other than a Residential or Agricultural Zone, the Director may approve the establishment of the required wall:

i. Closer than five feet to the front property line; or

ii. To a height not exceeding six feet, except where a yard is required in the adjacent nonresidential zone. For example, see Figure 22.112.080-C, below.

FIGURE 22.112.080-C: SCREENING WALL ADJACENT TO A NON-RESIDENTIAL OR NON-AGRICULTURAL ZONE



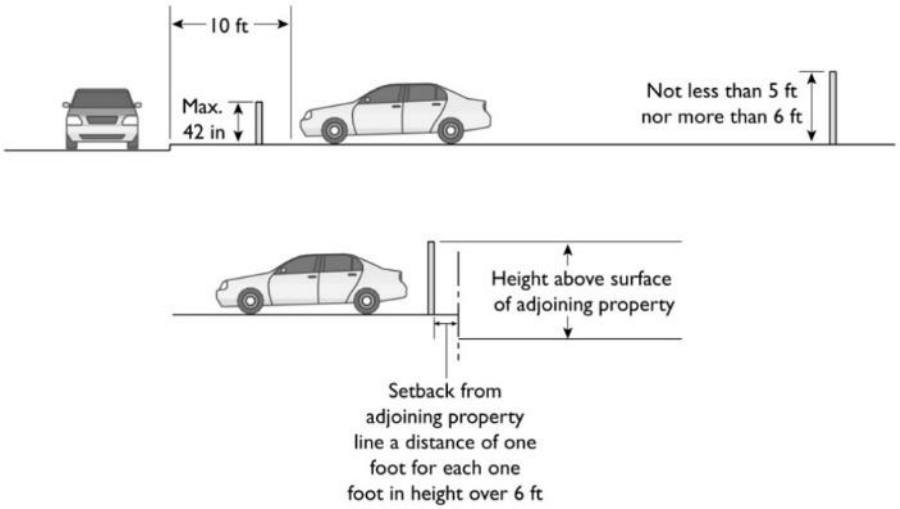
2. Side and Rear Yards. Where parking facilities are located on land adjoining a Residential or Agricultural Zone, a solid masonry wall not less than five feet nor more than six feet in height shall be established along the side and rear lot lines adjoining said zones except that:

a. Where such wall is located within 10 feet of any highway, street, or alley and would interfere with the line-of-sight of the driver of a motor vehicle leaving the property on a driveway, or moving past a corner at the intersection of two streets or highways, said wall shall not exceed a height of 42 inches; and

b. Such wall shall not be less than four feet in height above the surface of the adjoining property. If said wall is more than six feet in height above said adjoining property, it shall be set back from the adjoining property line a distance of one

foot for each one foot in height above six feet. For example, see Figure 22.112.080-D, below.

FIGURE 22.112.080-D: SCREENING WALLS – SIDE AND REAR YARDS



3. Modification. The Director may approve a Ministerial Site Plan Review (Chapter 22.186) application to modify Subsection F.1 or F.2, above, for the substitution of a decorative fence or wall or a landscaped berm where, in the Director's opinion, such fence, wall, or landscaped berm will adequately comply with the intent of this Section.

G. Landscaping.

1. Where a wall is required to be set back from a lot line, the area between said lot line and such wall shall be landscaped with a lawn, shrubbery, trees, and/or flowers, and shall be continuously maintained in good condition.

2. Where more than 20 parking spaces exist on a lot, areas not used for parking or maneuvering, or for the movement of pedestrians to and from vehicles, shall be used for landscaping; and

a. At least two percent of the gross area of the parking lot shall be landscaped;

b. Landscaping shall be distributed throughout the parking lot to maximize the aesthetic effect and compatibility with adjoining uses; and

c. This regulation shall not apply to parking areas on the roof or within a building or structure.

3. Where an improved curbed walkway is provided within a parking lot, a landscaped strip a minimum of four feet in width shall be required adjoining such walkway. Within the landscaped strip, one tree shall be planted every 25 linear feet of walkway, and shall be at least seven feet in height measured from the base of the tree to the bottom of the tree canopy at the time of planting.

4. All landscaping materials and sprinkler systems shall be clearly indicated on the required site plans.

H. Lighting. Parking area lighting shall be arranged to prevent glare or direct illumination into any Residential or Agricultural Zone.

I. Design. Parking lots shall be designed to preclude the backing of vehicles over a sidewalk, public street, or highway. Parked vehicles shall not encroach on, nor extend over, any sidewalk.

J. Slope. Parking lots shall not have a slope exceeding five percent, except for access ramps or driveways, which shall not exceed a slope of 20 percent.

K. Width, Paving, and Slope of Driveways.

1. Driveways with Multiple Residences. Access (e.g., driveways) to parking areas that serve three or more dwelling units shall comply with the following standards:

a. Driveways shall be at least 10 feet in width for each direction.

b. If the driveway is required to be paved, the pavement shall be at least 10 feet in width for its entire length, except that a center strip over which the wheels of a vehicle will not pass in normal use need not be paved.

c. Unless modified by the Director of Public Works because of topographical or other conditions, no portion of a driveway providing access to parking spaces may exceed a slope of 20 percent. Where there is a change in the slope of

driveway providing such access, it must be demonstrated that vehicles will be able to pass over such change in slope without interference with their undercarriages.

L. Electric Vehicle Supply Equipment and Electric Vehicle Charging Spaces. Any parking space served by electric vehicle supply equipment and any parking space intended as a future electric vehicle charging space shall qualify as a required standard automobile parking space where such parking space meets or exceeds the minimum length and width requirements for a standard automobile parking space.

22.112.090 Accessible Parking for Persons with Disabilities.

Where parking spaces are provided, accessible parking shall be required as specified in Part 2, Volume 1, Chapters 11A and 11B of the California Building Code, except for parking lots providing 100 percent valet parking with an approved parking permit in accordance with Chapter 22.178 (Parking Permit).

22.112.100 Bicycle Parking Spaces and Bicycle Facilities.

A. Required Bicycle Parking Spaces. Table 22.112.100-A, below, identifies the minimum number of bicycle parking spaces required for each use.

TABLE 22.112.100-A: MINIMUM REQUIRED BICYCLE PARKING SPACES

Use	***Number of Short-Term Spaces***	***Number of Long-Term Spaces***
Residential		
Multifamily residential including apartments, attached condominiums, and townhouses (5 dwelling units or more)	1 space for every 10 dwelling units[1]	1 space for every 2 dwelling units
Commercial		
General retail, including restaurants	1 space for every 5,000 square feet[1]	1 space for every 5,000 square feet[1]
Hotels, motels, clubs, fraternity and sorority houses, and dormitories	1 space for every 40 guestrooms[1]	1 space for every 20 guestrooms[1]
Office	1 space for every 8,000 square feet[1]	1 space for every 8,000 square feet[1]
Theaters, auditoriums, lodge rooms, stadiums, or similar entertainment and amusement uses	1 space for every 50 intended visitors based on occupant load[1]	1 space for every 50 intended visitors based on occupant load[1]
Industrial/Institutional		
Industrial uses	1 space for every 20,000 square feet[1]	1 space for every 10,000 square feet[1]
Institutional uses, including hospitals,	1 space for every 20,000 square feet[1]	1 space for every 10,000 square feet[1]

TABLE 22.112.100-A: MINIMUM REQUIRED BICYCLE PARKING SPACES		
Use	***Number of Short-Term Spaces***	***Number of Long-Term Spaces***
convalescent hospitals, adult residential care facilities, and group homes for children		
Schools, including trade schools, colleges, universities, and private elementary, middle, and high schools	4 spaces for every 1 classroom[2]	1 space for every 10 classrooms[1]
Churches, temples, and other places of worship	1 space for every 50 intended visitors based on occupant load of the largest assembly area within the facility[1]	1 space for every 100 intended visitors based on occupant load of the largest assembly area within the facility[1]
1. A minimum of two spaces shall be provided. 2. A minimum of four spaces shall be provided.		

B. General Standards and Measurement for Bicycle Parking.

1. Fractions. If the calculation for required bicycle parking contains a fraction, Section 22.112.070.C (Fractions) shall apply.

2. Calculation. For purposes of this Section, when floor area is used, all calculations for the specific use shall be based on gross floor area, in square feet, and shall include the gross floor area of any proposed addition to the involved structure or site.

3. Combination of Uses. For a combination of uses on a single lot, the number of required bicycle parking spaces shall be equal to the combined total of the required bicycle parking spaces for each of the individual uses.

C. Showers and Changing Facilities. Showers and changing facilities, of a size and at a location deemed appropriate by the Director, shall be provided in all new commercial and industrial buildings with 75,000 or more square feet of gross floor area and shall, at a minimum, be accessible to employees.

D. Development Standards for Bicycle Parking Spaces.

1. General Requirements. All bicycle parking spaces shall be:

a. Directly adjacent to a bicycle rack or within a secure, single bicycle locker and allow for convenient, unobstructed access to such bicycle rack or locker; and

b. Located so as not to block pedestrian entrances, walkways, or circulation patterns in or around nearby facilities or structures.

2. Bicycle Racks. When using bicycle racks, they shall be:

a. Located and installed to support an entire bicycle, including the frame and wheels, so that the frame and wheels can be locked without damage when using a customary, heavy-duty cable, or U-shaped bicycle lock;

b. Securely anchored to a permanent surface; and

c. Installed to allow bicycles to remain upright when locked, without the use of a kickstand.

3. Bicycle Lockers. When using bicycle lockers, they shall be:

a. Of sufficient size to hold an entire bicycle; and

b. Securely anchored to a permanent surface.

4. Location of Bicycle Parking Spaces.

a. Short-Term. Short-term bicycle parking spaces shall be:

i. Located to be visible from public areas such as public streets, store fronts, sidewalks, and plazas, and to be convenient to the target users of the bicycle parking to the maximum extent feasible;

ii. Installed as close to a structure's main entrance as feasible;

iii. Separated with a barrier from areas where vehicles park, such as with a curb or wheel stop; and

iv. Located in a well-illuminated area.

b. Long-Term. Long-term bicycle parking spaces shall be:

i. Located in a well-illuminated, secure, and covered area;

ii. Access to and from nearby public streets and sidewalks for the target users of the bicycle parking, who may or may not include the general public;

iii. Located at surface levels near main pedestrian entrances to nearby facilities or structures, or in the parking garages of such facilities or structures;

iv. Accessible only to residents and owners, operators, and managers of a residential facility when the involved use is residential; and

v. Accessible only to employees, tenants, and owners of a commercial facility or structure when the involved use is commercial.

c. Signage. For projects that include long-term parking, signage identifying the location of such bicycle parking shall be included in the project design. Preferred signage locations for this purpose shall be building access ways, streets, and sidewalk approaches, and nearby bicycle paths or facilities.

22.112.110 Reduction in Required Parking Spaces When Bicycle Parking Provided.

A. Eligibility Requirements for a Parking Reduction. A reduction in required automotive parking spaces shall be granted pursuant to this Section, when:

1. The project provides more than the minimum number of required bicycle parking spaces provided in Section 22.112.100 (Bicycle Parking and Related Facilities); and

2. The project is located:

a. On, or adjoining, a lot or lots containing an existing or proposed bicycle path, lane, route, or boulevard, and so designated in the County Bicycle Master Plan; and

b. Within a half-mile of a transit stop for a fixed rail or bus rapid transit or local bus system along a major or secondary highway.

B. Reduction Calculation. For every two bicycle parking spaces provided above the minimum number of such spaces required by Section 22.112.100 (Bicycle Parking and Related Facilities), the number of required automotive parking spaces may be reduced by one, with a maximum reduction of five percent of the total number of such spaces otherwise required by this Chapter.

22.112.120 Loading Spaces.

Every nonresidential use shall provide and maintain on-site loading and unloading spaces for vehicles as required by this Section.

A. Number of Spaces Required. Table 22.112.120-A, below, identifies the minimum number of loading spaces required for each use.

TABLE 22.112.120-A: MINIMUM NUMBER OF REQUIRED LOADING SPACES	
Gross Floor Area (square feet)	***Number of Spaces***
Office	
5,000 – 36,000	1 Type A
36,000 +	2 Type A
Commercial	
5,000 – 24,000	1 Type A
24,000 – 60,000	2 Type A
60,001 +	3 Type A
Industrial	
0 – 18,000	1 Type B
18,001 – 36,000	2 Type C
36,001 – 90,000	3 Type C
90,001 – 150,000	4 Type C
150,001 +	5 Type C
Warehouse	
0 – 18,000	1 Type B
18,001 – 36,000	2 Type C
36,001 – 50,000	3 Type C
50,001 – 150,000	4 Type C
150,001 +	5 Type C

B. Minimum Dimensions for Loading Spaces. Table 22.112.120-B, below, identifies the minimum dimensions for each type of loading space.

TABLE 22.112.120-B: MINIMUM DIMENSIONS FOR LOADING SPACES				
Type of Loading Space Required (See Table 22.112.130-A)	***Minimum Length (feet)***	***Minimum Width (feet)***	***Required Vertical Clearance (feet)***	***Length of Maneuvering Space (feet)***
Type A	24	12	None	36
Type B	30	12	None	45
Type C	40	12	14	60

C. General Standards and Measurement for Loading Spaces.

1. Loading spaces shall be located so that vehicles do not back onto a public highway or street.

2. All maneuvering operations shall be conducted on-site and not within required parking spaces.

3. The number of loading spaces required may be modified, but not waived, by the Director in special circumstances involving, but not necessarily limited to, the nature of the use and the design of the project. In no event shall the Director require less than one loading space on the subject property.

4. Office and commercial uses with a gross floor area of less than 5,000 square feet may be required to provide one Type A loading space when the Director deems it appropriate to prevent traffic congestion in the parking lot or adjacent streets and highways.

D. "No Idling" Sign Required. Where loading spaces are required by this Section, the loading area shall include at least one sign stating that vehicle idling shall be limited to five minutes. Graphics related to the vehicle idle limitation are permitted on said sign. Said sign shall be a minimum size of 12 inches wide by 18 inches in height and shall be prominently displayed and visible from the loading spaces. Said sign may contain language such as "5 minute idle limit," "spare the air," "please turn engine off when stopped," "turn engine off," or similar.

Chapter 22.114 Signs.

Sections:

22.114.010 Purpose.

22.114.020 Applicability.

22.114.030 Exemptions.

22.114.040 Prohibited Signs Designated.
22.114.050 General Regulations.
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22.114.070 Outdoor Advertising Signs – Conditions.
22.114.080 Portable Outdoor Advertising Signs – Conditions.
22.114.090 Business Signs – In Agricultural and Special Purpose Zones.
22.114.100 Business Signs – In Commercial and Industrial Zones.
22.114.110 Wall Business Signs.
22.114.120 Roof and Freestanding Business Signs.
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22.114.140 Incidental Business Signs.
22.114.150 Temporary Window Signs.
22.114.160 Building Identification Signs.
22.114.170 Temporary Real Estate Signs.
22.114.180 Temporary Construction Signs.
22.114.190 Directional and/or Informational Signs.
22.114.200 Special – Purpose Signs.
22.114.210 Temporary Subdivision Sales, Entry, and Special – Feature Signs.
22.114.220 Subdivision Directional Signs.
22.114.230 Signs for Uses Granted by a Conditional Use Permit in Residential, Agricultural, or Watershed Zones.

22.114.010 Purpose.

This Chapter establishes comprehensive sign regulations for effectively regulating the placement, erection, and maintenance of signs in the unincorporated area of the County. These regulations are intended to provide equitable standards for the

protection of property values, visual aesthetics, and the public health, safety, and general welfare while still providing ample opportunities for businesses and the visual advertising industry to operate successfully and effectively.

22.114.020 Applicability.

A. Use Restrictions. A person shall not use any sign in any zone except as specifically permitted in this Title 22 and subject to all regulations and conditions enumerated in this Title 22.

B. Application Requirements. A Ministerial Site Plan Review (Chapter 22.186) application shall be required for all signs permitted by this Chapter, unless otherwise specified by this Chapter or this Title 22.

22.114.030 Exemptions.

The provisions of this Title 22 regulating signs shall not apply to the following signs except as otherwise indicated herein:

A. Official notices issued by any court, public body, or public officer.

B. Notices posted by any public officer in performance of a public duty, or for any person in giving legal notice.

C. Traffic, directional, warning, or informational signs required or authorized by the public authority having jurisdiction.

D. Official signs used for emergency purposes only.

E. Permanent memorial or historical signs, plaques, or markers.

F. Public utility signs, provided such signs do not exceed three square feet in area.

22.114.040 Prohibited Signs Designated.

The following signs shall be prohibited in all zones:

A. Signs which contain or utilize:

1. Any exposed incandescent lamp with a rated wattage in excess of 40 watts.

2. Any exposed incandescent lamp with an internal metallic reflector.

3. Any exposed incandescent lamp with an external metallic reflector.

4. Any revolving beacon light.

5. Any continuous or sequential flashing operation, other than signs displaying time of day, atmospheric temperature or having programmable electronic messages, in which:

a. More than one-third of the lights are turned on or off at one time; or

b. The operation is located less than 100 feet on the same side of the street or highway from any Residential or Agricultural Zone.

6. Any system for display of time of day, atmospheric temperature or programmable electronic messages in which:

a. The proposed display has any illumination which is in continuous motion or which appears to be continuous motion;

b. The message is changed at a rate faster than one message every four seconds;

c. The interval between messages is less than one second;

d. The intensity of illumination changes; or

e. The display is located less than 100 feet on the same side of the street or highway from any Residential or Agricultural Zone.

B. Revolving signs, all or any portion of which rotate at a speed exceeding six revolutions per minute.

C. Signs advertising or displaying any unlawful act, business, or purpose.

D. Devices dispensing bubbles and free-floating particles of matter.

E. Any notice, placard, bill, card, poster, sticker, banner, sign, advertising, or other device calculated to attract the attention of the public which any person posts, prints, sticks, stamps, tacks, or otherwise affixes, or causes the same to be done to or upon any street, right-of-way, public sidewalk, crosswalk, curb, lamppost, hydrant, tree, telephone pole, or lighting system, or upon any fixture of the police or fire alarm system of the County.

F. Any strings of pennants, banners or streamers, clusters of flags, strings of twirlers or propellers, flares, balloons, and similar attention-getting devices, including noise-emitting devices, with the exception of the following:

1. National, state, local governmental, institutional, or corporate flags, properly displayed; and

2. Holiday decorations, in season, used for an aggregate period of 60 days in any one calendar year.

G. Devices projecting or otherwise reproducing the image of a sign or message on any surface or object.

H. Signs emitting or amplifying sounds for the purpose of attracting attention.

I. Portable signs, except as otherwise specifically permitted by this Title 22.

J. Temporary signs, except as otherwise specifically permitted by this Title 22.

22.114.050 General Regulations.

The following regulations apply to all signs in any zone:

A. In no case shall a lighted sign or lighting device thereof be so placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

B. Outdoor advertising signs may be either single or double-faced, except as otherwise provided in this Title 22, provided that if double-faced the distance between the faces of such signs shall not exceed 48 inches.

C. Signs, except outdoor advertising signs, may be single-, double-, or multi-faced, provided that:

1. The distance between the faces of any double-faced sign, other than a V-shaped projecting sign, shall not exceed 36 inches; and

2. The separation between the intersecting faces of any multi-faced sign or a double-faced projecting sign shall not exceed 12 inches.

D. Any sign located on vacant and unoccupied property, and which was erected for an occupant or business unrelated to the present occupant or business, or any sign which pertains to a time, event or purpose which no longer exists, shall be removed within 90 days after the purpose for, or use utilizing, such sign has been removed from such property.

E. Any permitted sign may be a changeable-copy sign.

F. All signs shall be designed in the simplest form and lie free of any bracing, angle-iron, guy wires, cables, or similar devices.

G. The exposed backs of all signs visible to the public shall be suitably covered, finished, and properly maintained.

H. All signs shall be maintained in good repair, including display surfaces, which shall be kept neatly painted or posted.

I. Any sign which does not conform to the provisions of this Title 22 shall be made to conform or shall be removed as provided in Subsections B.1.d and B.2 of Section 22.172.050.

J. Except where otherwise specifically provided by this Title 22, sign regulations established pursuant to this Chapter shall not apply to signs within a building, arcade, court, or other similarly enclosed area where such signs are not visible to the public without entering such facilities.

K. The height of all signs shall be measured from the highest point of the sign, exclusive of any part of the sign not included in area calculations.

22.114.060 Surface Area – Computation.

The surface area of any sign face shall be computed from the smallest rectangles, circles, and/or triangles which will enclose all words, letters, figures, symbols, designs, and pictures, together with all framing background material, colored or illuminated areas, and attention-attracting devices forming an integral part of the overall display, but excluding all support structures, except that:

A. Superficial ornamentation and/or symbol-type appendages of a non-message-bearing character which do not exceed five percent of the surface area shall be exempted from computation; and

B. Wall signs painted on, or affixed directly to, a building wall, façade, or roof, and having no discernible boundary, shall have the areas between letters, words intended to be read together, and any device intended to draw attention to the sign message included in any computation of surface area; and

C. Signs placed in such a manner, or bearing a text, as to require dependence upon each other to convey meaning shall be considered one sign and the intervening areas between signs included in any computation of surface area; and

D. Spherical, cylindrical, or other three-dimensional signs not having conventional sign faces shall be considered to have two faces and the area of each sign face shall be computed from the smallest three-dimensional geometrical shape or shapes which will best approximate the actual surface area of said faces.

22.114.070 Outdoor Advertising Signs – Conditions.

Outdoor advertising signs may be erected and maintained in Zones C-MJ, M-1, M-1.5, M-2, and M-3 provided a Conditional Use Permit (Chapter 22.158) has first been obtained and subject to all of the following conditions of use:

A. That the total sign face of such signs shall not exceed 800 square feet.

B. That the height of such signs shall not exceed 42 feet measured from the ground level at the base of the sign.

C. That such signs having a total sign face of:

1. More than 150 square feet shall not be erected or maintained within:

a. 500 feet of an outdoor advertising sign having a total sign face greater than 150 square feet; or

b. 200 feet of an outdoor advertising sign having a total sign face greater than 80 square feet but not exceeding 150 square feet; or

c. 100 feet of any other outdoor advertising sign located on the same side of the street or highway; or

2. More than 80 square feet, but not exceeding 150 square feet, shall not be erected or maintained within:

a. 200 feet of an outdoor advertising sign having a total sign face greater than 80 square feet; or

b. 100 feet of any other outdoor advertising sign located on the same side of the street or highway.

3. 80 square feet or less shall not be erected or maintained within 100 feet of any outdoor advertising sign located on the same side of the street or highway.

D. That such sign shall not be permitted having a message face visible from and within a distance of 660 feet of the edge of right-of-way of a freeway or scenic highway, measured horizontally along a line normal or perpendicular to the centerline of such freeway or scenic highway, if designed to be viewed primarily by persons traveling thereon.

E. That such signs shall not be permitted on a roof and that not more than 15 percent of the length of the structure of a freestanding sign shall extend over a roof.

F. That such signs shall not be permitted to encroach over public rights-of-way.

G. That such signs shall not be permitted within 200 feet of a Residential Zone located on the same side of the street or highway.

H. Tobacco Advertising Prohibited in Certain Areas of the County.*

1. No person shall place or cause to be placed any advertisement for cigarettes or other tobacco products on any outdoor advertising sign within a Residential or Agricultural Zone, or within 1,000 feet of the premises of any school, park, playground, recreational facility, youth center, child care center, entertainment park, or church.

2. This Subsection H shall not apply to outdoor advertising signs located on property adjacent to, and designed to be viewed primarily by, persons traveling on a freeway.

3. The distances specified in this Subsection shall be measured in a straight line, without regard to intervening structures, from the nearest point of the outdoor advertising sign to the nearest property line of a use or zone listed above.

4. This Subsection shall be administered and enforced by the Department. The Department shall create and update a detailed map of the County, showing the location and boundaries of all schools, parks, playgrounds, recreational centers and facilities, youth centers, child care centers, entertainment parks, and churches, and the corresponding 1,000-foot radii within which tobacco product advertising is prohibited. The Department shall also develop guidelines, as appropriate, to ensure proper implementation and enforcement of this Subsection. Nothing contained in this Subsection shall be interpreted or enforced in such a manner as to constitute a compensable limitation on the use of any advertising display pursuant to Business and Professions Code Section 5412. The Department may enter into agreements with appropriate departments to enforce this Subsection.

I. Alcoholic Beverage Advertising Prohibited in Certain Areas of the County.*

1. No person shall place or cause to be placed any advertisement for alcoholic beverages on any outdoor advertising sign within a Residential or Agricultural Zone, or within 1,000 feet of the premises of any school, park, playground, recreational facility, youth center, child care center, entertainment park, or church.

2. This Subsection I shall not apply to outdoor advertising signs located on property adjacent to, and designed to be viewed primarily by, persons traveling on a freeway.

3. The distances specified in this Subsection shall be measured in a straight line, without regard to intervening structures, from the nearest point of the outdoor advertising sign to the nearest property line of a use or zone listed above.

4. This Subsection shall be administered and enforced by the Department. The Department shall create and update a detailed map of the County, showing the location and boundaries of all schools, parks, playgrounds, recreational centers, and facilities, youth centers, child care centers, entertainment parks, and churches, and the corresponding 1,000-foot radii within which alcoholic beverage advertising is prohibited. The Department shall also develop guidelines, as appropriate, to ensure proper implementation and enforcement of this Subsection. Nothing contained in this Subsection shall be interpreted or enforced in such a manner as to constitute a compensable limitation on the use of any advertising display pursuant to Business and Professions Code Section 5412. The Department may enter into agreements with appropriate departments to enforce this Subsection.

J. Advertising Adult Telephone Messages Prohibited in Certain Areas of the County.*

1. No person shall place or cause to be placed any advertisement for live or recorded telephone messages containing any harmful matter, as defined in Section 313 of the Penal Code, on any outdoor advertising sign within a Residential or Agricultural Zone, or within 1,000 feet of the premises of any school, park, playground, recreational facility, youth center, child care center, entertainment park, or church.

2. This Subsection J shall not apply to outdoor advertising signs located on property adjacent to, and designed to be viewed primarily by, persons traveling on a freeway.

3. The distances specified in this Subsection shall be measured in a straight line, without regard to intervening structures, from the nearest point of the outdoor advertising sign to the nearest property line of a use or zone listed above.

4. This Subsection shall be administered and enforced by the Department. The Department shall create and update a detailed map of the County, showing the location and boundaries of all schools, parks, playgrounds, recreational centers and facilities, youth centers, child care centers, entertainment parks, and churches, and the corresponding 1,000-foot radii within which adult telephone

messages advertising is prohibited. The Department shall also develop guidelines, as appropriate, to ensure proper implementation and enforcement of this Subsection. Nothing contained in this Subsection shall be interpreted or enforced in such a manner as to constitute a compensable limitation on the use of any advertising display pursuant to Business and Professions Code Section 5412. The Department may enter into agreements with appropriate departments to enforce this Subsection.

*Editor's note: Ords. 98-0023 – 98-0025, which enacted Subsections H – J of Section 22.114.070, are operative on January 10, 1999.

22.114.080 Portable Outdoor Advertising Signs – Conditions.

A. Portable outdoor advertising signs may be placed and maintained in conformance with the provisions of Section 22.114.070 (Outdoor Advertising Signs-Conditions) as well as the following additional conditions of use:

1. That such signs shall be placed in compliance with the provisions of this Chapter;

2. That placement of such signs shall not constitute a potential hazard to pedestrian or vehicular traffic, or be placed in any area where the erection of buildings or structures is prohibited;

3. That such signs shall not be placed within a public right-of-way; and

4. That an official site-approval card shall be visibly attached to the sign during its placement at the approved location.

B. No person shall place or grant permission to place a portable outdoor advertising sign unless an approval has been obtained and an official site-approval card is displayed on such sign or trailer. Placement of a portable outdoor advertising sign in violation of this provision shall cause such sign to be deemed a public nuisance pursuant to Section 22.242.040 (Public Nuisance).

22.114.090 Business Signs – In Agricultural and Special Purpose Zones.

Business signs are permitted in Zones A-1, A-2, O-S, SR-D, P-R, B-1, and W, subject to the following restrictions:

A. Number and Area Permitted. Signs shall comply with Table 22.114.090-A, below, for maximum number of signs per lot and area permitted:

TABLE 22.114.090-A: NUMBER AND AREA PERMITTED		
Zones	***Maximum Number of Signs per Lot***	***Maximum Area per Sign***
A-1, A-2, O-S, W	1 sign	12 square feet or 24 square feet in total sign area
SR-D, P-R, B-1	2 signs	30 square feet per sign area or 60 square feet total sign area

B. Height and Projection Permitted. Signs shall comply with Table 22.114.090-B, below, for height and projection permitted.

TABLE 22.114.090-B: HEIGHT AND PROJECTION PERMITTED			
Sign Type	***Zones***	***Maximum Sign Height***	***Projection[1]***
Freestanding Businesses Signs	A-1, A-2, O-S, SR-D, P-R, B-1	15 feet, measured vertically from ground level at the base of the sign	Freestanding business signs shall not project over the roof of any building or structure.
Roof business signs	A-1, A-2	5 feet[2]	No sign shall extend below the lowest point of a roof or the highest point of a parapet wall.
	SR-D, P-R	7 feet[2]	
Wall and projecting business signs	A-1, A-2, O-S, SR-D, P-R, B-1	Signs shall not extend more than one-third of the height of such signs, or 3 feet, whichever is less, above the lowest point of a roof or highest point of a parapet wall	Wall business signs shall not project more than 18 inches from the building to which they are attached.
1. Freestanding, roof, and projecting business signs which project over public rights-of-way are subject to Title 26 (Building Code) of the County Code. 2. Such heights shall be measured from the highest point of the roof directly under the sign, exclusive of parapet walls or penthouse structures.			

C. Location of Signs.

1. Freestanding business signs shall not:

a. Be placed on any property nearer than 25 feet to a lot line, other than one adjoining a street or highway;

b. Be placed within a required front or corner side yard nearer than 10 feet to the highway line of the adjacent street, highway, or parkway.

2. No projecting business sign shall be placed on any building nearer to the corner of such building than a distance equal to 25 percent of the length of such building wall.

D. Movement. Signs shall not rotate, move, or simulate motion in any way.

E. Lighting. Signs may be internally or externally lighted provided:

1. That in Zones A-1, A-2, O-S, or P-R, no exposed incandescent lamp used shall exceed a rated wattage of 25 watts; and

2. That any continuous or sequential flashing operation is prohibited.

F. Sign Content. In Zone B-1, such signs may relate to business uses in an adjoining zone located on the same lot.

G. Alternative Signing.

1. Where a zone boundary divides a lot so that:

a. A P-R or B-1 Zone separates commercial or industrial property from a street or highway upon which said property would otherwise front, such P-R or B-1 Zone may be considered as a part of the Commercial or Industrial Zone for purposes of determining the number, sign area, and location of freestanding business signs permitted on that specific frontage; or

b. A P-R or B-1 Zone and a Commercial or Industrial Zone front on the same street or highway, said P-R or B-1 Zone may be considered as a part of the Commercial or Industrial Zone for the purpose of determining the number, sign area, and location of freestanding business signs permitted on that specific frontage; provided, however, that such sign or signs shall not be erected in the P-R or B-1 Zone.

2. In all such instances, the signing permitted by this Subsection G shall be in lieu of the signing permitted in the P-R or B-1 Zone by this Section.

22.114.100 Business Signs – In Commercial and Industrial Zones.

Business signs are permitted in Zones C-H, C-1, C-2, C-3, C-M, C-MJ, C-R, R-R, M-1, M-1.5, M-2, M-2.5, M-3, C-RU, MXD-RU, and MXD, subject to the restrictions set out in Sections 22.114.110 (Wall Business Signs) through 22.114.150 (Temporary Window Signs).

22.114.110 Wall Business Signs.

A. Area Permitted.

1. Each ground-floor business establishment fronting on and/or oriented toward one or more public street, highway, or parkway shall be permitted:

a. In Zones R-R, C-H, C-1, and MXD-RU, a maximum of two square feet of wall sign area for each one linear foot of building frontage; and

b. In Zones C-2, C-3, C-M, C-MJ, C-R, M-1, M-1.5, M-2, M-2.5, M-3, C-RU, and MXD, a maximum of three square feet of wall sign area for each one linear foot of building frontage.

2. Where a ground-floor business establishment fronts only on a parking lot, alley, open mall, landscaped open space or other public way, the exterior building wall facing such parking lot, alley, open mall, landscaped open space, or other public way shall be considered a building frontage for purposes of computing permitted wall sign area.

3. A ground-floor business establishment having entrances intended for and regularly utilized by the public on the side of a building not considered to be building frontage by this Section shall be permitted one wall sign on each such side, provided the sign does not exceed one-half the sign area permitted on the building frontage of said business. Where a business has more than one building frontage recognized by this Section, an average of the permitted sign areas shall be used in computation.

4. Any building containing business establishments which front only on an interior mall having a limited number of entrances, shall be considered a single establishment for the purpose of computing the wall sign area permitted on the exterior walls of such building.

5. In all cases, permitted sign area shall be used only on the side of the building for which it was calculated.

6. In all listed zones, each ground-floor business establishment shall be permitted a minimum sign area of 20 square feet for each building frontage.

7. In all listed zones, each business establishment located on the second floor and facing the street or highway shall be permitted a maximum of 10 square feet of sign area.

8. In all listed zones, each business establishment located on the ground or second floor having no building frontage shall be permitted a maximum of two square feet of sign area facing the street or highway.

B. Steep Sloping Roofs. That portion of any actual or false roof varying 45 degrees or less from a vertical plane may be considered an extension of the building wall for the purpose of wall business-sign placement.

C. Height Permitted. Wall business signs shall not extend above:

1. The highest point, exclusive of any roof structures, of that portion of a false or actual roof having a slope of 45 degrees or less from the vertical plane;

2. The highest point of a parapet wall, except that such sign may extend one-third of its height or five feet, whichever is less, above a parapet wall, provided that a new parapet line, approximately parallel to the existing parapet line, is established for at least 80 percent of the building frontage; or

3. The lowest point of a sloping roof, except that such sign may extend four feet above the eave line, provided that a new eave line approximately parallel to the existing eave line is established for at least 80 percent of the building frontage.

D. Projection Permitted. Wall business signs shall not project more than 18 inches from the building wall or permanent roofed structure to which they are attached.

E. Lighting. Wall business signs may be internally or externally lighted.

22.114.120 Roof and Freestanding Business Signs.

A. Frontage. Roof and freestanding business signs shall be permitted on any lot for each street or highway frontage having a continuous distance of 100 feet or more. Such signs shall also be permitted as provided in Subsection H, below.

B. Area Permitted.

1.

a. Except as otherwise provided in this Section, the maximum roof and freestanding business sign area that shall be permitted for each street or highway frontage or for each combination of frontages considered to be a single frontage under either Subsections H.1 or H.2, below, is:

i. In Zones R-R, C-H, C-1, and MXD-RU, 50 square feet plus one-fourth square foot of sign area for each one foot of street or highway frontage in excess of 100 feet.

ii. In Zones C-2, C-3, C-M, C-MJ, C-R, M-1, M-2, M-3, M-1.5, M-2.5, and C-RU, 150 square feet plus three-fourths square foot of sign area for each one foot of street or highway frontage in excess of 100 feet.

b. Where the locational requirements of this Section allow additional freestanding or roof business signs on the same frontage, sign area allocated for each sign may be in any proportion, provided that the sum does not exceed the maximum permitted sign area established herein for a specific frontage or combination of frontages, and that they conform to all other requirements of this Section.

2. If a sign has two or more faces, the maximum total sign area that shall be permitted is twice the sign area permitted for that sign.

3. Except for freeway-oriented signs as otherwise provided in this Section, permitted freestanding and roof sign area shall be used only for signs oriented to be viewed primarily on and/or along the street or highway frontage or combination of street or highway frontages from which said permitted area has been calculated.

C. Height Permitted. Signs shall comply with Table 22.114.120-A, below, for height permitted.

TABLE 22.114.120-A: HEIGHT PERMITTED

Zones	***Maximum Height for a Freestanding Sign***	***Maximum Height for a Roof Sign***
R-R, C-H, C-1, MXD-RU	No freestanding business sign shall exceed a maximum height of 30 feet, measured vertically from ground level at the base of the sign	No roof business sign shall exceed a maximum height of 15 feet, measured vertically from the highest point of the roof directly under the sign, exclusive of parapet walls or penthouse structures[1]

TABLE 22.114.120-A: HEIGHT PERMITTED		
Zones	***Maximum Height for a Freestanding Sign***	***Maximum Height for a Roof Sign***
C-2, C-3, C-M, C-MJ, C-R, M-1, M-1.5, M-2, M-2.5, M-3, C-RU	No freestanding business sign shall exceed a maximum height of 30 feet plus 1 additional foot in height for each additional 10 square feet of sign area permitted in excess of 100 square feet, to a maximum height of 42 feet, measured vertically from ground level at the base of the sign	No roof business sign shall exceed a height above the highest point of the roof directly under the sign, exclusive of parapet walls or penthouse structures, equal to the height of the building at that point measured from ground level, but in no case shall the height of the sign exceed 25 feet above the roof at that point[1]
1. No roof business sign shall extend below the lowest point of a roof or the highest point of a parapet wall.		

D. Location of Signs.

1. In Zones R-R, C-H, C-1, and MXD-RU, no roof or freestanding business sign shall be located on any property nearer to a lot line, other than one adjoining a street or highway, than a distance equal to 25 feet plus one foot for every one square foot of sign area in excess of 50 square feet.

2. In Zones C-2, C-3, C-M, C-MJ, C-R, M-1, M-1.5, M-2, M-2.5, M-3, and C-RU, no roof or freestanding business sign shall be located on any property nearer to a lot line, other than one adjoining a street or highway, than a distance equal to 25 feet plus one foot for every three square feet of sign area in excess of 150 square feet.

3. In Zones R-R, C-H, C-1, and MXD-RU, no roof or freestanding business sign shall be located nearer to any other freestanding or roof business sign on the same frontage on the same lot or parcel of land than a distance equal to 100 feet plus one foot for each one square foot of the largest sign's computed sign area in excess of 25 square feet to a maximum of 200 feet.

4. In Zones C-2, C-3, C-M, C-MJ, C-R, M-1, M-1.5, M-2, M-2.5, M-3, and C-RU, no roof or freestanding business sign shall be located nearer to any other freestanding or roof business sign on the same frontage on the same lot or parcel of land than a distance equal to 100 feet plus one foot for each three square feet of the largest sign's computed area in excess of 75 square feet to a maximum of 200 feet.

E. Projection.

1. Freestanding business signs shall not project over the roof of any building or structure more than one-third of their length.

2. Roof and freestanding business signs which project over public rights-of-way are subject to Title 26 (Building Code) of the County Code.

F. Movement. One rotating or revolving freestanding business sign is permitted per premises, provided that:

1. Such sign may not rotate at a rate of more than six revolutions per minute; and

2. A premises having such a sign may have no other freestanding or roof signs.

3. The permitted area of such sign shall be:

a. In Zones R-R, C-1, C-H, and MXD-RU, 50 square feet plus one-eighth square foot of sign area for each one foot of street or highway frontage in excess of 100 feet; and

b. In Zones C-2, C-3, C-M, C-MJ, C-R, M-1, M-1.5, M-2, M-2.5, M-3, and C-RU, 150 square feet plus three-eighths square foot of sign area for each one foot of street or highway frontage in excess of 100 feet.

c. If such sign has two or more faces, the maximum total sign area that shall be permitted is twice the sign area permitted.

G. Lighting. Roof and freestanding business signs may be internally or externally lighted.

H. Exceptions.

1. If a lot is a corner lot, the distances of any two intersecting street or highway frontages may be combined and considered as a single frontage for the purpose of erecting and/or maintaining a roof or freestanding business sign adjacent to the corner formed by the intersecting street or highway frontages, provided that:

a. The total combined distance of the two street or highway frontages is 100 feet or more;

b. Where the locational requirements of this Section allow additional freestanding or roof signs on the combined frontage, the sum of the sign areas of all freestanding and roof signs intended to be viewed from each street or highway frontage so combined shall not exceed the maximum permitted sign area established for each such frontage if considered separately;

c. No street or highway frontage shall be used in combination as described herein more than once;

d. All street or highway frontages not used in combination as described herein shall be considered a separate frontage for purposes of computation; and

e. Such sign or signs comply with all area, height, projection, movement and locational requirements established elsewhere in this Title 22.

2. The street or highway frontages of two or more contiguous lots or parcels of land may be combined and considered as a single frontage for the purpose of jointly erecting and/or maintaining one roof or one freestanding business sign, provided that:

a. The combined street or highway frontage is 100 feet or more;

b. Such lots of land share a common street or highway frontage;

c. Such sign complies with all area, height, projection, movement and locational requirements established elsewhere in this Title 22; and

d. If one such lot is a corner lot, only frontage along the street or highway common to all lots so combined shall be used in these computations and all other frontages shall be considered separately.

3.

a. A Minor Conditional Use Permit (Chapter 22.160) application is required for one freestanding sign on a lot having less than 100 feet of continuous street of highway frontage, provided that the following additional findings are made:

i. That no roof or freestanding business sign currently exists on the subject property;

ii. That it is not feasible for the applicant to combine the street or highway frontage of said property with the frontage of one or more contiguous properties in order to comply with the minimum frontage requirement pursuant to Subsection B.1, above;

iii. That surrounding buildings, structures, or topographical features would substantially obstruct the visibility of a projecting or wall sign as permitted by this Chapter for a distance of 100 feet on one or both sides of such sign, measured along the centerline of the street or highway upon which such property fronts;

iv. That the requested sign is necessary for the effective identification of business located on said premises;

v. That the requested sign will not obscure or significantly detract from existing legal signing located on surrounding properties;

vi. That the requested sign does not constitute a detriment to public health, safety, and welfare; and

vii. That the requested sign is in compliance with all other provisions of this Title 22.

b. If the obstruction referred to in Subsection H.3.a.iii, above, is a nonconforming sign, the Commission or Hearing Officer shall require, as a condition of approval, that the proposed sign be removed no later than the date specified by this Title 22 for removal of the nonconforming sign. Such date for removal shall not be extended except in the instance where the amortization period for said nonconforming sign has been extended by the approval of an application for Nonconforming Use and Structure Review (Chapter 22.172). In such instance, the new removal date shall not extend beyond the new amortization period established for said nonconforming sign.

c. The maximum permitted area of such sign shall be in the following ratio:

i. In Zones R-R, C-H, C-1, and MXD-RU, one-half square foot of sign area for each one foot of street or highway frontage;

ii. In Zones C-2, C-3, C-M, C-MJ, C-R, M-1, M-1.5, M-2, M-2.5, M-3, and C-RU, one and one-half square feet of sign for each one foot of street or highway frontage; and

iii. If such sign has two or more faces, the maximum total sign area that shall be permitted is twice the sign area permitted.

4. A Minor Conditional Use Permit (Chapter 22.160) application may approve one or more of the following modifications for freeway-oriented business signs which are located within 660 feet of the edge of the right-of-way of a freeway, measured horizontally along a line normal or perpendicular to the center of such freeway, and within a radius of 1,500 feet of a freeway exit providing access to the premises on which the sign is to be maintained:

a. Modification of the permitted height of one such freestanding or roof business sign per lot to a maximum height of 60 feet, provided that the Commission or Hearing Officer makes the following additional finding:

That such sign would otherwise not be visible at a lesser height for a distance on the freeway of one-third mile (1,760 feet) preceding the freeway exit providing access to said premises, or for a line-of-sight distance of two-thirds mile (3,520 feet), whichever is less.

b. Location of one such freestanding business sign per lot to within five feet of an interior lot line and to within 25 feet of a roof business sign or another freestanding business sign on the same or adjoining properties, provided that the Commission or Hearing Officer makes the following additional findings:

i. That such sign is at least 50 feet from any lot line adjoining a street or highway or 25 feet from a Residential Zone;

ii. That all other freestanding and/or roof business signs shall be oriented toward the street or highway frontages from which their permitted areas are calculated; and

iii. That the sum of the sign areas of such sign and all other freestanding and roof business signs shall not exceed the maximum sign area permitted on all street or highway frontages of such lot.

22.114.130 Projecting Business Signs.

A. Area Permitted.

1. Each ground-floor business may substitute projecting business sign area for wall sign area on the basis of one-half square foot of permitted projecting sign area for each one square foot of permitted wall sign area. There shall be a corresponding reduction in the permitted area for wall signs.

2. If a projecting business sign has two or more faces, the maximum total sign area that shall be permitted is twice the sign area permitted for that sign.

3. Permitted sign area shall be used only on the side of the building for which it was calculated, except where permitted at the corner of a building. Where a projecting business sign is located at the corner of two intersecting building frontages, such sign shall not exceed the permitted projecting business sign area of the smallest frontage, and there shall be a corresponding reduction in the permitted projecting business sign area of both frontages.

B. Height Permitted. Projecting business signs shall not extend above:

1. The highest point of a parapet wall, except that such sign may extend one-third of its height or five feet, whichever is less, above a parapet wall, provided that a new parapet line, approximately parallel to the existing parapet line, is established for at least 80 percent of the building frontage; or

2. The lowest point of a sloping roof, except that such sign may extend four feet above the eave line, provided that a new eave line, approximately parallel to the existing eave line, is established for at least 80 percent of the building frontage.

C. Projection Permitted.

1. Projecting business signs shall not project beyond the face of the building in excess of the limitations set forth in Figure 22.114.130-A, below, provided, however, that:

a. Signs projecting over public rights-of-way are subject to Title 26 (Building Code) of the County Code; and

b. At street corners, signs may project the maximum distance measured at an angle of 45 degrees.

2. Such signs shall not project into any alley or parking area when located below a height of 14 feet, nor shall such sign project more than one foot when located above a height of 14 feet over such alley or parking area.

3. The width of a projecting business sign shall not be in excess of the limitations set forth in Figure 22.114.130-B, below, and V-shaped signs shall not exceed projecting allowed for projecting sign for corresponding clearance.

D. Movement. Projecting business signs shall not rotate, move, or simulate motion in any way.

E. Location. No projecting business sign shall be:

1. Located on any building nearer to another business establishment located in the same building, or in a separate building if separated by less than 25 feet, than a distance equal to 25 percent of the length of such business establishment;

2. Located within 50 feet of any other projecting business sign of the same business on any frontage or frontages where such sign is visible; or

3. Located on the same lot as a roof or freestanding business sign of the same business.

F. Lighting. Projecting business signs may be internally or externally lighted.

FIGURE 22.114.130-A: ALLOWABLE CLEARANCE AND PROJECTION FROM

BUILDING FACE FOR PROJECTING SIGNS

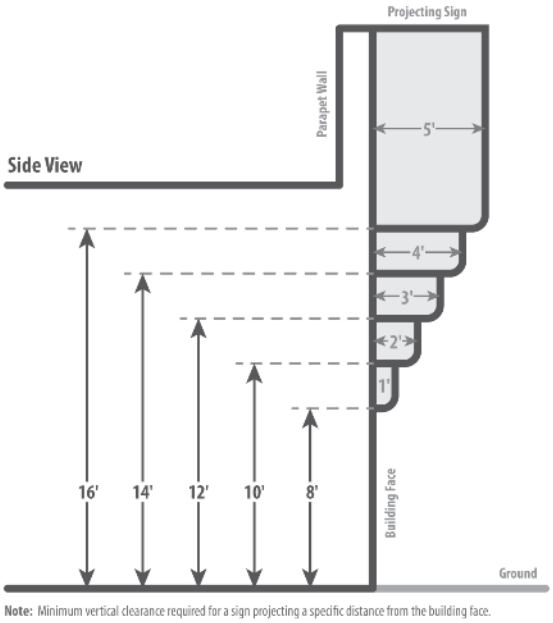
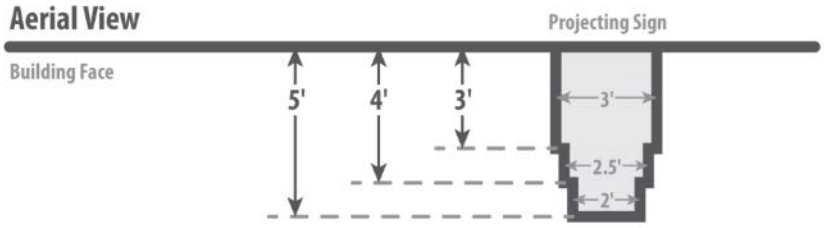


FIGURE 22.114.130-B: ALLOWABLE THICKNESS OF PROJECTING SIGNS OVER PROPERTY OR BUILDING LINE



22.114.140 Incidental Business Signs.

A. Each business establishment shall be permitted incidental business signs, provided:

1. That such signs are wall signs or are attached to an existing freestanding sign structure;

2. That such signs do not exceed three feet in sign area or six square feet in total sign area; and

3. That the sum of the sign areas of all such signs does not exceed 10 square feet.

B. Such signs may be internally or externally lighted, but any continuous or sequential flashing operation is prohibited.

C. This provision shall not be interpreted to prohibit the use of similar signs of a larger size or in greater numbers where otherwise permitted by this Title 22, and computed as part of the sign area permitted for business signs as provided in Sections 22.114.110 (Wall Business Signs) through 22.114.150 (Temporary Window Signs).

22.114.150 Temporary Window Signs.

Each business establishment shall be permitted temporary window signs, provided that such signs do not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage. This provision is not intended to restrict signs utilized as part of a window display of merchandise when such signs are incorporated within such display and located not less than one foot from such windows.

22.114.160 Building Identification Signs.

Building identification signs are permitted in all zones, except Zones B-1 and B-2, subject to the following restrictions:

A. Area Permitted.

1. In Zones R-1, R-2, R-A, A-1, A-2, O-S, R-R, and W, one wall-mounted sign, not to exceed one square foot in sign area, shall be permitted per principal use.

2. In Zones R-3, R-4, and R-5, one wall-mounted sign, not to exceed six square feet in sign area, shall be permitted per principal use.

3. In Zones C-H, C-1, C-2, C-3, C-M, C-MJ, C-R, M-1, M-1.5, M-2, M-2.5, M-3, C-RU, MXD-RU, MXD, SR-D, P-R, and W, one wall-mounted sign shall be permitted per principal use provided:

a. Such sign does not exceed six square feet in sign area where located less than 30 feet above ground level, measured at the base of the building below said sign; or

b. Such sign does not exceed two percent of the exterior wall area of the building wall on which it is mounted, excluding penthouse walls, where located more than 30 feet above ground level measured at the base of the building below said sign.

4. This provision shall not be interpreted to prohibit the use of similar signs of a larger size or in greater number where otherwise permitted by this Title 22, and computed as part of the sign area permitted for business signs as provided in Sections 22.114.110 (Wall Business Signs) through 22.114.150 (Temporary Window Signs).

B. Height Permitted. Such signs shall not extend above the highest point of a parapet wall or the lowest point of a sloping roof.

C. Lighting. Such signs may be internally or externally lighted, provided:

1. That any continuous or sequential flashing operation is prohibited; and

2. That in Zones R-1, R-2, R-3, R-4, R-5, R-A, A-1, A-2, O-S, R-R, and W, no exposed incandescent lamp used shall exceed a rated wattage of 25 watts.

22.114.170 Temporary Real Estate Signs.

Temporary real estate signs are permitted in all zones subject to the following restrictions:

A. Area Permitted.

1. In Zones R-1, R-2, R-A, A-1, A-2, O-S, R-R, and W, one wall-mounted or freestanding real estate sign shall be permitted for each street or highway frontage, provided:

a. That such sign does not exceed six square feet in sign area or 12 square feet in total sign area on any street or highway frontage of 100 feet or less; and

b. That such sign does not exceed 32 feet in sign area or 64 square feet in total sign area on any lot having a street or highway frontage greater than 100 feet.

2. In Zones R-3, R-4, R-5, SR-D, and P-R, one wall-mounted or freestanding real estate sign shall be permitted for each street or highway frontage, provided:

a. That such sign does not exceed 12 square feet in sign area or 24 square feet in total sign area on any frontage of 100 feet or less; and

b. That such sign does not exceed 48 square feet in sign area or 96 square feet in total sign area on any lot having a street or highway frontage greater than 100 feet.

3. In Zones C-H, C-1, C-2, C-3, C-M, C-MJ, C-R, M-1, M-1.5, M-2, M-2.5, M-3, B-1, C-RU, MXD-RU, and MXD, one wall-mounted or freestanding real estate sign shall be permitted for each street or highway frontage, provided:

a. That such sign does not exceed 48 square feet in sign area or 96 square feet in total sign area on any frontage of 100 feet or less; and

b. That such sign does not exceed 48 square feet in sign area plus an additional one-half square foot in sign area for each one foot of street or highway frontage in excess of 100 feet, to a maximum sign area of 100 square feet or an amount equal to twice the permitted sign area in total sign area.

B. Height Permitted.

1. Wall-mounted real estate signs shall not extend above the highest point of a parapet wall or the lowest point of a sloping roof.

2. Freestanding real estate signs shall not exceed the following maximum heights:

a. In Zones R-1, R-2, R-3, R-4, R-5, R-A, A-1, A-2, O-S, R-R, and W, eight feet measured vertically from ground level at the base of the sign; and

b. In Zones C-H, C-R, C-1, C-2, C-3, C-M, C-MJ, M-1, M-1.5, M-2, M-2.5, M-3, B-1, C-RU, MXD-RU, and MXD, 16 feet measured vertically from ground level at the base of the sign.

C. Location of Signs.

1. Freestanding real estate signs may be placed in required front yards, provided such signs are located not less than 10 feet from the highway line.

2. Freestanding real estate signs shall not be placed nearer to a lot line, other than one adjoining a street or highway, than 10 feet.

D. Lighting.

1. Signs in Zones R-1, R-2, R-3, R-4, R-5, R-A, A-1, A-2, O-S, R-R, W, SR-D, and P-R shall be unlighted.

2. Signs in Zones C-H, C-1, C-2, C-3, C-R, C-M, C-MJ, M-1, M-1.5, M-2, M 2.5, M-3, B-1, C-RU, MXD-RU, and MXD may be internally or externally lighted, but any continuous or sequential flashing operation is prohibited.

E. Time Limit. All real estate signs shall be removed from the premises within 30 days after the property has been rented, leased, or sold.

22.114.180 Temporary Construction Signs.

Temporary construction signs are permitted in all zones, subject to the following restrictions:

A. Area Permitted.

1. In Zones R-1, R-2, R-3, R-4, R-5, R-A, A-1, A-2, O-S, and W, one wall-mounted or freestanding construction sign shall be permitted for each street or highway frontage, provided:

a. That such sign does not exceed six square feet in sign area or 12 square feet in total sign area on any street or highway frontage of 100 feet or less; and

b. That such sign does not exceed 32 square feet in sign area or 64 square feet in total sign area on any lot having a street or highway frontage greater than 100 feet.

2. In Zones C-H, C-1, C-2, C-3, C-R, C-M, C-MJ, M-1, M-1.5, M-2, M-2.5, M-3, B-1, C-RU, MXD-RU, MXD, R-R, P-R, and SR-D, one wall-mounted or freestanding construction sign shall be permitted for each street or highway frontage, provided:

a. That such sign does not exceed 48 square feet in sign area or 96 square feet in total sign area on any frontage of 100 feet or less; and

b. That such sign does not exceed 48 square feet in sign area plus an additional one-half square foot in sign area for each one foot of street or highway frontage in excess of 100 feet to a maximum sign area of 100 square feet or an amount equal to twice the permitted sign area in total sign area.

B. Height Permitted.

1. Wall-mounted construction signs shall not extend above the highest point of a parapet wall or the lowest point of a sloping roof.

2. Freestanding construction signs shall not exceed the following maximum heights:

a. In Zones R-1, R-2, R-3, R-4, R-5, R-A, A-1, A-2, O-S, and W, eight feet measured vertically from the base of the sign; and

b. In Zones C-H, C-1, C-2, C-3, C-R, C-M, C-MJ, M-1, M-1.5, M-2, M-2.5, M-3, B-1, C-RU, MXD-RU, MXD, R-R, P-R, and SR-D, 16 feet measured vertically from the base of the sign.

C. Location of Signs.

1. Construction signs shall be maintained only upon the site of the building or structure under construction, alteration or in process of removal.

D. Lighting.

1. Construction signs in Zones R-1, R-2, R-3, R-4, R-5, R-A, A-1, A-2, and O-S shall be unlighted.

2. Construction signs in Zones C-H, C-1, C-2, C-3, C-R, C-M, C-MJ, M-1, M-1.5, M-2, M-2.5, M-3, B-1, C-RU, MXD-RU, MXD, R-R, P-R, and SR-D may be internally or externally lighted, but any continuous or sequential flashing operation is prohibited.

E. Time Limit. All construction signs shall be removed from the premises within 30 days after the completion of construction, alteration or removal of the structure.

22.114.190 Directional or Informational Signs.

A. Applicability. Free standing or wall-mounted directional or informational signs are permitted in Zones A-1, A-2, O-S, R-R, W, C-1, C-2, C-3, C-M, C-MJ, C-R, M-1, M-1.5, M-2, M-2.5, M-3, B-1, C-RU, MXD-RU, MXD, P-R, and SR-D, subject to this Section.

B. Development Standards. Directional or informational signs shall be permitted where there is a need based on the geographic location of the use or the access route to the use creates a need for directional or informational signs not satisfied by other signs permitted by this Title 22.

C. Area Permitted. Directional or informational signs shall not exceed 12 square feet in sign area or 24 square feet in total sign area.

D. Height Permitted.

1. Wall-mounted directional or informational signs shall not extend above the highest point of a parapet wall or the lowest point of a sloping roof.

2. Freestanding directional or informational signs shall not exceed the following maximum heights:

a. In Zones A-1, A-2, O-S, R-R, and W, six feet measured vertically from the base of the sign; and

b. In all other permitted zones, 12 feet measured vertically from the base of the sign.

E. Location of Signs.

1. In Zones A-1, A-2, O-S, R-R, and W, directional or informational signs may be located on-site and off-site, provided that where located within a front or corner side yard, such sign shall not be nearer than 10 feet to any street or highway upon which the property fronts; and

2. In all other permitted zones, such signs shall be located on-site.

F. Lighting. Directional or informational signs may be internally or externally lighted, provided:

1. That any continuous or sequential flashing operation is prohibited; and

2. That in Zones A-1, A-2, O-S, R-R, and W, no exposed incandescent lamp used shall exceed a rated wattage of 25 watts.

22.114.200 Special-Purpose Signs.

The following special-purpose signs are permitted as provided in this Section:

A. Community Identification Signs. Freestanding community signs are permitted in any zone at or near the entrance to an unincorporated community or city of the County, subject to the following restrictions:

1. Area Permitted. Such signs shall not exceed 96 square feet in sign area or 192 square feet in total sign area.

2. Height Permitted. Such signs shall not exceed a maximum height of 16 feet, measured vertically from the base of the sign.

3. Lighting. Such signs may be internally or externally lighted, but any continuous or sequential flashing operation is prohibited.

4. Design. Such signs will be architecturally related to the area in which they are located.

B. Civic Organization Signs. Freestanding civic organization signs are permitted in any zone at or near the entrance to an unincorporated community or city of the County, subject to the following restrictions:

1. Area Permitted. Such signs shall not exceed 50 square feet in sign area or 100 square feet in total sign area.

2. Height Permitted. Such signs shall not exceed a maximum height of 15 feet, measured vertically from the base of the sign.

3. Lighting. Such signs shall be unlighted.

4. Design. Such signs shall be architecturally related to the area in which they are located.

C. Bulletin or Special-Event Signs. One freestanding or wall-mounted bulletin or special-event sign may be erected and maintained on each lot in any zone

developed for a publicly owned, charitable, religious, or educational institution subject to the following restrictions:

1. Area Permitted. Such sign shall not exceed 50 square feet in sign area or 100 square feet in total sign area.

2. Height Permitted.

a. A wall-mounted sign shall not extend above the highest point of a parapet wall or the lowest point of a sloping roof.

b. A freestanding sign shall not exceed a maximum height of 15 feet, measured vertically from the base of the sign.

3. Location of Sign. A freestanding sign shall not be located nearer than 25 feet to a lot line which does not adjoin a street or highway.

4. Lighting. Such sign may be internally or externally lighted, provided that no exposed incandescent lamp used shall exceed a rated wattage of 25 watts in any Residential or Agricultural Zone, and that any continuous or sequential flashing operation is prohibited in all zones.

5. Design. Such sign shall be architecturally related to the structure to which it is accessory.

D. Fuel Pricing Signs. Fuel pricing signs are permitted for each business offering gasoline or other motor vehicle fuel for sale, subject to the following restrictions:

1. Types of Signs. Such signs shall be separate freestanding signs, panels mounted to freestanding sign structures, or combined freestanding business and fuel pricing signs.

2. Area Permitted.

a. One sign, not to exceed 30 square feet in sign area or 60 square feet in total sign area, shall be permitted for each street or highway frontage.

b. If said business is located on a corner, one sign, not to exceed 60 square feet in sign area or 120 square feet in total sign area, shall be permitted at the corner in lieu of separate signs on each of the intersecting frontages.

c. The area per sign face of a combined freestanding business and fuel pricing sign shall not exceed the sum of the permitted areas per sign face of the two merging signs. Nor shall the business portion of said sign exceed the area per sign face that would be permitted a business sign were it erected separately.

3. Height Permitted.

a. No separate freestanding sign shall exceed 15 feet in height at a corner or five feet in height elsewhere. Such height shall be measured vertically from the base of the sign.

b. No combined business and fuel pricing sign, or no business sign to which fuel pricing panels are mounted, shall exceed the maximum permitted height of a freestanding business sign as established in Sections 22.114.110 (Wall Business Signs) through 22.114.150 (Temporary Window Signs).

4. Location of Sign. No separate freestanding sign shall be located nearer to an existing freestanding sign or to a lot line, other than one adjoining a street or highway, than 25 feet.

5. Lighting. Such signs may be internally or externally lighted.

22.114.210 Temporary Subdivision Sales, Entry, and Special-Feature Signs.

Specific terms used in this Section are set forth in Division 2 (Definitions) under Section 22.14.190. Temporary subdivision sales and related entry and special-feature signs are permitted in all zones subject to the following restrictions:

A. Subdivision Sales Signs.

1. Area Permitted. One freestanding subdivision sales sign shall be permitted for each street or highway bordering the tract, provided:

a. That such sign does not exceed 32 square feet in sign area or 64 square feet in total sign area where such tract contains 10 lots or less;

b. That such sign does not exceed 64 square feet in sign area or 128 square feet in total area where such tract contains 11 to 19 lots; and

c. That such sign does not exceed 96 square feet in sign area plus an additional one-half square foot in sign area for each one foot of street or highway frontage in excess of 500 feet, to a maximum sign area of 180 square feet, or an amount equal to twice the permitted sign area in total sign area, where such tract contains more than 20 lots.

2. Height Permitted.

a. Subdivision sales signs shall not exceed the following maximum heights:

i. Eight feet, measured vertically from ground level at the base of the sign where such sign has a sign area of 64 square feet or less; and

ii. Sixteen feet, measured vertically from the base of the sign where such sign is 65 square feet or greater in sign area.

b. Where a wall is required along the street or highway frontage for which such sign is permitted, Subsection A.2.a, above, may be modified pursuant to Chapter 22.160 (Minor Conditional Use Permit).

3. Location of Signs. All subdivision sales signs shall be located on the subdivision and shall be oriented to read from the street or highway for which said sign is permitted.

4. Lighting. Subdivision sales signs may be internally or externally lighted, but any continuous or sequential flashing operation is prohibited.

5. Time Limit. Subdivision sales signs shall be maintained only until all the property is disposed of, or for a period of three years from the date of issuance of the first building permit for the subdivision, whichever should occur first. Any structure used for such purpose shall, at the end of such three-year period, be either removed or restored for a use permitted in the zone where located, except that the Director may, upon showing of need by the owner of the property, extend the permitted time beyond three years.

6. Text. All text on such signs shall relate exclusively to the subdivision being offered for sale or lease.

B. Subdivision Entry and Special-Feature Signs.

1. This Subsection B may permit the following signs in any subdivision qualifying for subdivision sales signs where:

a. Subdivision entry signs as are necessary to facilitate entry into and movement within the subdivision; and

b. Subdivision special-feature signs located in the immediate vicinity of an approved model home and temporary real estate tract office.

2. Area Permitted.

a. Subdivision entry signs shall not exceed 12 square feet in sign area or 24 square feet in total sign area.

b. Special-feature signs shall not exceed 6 square feet in sign area or 12 square feet in total sign area.

3. Height Permitted. Subdivision entry and special-feature signs shall not exceed a maximum height of eight feet, measured from the base of the sign.

4. Lighting. Subdivision entry and special-feature signs shall be unlighted.

5. Location of Signs. Subdivision entry and special-feature signs shall be located on said subdivision.

6. Time Limit. Subdivision entry and special-feature signs shall have the same time limit as subdivision sales signs approved for the same tract and shall be removed at the end of such period.

22.114.220 Subdivision Directional Signs.

A. Applicability. Subdivision directional signs are permitted in Zones A-1, A-2, C-1, C-H, C-R, R-1, R-2, R-3, R-4, R-A, and R-R, in accordance with this Section.

B. Definitions. Specific terms used in this Section are defined in Division 2 (Definitions) under Signs.

C. Permit Requirements Generally.

1. Except as otherwise provided in this Section, all procedures relative to application, notification, public hearing, and appeal governing conditional use permits

for subdivision directional signs shall be the same as for other Conditional Use Permit (Chapter 22.158) applications.

2. Each application shall be for one subdivision directional sign only.

D. Application – Additional Information Required. In addition to Chapter 22.158 (Conditional Use Permits), an application for a subdivision directional sign shall contain the following information:

1. An exact quotation of the message to be placed upon the sign.

2. A list of all previously approved subdivision directional signs for the same subdivision development, whether existing or not.

3. The name of the owner of the sign and the owner of the property on which the sign is to be placed.

E. Approval – Term and Conditions. Findings and decision shall be made in compliance with Section 22.158.050 (Findings and Decision), and the following:

1. The Commission or Hearing Officer shall find that such subdivision directional sign will comply with the development standards required by Subsection G, below.

2. Approval of such sign may be for a period of not to exceed one year; provided, however, that the Commission or Hearing Officer, where evidence is submitted to its satisfaction that a continuing need for travel directions to the subdivision development for which such sign was approved exists, may extend such permit for not more than one year if the applicant files a request for such extension prior to the expiration of his original permit. Only one extension may be granted.

F. Approval – Filing of Deposit and Agreement.

1. The Commission or Hearing Officer shall require as a condition of approval with each application the deposit of the sum of $175 or savings and loan certificates in the same amount as provided in Chapter 4.36 (Assignment of Savings and Loan Certificates and Shares) of Title 4 (Revenue and Finance) of the County Code, and an agreement signed by the applicant, the owner of the sign, and the owner of the property on which the sign is to be placed, by which such persons agree that the

County may enter upon the land upon which the sign is located and remove it, if such sign is not removed and the site thereof restored to a neat and orderly condition within five days after the termination of the permit. Said applicant and owners also shall agree that if such sign is not so removed by them within said five days and the site restored, the County may retain the deposit or savings and loan certificates as liquidated damages.

2. Any applicant may, in lieu of filing a separate deposit with each application, file a single cash deposit or savings and loan certificates in the amount of $3,000 to cover all of his applications for subdivision directional signs approved pursuant to this Section. A rider showing the administrative file number (permit number) and such other information as may be necessary to readily identify each application covered by such deposit shall be filed.

G. Development Standards. All subdivision directional signs shall comply with the following regulations:

1. The written and illustrative messages shall be the same as quoted in the application and as shown on the site plan except as otherwise permitted by the Commission or Hearing Officer, and shall be limited to necessary travel directions, the name of the land development project to which it pertains, a characteristic trademark or insignia, and other such information describing the character of the development as may be specifically approved by the Commission or Hearing Officer; provided, however, that such information shall be auxiliary to the sign's primary purpose of providing travel directions. The sign shall not contain any other advertising.

2. Such signs shall not exceed a height or width in excess of 20 feet and shall not have an area in excess of 180 square feet per face.

3. An unobstructed open space shall be maintained to a height of eight feet below the sign except for structural supports. Where topographic features create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with the provisions of this Subsection H.3, the Commission or Hearing Officer may, without notice or hearing, modify this requirement.

4. The sign shall be located not less than 500 feet from any other subdivision directional sign.

5. No additions, tags, streamers, or accessories may be added to an approved sign.

6. Not more than four single- or double-faced signs pertaining to the same subdivision development may be used at the same time.

7. Such signs shall be used and located within four miles from the exterior boundary of the subdivision development to which they relate.

8. Such signs shall not be located within the right-of-way of any highway, parkway, street, or alley or along established and existing freeways which have been designated as freeway routes by the Division of Highways of the State of California or along scenic highways.

9. Identification shall be placed on such sign indicating the permit number, sign, owner, and expiration date.

10. Where the distance between the faces of a double-faced sign is more than 24 inches, such faces shall be considered two separate signs.

11. All exposed backs of such signs visible to the public shall be suitably covered to conceal the structure and be properly maintained.

H. Combining Signs for Separate Developments – Conditions. The Commission or Hearing Officer may, where an applicant concurrently files applications for Conditional Use Permits for subdivision directional signs pertaining to more than one subdivision development, modify the standards contained in Subsections G.3 and G.4, above, to permit the grouping or combining of two or more signs providing travel directions to different developments. Such two or more separate signs may be grouped together in one structure or may be consolidated into one sign where, in the opinion of the Commission or Hearing Officer, such grouping or combining helps to reduce visual clutter and distraction.

I. Removal or Relocation of Signs Required When. If a highway, parkway, street, or alley is widened so that the location of the sign is included in the right-of-way,

the owner, at no expense to the County shall either remove such sign or relocate it outside of the new right-of-way.

22.114.230 Signs for Uses Granted by a Conditional Use Permit in Residential, Agricultural, or Watershed Zones.

A. Where a Conditional Use Permit (Chapter 22.158) application is required for a use in a Residential, Agricultural, or Watershed Zone, the Commission or Hearing Officer may approve business signs deemed appropriate for such use as part of the application; provided, however, that no business sign or signs may be authorized that would not be permitted in Zone C-1 as permitted by this Chapter.

B. Where business signs described in Subsection A, above, have not been approved by the Commission or Hearing Officer as part of the application, the provisions applicable to principal permitted uses in the specific zone in which the use is located shall be deemed to have been specified.

Chapter 22.116 Highway Lines, Road Dedication, and Access.

Sections:

22.116.010 Purpose.
22.116.020 Applicability.
22.116.030 Road Dedication and Improvements.
22.116.040 Intersections and Corner Cutoff Requirements.
22.116.050 Major Bridge and Thoroughfare Fees.
22.116.060 Modifications.
22.116.070 Highway Lines.

22.116.010 Purpose.

This Chapter establishes the centerlines, dedication, improvement, and access requirements that the County may impose on development.

22.116.020 Applicability.

A. Section 22.116.030 (Road Dedication and Improvements), Section 22.116.040 (Intersections and Corner Cutoff Requirements), and Section 22.116.050 (Major Bridge and Thoroughfare Fees) do not apply to the following buildings or structures if they comply with all other provisions of this Title 22:

1. Buildings, structures, or uses permitted in Zone R-2.

2. Outdoor advertising signs.

3. Accessory agricultural buildings where used primarily for agricultural purposes.

4. Oil wells.

5. Electrical distribution and transmission substations.

6. Water storage tanks, reservoirs, and water pumping plants, but excluding offices or maintenance yard facilities.

7. Gas measurement, distribution, and meter and control stations.

8. Telephone repeater stations.

9. Temporary carnivals and revival meetings.

10. Other similar uses that, in the opinion of the Commission or Hearing Officer, will not generate a greater volume of traffic than the uses listed in this Section.

B. Section 22.116.030 (Road Dedication and Improvements), Section 22.116.040 (Intersections and Corner Cutoff Requirements), and Section 22.116.050 (Major Bridge and Thoroughfare Fees) do not apply to the use, alteration, or enlargement of an existing building or structure or the erection of one or more accessory buildings or structures, or both, on the same lot, if the total value of such alteration, enlargement, or construction does not exceed one-half of the current market value of all existing buildings or structures on such lot.

22.116.030 Road Dedication and Improvements.

A building or structure shall not be used on any lot, or any portion of such lot, that abuts upon an alley, street, or highway unless the one-half of the alley, street, or highway that is located on the same side of the centerline as such lot has been dedicated and improved as follows:

A. Dedication.

1. Dedication Standards. Alleys, streets, and highways, shall be dedicated to the width from the centerline specified in Section 22.116.070 (Highway Lines), and including corner cutoffs specified in Section 21.24.110 of Title 21 (Subdivisions) of the County Code, except that dedication in any case shall not be required to such an extent as to reduce the area or width of any lot to less than that specified in Sections 22.110.140.C (Required Area – Reduced for Highways – Conditions) and 22.110.140.E (Conveyance or Division of Land – Lot Area and Width Restrictions).

2. Agreement to Dedicate. In lieu of dedication, the Director of Public Works may accept a dedication agreement signed by all persons having any right, title, interest, or lien in the property, or any portion thereof, to be dedicated. The signatures on such agreement shall be verified, and the Director of Public Works shall record such agreement with the Registrar-Recorder/County Clerk.

B. Improvements.

1. Curbs, gutters, sidewalks, base, pavement, street lights, street trees, and drainage structures, where required, shall be constructed at the grade and at the location specified by the Director of Public Works unless there already exists within the present right-of-way, or on property the owner has agreed to dedicate, curbs, gutters, sidewalks, base, pavement, street lights, street trees, or drainage structures that the Director of Public Works finds are adequate.

2. Sidewalks shall be not less than five feet in width unless the available portion of the highway or street is less, in which case they shall be the width specified by the Director of Public Works.

3. Curbs, gutters, drainage structures, base, pavement, street lights, street trees, and sidewalks shall comply with the standards in Title 21 (Subdivisions) of the County Code, except as otherwise authorized by the Director of Public Works for public health, safety, or welfare reasons.

4. All construction within the existing or proposed road rights-of-way shall be done under provisions of Division 1 of Title 16 (Highway Code) of the County Code for Highway Permits.

5. In lieu of the required improvements, the Director of Public Works may accept from any responsible person a contract to make such improvements in accordance with the following:

a. Such contract shall specify a time in which the improvements shall be completed. Said improvements shall be completed within the time specified in the agreement to improve, except that the Director of Public Works may grant such additional time as the Director deems necessary if, in the Director's opinion, a good and sufficient reason exists for the delay.

b. Such contract shall be accompanied by a deposit with the Board of a sum of money or negotiable bonds or savings and loan certificates or shares in an amount which, in the opinion of the Director of Public Works, equals the cost of providing the improvements. If savings and loan certificates or shares are deposited, such certificates or shares shall be assigned to the County, and such deposit and assignment shall be subject to all the provisions and conditions of Chapter 4.36 of Title 4 (Revenue and Finance Code) of the County Code.

c. If the estimated cost of the improvements equals or exceeds $1,000, in lieu of such deposit the applicant may file with the Board a corporate surety bond guaranteeing the adequate completion of all of the improvements, in an amount equal to such estimated cost.

d. If the improvement is not completed within the time specified in an agreement, the Board may, after 10 days, serve a written notice to the person, firm, or corporation that signed the contract, or after 20 days, send a written notice by

registered mail and addressed to the last known address of the person, firm, or corporation that signed the contract. The notice shall state that the Board has determined that the improvement work or any part of the work is incomplete, and any portion of deposits or bonds given for the faithful performance of the work may be forfeited to the County, or the Board may cash any instrument of credit so deposited in such amount as may be necessary to complete the improvement work.

22.116.040 Intersections and Corner Cutoff Requirements.

In all zones at the intersections of roads:

A. No building or structure shall be used within the area of the curve radii required at the intersections of roads by Section 21.24.110 (Right-of-Way Radius) in Title 21 (Subdivisions) of the County Code, except as permitted below and provided that such structures do not constitute a visual obstruction between three and one-half feet and eight feet above the level of the ground:

1. Eaves and cantilevered roofs per Section 22.110.090.A (Eaves and Cantilevered Roofs);

2. Planter boxes and masonry planters per Section 22.110.040.A (Planter Boxes and Masonry Planters);

3. Driveways, walkways, patio slabs, wooden decks, and other materials as specified in Section 22.110.040.D (Driveways, Walkways, and Patio Slabs);

4. Projecting signs site signs per Section 22.110.040.H (Projecting Signs); and

5. Freestanding signs per Section 22.110.040.I (Freestanding Signs) in Zones C-H and C-1.

B. Corner cutoffs, per Section 22.116.030.A.1 (Dedication Standards), shall be provided as specified in Section 21.24.110 (Right-of-Way Radius) in Title 21 (Subdivisions) of the County Code.

22.116.050 Major Bridge and Thoroughfare Fees.

A building or structure shall not be used on any lot, any portion of which is located within a district established pursuant to Section 21.32.200 (Major Thoroughfare and Bridge Fees) in Title 21 (Subdivisions) of the County Code, unless the required district fee has been paid as a condition of issuing a building permit or unless exempted by Section 22.116.020.A.

22.116.060 Modifications.

A. Director of Regional Planning. The Director may grant a modification and relieve the applicant from compliance with all or a portion of Section 22.116.030 (Road Dedication and Improvements) and Section 22.116.050 (Major Bridge and Thoroughfare Fees) if the following standards are met:

1. Property adjoining on both sides of the subject property is developed with lawfully existing buildings or structures which, were they not already existing, would be subject to the provisions of this Chapter, and the requirement to dedicate, pave, or improve would require a greater width than is the alley, street, or highway abutting the existing buildings or structures on the adjoining properties; or

2. The lot adjoins an alley, street, or highway for a distance of 100 feet or more, and only a portion of said lot is to be used for such building or structure or occupied by such use, and the modification will not affect the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, using such alley, street, or highway.

B. Director of Public Works. The Director of Public Works may grant a modification and relieve the applicant from compliance with all or a portion of Sections 22.116.030 (Road Dedication and Improvements) and 22.116.050 (Major Bridge and Thoroughfare Fees), if the following standards are met:

1. There is in existence or under negotiation a contract between the County and a contractor to install the required improvements;

2. The Director of Public Works is unable to furnish grades within a reasonable time;

3. The required construction would create a drainage or traffic problem;

4. The construction will be isolated from a continuous roadway that may not be improved for many years; or

5. There are in existence partial improvements satisfactory to the Director of Public Works, who deems construction of additional improvements to be unnecessary or constitute an unreasonable hardship.

C. Variance. Any aggrieved person may apply for a Variance (Chapter 22.194) from any provision of this Chapter, whether that person has applied for a modification or not. The provisions of Subsections A and B, above, shall constitute additional grounds for a variance from any provisions of this Chapter.

22.116.070 Highway Lines.

In all zones, highway lines are hereby established parallel to the centerline of every parkway, alley, highway, and street, as follows:

A. Forty feet from the centerline for every secondary highway, except as otherwise provided below:

1. Downey Road – 35 feet on the easterly side of the centerline, extending from Whittier Boulevard northerly to 3rd Street, as shown on C.S.B.-2866.

2. Hooper Avenue – Increasing in width on the westerly side of the centerline from a minimum of 40 feet at a point 0.54 foot southerly of the centerline of 67th Street, the westerly boundary of said Hooper Avenue, extending southerly along the westerly boundary of Hooper Avenue (60 feet wide), as shown on map of Tract No. 5450, recorded in Book 59, Pages 94 and 95 of Maps, to a maximum of 50 feet at the centerline of 69th Street as shown on the map. Increasing in width at a uniform rate on the easterly side of the centerline from a minimum of 40 feet at a point 0.54 foot southerly of the centerline of 67th Street, southerly to a maximum of 50 feet at the centerline of 69th Street; 50 feet on each side of the centerline extending from the centerline of 69th Street southerly to a point 133.59 feet southerly of the centerline of 75th Street; decreasing in width at a uniform rate from a maximum of 50 feet on each

side of the centerline at a point 133.59 feet southerly of the centerline of 75th Street southerly to a minimum of 40 feet on each side of the centerline at a point 62.60 feet southerly of the centerline of 76th Street, as shown on C.S.B.-5140, sheets 1 and 2.

3. Pennsylvania Avenue – 50 feet on the easterly side of the centerline, extending from the northeasterly boundary of the Route 210 (Foothill) Freeway northerly to Altura Avenue; decreasing in width on the easterly side of the centerline from a maximum of 50 feet at Altura Avenue extending northerly along a curve in the easterly boundary having a radius of 1,351.70 feet to a point 122 feet northerly of the northerly line of Altura Avenue (60 feet wide), and continuing northerly along said easterly boundary along a reverse curve having a radius of 1,335.70 feet a distance of 119 feet, to a minimum of 40 feet, as shown on C.S.B.-5072, sheet 1.

4. 223rd Street – 50 feet on the northerly side of the centerline extending from Vermont Avenue westerly to a point 245 feet westerly of the centerline of Vermont Avenue; 50 feet on the southerly side of the centerline extending from Vermont Avenue westerly to a point 295 feet westerly of the centerline of Vermont Avenue; decreasing in width at a uniform rate on the southerly side of the centerline from a maximum of 50 feet at a point 295 feet westerly of the centerline of Vermont Avenue extending westerly to a minimum of 40 feet at a point 395 feet westerly of the centerline of Vermont Avenue; 42 feet on the northerly side of the centerline extending from Meyler Street westerly to Normandie Avenue, as shown on C.S.B.-793, sheet 1.

B. Fifty feet from the centerline of every major highway, except as otherwise provided below:

1. Arizona – Mednik Avenue – 54 feet on each side of the centerline extending from Telegraph Road northerly to a point 277.49 feet northerly of the centerline of Verona Street; decreasing in width at a uniform rate from a maximum of 54 feet on each side of the centerline, extending from a point 277.49 feet northerly of the centerline of Verona Street northerly to a minimum of 50 feet on each side of the centerline at a point 456.61 feet northerly of the centerline of Verona Street; increasing in width at a uniform rate from a minimum of 50 feet on each side of the centerline

extending from a point 201.28 feet northerly of the centerline of Whittier Boulevard northerly to a maximum of 54 feet on each side of the centerline at a point 400.44 feet northerly of the centerline of Whittier Boulevard; 54 feet on each side of the centerline extending from a point 400.44 feet northerly of the centerline of Whittier Boulevard northerly to the centerline of First Street, as shown on C.S.B.-2825, sheets 1 and 2.

2. Atlantic Boulevard – 45 45 feet on each side of the centerline extending, from Whittier Boulevard northerly to the northeasterly boundary of Tract No. 7192 filed in Book 78, Page 38 of Maps, as shown on C.S.B.–8758.

3. Azusa Avenue – 55 feet on each side of the centerline extending from Amar Road southerly to Colima Road, excluding all those portions within the cities of West Covina and Industry, as shown on C.S.B.–707, 2949, and 2628.

4. Colima Road – 60 feet on the southerly and southeasterly side of the centerline extending from Azusa Avenue westerly and southwesterly to the northerly boundary of the city of Whittier; 60 feet on the northerly side of the centerline extending from Azusa Avenue westerly to the easterly boundary of Tract No. 27718, as shown on map recorded in Book 766, Pages 49 and 50 of Maps; 60 feet on the northwesterly side of the centerline extending from a point 186.92 feet northeasterly of the easterly boundary of Tract No. 27176, as shown on map recorded in Book 738, Pages 79 to 81 of Maps, southwesterly to said northerly boundary of the city of Whittier, as shown on C.S.B.-2626, sheets 1 and 2.

5. Del Amo Boulevard – 54 feet on the northerly side of the centerline, extending from Wilmington Avenue easterly to Alameda Street, as shown on C.S.B.-617, sheet 4.

6. Lake Avenue – 40 feet on the easterly side of the centerline, extending from the northerly boundary of the city of Pasadena to Woodbury Road; 45 feet on each side of the centerline extending from Woodbury Road northerly to Altadena Drive, as shown on C.S.B.-2900.

7. Lakes Hughes Road – 55 feet on each side of the centerline extending Castaic Road easterly to Ridge Route, as shown on C.S.B.-5001, sheet 1.

8. Mednik Avenue – Described under Arizona–Mednik Avenue.

9. Paramount Boulevard – 55 feet on each side of the centerline, extending from the northeasterly boundary of the city of Montebello northeasterly to San Gabriel Boulevard, as shown on C.S.B.-3068.

10. Pearblossom Highway – 60 feet on each side of the centerline from Sierra Highway northerly and easterly to the centerline of Fort Tejon Road, as shown on C.S.B.-.5396, and C.S.B.-2858, Sheet 3.

11. Sierra Highway – Increasing in width at a constant rate on each side of the centerline from a minimum centerline of the Angeles Forest Highway to a maximum of 60 feet northerly of the centerline of the Angeles Forest Highway, 60 feet on each side of the centerline extending from a point 640.00 feet northerly of the centerline of the Angeles Forest Highway northerly to the centerline of Pearblossom Highway as shown on C.S.B.-5396, C.S.B.-5505, and F.M. 120048, Sheets 2 and 3.

12. Slauson Avenue – 47 feet on the southerly side of the centerline extending from Wilmington Avenue westerly to Central Avenue, as shown on C.S.B.-2930.

C. Parkways, minimum 40 feet from centerline, except as otherwise provided herein:

1. Grand Avenue – 60 feet on the easterly side of the centerline extending from the northwesterly boundary of the city of Walnut northerly to the centerline of Golden Bough Drive; 55 feet on the easterly side of the centerline extending from the centerline of Golden Bough Drive northwesterly to the southerly boundary of the city of West Covina at a point approximately 78 feet southeasterly of the centerline of Virginia Avenue; 60 feet on the westerly side of the centerline extending from said northwesterly boundary of the city of Walnut northerly to the centerline of Cortez Street; 50 feet on the westerly side of the centerline extending from the centerline of Cortez Street northerly to the centerline of Sunset Hill Drive; 55 feet on the westerly side of the centerline extending from the centerline of Sunset Hill drive

northerly to said southerly boundary of the city of West Covina, as shown on C.S.B. 5049, sheets 1 and 2.

2. Huntington Drive – 44 feet on the northerly side of the centerline (as used in this portion of subsection C.2, "centerline" means the centerline of the northerly roadway of Huntington Drive) extending from the centerline of Michillinda Avenue westerly to the centerline of Rosemead Boulevard; 51 feet on the northerly side of the centerline extending from the centerline of Rosemead Boulevard westerly to the centerline of Lotus Avenue; 40 feet on the northerly side of the centerline extending from the centerline of Lotus Avenue westerly to a point 50 feet westerly of the centerline of Madre Street; decreasing in width at a uniform rate on the northerly side of the centerline from a maximum of 40 feet at a point 50 feet westerly of the centerline of Madre Street to a minimum of 20 feet at a point 350 feet westerly of the centerline of Madre Street; 20 feet on the northern side of the centerline extending from a point 350 feet westerly of the centerline of Madre Street westerly to a point 639.12 feet easterly of the centerline of El Campo Drive; 51 feet on the northerly side of the centerline extending from a point 639.12 feet easterly of the centerline of El Campo Drive westerly to the centerline of El Campo Drive; 20 feet on the northerly side of the centerline extending from the centerline of El Campo Drive westerly to the centerline of San Gabriel Boulevard, as shown on C.S.B.-2700.

3. Mulholland Highway – 50 feet on each side of the centerline extending from Pacific Coast Highway northerly and easterly to a point 5,847.20 feet westerly of the centerline of Las Virgenes Canyon Road; 60 feet on each side of the centerline extending from a point 5,847.20 feet westerly of the centerline of Las Virgenes Canyon Road easterly to a point 4,780.20 feet westerly of the centerline of Las Virgenes Canyon Road; 50 feet on each side of the centerline extending from a point 4,780.20 feet westerly of the centerline of Las Virgenes Canyon Road easterly and northerly to the southerly boundary of the city of Los Angeles, as shown on C.S.B.-8824, sheets 9, 11, 13, 14; C.S.B.-2836; F.M. 20265, sheets 2, 3, 4; C.S.B.2881; F.M. 11541, sheet 3; F.M. 20235, sheets 1, 2; and C.S.B. 2336, sheets 1, 2, 3, 4.

D. Alleys and streets, one-half the planned ultimate width for alleys or streets, pursuant to the standards of Section 21.24.090 (Right-of-Way and Roadway Width Requirements – Cross-section Diagrams) of Title 21 (Subdivisions) of the County Code unless in the opinion of the Director, topographic features, subdivision plans, or other conditions create an unnecessary hardship or unreasonable regulation and the Director deems a lesser width adequate. The Director shall designate the distance from the centerline in any case where such ultimate width is not specified.

E. Limited secondary highway, thirty-two feet from centerline; this may be increased to 40 feet for additional improvements where traffic or drainage conditions warrant.

Chapter 22.118 Flood Control.

Sections:

22.118.010 Regulations – Board Authority.

22.118.020 Permit – Required When Work Would Create Flood Hazards.

22.118.030 Permit – Issuance Conditions.

22.118.040 Plans and Specifications.

22.118.050 Conformity with Permit Conditions.

22.118.060 Permit – Liability Limitations.

22.118.070 Obstructions Prohibited Where.

22.118.080 Operations Along Rio Hondo and San Gabriel Rivers.

22.118.090 Hazardous Area Designated.

22.118.100 Los Angeles County Flood Control District to Act as Consultant.

22.118.010 Regulations – Board Authority.

The Board may prescribe, by uniform rule or regulation, the minimum course of its excavations or other operations tending to displace the soil; and shall also have the power to prescribe any and all other rules and regulations, uniform in their operation, necessary for the carrying out of the purposes of this Chapter.

22.118.020 Permit – Required When Work Would Create Flood Hazards.

Whenever the Board finds that the excavation or quarrying of any rock, sand, gravel, or other material in a particular area would create flood hazard or would be otherwise dangerous to the public safety, then before any person excavates or quarries in any part of such area, such person shall first obtain from the Los Angeles County Flood Control District a permit to do so.

22.118.030 Permit – Issuance Conditions.

The Los Angeles County Flood Control District may issue such permit upon the condition that the applicant, before commencing any such excavation and at such other times during such excavation as may be necessary, shall erect such dikes, barriers, or other structures as will afford, in the opinion of the Los Angeles County Flood Control District, either the same protection as if no excavation should be made, or protection adequate to prevent the flow of the floodwaters out of their natural channels.

22.118.040 Plans and Specifications.

The Los Angeles County Flood Control District may require the submission of plans and specifications showing the nature of the proposed excavation and dikes, barriers, or other structures.

22.118.050 Conformity with Permit Conditions.

No person may make any excavation within such area except after receiving, and in conformity with, such a permit.

22.118.060 Permit – Liability Limitations.

The issuance of such a permit shall not constitute a representation, guarantee, or warranty of any kind or nature by the Los Angeles County Flood Control District, or by any officer or employee of either thereof, of the practicability or safety of any structure or other plan proposed, and shall create no liability upon, or a cause of action against such public body, officer, or employee for any damage that may result from any excavation made pursuant thereto.

22.118.070 Obstructions Prohibited Where.

A. A person shall not place or cause to be placed in the channel or bed of any river, stream, wash, or arroyo, or upon any property over which the Los Angeles County Flood Control District has an easement for flood control purposes duly recorded by the Registrar-Recorder/County Clerk, any wires, fence, building, or other structure, or any rock, gravel, refuse, rubbish, tin cans, or other matter which may impede, retard, or change the direction of the flow of water in such river, stream, wash, or arroyo, or that will catch or collect debris carried by such water, or that is placed where the natural flow of the stream and floodwaters would carry the same downstream to the damage or detriment of either private or public property adjacent to the said river, stream, wash, arroyo, or channel.

B. This Section does not supersede or modify the provisions of any other ordinance.

22.118.080 Operations Along Rio Hondo and San Gabriel Rivers.

A. Every operator of any rock quarry, sand or gravel pit, rock crushing plant, or any apparatus for the excavation or manufacture of rock, sand, or gravel, which quarry pit, excavation plant or apparatus is so located as to intercept or obstruct any of the flow of the Rio Hondo or San Gabriel Rivers, shall so conduct all such operations as to always provide a channel of sufficient capacity to bypass 1,000 cubic feet of water per second in each river without the flow entering any such pit, excavation, or quarry.

B. This Section does not apply to that reach of the Rio Hondo between Santa Fe Dam and Peck Road.

22.118.090 Hazardous Area Designated.

The Board finds that the excavation or quarrying of any rock, sand, gravel, or other material in the area described as follows:

Beginning at a point in the easterly line of Section 1, T. 1 S., R. 11 W., as shown on a map of the subdivision of Rancho Azusa de Duarte, recorded in Book 6, pages 80 and 82, inclusive, of Miscellaneous Records of Los Angeles County, distant N. 0° 10' 06" W. thereon 1,820.99 feet from the southerly line of said Rancho, as shown on County Surveyor's Map No. B-1215, on file at the Los Angeles County Flood Control District; thence S. 57° 59' 09" W. 7,538.27 feet; thence S. 32° 00' 51" E. 900.00 feet; thence N. 57° 59' 09" E. 6,979.25 feet to a point in said easterly line of Section 1, distant S. 0° 10' 06" E. thereon 1059.48 feet from the point of beginning; thence northerly along said easterly line to the point of beginning; would create a flood hazard and in other ways be dangerous to the public safety.

22.118.100 Los Angeles County Flood Control District to Act as Consultant.

A. The Los Angeles County Flood Control District shall act as a consultant to the Department on all applications for a permit, variance, nonconforming use or structure review, or zone change relating to flood control and flood hazard identification, avoidance, and mitigation in all areas delineated on maps furnished to the Department pursuant to Subsection B, below.

B. The Los Angeles County Flood Control District shall provide the Department with a series of maps delineating areas subject to flood, mud, and debris hazards. The maps shall be prepared by the Los Angeles County Flood Control District, shall be based on the best currently available information and shall be updated at least annually.

C. The Department shall consult with the Los Angeles County Flood Control District with respect to such applications affecting property in the hazard areas delineated on the maps.

D. The Los Angeles County Flood Control District shall prepare written reports of its examination of each application affecting property in the hazard areas delineated on the maps.

E. The reports shall be considered by the Department, the Commission, and the Board in acting upon the applications. The actions upon the application shall be supported in writing.

Chapter 22.120 Density Bonuses and Affordable Housing Incentives.

Sections:

22.120.010 Purpose.
22.120.020 Definitions.
22.120.030 Applicability.
22.120.040 Density Bonus.
22.120.050 Incentives.
22.120.060 Parking Reduction.
22.120.070 Waiver or Modification of Development Standards.
22.120.080 Senior Citizen Housing Option.
22.120.090 Affordable Housing Option.

22.120.010 Purpose.

The purpose of this Chapter is to implement state density bonus requirements, as set forth in Section 65915 of the California Government Code, as amended, and to increase the production of affordable housing and senior citizen housing to complement the communities in which they are located.

22.120.020 Definitions.

Specific terms used in this Chapter are defined in Section 22.14.040 of Division 2 (Definitions), under "Density Bonuses and Affordable Housing Incentives."

22.120.030 Applicability.

A. Notwithstanding any provision of this Title 22 to the contrary, the provisions of this Chapter, in conjunction with Chapter 22.166 (Housing Permits), shall apply in all zones that allow residential uses.

B. Applications deemed complete prior to February 16, 2006, may request that the provisions in effect at the time of filing be applied. The determination in such cases shall be deemed to satisfy the requirements of this Chapter and Chapter 22.166 (Housing Permits).

22.120.040 Density Bonus.

A. Eligibility. Qualified projects meeting the eligibility requirements set forth in this Section shall be granted density bonuses in the amounts shown in Table 22.120.040-A, below.

TABLE 22.120.040-A: DENSITY BONUS ELIGIBILITY REQUIREMENTS

Qualified Projects	***Minimum Set-Aside***		***Density Bonus***		
			Basic	***Additional****	***Maximum***
Affordable Housing Set-Aside	Very low	5%	20%	1%:2.5%	35%*
	Lower	10%	20%	1%:1.5%	35%*
	Moderate (for sale only)	10%	5%	1%:1%	35%*
Senior Citizen Housing Set-Aside	A senior citizen housing development		20%	N/A	20%
	A mobilehome park for senior citizens		20%	N/A	20%
Land Donation	Very low	10%	15%	1%:1%	35%
County Infill Sites Program (projects of 2 or 3 units pre-bonus) ***	N/A		1 unit	N/A	1 unit

TABLE 22.120.040-A: DENSITY BONUS ELIGIBILITY REQUIREMENTS
Notes: * Child care facility. A qualified project that includes an affordable housing set-aside, and also includes a child care facility, shall be granted either an additional bonus in an amount of square feet of residential floor area equal to the amount of square feet in the child care facility that significantly contributes to the economic feasibility of constructing the child care facility, or an additional incentive as described in Section 22.120.050 (Incentives). ** Additional increases in density bonuses expressed as 'x%:y%' means that with every x% increase in the housing set aside, the density bonus shall increase by y%. *** Transfer of density. Where a qualified project that is a participant in the County Infill Sites Program proposes to concurrently develop noncontiguous properties, within the same major planning area as defined in the General Plan, or located within a quarter mile of each other, the transfer of density bonuses from one property to another may be approved provided that: 1) The total density bonuses approved shall not exceed that obtained if developed separately; 2) Such properties shall be concurrently developed, and that all affordable housing set-aside units shall be constructed at the same time as, or prior to, other dwelling units on either site; and 3) The applicant shall demonstrate the ability to complete the development approved, in terms of ownership or control of the sites.

1. Affordable Housing Set-Asides.

a. Minimum Units Required. The total number of dwelling units of the qualified project shall be five units or more.

b. Duration of Affordability. The owner of the qualified project meeting the requirements of this Subsection A shall record a document in accordance with Section 22.166.060 (Covenant and Agreement), and shall be subject to monitoring procedures per Section 22.166.070 (Monitoring), guaranteeing either of the following:

i. For very low and lower income housing set-asides, that the relevant affordability criteria will be observed for at least 55 years from the issuance of the certificate of occupancy and for moderate (single-family) income housing set-asides, this affordability criteria will be observed as consistent with State Law.

ii. For moderate income housing set-asides (common interest developments), that the initial occupants are persons and families of moderate income.

c. Compatibility. The housing set-aside units shall be compatible with the exterior design of other units within the qualified project in terms of appearance, materials, and finished quality.

2. Senior Citizen Housing Set-Asides.

a. Senior Citizen Housing Development. The qualified project shall meet the requirements described in Section 51.3 of the California Civil Code.

b. Mobilehome Park for Senior Citizens. Pursuant to Section 798.76 or 799.5 of the California Civil Code, the mobilehome park shall be restricted to senior citizens as described in this Chapter.

c. Duration of Age – Restriction. The owner of a qualified project meeting the requirements of this Subsection A.2 shall record a document in accordance with Section 22.166.050 (Covenant and Agreement) and shall be subject to monitoring procedures per Section 22.166.060 (Monitoring), to ensure the age restrictions of the housing set-asides for at least 30 years and in accordance with Section 51.3, 798.76, or 799.5 of the California Civil Code.

3. Land Donations. To receive a density bonus for land donations as provided in Section 65915 of the California Government Code, a qualified project shall meet the following requirements:

a. The developable acreage and zoning classification of the transferred land shall be sufficient to permit the construction of dwelling units affordable to very low income households in an amount not less than 10 percent of the number of dwelling units of the qualified project.

b. The transferred land shall be at least one acre in size or of sufficient size to permit the development of at least 40 units.

c. The applicant shall donate and transfer the land to the CDC no later than the date of approval of the final subdivision map, parcel map, or residential development application.

d. The transferred land shall have the appropriate zoning classification and General Plan designation to allow the construction of affordable housing.

e. The transferred land shall be served by adequate public facilities and infrastructure.

f. The transferred land shall meet the appropriate zoning and development standards to make the development of units set aside for very low income households feasible.

g. The transferred land shall be located within the unincorporated area of the County and within the boundary of the qualified project, or no more than approximately one-quarter of a mile from the boundary of the qualified project.

h. The land shall be transferred to the CDC and a deed restriction shall be recorded with the Registrar-Recorder/County Clerk at the time of dedication to ensure the continued affordability of the units.

i. A qualified project that donates land and includes affordable housing set-asides, in accordance with this Section, shall be eligible for the provisions set forth for affordable housing set-asides. The density bonus for a land donation and for an affordable housing set-aside may be combined, but in an amount not to exceed 35 percent.

4. County Infill Sites Program.

a. The qualified project shall be a participant in the County Infill Sites Program, which is administered by CDC.

b. Projects that consist of one to four units shall not be eligible for a density bonus.

c. The owner of a qualified project that is a participant in the County Infill Sites Program shall record a document in accordance with Section 22.166.050 (Covenant and Agreement), guaranteeing that the relevant affordability criteria, as determined by the CDC, and will be observed from the issuance of the certificate of occupancy, and will be subject to the monitoring procedures, as described in Section 22.166.060 (Monitoring).

5. Child Care Facilities.

a. The household incomes and the percentage of the families whose children attend the child care facility shall correspond with the affordable housing set-aside.

b. The owner of the qualified project shall record a document in accordance with Section 22.166.050 (Covenant and Agreement), ensuring that the child care facility shall remain in operation during the term of affordability, as described in this Section.

B. Density Bonus Calculations.

1. Fractional Units. In calculating a density bonus or housing set-aside, fractional units shall be rounded up to the next whole number.

2. Total Dwelling Units. As used in this Chapter, the "total dwelling units" do not include units permitted by a density bonus awarded pursuant to this Chapter, or any other section in this Title 22 granting a greater density bonus. The density bonus shall not be included when calculating the housing set-aside.

3. Lesser Density Bonus. A reduction in the required minimum housing set-aside shall not be permitted when an applicant requests a lesser density bonus than what is granted in this Section.

4. Not Cumulative. Except as specified otherwise, when more than one housing set-aside category applies, the density bonuses, as described in this Section, shall not be cumulative.

C. Permit Type. The granting of density bonuses that conform to the requirements of this Section is subject to an Administrative Housing Permit, as described in Chapter 22.166 (Housing Permits).

22.120.050 Incentives.

A. Eligibility. A qualified project that provides an affordable housing set-aside, as described in Section 22.120.040 (Density Bonus), shall be granted incentives in the amounts shown in Table 22.120.050-A, below.

TABLE 22.120.050-A: NUMBER OF INCENTIVES				
Qualified Projects		***Incentives***		
		One*	***Two****	***Three****
Affordable housing set-aside	Very Low	5%	10%	15%
	Lower	10%	20%	30%
	Moderate (for-sale only)	10%	20%	30%
* Child care facility: When a qualified project includes a child care facility, the applicant shall receive one additional incentive that significantly contributes to the economic feasibility of constructing the child care facility, or a square footage density bonus, as described in Section 22.120.040.A (Eligibility).				

B. Menu of Incentives. A qualified project that provides an affordable housing set-aside may request incentives, pursuant to Subsection A, above, from the menu of incentives, as shown in Table 22.120.050-B, below.

TABLE 22.120.050-B: MENU OF INCENTIVES*	
Incentive	***Description***
Yard/setback	• Up to a 20% modification from side yard/setback requirements. • Up to a 35% modification of front and rear yard/setback requirements. • All yard/setback modifications shall count as one incentive.
Building Height	• Up to a 10-foot increase in height. • Where a qualified project shares an adjoining interior side property line with a single family residential property in Zone R-1, for every additional foot in height above the maximum allowed in the basic zone, the portion of the building exceeding the basic height limit shall be stepped back an additional foot (and may be determined from a modified yard/setback) from adjoining residential properties, except that roof structures and architectural features may be allowed within the step-back portion up to 42 inches in height.
Stories	• An additional story. • The building height must conform to either the height requirements of the basic zone or as modified through the use of an on-menu incentive.
Lot Size	• Up to 20% modification from lot size requirements. • Up to 35% modification from lot size requirements for qualified projects in which 100% of the units are set aside for very low or lower income households.
Lot Width	• Up to 20% modification from lot width requirements. • Up to 35% modification from lot width requirements for qualified projects in which 100% of the units are set aside for very low or lower income households.
Parking	• For qualified projects in which 100% of the units are set aside for very low or lower income households and are within a 1,500-foot radius of a fully funded mass transit station or bus stop along a major bus route, the following parking rates shall apply: ◦ Single-Family Dwelling Units: ▪ Any number of bedrooms: 1.0 parking space/unit. ◦ Multi-Family Dwelling Units: ▪ 0 – 1 bedrooms: 0.75 parking space/unit. ▪ 2 or more bedrooms: 1.5 parking spaces/unit. • Parking may be provided by tandem parking or uncovered parking, but not on-street parking. Parking is inclusive of guest and accessible parking spaces.

TABLE 22.120.050-B: MENU OF INCENTIVES*	
Incentive	***Description***
Density	• Up to a 50% density bonus for qualified projects in which 100% of the units are set aside for very low or lower income households.
Fee Waiver	• For qualified projects in which 100% of the units are set-aside for very low or lower income households, for-profit developers may be exempt from planning and zoning fees, not including CDC evaluation and monitoring fees or deposits required by Chapter 22.250 (Applications, Petitions, and Fees). (Note: Non-profit developers are already eligible for exemptions from County review fees when projects are formally sponsored by the CDC, and the non-profit fee exemption does not require the use of an incentive.)
Notes: * Project prerequisites: To be eligible for on-menu incentives, the qualified project must be outside of a Very High Fire Hazard Severity Zone, as defined in Section 223-V of Title 32 (Fire Code) of the County Code; within an area that is served by a public sewer system; not within a Significant Ecological Area; and not on land having a natural slope of 25% or more. Where other discretionary approvals (i.e., Plan Amendment, Zone Change, Coastal Development Permit, Minor Conditional Use Permit, Conditional Use Permit, etc.) are required to regulate land use, this menu is advisory only.	

C. Off-Menu Incentives. A qualified project that provides an affordable housing set-aside may request incentives, pursuant to Subsection A, above, not listed on the menu of incentives; these incentives shall be deemed "off-menu" incentives.

D. County Infill Sites Program.

1. Menu of Incentives. A qualified project that is a participant in the County Infill Sites Program shall be eligible for the incentives shown in Table 22.120.050-C, below.

TABLE 22.120.050-C: COUNTY INFILL SITES PROGRAM INCENTIVES**	
Incentive	***Description***
Yard/setback	• Up to a 20% modification from side yard/setback requirements. • Up to a 35% modification of front and rear yard/setback requirements. • In the case of a common wall development, 100% reduction where common walls are at or intersect a common/shared lot line within the project site.
Building Height	• Up to a 10-foot increase in height. • Where a qualified project shares an adjoining interior side property line with a single-family residential property in Zone R-1, for every additional foot in height above the maximum allowed in the basic zone, the portion of the building exceeding the basic height limit shall be set back an additional foot (and may be determined from a modified yard/setback) from adjoining residential properties, except that roof structures and architectural features may be allowed within the step-back portion up to 42 inches in height.
Stories	• An additional story. • The building height must conform to either the height requirements of the basic zone or as modified through the use of an on-menu incentive.
Lot Size	• Up to 50% modification from lot size requirements.
Lot Width	• Up to 50% modification from lot width requirements.

TABLE 22.120.050-C: COUNTY INFILL SITES PROGRAM INCENTIVES**	
Incentive	***Description***
Parking	• For qualified projects that are within a 1,500-foot radius of a fully funded mass transit station or bus stop along a major bus route, the following parking rates shall apply: • Single-Family Dwelling Units: • Any number of bedrooms: 1.0 parking space/unit; • Multi-Family Dwelling Units: • 0 – 3 bedrooms: 1.0 parking space/unit; • 4 or more bedrooms: 1.5 parking spaces/unit. • Parking may be provided by tandem parking or uncovered parking, but not on-street parking. Parking is inclusive of guest and accessible parking spaces.
Notes: ** Transfer of incentives. Where a qualified project that is a participant in the County Infill Sites Program proposes to concurrently develop noncontiguous properties, within the same major planning area as defined in the General Plan, or located within a quarter mile of each other, the transfer of incentives from one property to another may be approved provided that: 1) The total incentives approved shall not exceed that obtained if developed separately; 2) Such properties shall be concurrently developed, and that all affordable housing set-aside units shall be constructed at the same time as or prior to other dwelling units on either site; and 3) The applicant shall demonstrate the ability to complete the development approved, in terms of ownership or control of the sites.	

2. Off-Menu Incentives. A qualified project that is a participant in the County Infill Sites Program may request up to three additional off-menu incentives beyond the incentives shown in Table 22.120.050-C, above.

E. Permit Type. The granting of on-menu and off-menu incentives that conform to the requirements of this Section is subject to an Administrative Housing Permit, as described in Chapter 22.166 (Housing Permits).

22.120.060 Parking Reduction.

A. Eligibility. Notwithstanding any provisions of this Title 22 to the contrary, including those relating to land donations and participants in the County Infill Sites Program (Section 22.120.050.D), qualified projects shall be granted the maximum parking ratios shown in Table 22.120.060-A, below, which shall apply to the entire project, when requested by the applicant. The granting of a parking reduction shall not count against incentives provided in Section 22.120.050 (Incentives).

TABLE 22.120.060-A: PARKING RATIOS*	
Dwelling Unit Size	***Parking Spaces per Unit***
0 – 1 bedroom	1 space
2 – 3 bedrooms	2 spaces
4 or more bedrooms	2.5 spaces
Note: * Parking may be provided by tandem parking or uncovered parking, but not on-street parking. Parking is inclusive of guest and accessible parking spaces.	

B. Calculations. If the calculation of the total number of parking spaces required results in a fractional number, the requirement shall be rounded up to the next whole number.

C. Permit Type. The granting of the parking reduction as described in this Section is subject to an Administrative Housing Permit, as described in Chapter 22.166 (Housing Permits).

22.120.070 Waiver or Modification of Development Standards.

A. Eligibility. Notwithstanding any provisions of this Title 22 to the contrary, including those relating to land donations pursuant to Section 22.120.040.A.3 (Land Donations), qualified projects shall be granted waivers or modifications of development standards that are necessary to construct qualified projects. The granting of a waiver or modification of development standards shall not count against incentives provided in Section 22.120.050 (Incentives).

B. Permit Type. The granting of waivers or modifications of development standards is subject to a Discretionary Housing Permit, as described in Chapter 22.166 (Housing Permits).

22.120.080 Senior Citizen Housing Option.

A. Eligibility. A qualified project that provides a senior citizen housing set-aside, in accordance with Section 22.120.040 (Density Bonus), may request a greater density bonus, but not to exceed 50 percent of the normally permitted density maximum of the zone, if the senior citizen housing set-aside is at least 50 percent of the project.

1. The senior citizen housing set-aside shall meet the requirements for senior citizen housing, as provided in Section 51.3, 798.76, or 799.5 of the California Civil Code.

2. For a qualified project meeting the requirements of this Subsection A, the owner shall record a document in accordance with Section 22.166.050 (Covenant and Agreement) to ensure the age restrictions of the housing set-aside for at least 30 years and in accordance with Section 51.3, 798.76, or 799.5 of the California Civil Code.

B. Permit Type. The granting of density bonuses through the senior citizen option is subject to a Discretionary Housing Permit, as described in Chapter 22.166 (Housing Permits).

22.120.090 Affordable Housing Option.

A. Eligibility. A qualified project that provides an affordable housing set-aside, in accordance with Section 22.120.040 (Density Bonus), may request a greater density bonus and incentives that do not meet the findings specified in Section 22.166.090.B (Findings and Decision).

1. Applicability. The provisions of this Subsection shall not apply to the granting of greater density bonuses as incentives, pursuant to Section 22.120.050.C (Off-Menu Incentives) or Section 22.120.050.D (County Infill Sites Program).

2. Duration of Affordability. The owner of a qualified project shall record a document in accordance with Section 22.166.050 (Covenant and Agreement) and shall be subject to monitoring procedures per Section 22.166.060 (Monitoring), guaranteeing that the relevant affordability criteria will be observed for at least 55 years for very low and lower income housing set-asides and as consistent with State law for moderate (single-family) set-asides, from the issuance of the certificate of occupancy.

B. Transfer of Density and Incentives. Where an applicant proposes to concurrently develop noncontiguous properties, within the same major planning area as defined in the General Plan, or located within a quarter mile of each other, the transfer

of density bonuses and incentives from one property to another may be approved provided that:

1. The total density bonuses and incentives approved shall not exceed those which could be obtained if developed separately;

2. Such properties shall be concurrently developed, and that all affordable housing set-aside units shall be constructed at the same time as, or prior to, other dwelling units on either site; and

3. That the applicant shall demonstrate the ability to complete the housing development approved, in terms of ownership or control of the sites.

C. Permit Type. The granting of greater density bonuses and the transfer of density and incentives through the affordable housing option is subject to a Discretionary Housing Permit, as described in Chapter 22.166 (Housing Permits).

Chapter 22.122 Low Impact Development.

Sections:

22.122.010 Low Impact Development.

22.122.010 Low Impact Development.

All development, as defined in Chapter 12.84 (Low Impact Development Standards) of Title 12 (Environmental Protection) of the County Code, shall comply with the low-impact development requirements of said Chapter, subject to the applicability provisions of said Chapter.

Chapter 22.124 Historic Preservation.

Sections:

22.124.010 Title for Citation.

22.124.020 Purpose.

22.124.030 Definitions.

22.124.040 Applicability.

22.124.050 County of Los Angeles Register of Landmarks and Historic Districts.

22.124.060 Powers and Duties.

22.124.070 Criteria for Designation of Landmarks and Historic Districts.

22.124.080 Process to Nominate a Landmark or Historic District.

22.124.090 Process for Designation of a Landmark.

22.124.100 Process for Designation of a Historic District.

22.124.110 Procedure for Amendment or Rescission of a Designation.

22.124.120 Notice of Modification to or Rescission of a Designation.

22.124.130 Designation of County-Owned Property as Landmark.

22.124.140 Certificate of Appropriateness – When Required.

22.124.150 Certificate of Appropriateness – Application and Hearing.

22.124.160 Certificate of Appropriateness – Standards.

22.124.170 Certificate of Appropriateness – Subsequent Modifications.

22.124.180 Certificate of Economic Hardship.

22.124.190 Effective Date of Decision; Appeals and Calls for Review; Resubmission, Reconsideration.

22.124.200 Public Hearing Procedures.

22.124.210 Joint and Common Ownership – Notice and Consent.
22.124.220 Unsafe or Dangerous Conditions.
22.124.230 Compliance With Maintenance Requirements.
22.124.240 Enforcement and Penalties.
22.124.250 Street Improvements in Historic Districts.
22.124.260 Waiver of Parking Requirements.
22.124.270 Determining Record Owner: Notice to Owners Not Of-Record.
22.124.280 Time Extensions to Comply with CEQA.

22.124.010 Title for Citation.

This Chapter is known as, and may be cited as, the "Historic Preservation Ordinance."

22.124.020 Purpose.

The purpose of the Historic Preservation Ordinance is to:

A. Enhance and preserve the County's distinctive historic, architectural, and landscape characteristics that are part of the County's cultural, social, economic, political, and architectural history;

B. Foster community pride in the beauty and noble accomplishments of the past as represented by the County's historic resources;

C. Stabilize and improve property values in and around the County's historic resources, and enhance the aesthetic and visual character and environmental amenities of these historic resources;

D. Recognize the County's historic resources as economic assets and encourage and promote the adaptive reuse of these historic resources;

E. Further establish the County as a destination for tourists and as a desirable location for businesses; and

F. Specify significance criteria and procedures for the designation of landmarks and historic districts, and provide for the ongoing preservation and maintenance of these landmarks and historic districts.

22.124.030 Definitions.

Specific terms used in this Chapter are defined in Section 22.14.080 of Division 2 (Definitions), under "Historic Preservation."

22.124.040 Applicability.

A. This Chapter applies to all privately owned property within the unincorporated area of the County, and all publicly owned landmarks, except as provided in Subsection B, below.

B. This Chapter does not apply to:

1. Work involving a landmark or property within a historic district where a valid permit for the performance of such work was issued prior to the effective date of the nomination of the landmark or historic district, and the permit remains valid and in full force and effect at the time the work allowed by the permit is undertaken; or

2. Noncommercial property owned by any association or corporation that is religiously affiliated and not organized for profit, whether the corporation is organized as a religious corporation or as a public benefit corporation, provided that both of the following occur:

a. The association or corporation objects to the application of the provisions of this part to its property; and

b. The association or corporation determines during a public hearing held pursuant to this Chapter that it will suffer substantial hardship, which is likely to deprive the association or corporation of economic return on its property, the reasonable use of its property, or the appropriate use of its property in the furtherance of its religious mission, if the application of this Chapter to the property is approved.

22.124.050 County of Los Angeles Register of Landmarks and Historic Districts.

A County Register of Landmarks and Historic Districts is hereby created to record and maintain an inventory of landmarks and historic districts. The Landmarks Commission shall, upon designation by the Board, update and keep a record of landmarks and historic districts on this register.

22.124.060 Powers and Duties.

A. In addition to any other powers set forth in this Chapter, and subject to the provisions of this Chapter, the Landmarks Commission shall have the authority to:

1. Act as the County's local historic preservation review commission for the purposes of the Certified Local Government Program, recommend properties for inclusion in the National Register of Historic Places, and review and comment where authorized under the National Historic Preservation Act;

2. If directed to do so by the Board, Commission, or Director, review and provide written reports to the Board, Commission, or Director on proposed actions by the County, including but not limited to the adoption or amendment of the General Plan, community plans, specific plans, or ordinances which may have an impact on, or affect historic preservation or historic resources;

3. If directed to do so by the Board or the Director, investigate and study methods other than those provided for in this Chapter for encouraging and achieving historic preservation, and make appropriate recommendations to the Board or the Director, or to other public agencies or private entities specified by the Board or the Director, for the adoption or incorporation of such methods;

4. If directed to do so by the Board or the Director, disseminate information to the public concerning historic resources within the unincorporated area of the County and appropriate ways to protect, enhance, perpetuate, and use landmarks and property in historic districts;

5. In connection with proposed landmark and historic district designations, recommend to the Board or Commission the adoption, certification, or ratification of environmental documents in accordance with CEQA or the National Environmental Policy Act (NEPA); and

6. Adopt operational or instructional guidelines necessary to administer and enforce this Chapter.

B. In addition to any other powers set forth in this Chapter, and subject to the provisions of this Chapter, the Commission shall have the authority to recommend to the Board the adoption, certification, or ratification of environmental documents, in accordance with CEQA or NEPA.

C. In addition to any other powers set forth in this Chapter, and subject to the provisions of this Chapter, the Director shall have the authority to:

1. Conduct studies and prepare documents, or cause such studies and documents to be conducted and prepared, in connection with the nomination of a landmark or historic district, as necessary to comply with CEQA, NEPA, or other applicable laws;

2. Carry out, assist, and collaborate in studies and programs designed to identify and evaluate structures, sites, objects, trees, landscapes, and natural land features within the unincorporated areas of the County which may qualify as historic resources;

3. Disseminate information to the public concerning historic resources within the unincorporated area of the County, and encourage and advise owners in the protection, enhancement, perpetuation, and use of landmarks and property within historic districts;

4. Apply to enroll the County in the Certified Local Government Program, and evaluate and apply for grants or funding sources for the purposes of historic preservation;

5. Propose operational or instructional guidelines necessary to administer and enforce this Chapter, for adoption by the Landmarks Commission; and

6. Except as otherwise provided in this Chapter, make any and all decisions, findings, and determinations necessary to carry out the provisions of this Chapter.

22.124.070 Criteria for Designation of Landmarks and Historic Districts.

A. A structure, site, object, tree, landscape, or natural land feature may be designated as a landmark if it is 50 years of age or older and satisfies one or more of the following criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of the history of the nation, State, County, or community in which it is located;

2. It is associated with the lives of persons who are significant in the history of the nation, State, County, or community in which it is located;

3. It embodies the distinctive characteristics of a type, architectural style, period, or method of construction, or represents the work of an architect, designer, engineer, or builder whose work is of significance to the nation, State, County, or community in which it is located; or possesses artistic values of significance to the nation, State, County, or community in which it is located;

4. It has yielded, or may be likely to yield, significant and important information regarding the prehistory or history of the nation, State, County, or community in which it is located;

5. It is listed, or has been formally determined eligible by the United States National Park Service for listing, in the National Register of Historic Places, or is listed, or has been formally determined eligible by the State Historical Resources Commission for listing, on the California Register of Historical Resources;

6. If it is a tree, it is one of the largest or oldest trees of the species located in the County; or

7. If it is a tree, landscape, or other natural land feature, it has historical significance due to an association with a historic event, person, site, street, or structure, or because it is a defining or significant outstanding feature of a neighborhood.

B. Property less than 50 years of age may be designated as a landmark if it meets one or more of the criteria set forth in Subsection A, above, and exhibits exceptional importance.

C. The interior space of a property, or other space held open to the general public, including but not limited to a lobby, may be designated as a landmark or included in the landmark designation of a property if the space qualifies for designation as a landmark under Subsection A or B, above.

D. Historic Districts. A geographic area, including a noncontiguous grouping of related properties, may be designated as a historic district if all of the following requirements are met:

1. More than 50 percent of owners in the proposed district consent to the designation;

2. The proposed district satisfies one or more of the criteria set forth in Subsections A.1 through A.5, above; and

3. The proposed district exhibits either a concentration of historic, scenic, or sites containing common character-defining features, which contribute to each other and are unified aesthetically by plan, physical development, or architectural quality; or significant geographical patterns, associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of parks or community planning.

22.124.080 Process to Nominate a Landmark or Historic District.

A. Nomination by Board of Supervisors or Landmarks Commission. The Board or Landmarks Commission may by resolution nominate a landmark or historic district. Such resolution shall be in writing and shall include findings of fact in support of the nomination, including reasons why the proposed landmark or historic district is eligible for, and deserving of, designation under the criteria set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts). The nomination shall be effective as of the date the resolution is adopted.

B. Nomination by Application.

1. Nomination of a Landmark by Application. Any person, organization, or other entity may file an application with the Director to nominate a landmark. The application must be accompanied by the applicable fee, which shall be non-refundable. The application shall contain the following information:

a. Name and address of the applicant;

b. Evidence of the applicant's ownership interest in the subject property, if any;

c. The location and legal description of the subject property;

d. Evidence that the subject property is eligible and deserving of designation as a landmark under the criteria set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts); and

e. Such other information as the Director may require.

2. Nomination of a Historic District by Application. Any person or organization may file an application with the Director to nominate a historic district. The application must be accompanied by the applicable fee, which shall be non-refundable. The application shall contain the information required by Subsection B.1, above, and shall also contain the following information:

a. A map of the proposed historic district depicting the district's boundaries and each contributing and non-contributing property within the district, by street address;

b. Evidence that the proposed historic district is eligible and deserving of designation as a historic district under the criteria set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts); and

c. A certification in writing by more than 50 percent of the owners of real property within the proposed historic district that such owners consent to the designation of the historic district.

3. Effective Date of a Nomination by Application. A nomination by application shall be effective upon a written determination by the Director that the application is complete.

C. Development Restrictions Upon Nomination.

1. Except as provided in Subsections C.2 and D, below, no person shall perform or cause to be performed any work on a property subject to a landmark nomination, or on a property located within the proposed boundaries of a historic district nomination which has become effective, and no application for a permit or other approval which would authorize such work shall be approved by any County department or commission.

2. The restrictions set forth in Subsection C.1, above, do not apply to an application for a permit or other approval, which application was deemed complete by the appropriate County department or commission prior to the effective date of the landmark or historic district nomination, or to work which may be performed on a landmark or property within a historic district without a certificate of appropriateness pursuant to Section 22.124.140.B (Certificate of Appropriateness – When Required).

D. Certificate of Appropriateness or Certificate of Economic Hardship During Nomination. A person desiring to conduct work on a property subject to a landmark nomination which has become effective, or on a property located within the proposed boundaries of a historic district nomination which has become effective, may file an application for a certificate of appropriateness or certificate of economic hardship. The application shall be processed in accordance with Section 22.124.140 (Certificate of Appropriateness – When Required) through Section 22.124.180 (Certificate of Economic Hardship) as though the nomination has been approved. Work authorized by a certificate of appropriateness or certificate of economic hardship approved pursuant to this Chapter is not subject to the restrictions set forth in Subsection C.1, above.

22.124.090 Process for Designation of a Landmark.

A. Review by the Director.

1. Notice to Record Owner of the Nomination. Within 30 days of the effective date of a landmark nomination, the Director shall, by first-class mail, provide the following information to the record owner(s) of any property subject to the nomination:

a. Notice that the property was nominated for designation as a landmark;

b. That the landmark designation may restrict the owner's ability to alter, demolish, reconstruct, rehabilitate, relocate, renovate, or restore the property, and may otherwise limit the owner's use of the property;

c. That the owner has a right to object to and be heard regarding the landmark designation; and

d. The name, title, and contact information of a person within the Department who shall provide the owner information regarding the landmark designation process.

The Director shall also request that the owner(s) certify in writing within 30 days of the mailing of the notice of nomination whether the owner(s) consents or does not consent to the landmark designation. An owner who fails to respond within 30 days will be deemed not to consent to the designation. The notice required by this Subsection A.1 need not be given to any owner who is also the applicant filing the nomination application. An owner who is also the applicant shall be deemed to consent to the landmark designation.

2. Report and Recommendation. Within 90 days of the date the Director mails the information required by Subsection A.1, above, but not sooner than the time allowed for an owner to certify whether or not the owner consents to the landmark designation, the Director shall file a report with the Landmarks Commission containing:

a. A detailed description of the proposed landmark, including any character-defining features of the proposed landmark;

b. The precise location and boundaries of the proposed landmark site;

c. A recommendation as to whether the proposed landmark designation should be approved, approved with modifications, or disapproved;

d. The factual basis supporting the recommendation, including a discussion of any applicable criteria set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts); and

e. A statement indicating whether the owner or owners of the property subject to the nomination consents to the designation.

The Director shall file a copy of the report with the Executive Officer-Clerk of the Board.

3. Summary Denial by the Director. The Director may summarily deny an application to nominate a landmark where the Director finds based on the contents of the application and the criteria set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts) that the nomination is wholly lacking in merit, and where there is evidence that the application was filed to delay or frustrate development activity planned for the property subject to the nomination. The Director may summarily deny an application no later than 90 days after receiving an application to nominate a landmark, but not before all record owners have indicated their consent or non-consent to the nomination, or are deemed not to consent to the nomination pursuant to Subsection A.1, above. For the purposes of this Subsection A.3, a nomination is "wholly lacking in merit" if no reasonable professional experienced in historic preservation within the County would find the nomination has merit. Within 10 days of summary denial, the Director shall, by first-class mail, notify the applicant and the record owner of any property subject to the nomination of the denial and the specific reasons therefor.

B. Review by Landmarks Commission.

1. The Landmarks Commission shall hold a public hearing on a landmark nomination not later than 90 days after the Director files a report with the Landmarks Commission pursuant to Subsection A.2, above.

2. Within 30 days of the close of the public hearing, but in no event later than 120 days from the date of the filing of the Director's report pursuant to Subsection A.2, above, the Landmarks Commission shall do one of the following:

a. Adopt a resolution recommending the Board approve the landmark designation, in whole or in part and with or without modifications. The resolution shall be in writing and shall:

i. Contain a detailed description of the proposed landmark, including any character-defining features of the proposed landmark;

ii. Delineate the location and boundaries of the proposed landmark;

iii. State findings of fact supporting the recommendation, including a discussion of the applicable criteria for the designation of landmarks set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts) as applied to the proposed landmark; and

iv. Indicate whether the owner or owners of all property subject to the designation consent to the designation.

The Landmarks Commission shall promptly file a copy of the resolution with the Executive Officer-Clerk of the Board; or

b. Adopt a resolution disapproving the landmark designation and deny the nomination application. The Landmarks Commission shall disapprove a landmark designation and deny a nomination application if it determines that the criteria applicable to the designation have not been met. The Landmarks Commission shall adopt written findings of fact supporting its action disapproving a landmark designation.

3. The Landmarks Commission shall provide notice of its action pursuant to Section 22.222.220 (Notice of Action), and shall also provide notice to the record owner(s) of all property subject to the proposed landmark designation.

4. In the event the Landmarks Commission fails to act within the time set forth in Subsection B.1 or B.2, above, the landmark designation shall be deemed disapproved and the nomination application denied. In such case, the Department shall provide the notice required by Subsection B.3, above.

C. Designation by the Board.

1. Following the filing by the Landmarks Commission of a resolution adopted pursuant to Subsection B.2, above, and after holding a public hearing if required by Subsection C.2, below, the Board shall do one of the following:

a. Adopt a resolution approving the landmark designation, in whole or in part and with or without modifications. The resolution shall be in writing and shall:

i. Contain a detailed description of the proposed landmark, including any character-defining features of the proposed landmark;

ii. Delineate the location and boundaries of the landmark; and

iii. State findings of fact supporting the landmark designation, including a discussion of the applicable criteria for the designation of landmarks set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts).

The resolution may also establish guidelines and standards for future proposed changes to the landmark, and may specify the nature of any work which may be performed on the landmark without the prior issuance of a certificate of appropriateness; or

b. Adopt a resolution disapproving the landmark designation and deny the nomination application, if the Board determines that the criteria applicable to the designation have not been met. The Board shall adopt written findings of fact supporting its action denying a designation.

2. If the resolution filed by the Landmarks Commission with the Board pursuant to Subsection B.2, above, indicates the owner of any property subject to the landmark designation does not consent to the designation, the Board shall hold a public hearing to consider the proposed landmark designation.

3. The Board shall provide notice of its action pursuant to Section 22.222.220 (Notice of Action), and shall also provide notice by first-class mail or

electronic mail, where applicable, to the owner(s) of all property subject to the landmark designation.

D. Effective Date of Designation. A landmark designation shall be effective as of the date a resolution approving the designation is adopted by the Board.

E. Upon the effective date of a landmark designation, the Landmarks Commission shall promptly enter the property into the County Register as a "Los Angeles County Landmark," and shall specify the effective date of the landmark designation.

F. Recordation. The Director shall cause a document titled "Notice of Landmark Designation" to be promptly recorded with the Registrar-Recorder/County Clerk upon the effective date of a landmark designation. The Notice of Landmark Designation shall include:

1. A legal description of the property designated as a landmark;

2. The effective date of the landmark designation;

3. A statement that the alteration, demolition, reconstruction, rehabilitation, relocation, renovation, or restoration of the landmark may be restricted or prohibited by the provisions of this Chapter; and

4. A certified copy of the resolution adopted by the Board designating the landmark.

22.124.100 Process for Designation of a Historic District.

A. Review by the Director.

1. Notice to Record Owner of the Nomination. Within 30 days of the effective date of a historic district nomination, the Director shall, by first-class mail, provide the following information to the record owner(s) of any property within the boundaries of a proposed historic district:

a. Notice that the property is within the boundaries of a proposed historic district;

b. That the designation of the historic district may restrict the owner's ability to alter, demolish, reconstruct, rehabilitate, relocate, renovate, or restore the property within the historic district;

c. That the owner has a right to object to and be heard regarding the historic district designation; and

d. The name, title, and contact information of a person within the Department who shall provide the owner information regarding the historic district designation process.

The Director shall also request that the owner(s) certify in writing within 30 days of the mailing of the notice of nomination whether the owner(s) consents or does not consent to the historic district designation. An owner who fails to respond within 30 days will be deemed not to consent to the designation. The Director may grant one extension, not to exceed 90 days, for owners to certify in writing whether they consent or do not consent, applicable to all properties within the proposed historic district, where the Director determines that the additional time is necessary based on the size or specific features of the proposed historic district.

2. Report and Recommendation. Within 180 days of the date the Director mails the information required by Subsection A.1, above, but not sooner than the time allowed for an owner to certify whether or not the owner consents to the designation, including any extension granted by the Director, the Director shall file a report with the Landmarks Commission containing:

a. A detailed description of the proposed historic district, including each contributing property therein, and the character-defining features of the proposed historic district;

b. The precise location and boundaries of the proposed historic district;

c. A recommendation as to whether the proposed historic district should be approved, approved with modifications, or disapproved;

d. The factual basis supporting the recommendation, including a discussion of any applicable criteria set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts); and

e. A statement indicating the percentage of owners which have consented to the designation.

The Director shall file a copy of the report with the Executive Officer-Clerk of the Board.

3. Summary Denial by the Director. The Director may summarily deny an application to nominate a historic district where the Director finds based on the contents of the application and the criteria set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts) that the nomination is wholly lacking in merit, and where there is evidence that the application was filed to delay or frustrate development activity planned for the property subject to the nomination. The Director may summarily deny an application no later than 180 days after receiving an application to nominate a historic district, but not before all record owners have indicated their consent or non-consent to the nomination, or are deemed not to consent to the nomination pursuant to Subsection A.1, above. For the purposes of this Subsection A.3, a nomination is "wholly lacking in merit" if no reasonable professional experienced in historic preservation within the County would find the nomination has merit. Within 10 days of summary denial, the Director shall, by first-class mail, notify the applicant and the record owners of any real property within the boundaries of the proposed historic district of the denial and the specific reasons therefor.

B. Review by Landmarks Commission.

1. The Landmarks Commission shall hold a public hearing on a historic district nomination not later than 90 days after the Director files a report with the Landmarks Commission pursuant to Subsection A.2, above.

2. Within 30 days of the close of the public hearing, but in no event later than 120 days from the date of the filing of the Director's report pursuant to Subsection A.2, above, the Landmarks Commission shall do one of the following:

a. Adopt a resolution recommending the Board approve the historic district designation, in whole or in part and with or without modifications. The resolution shall be in writing and shall:

i. Contain a detailed description of the proposed historic district, including each contributing property therein, and the character-defining features of the proposed historic district;

ii. Delineate the location and boundaries of the proposed historic district;

iii. State findings of fact supporting the recommendation, including a discussion of the applicable criteria for the designation of historic districts set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts); and

iv. Indicate the percentage of owners who have consented to the historic district designation.

The Landmarks Commission shall promptly file a copy of the resolution with the Commission and the Executive Officer-Clerk of the Board; or

b. Adopt a resolution disapproving the historic district designation and deny the nomination application. The Landmarks Commission shall disapprove a historic district designation if it determines that the criteria applicable to the designation have not been met. The Landmarks Commission shall adopt written findings of fact supporting its action disapproving a historic district designation.

3. The Landmarks Commission shall provide notice of its action pursuant to Section 22.222.220 (Notice of Action), and shall also provide notice by first-class mail or electronic mail, where applicable, to the record owner(s) of all real property located within the proposed historic district.

4. In the event the Landmarks Commission fails to act within the time set forth in Subsection B.1 or B.2, above, the historic district designation shall be deemed denied. In such case, the Department shall provide the notice required by Subsection B.3, above.

C. Review by Regional Planning Commission.

1. For each proposed historic district for which the Landmarks Commission files a resolution with the Commission pursuant to Subsection B.2, above, the Commission shall hold a public hearing to consider whether the proposed historic district is consistent with the General Plan and any applicable area or specific plans, and whether the designation of the proposed historic district will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice. The Commission shall defer to the Landmarks Commission's findings regarding whether the historic district satisfies the criteria for the designation of historic districts set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts).

2. The Commission shall hold a public hearing on a proposed historic district designation not later than 90 days after the Landmarks Commission files a resolution with the Regional Planning Commission pursuant to Subsection B.2, above.

3. Within 30 days of the close of the public hearing, but in no event later than 120 days of the filing of the Landmarks Commission's resolution pursuant to Subsection B.2, above, the Commission shall do one of the following:

a. Adopt a resolution recommending the Board approve the historic district designation, in whole or in part and with or without modifications. The resolution shall be in writing and contain findings of fact demonstrating that the proposed historic district is consistent with the General Plan and any applicable area or specific plans, and will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice. The resolution shall attach and incorporate any prior resolution of the Landmarks Commission recommending approval of the historic district designation. The Commission shall promptly file a copy of the resolution with the Executive Officer-Clerk of the Board; or

b. Adopt a resolution disapproving the historic district designation and deny the nomination application. The Commission shall disapprove a historic district designation if it determines that the proposed historic district is inconsistent with the General Plan or any applicable area or specific plans, is not in the

interest of public health, safety, and general welfare, or is not in conformity with good zoning practice. The Commission shall adopt written findings of fact supporting its action disapproving a designation.

4. The Commission shall provide notice of its action pursuant to Section 22.222.220 (Notice of Action), and shall also provide notice by first-class mail or electronic mail, where applicable, to the record owners of all real property subject to the proposed historic district designation.

5. In the event the Commission fails to act within the time set forth in Subsection C.2 or C.3, above, the designation shall be deemed disapproved. In such case, the Department shall notify the Board and shall provide the notice required by Subsection C.4, above.

D. Designation by the Board.

1. Following the filing by the Commission of a resolution pursuant to Subsection C.3, above, or following notice from the Department given pursuant to Subsection C.5, above, and after holding a public hearing on the proposed Historic District designation, the Board may:

a. Adopt an ordinance designating the historic district designation, in whole or in part and with or without modifications. The ordinance shall delineate the location and boundaries of the historic district, specify the contributing properties therein, and describe the character-defining features of the historic district. The ordinance may also establish guidelines and standards for future proposed changes to property within the historic district, and may specify the nature of any work which may be performed within the historic district without the prior issuance of a certificate of appropriateness. The Board shall adopt written findings of fact in support of its designation, including a discussion of the applicable criteria set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts); or

b. Disapprove the historic district designation, if the Board determines that the applicable criteria set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts) have not been met; or if it determines

that the proposed historic district is inconsistent with the General Plan or any applicable area or specific plans, is not in the interest of public health, safety, and general welfare, or is not in conformity with good zoning practice. The Board shall adopt written findings of fact supporting its action disapproving a designation.

2. The Board shall provide notice of its action pursuant to Section 22.222.220 (Notice of Action), and shall also provide notice by first-class mail or electronic mail, where applicable, to the owners of all property subject to the historic district designation.

E. Effective Date of Designation. A historic district designation shall be effective as of the date the ordinance establishing the historic district becomes effective.

F. Upon the effective date of a historic district designation:

1. The Landmarks Commission shall promptly enter the district into the County Register as a "Los Angeles County Historic District," and shall specify the effective date of the historic district nomination; and

2. The Director shall promptly revise the County's Zoning Map to reflect the historic district.

22.124.110 Procedure for Amendment or Rescission of Designation.

A. The designation of a landmark or historic district may be modified or rescinded by the Board if it finds, after holding a public hearing, that:

1. The evidence used to establish the designation was erroneous or that the designation was procured by fraud; or

2. The landmark or historic district no longer meets the criteria for designation set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts) due to reasons outside the control of the owner(s) of the designated property, including but not limited to damage caused by natural disaster, flood, earthquake, or other calamity.

The Board shall adopt written findings of fact supporting its decision to modify or rescind a designation.

B. The Board may, without prior notice or public hearing, rescind a landmark designation if it finds that a landmark has been lawfully demolished, removed, or relocated in conformance with the provisions of this Chapter. The decision to rescind a landmark designation pursuant to this Section shall be by written resolution containing findings of fact in support of the decision.

22.124.120 Notice of Modification to or Rescission of Designation.

When a landmark or historic district designation has been modified or rescinded, the Department shall promptly notify the owners of the property included therein, and shall cause a copy of the appropriate resolution or ordinance, or notice thereof, to be recorded with the Registrar-Recorder/County Clerk.

22.124.130 Designation of County-Owned Property as a Landmark.

A. The Board may designate any County-owned property as a landmark, if the Board determines that the property satisfies the applicable criteria set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts).

B. The designation of a County-owned property as a landmark may be made by written resolution which shall:

1. Contain a detailed description of the property subject to the landmark designation, including the character-defining features that justify the designation and should be preserved;

2. Delineate the location and boundaries of the landmark; and

3. Discuss the criteria for the designation of landmarks set forth in Section 22.124.070 (Criteria for Designation of Landmarks and Historic Districts) as applied to the landmark.

The resolution may also establish guidelines and standards for future proposed changes to the landmark, and may impose any other restrictions or regulations on future work on or use of the landmark.

C. Effective Date of Designation. A landmark designation of a County-owned property shall be effective as of the date the resolution approving the designation is adopted by the Board.

D. Upon the effective date of the designation of the County-owned property as a landmark, the Landmarks Commission shall promptly enter the property into the County Register as a "Los Angeles County Landmark," and shall specify the effective date of the landmark designation.

E. Recordation. The Director shall cause a document titled "Notice of Landmark Designation" to be promptly recorded with the Registrar-Recorder/County Clerk upon the effective date of the designation of a County-owned property as a landmark. The Notice of Landmark Designation shall include:

1. A legal description of the property designated as the landmark;

2. The effective date of the landmark designation; and

3. A certified copy of the resolution adopted by the Board designating the landmark.

F. A County-owned property designated by the Board as a landmark shall be subject only to the guidelines, standards, restrictions, or regulations set forth in the designating resolution, or in any subsequent resolution adopted by the Board regarding the landmark designation, and shall not otherwise be subject to this Chapter. The Director shall assist County departments or commissions to determine whether proposed work on or use of a County-owned landmark is consistent with its landmark designation, at the request of such departments or commissions.

22.124.140 Certificate of Appropriateness – When Required.

A. Except as set forth in Subsection B, below, a certificate of appropriateness is required prior to conducting any of the following work:

1. Work involving or impacting the exterior of a landmark structure or property located within a historic district;

2. Work involving or impacting a character-defining feature of a landmark or historic district; and

3. Work which requires a certificate of appropriateness pursuant to the resolution or ordinance designating the landmark or historic district.

B. A certificate of appropriateness shall not be required for work which the Director determines constitutes any of the following:

1. Maintenance and repair;

2. Work which is authorized by the ordinance or resolution designating the landmark or historic district without a certificate of appropriateness;

3. A change to sign copy of a sign affixed to or part of a landmark or located within a historic district, if the change does not alter the existing design or materials of the sign; or

4. Work which is necessary to correct an unsafe condition pursuant to Section 22.124.220 (Unsafe or Dangerous Conditions).

22.124.150 Certificate of Appropriateness – Application and Hearing.

A. Application.

1. Where a certificate of appropriateness is required pursuant to this Chapter, the owner of any property requiring the certificate of appropriateness, or the owner's authorized agent, may file an application with the Director for a certificate of appropriateness. The application must be accompanied by the applicable fee, which shall be non-refundable. The application shall contain the following information:

a. Name and address of the applicant;

b. Evidence that the applicant is the sole owner of the subject property or has the written permission of all owners to make such application;

c. The location (address or vicinity) and legal description of the subject property;

d. A site plan drawn to a scale satisfactory to and in the number of copies prescribed by the Director, indicating the use, location, and size of all buildings and structures, yards, driveways, access areas, vehicle and bicycle parking areas, pedestrian facilities, landscaping, walls or fences, and other similar features on the subject property;

e. A detailed description of work proposed to be carried out, and any plans, drawings, diagrams, or photographs as may be required by the Director to determine compliance with this Chapter and with this Title 22; and

f. Such other information as the Director may require.

2. The Director shall notify the applicant within 30 days of submittal whether the application is complete or whether additional information is required.

B. Review by the Director. Upon receipt of a complete application accompanied by all required fees, the Director shall review the application, conduct or cause to be conducted any research, inspections, studies, or other activities necessary to evaluate the application, and take appropriate action pursuant to Subsection C or D, below.

C. Administrative Certificate of Appropriateness. If an application for a certificate of appropriateness seeks to authorize reconstruction, rehabilitation, restoration, an addition of less than 500 square feet of new floor area to a landmark structure or structure located in a historic district, or any combination thereof, the Director shall administratively approve the application if the work proposed conforms to the standards set forth in Section 22.124.160 (Certificate of Appropriateness – Standards). The Director shall administratively deny the application if the work proposed does not conform to the standards set forth in Section 22.124.160. The Director shall approve, modify and approve, or disapprove the application within 60 days of the receipt of a complete application for a certificate of appropriateness accompanied by all required fees, unless extended by the applicant. In the event the Director fails to act within the time set forth in this Subsection C, the application shall be deemed approved.

D. Review by Landmarks Commission.

1. Where an application for a certificate of appropriateness seeks to authorize work not subject to administrative approval by the Director pursuant to Subsection C, above, the Landmarks Commission shall hold a public hearing to consider the application. The public hearing shall be held within 180 days of the receipt

of a complete application for a certificate of appropriateness accompanied by all required fees, unless extended by the applicant or by the Director pursuant to Section 22.124.280 (Time Extensions to Comply with CEQA). In advance of the public hearing, the Director shall file with the Landmarks Commission a report summarizing the research, investigations, inspection, studies, or other activities with respect to the application for a certificate of appropriateness. The report shall contain a recommendation to approve, approve with modifications, or deny the certificate of appropriateness.

2. The Landmarks Commission may continue any public hearing required by Subsection D.1, above, to permit the investigation of alternatives to the work proposed in the certificate of appropriateness application. Any continuances pursuant to Subsection D.2, below, shall not cumulatively exceed 180 days from the receipt by the Director of a complete application for a certificate of appropriateness accompanied by all required fees, unless agreed to by the applicant or extended by the Director pursuant to Section 22.124.280 (Time Extensions to Comply with CEQA).

3. Within 60 days of the close of the public hearing, the Landmarks Commission shall do one of the following:

a. Approve or modify and approve the application, if the work proposed conforms to each of the standards set forth in Section 22.124.160 (Certificate of Appropriateness – Standards); or

b. Deny the application if the work proposed does not conform to each of the standards set forth in Section 22.124.160 (Certificate of Appropriateness – Standards).

The decision of the Landmarks Commission pursuant to this Subsection D.3 shall be in writing and state findings of fact in support of its decision.

4. The Landmarks Commission shall serve notice of its action pursuant to Section 22.222.220 (Notice of Action), and shall also provide notice by first-class mail or electronic mail, where applicable, to all owners of the subject property.

5. In the event the Landmarks Commission fails to act within the time set forth in Subsection D.1 or D.3, above, the application shall be deemed approved. In such case the Department shall provide the notice required by Subsection D.4, above.

E. Where a certificate of appropriateness authorizes work that requires a permit or other approval from a County department or commission, or other government agency, an application for such permit or approval must be submitted within one year from the date the certificate of appropriateness is approved. Where a certificate of appropriateness authorizes work requiring more than one permit or approval from a County department or commission, or other government agency, each such application must be submitted within one year from the date the certificate of appropriateness is approved. The applicant may submit a written request to the Director for an extension of time to submit any necessary application. The request must provide facts demonstrating that such additional time is necessary despite the applicant's diligence and good faith efforts to prepare and submit the required application. The Director shall grant a one-time, six-month extension if the Director determines the applicant has proceeded diligently and in good faith but requires additional time to submit the required application. A certificate of appropriateness will expire and become null, void, and of no effect if the applicant fails to submit a timely application for a permit or other approval pursuant to this Subsection E.

F. An application for a certificate of appropriateness may be filed concurrently with an application for any other permit or approval. Except as provided in Section 22.124.040.B.1, no person shall conduct or cause to be conducted any work requiring a certificate of appropriateness pursuant to this Chapter, regardless of any permit or other approval authorizing such work, unless and until a certificate of appropriateness authorizing such work is approved and becomes final and effective pursuant to this Chapter.

22.124.160 Certificate of Appropriateness – Standards.

A certificate of appropriateness shall be approved if the work proposed therein satisfies each of the following criteria:

A. The proposed work is appropriate for and consistent with the purposes of this Chapter.

B. The proposed work will comply with the United States Secretary of the Interior's Standards for the Treatment of Historic Properties for landmarks and contributing properties.

C. The proposed work will preserve, enhance, or restore, and does not damage or destroy, the exterior or character-defining features, interior or exterior, of a landmark or contributing property.

D. The proposed work will not adversely affect the special character or special historical, architectural, or aesthetic interest or value of a landmark, contributing property, or historic district.

E. For proposed work involving the exterior of a structure in a historic district, which structure is not designated as a landmark or contributing property, the proposed work will be compatible with the character of the historic district.

F. The proposed work will comply with the provisions of the applicable resolution or ordinance designating the landmark or historic district.

G. The proposed work will comply with any applicable guidelines adopted by the County for the treatment of landmarks and properties within historic districts.

22.124.170 Certificate of Appropriateness – Subsequent Modifications.

A County department or commission may authorize modifications to an approved certificate of appropriateness where:

A. The County department or commission is responsible for issuing a permit or approval for the work to be modified;

B. The Director, department head, or other authorized agent of the department or commission determines that the modifications are required by applicable law or County Code; and

C. After consultation with the Director, the Director determines the modifications will not have an adverse effect on the character-defining features of any

landmark or contributing property, and are compatible with any applicable landmark or historic district designation.

22.124.180 Certificate of Economic Hardship.

A. Application.

1. Where a certificate of appropriateness is required pursuant to this Chapter, an owner of the subject property, or the owner's authorized agent, may instead file an application with the Director for a certificate of economic hardship on the basis that strict application of the provisions of this Chapter to the subject property will result in an undue hardship to the owner(s) of the subject property. The application shall be accompanied by the applicable fee, which shall be non-refundable. The application shall contain all of the information required by Section 22.124.150.A.1 (Application) and shall contain the following additional information:

a. The estimated market value of the property in its current condition;

b. The estimated market value of the property after completion of the work proposed in the application;

c. Estimates of the costs of the work proposed in the application;

d. In the case of demolition:

i. The estimated market value of the property after rehabilitation of the existing property and an estimate from an architect, developer, real estate consultant, appraiser, or other professional with experience in rehabilitation as to the economic feasibility of rehabilitation of the existing structures on the property; and

ii. A rehabilitation report from a licensed engineer or architect with expertise in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;

e. For income producing properties, information on annual gross income, operating and maintenance expenses, tax deductions for depreciation,

annual cash flow after debt service, assessed property valuations, and real estate taxes for the two years preceding the date of the application;

f. The remaining balance of any mortgage or other financing secured by the property and annual debt service, if any, for the two years preceding the date of the application;

g. A current appraisal of the property and all other appraisals of the property obtained by the owner or applicant within the two years preceding the date of the application;

h. The date the property was purchased and, if purchased within the 36 months preceding the date of the application, the amount paid for the property, the party from whom the property was purchased, including a description of the relationship, if any, between the owner or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer;

i. Any listing of the property for sale or rent, and prices or rent amounts asked, and offers for purchase or lease received, if any, within the two years preceding the date of the application; and

j. Any other information the Director may require to determine whether or not the property does or may yield a reasonable return to the owner.

2. The Director shall notify the applicant within 30 days of submittal whether the application is complete or whether additional information is required.

B. Review by the Director. Upon receipt of a complete application accompanied by all required fees, the Director shall review the application, and conduct or cause to be conducted any research, inspections, studies, or other activities necessary to evaluate the application.

C. Review by the Landmarks Commission.

1. The Landmarks Commission shall hold a public hearing to consider an application for a certificate of economic hardship. The public hearing shall be held within 180 days of the receipt of a complete application accompanied by all required fees, unless extended by the applicant or by the Director pursuant to Section

22.124.280 (Time Extensions to Comply with CEQA). In advance of the public hearing, the Director shall file with the Landmarks Commission a report summarizing the research, investigations, inspection, studies or other activities with respect to the application for a certificate of appropriateness. The report shall contain a recommendation to approve, approve with modifications, or deny the certificate of economic hardship.

2. The Landmarks Commission may continue any public hearing required by Subsection C.1, above, to permit the investigation of alternatives to the work proposed in the certificate of economic hardship application. Any continuances pursuant to this Subsection C.2 shall not cumulatively exceed 180 days from the receipt by the Director of a complete application for a certificate of economic hardship accompanied by all required fees, unless agreed to by the applicant or extended by the Director pursuant to Section 22.124.280 (Time Extensions to Comply with CEQA).

3. Within 60 days of the close of the public hearing, the Landmarks Commission shall approve, modify and approve, or disapprove the application. The decision of the Landmarks Commission shall be in writing and state findings of fact in support of its decision.

4. The Landmarks Commission shall not approve an application for a certificate of economic hardship unless the information submitted by the applicant or presented at public hearing substantiates all of the following findings:

a. Denial of the certificate of economic hardship will result in immediate and substantial hardship to the owner(s) of the subject property because of conditions peculiar to the property, or features thereof;

b. The sale, rental, or rehabilitation of the property is not economically reasonable, practical, or viable, considering the cost of utilizing the property for uses allowed in the applicable zone, including any existing allowed non-conforming uses; and

c. Denial of the certificate of economic hardship would damage the owner of the property unreasonably in comparison to the benefit conferred on the community.

5. For the purposes of the findings required by Subsection C.4, above, evidence of actual financial loss or lost opportunity to obtain increased return from the property may be evidence supporting the approval of a certificate of economic hardship, but standing alone is not sufficient evidence to approve a certificate of economic hardship.

6. The Landmarks Commission shall serve notice of its action pursuant to Section 22.222.220 (Notice of Action), and shall also provide notice by first-class mail or electronic mail, where applicable, to all owners of the subject property.

7. In the event the Landmarks Commission fails to act within the time set forth in Subsection C.1 or C.3, above, the application shall be deemed approved. In such case the Department shall provide the notice required by Subsection C.6, above.

D. Concurrent Processing with an Application for a Certificate of Appropriateness. An application for a certificate of economic hardship may be filed concurrently with an application for a certificate of appropriateness. In such cases, the applications will be processed and considered concurrently as a single application, and only the applicable fee for a certificate of economic hardship application shall be required. The applicable reviewing body pursuant to this Chapter may approve the certificate of appropriateness and deny the certificate of economic hardship as moot; deny the certificate of appropriateness and approve the certificate of economic hardship; or deny both.

E. Where a certificate of economic hardship authorizes work that requires a permit or other approval from a County department or commission, or other government agency, an application for such permit or approval must be submitted within one year from the date the certificate of economic hardship is approved. Where a certificate of economic hardship authorizes work requiring more than one permit or approval from a County department or commission, or other government agency, each such application

must be submitted within one year from the date the certificate of economic hardship is approved. The applicant may submit a written request to the Director for an extension of time to submit any necessary application. The request must provide facts demonstrating that such additional time is necessary despite the applicant's diligence and good faith efforts to prepare and submit the required application. The Director shall grant a one-time, six-month extension if the Director determines the applicant has proceeded diligently and in good faith, but requires additional time to submit the required application. A certificate of economic hardship will expire and become null, void, and of no effect if the applicant fails to submit a timely application for a permit or other approval pursuant to this Subsection E.

F. An application for a certificate of economic hardship may be filed concurrently with an application for any other permit or approval. Except as provided in Section 22.124.040.B.1 (Applicability), no person shall conduct or cause to be conducted any work requiring a certificate of economic hardship pursuant to this Chapter, regardless of any permit or other approval authorizing such work, unless and until a certificate of economic hardship authorizing such work is approved and becomes final and effective pursuant to this Chapter.

22.124.190 Effective Date of Decision; Appeals and Calls for Review; Resubmission, Reconsideration.

A. The effective date of a decision made pursuant to this Chapter shall be determined pursuant to Section 22.222.230 (Effective Date of Decision and Appeals), except that a decision of the Director or Landmarks Commission made pursuant to this Chapter which is not subject to appeal or call for review is effective and final on the date the decision is made. A decision of the Board made pursuant to this Chapter is effective and final on the date the decision is made.

B. Rights of Appeal.

1. The rights of appeal described in Section 22.222.230.C are limited as set forth in this Subsection B.

2. Appeals to the Landmarks Commission. Any person may appeal the following decisions or determinations to the Landmarks Commission:

a. A decision by the Director to summarily deny a nomination pursuant to Section 22.124.090.A.3 (Summary Denial by the Director) or Section 22.124.100.A.3 (Summary Denial by the Director), in which case such appeal shall be limited to the issue of whether summary denial was proper; or

b. A decision by the Director to approve, including deemed approvals, modify and approve, or deny an administrative certificate of appropriateness pursuant to Section 22.124.150.C (Administrative Certificate of Appropriateness).

The decision by the Landmarks Commission on any such appeal shall not be subject to further administrative appeal.

3. Appeals to the Board. Any person may appeal the following decisions or determinations to the Board:

a. A decision by the Landmarks Commission to disapprove, including deemed disapprovals, the designation of a landmark pursuant to Section 22.124.090.B (Review by Landmarks Commission) or historic district pursuant to Section 22.124.100.B (Review by Landmarks Commission);

b. A decision by the Landmarks Commission to approve, including deemed approvals, modify and approve, or disapprove a certificate of appropriateness pursuant to Section 22.124.150.D (Review by Landmarks Commission); or

c. A decision by the Landmarks Commission to approve, including deemed approvals, modify and approve, or disapprove a certificate of economic hardship pursuant to Section 22.52.3180.C (Review by Landmarks Commission).

4. Where the Board reverses the decision of the Landmarks Commission to disapprove a historic district nomination, the Board shall either remand the matter to the Landmarks Commission for further consideration, or direct the matter

to the Commission for consideration pursuant to Section 22.124.100.C (Review by Regional Planning Commission).

5. Where work authorized by a certificate of appropriateness or certificate of economic hardship approved pursuant to this Chapter may not be carried out in whole or in part without a Conditional Use Permit, variance, subdivision, or other entitlement pursuant to this Title 22, and such Conditional Use Permit, variance, subdivision, or other entitlement may be appealed to the Board pursuant to this Title 22, the certificate of appropriateness or certificate of economic hardship may not be separately appealed to the Board under Subsection B.3, above. The effective date of such certificate of appropriateness or certificate of economic hardship shall be deemed stayed pending the processing of the Conditional Use Permit, variance, or other entitlement. If such Conditional Use Permit, variance, subdivision, or other entitlement is approved, the effective date of the certificate of appropriateness or certificate of economic hardship shall be deemed the same as the effective date of the Conditional Use Permit, variance, subdivision, or other entitlement, and may be timely appealed concurrently with a timely appeal of the Conditional Use Permit, variance, subdivision, or other entitlement. Where the Conditional Use Permit, variance, subdivision, or other entitlement is timely called for review pursuant to Chapter 22.240 (Appeals), the certificate of appropriateness or certificate of economic hardship shall also be deemed timely called for review.

C. Notice of Decision. In addition to persons entitled to receive notice pursuant to Section 22.222.220 (Notice of Action), the appellate or review body shall serve notice of its action by first-class mail or electronic mail where applicable on all owners of the property subject to the appeal or call for review.

D. Resubmission, Reconsideration. When a decision approving, modifying and approving, or disapproving a nomination or application made or submitted pursuant to this Chapter becomes final pursuant to this Section, no subsequent nomination or application that is the same or substantially the same may be made for a period of one year from the effective date of the final determination or decision.

22.124.200 Public Hearing Procedures.

A. Notice of Public Hearing. Whenever a public hearing is required or permitted to be held pursuant to this Chapter, notice shall be provided pursuant to Section 22.222.120.B.2 (Notice of Public Hearing), and shall also be provided as follows:

1. Nominations, Landmarks. Not less than 30 days prior to the date of the public hearing, notice shall be given by first-class mail to the record owner(s) of any property subject to the nomination to be considered at the public hearing.

2. Nominations, Historic Districts. Not less than 30 days prior to the date of the public hearing, notice shall be given by first-class mail to the record owner(s) of each property proposed to be located within a historic district.

3. Certificate of Appropriateness/Certificate of Economic Hardship, Landmarks. Not less than 30 days prior to the date of the public hearing, notice shall be given by first-class mail to all record owners within 150 feet of the subject property.

4. Certificate of Appropriateness/Certificate of Economic Hardship, Historic Districts. Not less than 30 days prior to the date of the public hearing, notice shall be given by first-class mail to the record owners of all properties within 300 feet of the subject property.

B. Posting. Posting of a public hearing notice sign shall be required in compliance with Section 22.222.170 (Sign Posting), except that the hearing notice sign shall be posted not less than 30 days prior to the date of the public hearing. For proposed landmarks, where the owner consents to the landmark designation, the notice sign shall also be prominently displayed on the place, building, object, or structure subject to the public hearing. For proposed historic districts, the notice sign shall also be placed on the principal boundaries thereof, or at any alternative posting locations as may be directed by the Director.

C. Appeals. In the case of an appeal, not less than 30 days prior to the date of the public hearing on the appeal, notice shall be given by first-class mail to the

appellant, in addition to any other person to whom notice is required to be given pursuant to Subsection A, above.

22.124.210 Joint and Common Ownership – Notice and Consent.

A. Where notice is required to or may be given pursuant to this Chapter, notice may be given as follows:

1. Where a building or group of buildings has been divided into condominiums with any common areas maintained or operated by an association of the condominium owners, to the association only.

2. Where a building or group of buildings has been dividing into condominiums with any common areas maintained or operated by an association of the condominium owners, and a proposed designation includes commonly owned features and features which are not commonly owned, such as, but not limited to, the interior of a condominium unit, to the association and the owner of any of the areas which are not commonly owned.

3. Where property is owned by a cooperative corporation, to the corporation only.

B. Where consent of an owner is required or may be given pursuant to this Chapter, the following rules apply:

1. Where a building or group of buildings has been divided into condominiums with any common areas maintained or operated by an association of the condominium owners, the association shall be the sole owner for the purposes of giving consent, except that where a proposed designation includes commonly owned areas and areas which are not commonly owned, such as, but not limited to, the interior of a condominium unit, the owner of any of the areas which are not commonly owned shall also be an owner for the purposes of giving consent.

2. Where a property is owned by a cooperative corporation, the corporation shall be deemed the sole owner for the purposes of giving consent.

3. Where property is owned jointly by one or more persons, organizations, corporations, or other entities, the owners must act unanimously as

though there were only one owner. Joint owners who fail to provide unanimous consent shall be deemed not to consent. The County shall have no obligation to investigate or determine the legal relationship among the joint owners governing the owners' respective rights to grant consent.

4. Where property is owned in trust, the trustee shall be considered the sole owner for the purposes of giving consent, unless the trustee notifies the Department in writing of the identity of the beneficial owner or owners of the building, structure, or other real property, and certifies in writing that the beneficial owner or owners will act on behalf of the trust for the purposes of this Chapter. The rules regarding unanimous consent of joint owners set forth in Subsection B.3, above, shall apply to multiple trustees or multiple beneficial owners. The County shall have no obligation to investigate or determine the legal relationship among the trustees or beneficial owners governing the trustees' or owners' respective rights to grant consent.

22.124.220 Unsafe or Dangerous Conditions.

None of the provisions of this Chapter shall be construed to prevent any work necessary to correct an unsafe or dangerous condition of any structure, site, place, object, tree, landscape, or natural land feature, where such condition has been declared unsafe or dangerous by the Director of Public Works or the Fire Chief of the Fire Department; provided, however, that only such work as is absolutely necessary in the opinion of the Director of Public Works or the Fire Chief to correct the unsafe or dangerous condition may be performed pursuant to this Section.

22.124.230 Compliance with Maintenance Requirements.

The owner, lessee, or other person with actual possession, care, or control of a landmark or property in a historic district shall perform maintenance and repairs as needed to prevent the deterioration, decay, or degradation of the historic or character-defining features of the landmark or historic district.

22.124.240 Enforcement and Penalties.

A. The failure to comply with a requirement of this Chapter, or of any order, resolution, or ordinance issued or adopted pursuant to this Chapter, shall be declared to be a public nuisance pursuant to Section 22.242.040 (Public Nuisance).

B. In addition to any other remedy provided in this Title 22, any person who performs or causes to be performed any work on a landmark or a contributing property in violation of this Chapter shall restore or reconstruct the landmark or contributing property to its original condition prior to the violation. The County may seek relief in any court of competent jurisdiction to compel the reconstruction or restoration of the landmark or contributing property. This civil remedy is cumulative to any other remedy, including criminal prosecution, and the imposition of any administrative fines, penalties and noncompliance fees as provided by law.

C. Where a landmark or contributing property is demolished in violation of this Chapter, no County department or commission shall accept for processing or approve any application for a building permit or other approval authorizing construction on the site, or a permit or approval to use the site as a parking area, unless and until the earlier of:

1. Sixty months from the date the County receives actual notice that the unauthorized work has occurred; or

2. The landmark or contributing property has been fully restored or reconstructed.

Notwithstanding the foregoing, a County department or commission may accept for processing and approve a permit or approval for work necessary to restore or reconstruct the landmark or contributing property, or to move an existing landmark or contributing property to the site.

22.124.250 Street Improvements in Historic Districts.

Whenever street or streetscape improvements are proposed by the County in areas that are historic districts, the County may consider the use of materials, landscaping, light standards, signage, and other street features that are compatible with the area's historic and architectural character.

22.124.260 Waiver of Parking Requirements.

Provided the gross square footage of a building or structure of a landmark or contributing property does not increase, a landmark or contributing property shall not be required to provide more parking spaces than the number of spaces existing on the landmark or contributing property site as of the effective date of the designation of the landmark or historic district. In the event the gross square footage of the building or structure of a landmark or contributing structure increases, the parking requirements shall be calculated in accordance with Section 22.172.020.C.3.

22.124.270 Determining Record Owner; Notice to Owners Not Of-Record.

The identity of a record owner of a property for purposes of this Chapter shall be determined by reference to the latest equalized assessment roll from the Assessor. Where in this Chapter notice is required to be given to a record owner, notice shall also be given to an owner not of-record whose identity and address is actually known to the party giving notice.

22.124.280 Time Extensions to Comply with CEQA.

Any time periods set forth in this part may be extended by the Director by such periods as are necessary to comply with, or permitted by, CEQA.

Chapter 22.126 Tree Planting Requirements.

Sections:

22.126.010 Purpose.
22.126.020 Applicability.
22.126.030 Tree Requirements.
22.126.040 Site Plan Requirements.

22.126.050 Modification of Development Standards.

22.126.010 Purpose.

This Chapter establishes a project's tree planting requirements to provide environmental benefits. Trees planted pursuant to this Chapter will reduce greenhouse gases by absorbing carbon dioxide, reduce water pollution by retaining storm water onsite, and reduce the urban heat island effect by shading impervious surfaces.

22.126.020 Applicability.

A. This Chapter shall apply to any project that includes:

1. A new principal use building;

2. Additions to buildings, where the addition adds a cumulative floor area of at least 50 percent of the total existing building floor area on the subject property, within any 12-month period; or

3. New uncovered surface parking lots with a minimum of 15 parking spaces and/or existing uncovered surface parking lots expanded to have 15 or more parking spaces.

B. The following projects are exempt from the requirements of this Chapter:

1. Any project where a complete application for the project was filed with the Department prior to April 28, 2016, the effective date of this Chapter; and

2. Utility-scale solar energy facilities, ground-mounted.

C. Trees required by this Chapter are the minimum requirement for a project, but may also contribute to fulfilling other landscaping requirements in this Title 22, including any such requirements in a Community Standards District.

22.126.030 Tree Requirements.

A. Amount of Trees.

1. Except for residential subdivision projects that are otherwise subject to Section 21.32.195 in Title 21 (Subdivisions) of the County Code, projects that

fall within a category described in Sections 22.126.020.A.1 and 22.126.020.A.2, above, shall comply with the following requirements:

a. For projects that are primarily residential with three or fewer units per lot, a minimum of two trees shall be planted on each lot:

b. For projects that are primarily residential with four or more units per lot, a minimum of one tree shall be planted for every 5,000 square feet of building footprint per lot; and

c. For projects that are non-residential or mixed-use, a minimum of three trees shall be planted for every 10,000 square feet of developed lot area.

2. Any existing tree located on the project site with a minimum trunk diameter of 0.75 inches, as measured six inches above the soil line, may count towards meeting the requirement in Subsection A.1, above.

3. For projects described in Section 22.126.020.A.3, above, a shade plan meeting the specifications set forth in the Tree Planting Guide, to be maintained by the Director, is required. For those projects, the amount of trees required on that shade plan shall anticipate a minimum of 50 percent shade coverage of the uncovered parking area within 15 years of planting the required trees. Trees required by this Subsection A.3 may also count towards the requirements in Subsections A.1.b and A.1.c, above.

B. Species. The tree species planted pursuant to this Chapter shall be those that provide adequate shade, are not invasive, are resistant to local pests and diseases, are adaptable to the local climate, and are appropriate for the planting location. The Director shall prepare and maintain the Tree Species List, which shall contain a list of tree species which the Director has determined to satisfy the first three criteria set forth in this Section.

C. Size. Required trees shall be a minimum size of 15 gallons and shall have a trunk diameter of 0.75 to 1.5 inches as measured six inches above the soil line at the time of planting.

D. Location.

1. Trees shall be planted in locations that maintain the required lines of sight for safe pedestrian and vehicular movement and will not cause root damage to the sidewalk or other public infrastructure, to the satisfaction of Public Works; and

2. Trees planted near buildings or fire lanes shall be placed in locations that do not adversely impact Fire Department operations or response times, to the satisfaction of the Fire Department.

E. Maintenance.

1. Trees shall be supported with staking and ties that are made of soft and mold resistant material (such as rubber), until the trees are able to support themselves:

2. Trees for projects as described in Subsections A.1.b and A.1.c, above, and in Section 22.126.020.A.3 and not planted in turf shall require an irrigation system; and

3. Trees failing to survive shall be replaced.

22.126.040 Site Plan Requirements.

A. For projects described in Sections 22.126.020.A.1 and 22.126.020.A.2 required trees shall be depicted on a site plan and the tree species shall be labeled.

B. For projects located in a designated Fire Hazard Severity Zone, required site or shade plans shall be routed to the Fire Department's Fuel Modification Unit for review and approval to ensure proposed tree locations comply with Title 32 (Fire Code) of the County Code.

22.126.050 Modification of Development Standards.

The requirements of Section 22.126.030.A (Amount of Trees) may be modified by the Director during the application process, without additional fees where:

A. The applicant documents in a notarized letter by a certified arborist, submitted to the Director, that the required trees will not survive on the site due to the soil type thereon;

B. The requirement would conflict with other provisions set forth in the County Code. When, pursuant to this Section, the Director reduces the required shade

area for a project described in Section 22.126.030.A.3 because there is not enough square footage for both the required shade area and the required parking, so long as the parking requirements are met, the Director may replace the tree requirements intended to create the shade area with a cool pavement requirement, preferably permeable, to be used in uncovered parking areas as defined in Division 2 (Definitions); or

C. The parking lot described in Section 22.126.020.A.3 is retrofitted with solar panels.

DIVISION 7: STANDARDS FOR SPECIFIC USES.

Chapter 22.140 Standards for Specific Uses.

Sections:

22.140.010 Purpose.
22.140.020 Applicability.
22.140.030 Alcoholic Beverage Sales.
22.140.040 Amateur Radio Antennas.
22.140.050 Ambulance Emergency Services Facilities.
22.140.060 Animal Keeping, Commercial.
22.140.070 Animal Keeping, Noncommercial or Personal Use.
22.140.080 Animal Raising.
22.140.090 Apartment Houses, Incidental Commercial Services.
22.140.100 Automobile and Vehicle Sales and Rentals, Automobile Service Stations, and Automobile Supply Stores – Accessory Uses.

22.140.110 Automobile Body and Fender Repair, Painting, and Upholstering as an Accessory Use.
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22.140.440 Parking as a Transitional Use.
22.140.450 Plant Nurseries, Retail.
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22.140.470 Real Estate Tract Offices.
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22.140.530 Scrap Metal Processing Yards.
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22.140.550 Secondhand Stores.
22.140.560 Self-Service Storage Facilities.
22.140.570 Shared Water Wells.
22.140.580 Single-Family Residences.
22.140.590 Tasting Rooms and Remote Tasting Rooms.
22.140.600 Townhouses.
22.140.610 Wineries.
22.140.620 Yard Sales.

22.140.630 Secondary Land Uses Under High-Voltage Transmission Lines.

22.140.010 Purpose.

This Chapter establishes standards for specific uses that are permitted in this Title 22.

22.140.020 Applicability.

A. When a specific use in this Title 22 refers to a section or subsection in this Chapter 22.140, the regulations and standards listed in such section or subsection shall apply to the specific use as described in such section or subsection; and

B. When a specific use in this Title 22 requires a Conditional Use Permit (Chapter 22.158) application and Minor Conditional Use Permit (Chapter 22.160) application and refers to a section or subsection in this Chapter 22.140, the Review Authority may impose the regulations and standards for such a specific use as part of the conditions of approval.

22.140.030 Alcoholic Beverage Sales.

A. Purpose. This Section provides comprehensive regulations for alcoholic beverage sales to protect and promote public health, safety, comfort, convenience, and general welfare.

B. Definitions. Specific terms used in this Section are defined in Section 22.141.010 of Division 2 (Definitions), under "Alcoholic Beverage Sales."

C. Exceptions. This Section shall not apply to:

1. Tasting rooms and remote tasting rooms (Section 22.140.590); or
2. Wineries (Section 22.140.610).

D. Alcoholic Beverage Sales Within Specific Plans and Local Implementation Programs. If a zone or land use category within a Specific Plan or Local Implementation Program is silent with respect to alcoholic beverage sales, the Director may accept a Conditional Use Permit (Chapter 22.158) application for alcoholic

beverage sales if the Director determines that such sales are accessory to another use permitted within such zone or land use category. The application shall be subject to this Section.

E. Operating Regulations for Uses Subject to Conditional Use Permit. The following operating regulations shall apply to any use selling alcoholic beverages for off-site consumption, which is the subject of a Conditional Use Permit (Chapter 22.158) application filed on or after October 19, 2017, the effective date of this Section:

1. If the use is located within a 500-foot radius of another use selling alcoholic beverages for off-site consumption, the shelf space devoted to alcoholic beverages shall be limited to five percent of the total shelf space, as depicted on the approved shelf plan.

2. The use shall offer a minimum of three varieties of fresh produce free from spoilage and a minimum of two whole grain items for sale on a continuous basis. These products shall be displayed in high-visibility areas meeting one or more of the following criteria, as depicted on the approved floor plan and/or shelf plan:

a. Within ten feet of the front door;

b. Within five feet of a cash register;

c. At eye-level on a shelf or within a cooler, refrigerator, or freezer case;

d. On an end cap of an aisle; or

e. Within a display area dedicated to produce that is easily accessible to customers.

3. All employees of the use who directly serve or are in the practice of selling alcoholic beverages, including managers and security personnel, shall participate in the License Education on Alcohol and Drugs Program provided by the California Department of Alcoholic Beverage Control or a similar program, such as Standardized Training for Alcohol Retailers. A certificate or plaque indicating participation in the training program shall be displayed in a publicly accessible area of

the use, such as the lobby. Proof of employees' completion of the training program shall be available upon request.

4. The following operating regulations shall also apply if the use is an automobile service station that sells alcoholic beverages for off-site consumption:

a. Distilled spirits shall not be sold;

b. Alcoholic beverages shall not be displayed within five feet of the cash register or the front door, unless the alcoholic beverages are displayed in a permanently affixed cooler;

c. Alcoholic beverages shall not be displayed in an ice tub;

d. Alcoholic beverages shall not be sold from a drive-in window;

e. Alcoholic beverage advertising shall not be displayed on motor fuel islands, and self-illuminated alcoholic beverage advertising shall not be located on buildings or windows; and

f. Where authorization is specifically granted for alcoholic beverage sales between the hours of 10:00 p.m. and 2:00 a.m., employees on duty shall be at least 21 years of age in order to sell alcoholic beverages.

5. The regulations in Subsections E.1 and E.2, above, may be modified by the Commission or Hearing Officer subject to Subsection F.3, below.

F. Findings for Uses Subject to Conditional Use Permit.

1. Additional Findings.

a. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius;

b. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area;

c. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and

d. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

2. Public Convenience or Necessity.

a. In addition to the findings required by Subsection F.1, above, findings of public convenience or necessity pursuant to this Subsection F.2.b, below, shall be made when:

i. The requested use is located in a high crime reporting district or in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act; or

ii. A use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use selling alcoholic beverages for off-site consumption.

b. A finding of public convenience or necessity shall be based upon review and consideration of relevant factors, which shall include, but not be limited to, the following:

i. The extent to which the requested use would duplicate services and, therefore, contribute to an over-concentration of similar uses;

ii. The extent to which alcoholic beverage sales are related to the function of the requested use, and the possibility of the use operating in a viable manner without alcohol sales;

iii. The extent to which the requested use will enhance the economic viability of the area;

iv. The extent to which the requested use will enhance recreational or entertainment opportunities in the area;

v. The extent to which the requested use compliments the established or proposed businesses within a specific area;

vi. The ability of the requested use to serve a portion of the market not served by other uses in the area;

vii. The convenience of purchasing alcoholic beverages at the requested use in conjunction with other specialty food sales or services;

viii. The aesthetic character and ambiance of the requested use; and

ix. The extent to which the requested use, location, and/or operator has a history of law enforcement problems.

3. Modifications.

a. When approving a modification to Subsection E.1, above, at least one of the following additional findings shall be made:

i. The requested use is not located in a high crime reporting district, as described in the California Alcoholic Beverage Control Act and the regulations adopted under that Act;

ii. The requested use is a specialty retailer with a unique product mix that requires a greater allocation of shelf space to alcoholic beverages than would be the case for a general purpose retailer; or

iii. The requested use involves the relocation of a use that was not previously subject to the alcoholic beverage shelf space limitation provided in Subsection E.1, above, and the new location will allocate less shelf space to alcoholic beverages than was the case at the previous location.

b. When approving a modification to the fresh produce and whole grain sales requirement provided in Subsection E.2, above, an additional finding shall be made that the requested use is not a general purpose retailer and is located in an area with sufficient access to fresh produce and whole grains.

G. Conditions of Approval for Uses Subject to Conditional Use Permit.

1. Additional conditions may be imposed to ensure that the requested use will be in accord with the findings required by Subsection F, above. Such

conditions may involve pertinent factors affecting the establishment, operation and maintenance of the requested use including, but not limited to:

a. Limitations on the days of the week and times of day during which alcoholic beverages may be sold;

b. Requirements to purchase existing liquor license(s) issued by the California Department of Alcoholic Beverage Control within a specified area to ensure that the number of such liquor licenses within such specified area is not increased or is reduced;

c. Restrictions on live music, live entertainment, dancing, or other similar activities;

d. Restrictions on "happy hour" specials, "two for one" alcoholic beverage specials, or other similar specials or promotions;

e. Restrictions and regulations related to exterior lighting to ensure proper illumination during operating hours, while preventing impacts to neighboring uses;

f. Restrictions on the size of alcoholic beverage containers that may be sold on the premises; and

g. Restrictions on packaging related to the number of alcoholic beverage containers in a package.

2. The conditions of approval shall be retained on the premises at all times and shall be immediately produced upon request by agents of the Department, Sheriff's Department, or California Department of Alcoholic Beverage Control. The manager and all employees shall be knowledgeable of the conditions of approval.

3. Any use which operates in violation of the conditions of approval may be subject to Chapter 22.238 (Modifications and Revocations).

H. Deemed-Approved Uses.

1. As of October 19, 2017, the effective date of this Section, any legally-established use that sells alcoholic beverages without a Conditional Use Permit (Chapter 22.158), and which did not require a Conditional Use Permit to sell alcoholic

beverages, pursuant to this Title 22, at the time it was established, shall be considered a deemed-approved alcohol sales use for the purposes of this Section.

2. Each deemed-approved alcohol sales use shall retain its deemed-approved status and shall not require a Conditional Use Permit (Chapter 22.158) application, as long as it complies with the performance standards provided in Subsection I, below, and does not have its deemed-approved status revoked pursuant to Subsection J, below.

3. Notwithstanding Subsection H.2, above, a deemed-approved alcohol sales use shall require a Conditional Use Permit (Chapter 22.158) application when:

a. The use proposes to change the type of alcoholic beverages to be sold by changing the type of retail liquor license within a license classification;

b. The use substantially changes its mode or character of operation, which includes, but is not limited to:

i. A 10-percent increase in the floor area devoted to alcoholic beverage sales or inventory; or

ii. A 25-percent increase in facing used for the display of alcoholic beverages.

c. The use has been abandoned, has discontinued operation, or has ceased selling alcoholic beverages for at least three consecutive months.

I. Performance Standards for Deemed-Approved Uses. Each deemed-approved alcohol sales use shall comply with the following performance standards:

1. The use shall be operated and maintained in accordance with this Title 22 and all other applicable federal, State, or local codes, laws, rules, regulations, and statutes, including those of the California Department of Alcoholic Beverage Control.

2. The premises shall be maintained free of garbage, trash, debris, or junk and salvage in exterior areas, except in designated trash collection containers and enclosures.

3. All portions of the premises visible to public view including, but not limited to, any structure, wall, fence, sidewalk, curb, ground surface, vehicle, rock, or other surface, shall be maintained free of graffiti. In the event of graffiti occurring, the operator shall remove such graffiti within 24 hours of such occurrence, weather permitting. Paint utilized in covering such graffiti shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

4. The premises shall be maintained with all signage required by this Title 22, or other applicable State and local law including, but not limited to, signs prohibiting loitering, public drinking, and/or the presence of open alcoholic beverage containers on the premises.

5. Temporary window signs shall comply with this Title 22, and the view into the interior of the use from any parking lot, public street, or other right-of-way shall not be otherwise obstructed by refrigerator cases, promotional displays, equipment, or any other items.

6. The operator shall maintain a current and valid County business license and shall conduct business in full accordance with any and all conditions imposed therein.

7. The operator shall not cause, allow, or permit nuisance and other unlawful activities on the premises including, but not limited to:

a. Loitering;

b. Drinking alcoholic beverages and/or possessing open alcoholic beverage containers in exterior portions of the premises, other than in a designated patio or other area approved for on-site consumption by the Department and/or California Department of Alcoholic Beverage Control;

c. Littering;

d. Creating excessive noise that does not comply with Title 12 (Environmental Protection) of the County Code to the satisfaction of the Department of Public Health, especially in the late night or early morning hours;

e. Disturbing the peace;

f. Engaging in illegal tobacco sales, drug activity, gambling or prostitution;

g. Trafficking in stolen goods;

h. Harassing of passerby or business patrons;

i. Panhandling;

j. Engaging in acts of vandalism; and

k. Otherwise engaging in conduct that is unlawful and/or constitutes a nuisance.

8. The operator shall take all reasonable steps to ensure that the conditions and activities on the lot or parcel of land on which the use is located do not constitute a public nuisance. For purposes of this performance standard, reasonable steps include, but are not limited to, the following:

a. Requesting that those persons engaging in conduct that constitutes a nuisance to cease such conduct, unless the operator has reasonable cause to believe such request may jeopardize his or her personal safety;

b. Calling the Sheriff's Department if the operator's attempts to abate the nuisance conduct have been unsuccessful, or if the operator has reasonable cause to believe such attempts may jeopardize his or her personal safety; and

c. Timely preventive actions to address conditions that facilitate loitering and other nuisance activity on the premises, such as removing furniture from areas adjacent to the entry of the establishment, prohibiting persons from using any portion of the premises for the installation and/or operation of a temporary business or other use, and/or other preventive actions.

J. Revocation of Deemed-Approved Status.

1. After a public hearing, as provided in Subsection J.2, below, the Commission may revoke the deemed-approved status of a deemed-approved alcohol sales use due to non-compliance with Subsection I, above, and require a Conditional Use Permit (Chapter 22.158) application for any subsequent sale of alcoholic beverages on the subject premises.

2. Public Hearing.

a. A public hearing may be initiated by the Board of Supervisors, Commission, or Director.

b. A public hearing shall be held in compliance with Section 22.222.120.B (Public Hearing).

i. In addition to Section 22.222.120.B.2 (Notice of Public Hearing), the Director shall also serve notice to the operator, if different than the property owner, and the property owner:

(1) To appear at a public hearing at a time and place fixed by the Commission; and

(2) At the public hearing, to show cause why the deemed-approved status should not be revoked.

c. After consultation with the Sheriff's Department and the California Department of Alcoholic Beverage Control, the Director shall prepare a report regarding the use's compliance with Section 22.140.030.I (Performance Standards for Deemed-Approved Uses) for consideration by the Commission at the public hearing.

d. At the public hearing, the Commission shall determine whether the use is in compliance with Subsection I, above. In making its determination, the Commission may consider the following:

i. The length of time that the use has been out of compliance with the applicable performance standards Section 22.140.030.I (Performance Standards for Deemed-Approved Uses);

ii. The impact of the violation of the applicable performance standards in Section 22.140.030.I (Performance Standards for Deemed-Approved Uses) on the community; and

iii. Any information regarding the operator's efforts to remedy the violation of the applicable performance standards in Section 22.140.030.I (Performance Standards for Deemed-Approved Uses).

e. The public hearing may be continued, as provided in Section 22.222.120.C.1 (Continued Public Hearing). The public hearing shall not be suspended if there is a subsequent change of operator or a subsequent change of property owner, if different than the operator.

f. At the close of the public hearing, the Commission may allow the use to retain its deemed-approved status, or may revoke the deemed-approved status when the information in the Director's report, or presented at public hearing, substantiates the following findings:

i. Due to non-compliance with Section 22.140.030.I (Performance Standards for Deemed-Approved Uses), the use results in adverse effects to the health, welfare, peace, or safety of persons visiting, residing, working, or conducting business in the surrounding area; and

ii. Due to non-compliance with Section 22.140.030.I (Performance Standards for Deemed-Approved Uses), the use jeopardizes or endangers the public health, welfare, or safety of persons visiting, residing, working, or conducting business in the surrounding area.

g. At the close of the public hearing, the Commission shall publicly announce the appeal period for filing an appeal of its action. In addition, the Commission shall serve notice of its action upon the operator and the property owner, if different than the operator, and any persons testifying or speaking at the public hearing.

h. The Commission's action may be appealed to the Board of Supervisors or called up for review by the Board of Supervisors, in accordance with Chapter 22.240 (Appeals).

3. If a use continues to sell alcoholic beverages without a Conditional Use Permit after its deemed-approved status is revoked, the operator and property owner, if different than the operator, shall be subject to Chapter 22.242 (Enforcement Procedures). In addition, the operator and property owner, if different than the operator, shall be subject to any civil and criminal remedies necessary to ensure compliance with the County Code. Enforcement procedures and pursuit of civil and criminal remedies

shall not be suspended if there is a subsequent change of operator or a subsequent change of property owner, if different than the operator.

22.140.040 Amateur Radio Antennas.

A. Purpose. This Section ensures that amateur radio antennas are designed and located in a way that avoids hazards to public health and safety and minimizes adverse aesthetic effects, while reasonably accommodating amateur radio communications.

B. Definitions. Specific terms used in this Section are defined in Section 22.14.010 of Division 2 (Definitions), under "Amateur Radio Antennas."

C. Applicability.

1. This Section applies to amateur radio antennas as an accessory use in all zones.

2. Amateur radio antennas, antenna structures, and masts in existence as of May 26, 1995, the effective date of this Section, may continue to be used without complying with the provisions of this Section, except as provided, and shall be considered a legal nonconforming use. Amateur radio antennas, antenna structures, and masts that are a legal nonconforming use shall comply with the development standards of this Section to the extent that they are capable of doing so without modification. Existing amateur radio antennas, antenna structures, and masts may be enlarged, expanded, or relocated only if brought into compliance with the development standards of this Section. In the absence of such compliance of proposed expansion, enlargement, or relocation, a Minor Conditional Use Permit (Chapter 22.160) application is required.

D. Application Requirements.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for amateur radio antennas, structures, and masts that comply with Subsection E, below; or

2. Minor Conditional Use Permit.

a. Application. A Minor Conditional Use Permit (Chapter 22.160) application is required for amateur radio antennas, structures, and masts that request a modification to Subsection E, below.

b. Additional Findings.

i. Strict compliance with the development standards specified in this Section would unreasonably interfere with the applicant's ability to receive or transmit signals, or would impose unreasonable costs on the operation when viewed in light of the cost of the equipment; or

ii. Strict compliance with the development standards is not, under the circumstances of the particular case, necessary to achieve the goals and objectives of this Section.

c. Conditions. In approving the application, the Commission or Hearing Officer may impose conditions reasonably necessary to accomplish the purposes of this Section, provided those conditions do not unreasonably interfere with the ability of the applicant to receive or transmit signals, or impose unreasonable costs on the amateur radio operator when viewed in the light of the cost of the equipment.

3. Agency Review. The Director shall refer the application to the Fire Department for review and comment prior to application approval.

E. Development Standards.

1. Lowering Device. All amateur radio antenna structures, capable of a maximum extended height in excess of 35 feet (inclusive of tower and mast), with the exception of whip antennas, shall be equipped with both a motorized device and a mechanical device, each capable of lowering the antenna to the maximum permitted height when not in operation.

2. Permitted Height.

a. The height of an antenna structure shall be measured from natural grade at the point the mast touches, or if extended, would touch the ground.

b. When in operation, no part of any amateur radio antenna structure shall extend to a height of more than 75 feet above grade of the site on which the antenna structure is installed.

c. When not in operation, no part of any amateur radio antenna structure, excepting whip antennas, shall extend to a height of more than 35 feet as measured above grade of the site on which the antenna is installed.

3. Number Permitted. One amateur radio antenna structure, and one whip antenna over 35 feet, shall be permitted on each building site.

4. Siting. The antenna structure shall be located on-site in a manner which will minimize the extent to which the structure is visible to nearby residents and members of the general public. Antenna structures shall be considered to satisfy this criteria if:

a. No portion of the antenna structure or mast is located within any required setback area;

b. No portion of the antenna structure or mast is within the front 40 percent of that portion of the building site that abuts a street; and

c. In the event a building site abuts two or more streets, the antenna structure or mast is not located within the front 40 percent of that portion of the building site where primary access is provided to the property, or within 20 feet of any other abutting street or public right-of-way.

F. Installation and Maintenance.

1. All antenna structures shall be installed and maintained in compliance with applicable building standards.

2. All antennas and their supporting structures shall be maintained in good condition.

3. All ground-mounted antennas and their supporting structures shall be permanently installed.

22.140.050 Ambulance Emergency Services Facilities.

A. Applicability. This Section applies to ambulance emergency service facilities in all zones where permitted.

B. Ambulance Storage. No more than two ambulances may be stored on-site at any one time.

C. Designated Parking. In addition to required parking for business and professional office use, a designated parking space shall be provided for each ambulance on-site.

22.140.060 Animal Keeping, Commercial.

A. Animals on Motion Picture Studios and Sets.

1. Applicability. This Subsection A applies to animals on motion picture studios and sets, including indoor and outdoor sets, in Zones A-2, O-S, R-R, C-M, C-R, M-1, M-1.5, and M-2.

2. Standards.

a. If temporary keeping of domestic or wild animals is proposed in conjunction with a motion picture or television production on a motion picture set or premises, they shall be used, kept, or maintained pursuant to all regulations of the Department of Animal Care and Control.

b. Animals shall not be retained on the premises for a period of more than 60 days. The Director may grant requests for extension of such time period not to exceed 30 additional days with a Ministerial Site Plan Review (Chapter 22.186) application if the extension remains consistent with the intent of this Subsection A and there are no proposed changes to the keeping of animals listed on the original application.

B. Animals in Circuses and Temporary Animal Exhibitions.

1. Applicability. This Subsection B applies to animals in circuses and temporary animal exhibitions in Zones C-MJ, C-R, M-1, M-1.5, and M-2.

2. Standards. Animals may be used, kept, or maintained as part of a circus or animal exhibition on a temporary basis for up to seven days in Zones C-MJ, and C-R and up to 14 days in Zones M-1, M-1.5, and M-2 provided that such animals

are used, kept, or maintained pursuant to all regulations of the Department of Animal Care and Control. Any requests for the keeping of animals for longer than the time specified for the zone in conjunction with the circus or temporary animal exhibition requires a Conditional Use Permit (Chapter 22.158) application.

22.140.070 Animal Keeping, Noncommercial or Personal Use.

A. Purpose. This Section regulates animals as pets and animals for the use of persons residing on the property to provide for the keeping of domestic and wild animals that are accessory to the residential use of a property, as opposed to maintenance for commercial purposes. Such regulations presume a reasonable effort on the part of the animal owners to recognize the rights of surrounding neighbors by maintaining and controlling their animals in a safe and healthy manner at a reasonable location.

B. Application Requirements.

1. Permitted. Animal keeping in compliance with this Section is permitted; or

2. Animal Permit. An Animal Permit (Chapter 22.152) application is required for animal keeping for animals other than those listed in, or in numbers greater than those given, or on lots having less than the area required in Subsection C, below.

C. Animal Keeping Permitted – Limitations. A person shall not keep or maintain any animal for personal use in any zone other than those specified as permitted in this Section. This Section shall not prohibit the keeping of animals for personal use to the extent permitted by commercial provisions in the same zone, subject to the same conditions and restrictions of the zone.

1. Livestock Kept as Pets.

a. Applicability. This Subsection C.1 applies to livestock kept as pets in Zones A-1, A-2, R-1, R-2, R-3, R-4, and R-5.

b. Maximum Number Permitted. Livestock listed in Table 22.140.070-A, below, may be kept or maintained as pets or for the personal use of persons residing on the property or lot having a minimum area of 15,000 square feet

per dwelling unit, subject to the maximum number listed in such Table, not to exceed one animal per 5,000 square feet of lot area.

TABLE 22.140.070-A: MAXIMUM NUMBER OF ANIMALS PERMITTED	
Type of Animal	*Maximum Number Permitted*
Horses, donkeys, mules or other equine, and cattle	One over 9 months of age for each 5,000 square feet of lot area.
Sheep and goats	One over 6 months of age for each 5,000 square feet of lot area.
Alpacas and llamas	One over 6 months of age for each 5,000 square feet of lot area.

c. Livestock Kept as Pets – Animals Existing as of February 27, 1974. Each lot having a minimum area of 10,000 square feet but less than 15,000 square feet per dwelling unit where horses, donkeys, mules or other equine, cattle, sheep, or goats are kept or maintained is hereby granted an Animal Permit permitting one such animal per 5,000 square feet of lot area, provided:

i. That such animals were kept or maintained as pets or for the personal use of members of the family residing on the premises prior to and on February 27, 1974; and

ii. That a notarized affidavit so certifying is filed with the Director within 120 days of September 20, 1974, the effective date of the ordinance establishing the provisions codified in this Section.

iii. In computing the time period within which horses, donkeys, mules or other equine, cattle, sheep, and goats kept or maintained as pets or for personal use must be discontinued and removed, pursuant to the provisions of Section 22.172.050.B (Termination by Operation of Law), the date such uses became nonconforming shall be deemed to be September 20, 1974, the effective date of the ordinance establishing the provisions codified in this Section.

d. Pigs and Hogs. Notwithstanding Subsection C.3, below, the keeping of pigs and hogs shall be prohibited in all Residential Zones.

2. Dogs.

a. Applicability. This Subsection C.2 applies to dogs in Zones A-1, A-2, R-1, R-2, R-3, R-4, and R-5.

b. Maximum Number Permitted. No more than four dogs over the age of four months shall be kept per dwelling unit, whether kept or maintained for personal use or otherwise. A dog that is a service animal, as defined in Section 10.08.216 and as licensed in Section 10.020.090 in Title 10 (Animals) of the County Code, shall not be counted toward the number of dogs authorized to be kept or maintained.

3. Pygmy Pigs.

a. Applicability. This Subsection C.3 applies to pygmy pigs in Zones R-1, R-2, R-3, R-4, and R-5.

b. Maximum Number Permitted. Only one pygmy pig, as defined in Section 10.08.205 (Pygmy Pig) of Title 10 of the County Code, may be kept per dwelling unit for personal use, in compliance with the requirements of Title 10 (Animals) of the County Code.

4. Wild Animals Kept as Pets.

a. Applicability. This Subsection C.4 applies to wild animals kept as pets in Zones A-1, A-2, R-1, R-2, R-3, R-4, R-5, M-1, M-1.5, M-2, and M-2.5.

b. Maximum Number Permitted. For each dwelling unit, the occupant may keep the animals listed in Table 22.140.070-B, below.

TABLE 22.140.070-B: WILD ANIMALS KEPT AS PETS	
The following wild animals are permitted.	
Tropical fish, excluding caribe	White mice and rats
The following wild animals are permitted, except that on a lot having an area of less than 10,000 square feet per dwelling unit, a maximum of three of the following animals in any combination are permitted.	
Canaries	Mynah birds
Chinchillas	Parrots, parakeets, amazons, cockatiels, cockatoos, lories, lorikeets, love birds, macaws, and similar birds of the *psittacine* family
Chipmunks	Pigeons
Finches	Ravens
Gopher snakes	Squirrel monkeys
Guinea pigs	Steppe legal eagles
Hamsters	Toucans
Hawks	Turtles
King snakes	White doves

TABLE 22.140.070-B: WILD ANIMALS KEPT AS PETS	
Marmoset monkeys	
Other similar animals which, in the opinion of the Director, are neither more obnoxious or detrimental to the public welfare than the animals listed in this Table. Such animals shall be kept or maintained at a place where the keeping of domestic animals is permitted.	

c. Other Wild Animals Permitted. In Zones A-2, M-1, M-1.5, and M-2, the following additional animals listed in Table 22.140.070-C, below, are permitted, provided that the animals are kept and maintained at a place where the keeping of domestic animals is permitted, except that on a lot having an area of less than 10,000 square feet per dwelling unit, a maximum of three of the following animals in any combination are permitted.

TABLE 22.140.070-C: OTHER WILD ANIMALS PERMITTED	
Anoas	Minks
Antelopes	Ostriches
Armadillos	Otters
Badgers	Peacocks
Beavers	Porcupines
Camels	Prairie Dogs
Chamoises	Raccoons
Deer	Reindeer
Foxes	Seals
Giraffes	Wallabies
Kangaroos	Zebras
Koalas	
Other similar animals which, in the opinion of the Director, are neither more obnoxious or detrimental to the public welfare than the animals listed in this Table.	

D. Setback from Residences. Any structure used for housing any animal, fowl, or bird, wild or domestic, other than cats, dogs, canaries, or birds of the psittacine family and including corrals and fencing, shall be established at least 35 feet from any residence.

22.140.080 Animal Raising.

A. Applicability. This Section applies to animal raising in Zones A-1, A-2, O-S, R-R, W, C-R, M-1, M-1.5, and M-2.

B. Animal Raising.

1. Number Permitted. The maximum number of animals permitted per acre for animal raising is shown in Table 22.140.080-A, below.

TABLE 22.140.080-A: MAXIMUM ANIMALS PER ACRE						
Use	***A-1***	***A-2***	***R-R***	***C-R***	***M-1***	***M-1.5, M-2***
Breeding farms for selective or experimental breeding of cattle or horses, or the raising or training of horses or show cattle	–	–	12	2	–	–
Raising, breeding, and training of horses and other equine, cattle, sheep, goats, alpacas, and llamas on a lot of one acre or more and less than five acres	8	8	–	–	SPR[1]	No limitation
Raising, breeding, and training of horses and other equine, cattle, sheep, goats, alpacas, and llamas on a lot of five acres or greater	No limitation		–	–	CUP[2]	No limitation
Raising of poultry, fowl, birds, rabbits, chinchilla, nutria, mice, frogs, fish, bees, earthworms, and other similar animals of comparable nature, form, and size	No limitation					
Grazing of cattle, horses, sheep, goats, alpacas, and llamas, including the supplemental feeding of such animals	No limitation					
Notes: "–" means not permitted 1. A Ministerial Site Plan Review (Chapter 22.186) application is required to allow up to eight such animals per acre. 2. A Conditional Use Permit (Chapter 22.158) application is required to allow more than eight such animals per acre, on a lot of land having, as a condition of use, not less than five acres.						

2. Development Standards.

a. All buildings or structures used in conjunction with such animal raising shall be located not less than 50 feet from any street or highway or any habitable structure.

b. Any lot used for grazing shall not be used in conjunction with any dairy, livestock feed yard, livestock sales yard, or commercial riding academy located on the same property.

c. No buildings, structures, pens, or corrals designed or intended to be used for the housing or concreted feeding of such animals may be used on the premises for grazing other than racks for supplementary feeding, troughs for watering, or incidental fencing.

d. In Zone M-2, Subsections B.2.b and B.2.c may be waived upon approval of a Conditional Use Permit (Chapter 22.158) application.

C. Hogs or Pigs.

1. Number Permitted. The maximum number of weaned hogs or pigs allowed per lot is:

a. In Zones A-1, R-R, C-R, M-1, M-1.5, and M-2, two.

b. In Zone A-2, five.

2. Development Standards.

a. The pigs or hogs may be kept and located not less than 150 feet from any highway and not less than 50 feet from the side or rear lines of any lot.

b. The pigs or hogs may be kept and located not less than 50 feet from any habitable building.

c. In Zones A-1, A-2, R-R, C-R, and M-1, the pigs or hogs shall not be fed any market refuse or similar imported ingredient or anything other than table refuse from meals consumed on the same lot, or grain.

22.140.090 Apartment Houses, Incidental Commercial Services.

A. Applicability. This Section applies to incidental commercial services in apartment houses in Zones R-4, R-5, and C-H.

B. Permitted Uses. Incidental restaurants and commercial service concessions offering newspapers, tobacco, notions, grocery, and similar items for sale may be permitted in apartment house complexes having at least 100 dwelling units.

C. Use Restriction. The facilities shall be designed and operated for the convenience of the occupants and are no more extensive than is necessary to serve the development.

D. Access. All public entrances to such facilities shall be from a lobby, hallway, or other interior portion of the development.

E. Visibility Restriction.

1. The facilities shall be located so as not to be visible from the outside of the building; and

2. No sign advertising or identifying such facilities may be visible from outside of the building.

22.140.100 Automobile and Vehicle Sales and Rentals, Automobile Service Stations, and Automobile Supply Stores – Accessory Uses.

A. Zones C-1, C-2, and C-RU. This Subsection A applies to accessory uses to automobile and vehicle sales and rentals, automobile service stations, and automobile supply stores in Zones C-1, C-2, and C-RU.

1. Incidental Repair and Installation of Parts. Incidental repair and installation of parts is permitted as an accessory use to the sale of new automobiles, automobile service stations, and automobile supply stores, subject to the following standards:

a. Automobile repair activities shall exclude body and fender work, painting, major engine overhaul, or transmission repair.

b. All repair and installation activities shall be conducted within an enclosed building only.

c. All repair or installation activities shall be confined to the hours between 7:00 a.m. and 9:00 p.m. daily.

d. No automobile awaiting repair or installation service shall be parked or stored for a period exceeding 24 hours except within an enclosed building.

e. A masonry wall shall be established and maintained along an abutting property line in a Residential or Agricultural Zone in accordance with Section 22.112.080 (Parking Design), as if the area was developed for parking.

f. Landscaping shall comprise an area of not less than two percent of the gross area developed for the primary use.

2. Incidental Washing, Waxing, and Polishing. Incidental washing, waxing, and polishing is permitted as an accessory use to new automobile sales and automobile service stations, subject to the following standards:

a. Automobile washing, waxing, and polishing shall be done by hand only.

b. Automobile washing, waxing, and polishing shall be conducted within an area no greater than 500 square feet.

3. Trailer Rentals. Rental of trailers, box and utility only, is permitted as an accessory use at automobile service stations only, subject to the following standards:

a. Trailer beds shall be not larger than 10 feet.

b. Rental activity shall be conducted within an area not exceeding 10 percent of the total area of such automobile service station.

B. Zone MXD-RU. In Zone MXD-RU:

1. Incidental repair and installation of parts is permitted as an accessory use to automobile service stations in compliance with the following:

a. Subsections A.1.a through A.1.d, above; and

b. A masonry wall is established and maintained along any boundary that abuts a property located in a residential or agricultural zone, as if the area were developed with parking subject to Subsections F.2 (Side and Rear Yards) and F.3 (Modification) of Section 22.112.080.F.2.

2. Automobile washing, waxing and polishing, is permitted as an accessory use to the sale of new automobiles and automobile service stations.

3. Accessory installation of parts for automobile supply stores is prohibited.

C. Zone C-MJ. In Zone C-MJ, the following accessory uses are permitted:

1. Automobile sales and rental of new and used motor vehicles. Incidental service and repair is permitted as an accessory use for automobile sales and rental of new and used motor vehicles, provided that all repair activities are conducted within an enclosed building:

2. Automobile supply stores. Incidental service and repair and rental of utility trailers is permitted as an accessory use for automobile supply stores in compliance with Subsections A.1 and A.3, above.

22.140.110 Automobile Body and Fender Repair, Painting, and Upholstering as an Accessory Use.

A. Applicability. This Section applies to automobile body and fender repair, painting, and upholstering as an accessory use to the sale of new automobiles in Zones C-3 and C-M.

B. Development Standards. This use shall comply with the following standards:

1. Enclosure. All operations shall be conducted within an enclosed building.

2. Area. No more than 25 percent of the area devoted to service or repair of automobiles may be devoted to body and fender work, painting, or upholstering.

3. Spray Booths. No more than one paint spray booth shall be permitted.

4. Noise. All areas or structures used shall be so located or soundproofed as to prevent annoyance or detriment to surrounding properties.

5. Screening. All damaged or wrecked vehicles awaiting repair shall be effectively screened so as not to be visible from surrounding properties of the same elevation or within ten feet of such properties.

6. Hours of Operation. All repair activities shall be confined to the hours between 7:00 a.m. and 9:00 p.m., daily.

7. Storage. No damaged or wrecked vehicles shall be stored for any purpose other than repair and shall not constitute an automobile impound yard.

C. Prohibition. Dismantling of vehicles for any purpose other than repair or the sale of used parts is prohibited.

22.140.120 Automobile Dismantling Yards, Automobile Impound Yards, and Junk and Salvage Yards.

A. Applicability. This Section applies to automobile dismantling yards, automobile impound yards, and junk and salvage yards in all zones where permitted.

B. Enclosure. All operations and storage, including all equipment used in conducting such business, other than parking, shall be conducted within an enclosed building or within an area enclosed by a solid wall or solid fence.

C. Fences and Walls. Where fences or walls are provided, they shall be developed as provided below.

1. All fences and walls shall be of a uniform height in relation to the ground upon which they stand, and shall be a minimum of eight feet in height. Where fences or walls exceed a height of 10 feet and are located on street or highway frontages, they shall be set back at least three feet from the lot line. The area between the fence and the lot line shall be fully landscaped according to the specifications described in Subsection E, below.

2. All fences and walls open to view from any public street or highway or any area in a Residential, Agricultural, or Commercial Zone shall be constructed of the following materials:

a. Metallic panels, at least 0.024 inches thick, painted with a "baked on" enamel or similar permanent finish;

b. Masonry; or

c. Other materials comparable to the foregoing, if approved by the Director.

3. Other required fences may be constructed of material other than specified in Subsection C.2, above.

4. All fences and walls shall be constructed in a workmanlike manner and shall consist solely of new materials unless the Director approves the substitution of used materials where, in the Director's opinion, such used materials will provide the equivalent in service, appearance, and useful life.

5. All fences and walls shall be painted a uniform neutral color, excluding black, which blends with the surrounding terrain and improvements, and shall be maintained in a neat, orderly condition at all times. Such fence or wall shall contain no painted signs or posters except as approved by the Director.

6. Any structures which are used as part of the yard boundaries or are exposed to view from the street frontage shall be painted to conform with the color of the fencing. The Director may approve other appropriate architectural treatment.

D. Pavement. The entire yard shall be paved with an asphalt surfacing or an oil and aggregate mixture to prevent emission of dust or tracking of mud onto public rights-of-way; provided, however, the Director may:

1. Approve other paving materials which provide, in the Director's opinion, the equivalent in service and useful life; or

2. Modify such requirements within existing yards in those areas where material is stored and the Director finds no dust or mud problem would result.

E. Landscaping. At least one square foot of landscaping shall be provided for each linear foot of street frontage, and said landscaping shall be developed in accordance with a site plan which complies with the following criteria:

1. Landscaping shall be distributed along said frontage in accordance with the site plan approved by the Director.

2. No planting area shall have a horizontal dimension of less than three feet.

3. A permanent watering system or hose bibs shall be provided which satisfactorily irrigates all planted areas. When hose bibs are utilized, they shall be so located as to permit the watering of all planted areas with a 50 foot hose.

4. All landscaped areas shall be continuously and properly maintained in good condition.

F. Storage.

1. No impounded, wrecked, or dismantled vehicles, salvage, or junk shall be placed or allowed to remain outside of the enclosed yard area.

2. No impounded, wrecked, or dismantled vehicles, salvage, or junk shall be stored at a height greater than that of the surrounding fence or wall unless the land upon which the yard is located is in Zone M-3 and such storage above said fence or wall is not within 500 feet of any other zone.

G. Additional Regulations. The standards of development for automobile dismantling yards, automobile impound yards, or junk and salvage yards as set forth in this Section shall not relieve the proprietors of such automobile dismantling yards, automobile impound yards, or junk and salvage yards from complying with all regulations, laws, and ordinances of the County and the State of California.

H. Schedule for Compliance

1. All automobile dismantling yards, automobile impound yards, and junk and salvage yards are hereby required to comply with the requirements set forth in Subsections B through G, above, in accordance with the following schedule:

a. All storage of dismantled, impounded, or wrecked vehicles and salvage and junk shall cease to be carried on in any area outside the confines of the fenced or walled area of the yard and above the height of the fence or wall, in compliance with Subsection B, above, within six months from January 26, 1980, the effective date of this Section.

b. All other requirements in Subsections C through G, above, shall be complied with within two years from January 26, 1980, the effective date of this Section.

c. Upon a showing of substantial compliance with the provisions of in Subsections B through G, above, the Commission may extend the time for compliance with the requirements set forth in Subsection H.1.a, above, for a period not to exceed six additional months, and may extend the time for compliance with Subsection H.1.b, above, for a period not to exceed one additional year.

2. Failure to comply with the requirements of Subsections B through G, above, shall be deemed to automatically terminate any existing nonconforming use or Conditional Use Permit (Chapter 22.158) authorizing the establishment of an automobile dismantling yard, automobile impound yard, or junk and salvage yard. Compliance with said requirements shall not in and of itself constitute sufficient grounds for the granting of a Conditional Use Permit or the extension thereof.

I. Modification. The requirements in Subsections B through G, above, may be modified upon approval of a Variance (Chapter 22.194) application.

22.140.130 Building Materials Storage – Temporary.

A. Applicability. This Section applies to temporary storage of building materials in all zones where permitted.

B. Location. All building materials, including the contractor's temporary office, shall be used on the same lot as the building project on-site or on property adjoining the construction site.

C. Time Limit. All building materials, including the contractor's temporary office, may be stored on-site during construction of a building or project and up to 30 days thereafter.

22.140.134 Cannabis.

A. Purpose and Intent. Except for personal use of cannabis otherwise allowed under MAUCRSA, this Chapter prohibits any medical or non-medical cannabis businesses or activities until the County adopts a comprehensive regulatory framework for medical and non-medical cannabis, and imposes reasonable regulations regarding personal cannabis cultivation otherwise allowed by State law. Speific terms used in this Section are defined in Section 22.14.030 of Division 2 (Definitions), under "Cannabis".

B. Cannabis Businesses and Activities – Prohibited. Except for personal use of cannabis otherwise allowed under MAUCRSA, and personal cultivation as provided in Subsection D, below, the establishment, maintenance, and/or operation of any cannabis business or activity is prohibited in all zones within the unincorporated area of the County.

C. Renting, Leasing, and Permitting Cannabis Businesses and Activities – Prohibited. Except for personal use of cannabis otherwise allowed under MAUCRSA, and personal cultivation as provided in Subsection D, below, the renting, leasing, and/or permitting the use, of property for any cannabis business or activity is prohibited in all zones within the unincorporated area of the County.

D. Personal Cannabis Cultivation. Personal cannabis cultivation may be established and maintained accessory to a legally established dwelling unit, as set forth in this Chapter and under State law.

1. Single-Family Residences and Detached Residential Condominium Projects. Cannabis for personal use may be cultivated at a single-family residence or a dwelling unit in a detached residential condominium project. The following standards apply to both indoor and outdoor cultivation:

a. Cannabis cultivation shall not be visible from a public right-of-way, private drive, or fire lane.

b. Cannabis cultivation areas shall be enclosed in a locked space.

c. Cannabis cultivation shall be limited to six plants per residence, pursuant to MAUCRSA. If a lot is legally improved with a single-family residence and an accessory dwelling unit, no more than six of the combined total number of plants may be cultivated outdoors upon the grounds on that lot.

d. The following additional standards apply to outdoor cultivation:

i. Cannabis cultivation shall be prohibited within 600 feet of any park, library, or school, as defined in California Health and Safety Code Section 11362.768; day care center, as defined in California Health and Safety Code Section 1596.76; or youth center, as defined in California Health and Safety Code Section 11353.1;

ii. Cannabis cultivation shall be limited to a maximum of six plants per lot;

iii. Cannabis plants may not exceed a maximum height of six feet;

iv. Cannabis cultivation is prohibited within the required front yard setback;

v. Cannabis cultivation at all times shall be located at least 10 feet from side yard and rear yard property lines; and

vi. Cannabis cultivation areas shall be located within an area that is enclosed and secured by a solid wall or fence and locked:

(1) All fences and walls shall be of a uniform height in relation to the ground upon which they stand and shall be a minimum of six feet in height, not to exceed the height limit of the zone, community standards district, or other more restrictive requirement applicable to the lot.

(2) All fences and walls shall be constructed with masonry, wood, or similar materials as approved by the Director. Chain link fencing for the screening, enclosing, or securing of cannabis cultivation areas is prohibited.

(3) All fences and walls shall be constructed in a workmanlike manner.

(4) All fences and walls shall be a uniform neutral color, excluding black, which blends with the surrounding terrain and improvements, and shall be maintained in a neat, orderly condition at all times.

2. All Other Residences. Two-family residences and dwelling units in an apartment house and attached residential condominium projects are expressly prohibited from establishing outdoor cannabis cultivation for personal use. Outdoor cannabis cultivation includes, but is not limited to, cultivation on balconies, patios, common areas, and walkways. Indoor cannabis cultivation is permitted subject to the following standards:

a. Cannabis cultivation shall not be visible from a public right-of-way, private drive, or fire lane.

b. Cannabis cultivation shall be limited to a maximum of six plants per dwelling unit.

c. Cannabis cultivation areas shall be fully enclosed in a locked space.

22.140.140 Caretaker Residences, Including Mobilehomes.

A. Applicability. This Section applies to caretaker residences, including mobilehomes, as an accessory use in Zones A-1, A-2, O-S, R-R, C-1, C-2, C-3, C-M, C-R, C-RU, MXD-RU, M-1, M-1.5, M-2, M-3, and SR-D.

B. Continuous Supervision. In Zones R-R, C-1, C-2, C-3, C-M, C-R, C-RU, MXD-RU, M-1, M-1.5, M-2, M-3, and SR-D, caretaker residences, including mobilehomes, may be allowed where continuous supervision of the premises is required.

C. Zones A-1 and A-2. With the exception of mobilehomes for use as a caretaker residence, per Subsection D, below, approval for a caretaker residence may be granted in Zones A-1 and A-2 even though the number of existing residences on the lot is the maximum number permitted by Chapter 22.110 (General Site Regulations).

D. Mobilehomes as a Caretaker Residence.

1. Development Standards.

a. Density. The use of a mobilehome as a caretaker residence shall not exceed the density permitted by this Title 22, or the adopted General Plan, whichever is less. A mobilehome shall contain only one dwelling unit.

b. Placement. The placement of the mobilehome shall be at a location where the erection of residential structures is otherwise permitted.

2. Additional Standards for Zones O-S, R-R, A-1, A-2, C-1, C-2, C-3, C-M, C-R, and SR-D.

a. In Zones O-S, R-R, A-1, A-2, C-1, C-2, C-3, C-M, C-R, and SR-D, the use of a mobilehome as a caretaker residence are subject to the following standards:

i. Time Limitation. The mobilehome shall be removed from the site prior to the end of five years unless a different time period is specified by the Commission or Hearing Officer.

ii. Modification. The requirements in Subsection D.1, above, may be modified upon approval of a Variance (Chapter 22.194) application.

22.140.150 Cargo Shipping Containers.

A. Applicability. This Section applies to Zones C-RU and MXD-RU for cargo shipping containers on a lot for storage purposes that are incidental to the permitted principle use on the same lot.

B. Application Requirements.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required to approve up to one cargo shipping container on a lot for storage purposes; or

2. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required to approve two or more cargo shipping containers on a lot for storage purposes.

C. Development Standards.

1. Each cargo shipping container shall be:

a. Limited to a maximum dimension of 10 feet in height, 10 feet in width, and 40 feet in length.

b. Placed a minimum distance of six feet from the legally established primary structure on the same lot.

c. Painted one uniform color and the sides of containers shall not display signs, images, or lettering, except for signs, images, or lettering providing safety information related to the contents stored within, if such safety information is required by the County Code or other applicable federal, State, or local regulations.

d. Maintained in compliance with the Building Code Manual of Public Works, and any required miscellaneous permit issued by Public Works.

2. Where two or more cargo shipping containers are approved, the additional cargo shipping containers shall comply with all the requirements of Subsection C.1, above, shall not be stacked upon each other, and shall be placed at least six feet apart from any other cargo shipping container, unless otherwise indicated on the approved site plan.

22.140.160 Dairies.

A. Dairies in Zone A-2.

1. Applicability. This Subsection A applies to dairies in Zone A-2.

2. Minimum Lot Size. Dairies shall have a minimum lot size of 10 acres.

3. Uses Permitted. Processing and sale of milk and dairy products are permitted only if they are lawfully produced from the dairy located on the same lot.

4. Development Standards. All buildings or structures used in connection with the dairy shall be located not less than 50 feet from any street or highway or any habitable structure.

B. Dairies in Zone M-2.

1. Applicability. This Subsection B applies to dairies in Zone M-2.

2. Exemption. No permit is required for an enlargement, alteration or addition of an existing dairy if the dairy has been established on the same lot on or before July 16, 1936.

22.140.170 Density-Controlled Developments.

A. Applicability. This Section applies to density-controlled developments in Zones A-1, A-2, R-R, R-A, R-1, and R-2.

B. Underlying Zone Standards Apply. Unless otherwise specified as a condition of the grant, all development standards of the zone in which a density-controlled development is proposed shall be deemed to be conditions of every Conditional Use Permit granted for such development, whether such conditions are set forth in the permit or not.

C. Required Standards. In approving a Conditional Use Permit (Chapter 22.158) application for density-controlled development, the Commission or Hearing Officer shall impose the following standards. The standards in this Subsection C may not be modified unless a Variance (Chapter 22.194) application is granted:

1. Preservation of Commonly Owned Areas.

a. All commonly owned areas shall be permanently reserved and maintained in perpetuity, by establishment of a homeowner's association, maintenance district, or other appropriate means or methods to ensure to the satisfaction of the Commission or Hearing Officer the permanent reservation and continued perpetual maintenance of the required commonly owned areas.

b. Each dwelling unit shall be sold together with an undivided interest in any commonly owned areas. Such undivided interest shall include either:

i. An undivided interest in the commonly owned areas; or

ii. A share in the corporation or voting membership in an association owning the commonly owned area, where approved as provided in this Section.

2. Required Area Per Dwelling Unit. Notwithstanding the minimum lot area and lot area per dwelling unit requirements established by the regulations of the zone in which the development is located, where a density-controlled development is approved by the Commission or Hearing Officer, the lot area or lot area per dwelling unit requirements specified in the application shall be deemed the minimum required area or required area per dwelling unit established for the lots where approved.

3. Dwelling Unit Type. All dwelling units shall be single-family residences unless a townhouse development is requested and approved.

4. Location, Separation, and Height of Buildings. The Commission or Hearing Officer shall impose any conditions deemed necessary to govern the location, separation, and height of buildings to insure compatible placement on the proposed site and with relationship to the surrounding area. This provision shall not be deemed to permit approval of a greater height than is permitted in the zone where development is proposed.

D. Additional Standards. In approving a density-controlled development, the Commission or Hearing Officer may impose the following standards:

1. Location of Automobile Parking Facilities. If the proposed development will contain design features offering amenities equal to or better than a development plan incorporating required automobile parking facilities on the same lot, such automobile parking may be located on a separate lot, provided that such automobile parking facility is:

a. In full compliance with all provisions of Chapter 22.112 (Parking).

b. Located on a separate lot under common ownership.

c. Conveniently located and easily accessible to the dwelling it is intended to serve.

d. Not greater than 200 feet from the residence it is intended to serve.

2. Architecture. Conditions may be imposed governing the suitability of architecture as necessary to integrate the proposed development project within the proposed site and the surrounding area, including appearance of the proposed development from surrounding property.

3. Yards. Any or all yard requirements of the zone may be modified for a density-controlled development to the extent such modification will:

a. Encourage design features promoting amenities equal to or better than a development plan incorporating required yards; and

b. Assist in integrating the proposed development in relation to location on the site and its relationship to the surrounding area. Nothing in this Subsection D shall be construed to prohibit the imposition of yard depths exceeding the minimum provided in the zone.

4. Landscaping. A landscaping plan for the landscaping of any or all parts of the development may be required to be submitted to, and approved by, the Commission or Hearing Officer to ensure that the development will be complementary to, and compatible with, the uses in the surrounding area.

5. Utilities. Evidence of arrangements with the applicant and the serving utilities to install underground all new facilities necessary to furnish service in the development may be required to be submitted and may be a condition of approval.

22.140.180 Domestic Violence Shelters.

A. Applicability. This Section applies to domestic violence shelters in all zones where permitted.

B. Application Requirements.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for shelters that comply with the requirements in this Section; or

2. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required:

a. For shelters that do not comply with this Section; and

b. Where Division 3 (Zones) specifies a Conditional Use Permit application in the zone.

C. Maximum Occupancy. No more than 30 adult residents, excluding staff, shall be allowed at one time, if such proposed shelter is located on a lot of less than two acres.

D. Parking. The number of required parking spaces shall be determined by the Director for each shelter, in an amount adequate to prevent excessive on-street parking, and with such factors as the number of adult beds to be provided by the shelter, the anticipated number of employees on the largest shift, and the distance from the closest transit stop taken into consideration. In no case shall the number of required parking spaces be less than the parking requirements for an adult residential facility as specified by Chapter 22.112 (Parking). Required parking may be located within 500 feet of the exterior boundary of the property.

E. Vicinity. The land uses and developments in the immediate vicinity of the subject site shall not constitute an immediate or potential hazard to occupants of the shelter.

22.140.190 Dry Cleaning Establishments.

A. Applicability. This Section applies to dry cleaning establishments in Zones C-1, C-2, C-3, C-M, C-MJ, C-R, C-RU, MXD-RU, M-1, M-1.5, M-2, and MXD.

B. Enclosure. All activities and equipment relating to dry cleaning shall be within an enclosed building.

C. Requirements.

1. In Zones C-1, C-2, C-3, C-M, C-R, C-RU, and MXD-RU, buildings used for dry cleaning shall be constructed so that all installed equipment and all activities enclosed within are conducted or maintained so as to confine or reduce all noise, vibration, dust, odor, and any other objectionable factor to the extent that such factors will not annoy or injure people or property outside of such buildings.

2. In Zones C-MJ, M-1, M-1.5, M-2, and MXD, dry cleaning establishments shall comply with American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) 62-2001 Indoor Air Quality Standards.

22.140.200 Electric Distribution Substations, Including Related Microwave Facilities.

A. Applicability. This Section applies to electric distribution substations, including related microwave facilities, in Zones C-H, C-1, C-2, C-3, C-M, C-MJ, C-RU, MXD-RU, and M-1.

B. Development Standards.

1. Walls.

a. All installations shall be completely surrounded by a masonry wall a minimum of eight feet in height.

b. The requirements in Subsection B.1.a, above, may be modified upon approval a Minor Conditional Use Permit (Chapter 22.160) application. The Commission or Hearing Officer may approve the substitution of such wall with an industrial-type fence that serves a similar purpose, such as a chain-link fence with embedded plastic or PVC strips or screen planting that evenly obscures at least 95 percent of the fence surface area.

2. Landscaping. The area between the fence or wall and the property line shall be landscaped and maintained while such use exists.

22.140.210 Family Child Care Homes, Large.

A. Applicability. This Section applies to large family child care homes in Zones A-1, A-2, R-A, R-1, and R-2.

B. Application Requirements.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for a large family child care home that will be in compliance with Subsections C and D, below. No fee is required with the filing of the application; or

2. Minor Conditional Use Permit. A Minor Conditional Use Permit (Chapter 22.160) application is required for a large family child care home that cannot meet or requests to modify the requirements in Subsection C or D, below. An initial study as part of the application shall not be required. The application shall be filed and processed in compliance with Chapter 22.160, except where modified below.

a. Notwithstanding Section 22.222.160 (Notification Radius), notice shall be mailed or delivered to all owners of property described in Subsection C, below.

b. The Hearing Officer may approve a modification to the requirements in Subsection C or D, below, upon finding:

i. That such modification will not result in traffic congestion, excessive off-street parking, or unauthorized use of parking facilities developed to serve surrounding properties, and that the proposed facility is necessary to serve the needs of children not met in existing nearby large family child care homes; and

ii. That no written protest to the proposed modification has been received within 15 days following the date of mailing of notice by the Director as provided in Chapter 22.160 (Minor Conditional Use Permit).

3. Additional Application Materials.

a. Application Signature. Notwithstanding Section 22.222.070.B (Applicants), only the applicant shall be required to sign the application.

b. Notice of Intent. A "Notice of Intent to Establish a Large Family Child Care Home" shall be submitted with every application for a large family child care home.

C. Location. Large family child care homes shall not be located:

1. Within two lots of an existing large family child care home on the same side of the street; and

2. On the lot directly across the street from an existing large family child care home, or on either of the lots adjoining such lot on the same side of the street.

3. In those cases where lot size configurations, such as corner lots, do not conform to those described in Subsections C.1 and C.2, above, the proposed facility shall not be located on any lot determined by the Director to be of comparable proximity to an existing large family child care home as the lots described in the aforementioned Subsections.

D. Parking and Loading. In addition to complying with the parking requirements for the residential use, an operator of a large family child care home shall provide adequate parking for employees and adequate drop-off and pick-up areas of children, such as off-site curb spaces and on-site driveway areas, which are of sufficient size and are located to avoid interference with traffic and to ensure the safety of children.

22.140.220 Farmers' Markets.

A. Purpose. The purpose of this Section is to facilitate the establishment and operation of farmers' markets and to ensure their compatibility with surrounding uses by establishing development standards.

B. Applicability.

1. This Section shall apply to farmers' markets in all zones where permitted.

2. A farmers' market that is proposed to be located within a Significant Ecological Area or any portion thereof shall be subject to Chapter 22.102 (Significant Ecological Areas) and this Section.

3. No farmers' market or any portion thereof shall be allowed in an environmentally sensitive habitat area, as defined in Section 30107.5 of the California Public Resources Code or any applicable County local coastal program adopted pursuant to the California Coastal Act.

C. General Provisions. The following provisions shall apply to all farmers' markets:

1. Hours of Operation. A farmers' market shall operate no earlier than 8:00 a.m., and no later than 8:00 p.m., on any day, excluding the time needed for set up and clean up. Set up and clean up for a farmers' market must occur on the same day as the farmers' market.

2. Noise. No amplified sound or music of any kind shall be allowed at any farmers' market.

3. Trash. All trash shall be removed from the farmers' market site and the site shall be restored to a pre-market and neat condition no later than midnight of the day the farmers' market operates.

4. Prohibited Accessory Uses. Farmers' markets shall not include petting zoos.

5. Inspections. Farmers' markets may be subject to inspections at the Director's discretion to verify compliance with this Section and any other applicable provisions of the County Code or other applicable federal or State law.

6. Forms of Payment. Farmers' markets shall accept CalFresh benefits via electronic benefit transfer ("EBT") card in addition to accepting other forms of payment.

7. Farmers' Market Manager. All farmers' markets shall have a designated farmers' market manager on-site at all times during the event, which manager shall ensure, among other things, that:

a. Prior to commencement of the farmers' market, the Department has been provided proof that the farmers' market has been certified by the County Agricultural Commissioner, and has been issued a valid United States Department of Agriculture Food and Nutrition Service ("FNS") number, demonstrating the farmers' market's ability to accept CalFresh benefits;

b. The farmers' market is conducted in accordance with all applicable requirements in this Title 22, including the terms of the applicable grant or approval on file with the Department;

c. A copy of the applicable grant or approval issued by the Department is clearly posted and visible at each farmers' market event; and

d. All applicable inspection fees are paid when due.

D. Parking Requirements.

1. General Requirement. A farmers' market shall have sufficient land area to allow, at a minimum, one vehicle parking space for each vendor, plus one vehicle parking space for each vendor stall.

2. Reduction in Parking Allowed. The parking requirement in Subsection D.1, above, may be reduced by up to 50 percent if the Director determines that the number of parking spaces provided will accommodate the number of vendors and customers expected at the farmers' market without any undue adverse impact to the surrounding community, and also if the farmers' market is located within one-half mile of a transit stop for:

a. A bus that travels along a major or secondary highway or that is part of a bus rapid transit system; or

b. A rail line within a fixed rail system.

3. No Other Permit Required. Any alternative parking arrangement for a farmers' market approved by the Director pursuant to this Subsection D shall not

require a separate Parking Permit (Chapter 22.178), Minor Parking Deviation (Chapter 22.176), or Variance (Chapter 22.194) application.

E. Additional Application Materials. In addition to the application materials required by this Title 22, an application for a farmers' market shall contain the following information:

1. The name and address of the farmers' market manager, if different than the owner or applicant.

2. A schedule, with proposed dates and times for operation of the farmers' market at the location proposed in the application during that calendar year, which schedule shall be updated annually during the life of the grant or approval.

3. A site plan depicting the boundaries of the subject property to be used for the farmers' market, the location of all highways, streets, and alleys in relation to the subject property, the boundaries of the farmers' market, the location and dimension of all vendor stalls, and the area for required vehicle parking.

4. When the applicant/owner proposes alternative parking arrangements:

a. A description of the unique characteristics of the farmers' market or special programs which are proposed which will reduce the need for the otherwise required number of vehicle parking spaces;

b. When off-site parking is proposed, evidence that the applicant/owner has written permission from the owner or owners of such off-site property; and

c. Such other information as the Director may require.

5. In cases where non-agricultural products will be sold at a site adjacent to, and under the management of, the farmers' market:

a. A site plan depicting the location and dimension of the area intended to be used for these sales; and

b. The respective percentages of the area intended to be used for the sale of non-agricultural products and the area intended to be used for the farmers' market.

F. Covenant and Agreement. Prior to obtaining any approval to conduct a farmers' market pursuant to this Section, the applicant shall provide to the Director a suitable covenant for recordation with the Registrar-Recorder/County Clerk that runs with the land for the benefit of the County, signed by the owner of the premises, declaring that:

1. The farmers' market shall be maintained in accordance with the information provided in the application and the development standards as required by this Section.

2. The applicant shall obtain all necessary federal, State, and local approvals to conduct a farmers' market, including the applicable certification from the County Agricultural Commissioner for a valid FNS number, prior to commencing operation.

3. Any violation of the covenant and agreement required by this Section shall be subject to Chapter 22.242 (Enforcement Procedures).

22.140.230 Farmworker Housing.

A. Purpose. Under Section 65580(a) of the California Government Code, the Legislature has declared that the availability of housing, including farmworker housing, is of vital statewide importance. The purpose of this Section is to promote the development of, and to establish development standards for, farmworker housing consistent with this legislative declaration and pursuant to Section 17000 et seq., of the California Health and Safety Code, known as the Employee Housing Act.

B. Definitions. Specific terms used in this Section are defined in Division 2 (Definitions), under "Farmworker Housing."

C. Applicability. This Section applies to farmworker housing in all zones where permitted.

D. Prohibited Areas for Farmworker Housing.

1. Farmworker housing shall be prohibited at any location where any portion of the building site is located in:

a. An airport influence area, as described in the applicable Airport Land Use Plan adopted by the County Airport Land Use Commission, as such plan may be amended from time to time; or

b. An Environmentally Sensitive Habitat Area, as described in Section 30000 et seq., of the California Public Resources Code (California Coastal Act) or any applicable County Local Coastal Program adopted under the Act.

2. A farmworker housing complex shall also be prohibited in any location designated by the Fire Department as a Very High Fire Hazard Severity Zone.

E. Application Requirements for Zones R-3 and R-4.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for a farmworker housing complex that:

a. In Zone R-3:

i. Complies with the minimum lot area per dwelling unit requirements per Section 22.110.120.B (Zone R-3 Dwelling Unit Density); and

ii. Consists of any of the following housing types:

(1) An apartment house;

(2) A two-family residence; or

(3) Multiple detached residential units on one lot, each unit of which complies with Subsections B through E of Section 22.140.580 (Single-Family Residences), subject to any applicable requirements of the Subdivision Map Act in Section 66410 et seq., of the California Government Code, or Title 21 (Subdivisions) of the County Code, regarding a lease-project subdivision; or

b. In Zone R-4:

i. Complies with the minimum lot area per dwelling unit requirements per Section 22.110.120.C (Zone R-4 Dwelling Unit Density); and

ii. In addition to the housing types listed in Subsection E.1.a.ii, above, a farmworker housing complex may also consist of a rooming or boarding house; or

2. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required for any farmworker housing complex that consists of housing types other than those listed in Subsection E.1, above.

F. Farmworker Housing Requirements.

1. In addition to complying with the Employee Housing Act, all farmworker housing shall comply, where applicable, with the California Mobilehome Parks Act in Section 18200 et seq., of the California Health and Safety Code, and the California Special Occupancy Parks Act, in Section 18860 et seq., of the California Health and Safety Code.

2. Farmworker housing may be developed or maintained for the purpose of providing temporary, seasonal, or permanent housing for farmworkers, where temporary and seasonal housing shall have the same meaning as "temporary employee housing" and "seasonal employee housing," as defined in Sections 17010(a) and 17010(b), respectively, of the California Health and Safety Code.

3. Farmworker housing shall be allowed, but shall not be required to be:

a. Developed or provided by the employer of the farmworkers; or

b. Located on the same property where the involved farmwork is performed.

4. If farmworker housing is developed or provided by a person or entity other than the farmworkers' employer, the farmworker housing shall consist only of:

a. Temporary or seasonal farmworker housing, as described in Subsection F.2 of this section; or

b. A mobilehome, manufactured home, travel trailer, or recreational vehicle, if such housing is intended to be permanent.

5. Prior to obtaining an approval for a farmworker housing complex, the applicant shall submit all required information and obtain all applicable approvals to and from the Fire Department and the Departments of Public Health, Public Works, and Regional Planning related to the complex. All fees associated with each department's review shall be paid to the respective department. Improvements to the farmworker housing complex required by these departments shall be constructed or installed by the applicant.

6. Within 30 days after obtaining the appropriate permit from the California Department of Housing and Community Development ("HCD") to operate farmworker housing, and annually thereafter, the applicant shall submit a completed verification form to the Director describing the farmworker housing; the number of units, spaces, or beds; the number and employment status of its occupants; any other employment information of the occupants required by the Director; and proof that the HCD permit for the farmworker housing is current and valid.

G. Development Standards.

1. Setbacks. Notwithstanding any setback standards required by the zone, all farmworker housing shall be located a minimum of 75 feet from any barn, pen, or other structure that houses livestock or poultry, and a minimum of 50 feet from any other agricultural use, as described in Section 1140.4(a) of the California Labor Code.

2. Floor Area. Notwithstanding any floor area standards required by the zone, farmworker housing complexes that consist of group living quarters, such as barracks or a bunkhouse, shall have a minimum floor area of 50 square feet per occupant for sleeping purposes.

H. Covenant and Agreement. Within 30 days after approval of an application for farmworker housing, the applicant shall record with the Registrar-Recorder/County Clerk a covenant running with the land for the benefit of the County, declaring that the

farmworker housing will continuously be maintained as such in accordance with this Section and also that:

1. The applicant will obtain and maintain, for as long as the farmworker housing is operated, the appropriate permits from HCD pursuant to the regulations of the Employee Housing Act;

2. The improvements required by the Fire Department and the Departments of Public Health, Public Works, and Regional Planning related to the farmworker housing shall be constructed or installed, and continuously maintained by the applicant;

3. The applicant will submit the annual verification form to the Director as required by Subsection F.6, above; and

4. Any violation of the covenant and agreement required by this Section shall be subject to Chapter 22.242 (Enforcement Procedures).

22.140.240 Grading Projects.

A. Applicability. This Section applies to grading projects, both on-site and off-site, in all zones where permitted, except that Zone O-S shall comply with Subsection D, below.

B. Grading Projects, On-Site. On-site grading projects are subject to the following requirements:

1. Grading Permit. In addition to the permit specified in Division 3 (Zones), a grading permit is also required for any grading project, as provided in Title 26 (Building Code) of the County Code.

2. Exemption. An application is not required for any project where the Commission or Hearing Officer has considered a grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project.

C. Grading Projects with Off-Site Transport. Off-site transport grading projects, as defined in Section 22.14.070 of Division 2 (Definitions), under "Grading project, off-site transport", are subject to the following requirements:

1. Grading Permit. In addition to the permit or review specified in Division 3 (Zones), a grading permit is also required for any grading project, as provided in Title 26 (Building Code) of the County Code.

2. Exemptions. An application shall not be required when the grading project with off-site transport is related to public construction, including grading for:

a. Any work of construction or repair by the County or any district of which the Board is ex-officio the governing body;

b. Construction or repair by the County or such district performed by force account; or

c. Construction, maintenance, or repair of any "State Water Facilities" as defined in Section 12934 of the California Water Code.

3. Hauling Route. All hauling as approved under this Section shall be restricted to a route approved by the Director of Public Works.

4. Compliance with Other Regulations. Compliance shall be made with all applicable requirements of other County departments and other government agencies.

5. Suspension. If any condition of this Section is violated, or if any law, statute or ordinance is violated, the privileges granted herein shall lapse and such approval shall be suspended.

D. Grading Projects in Zone O-S.

1. Application Requirements.

a. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for any grading, excavation, or fill that does not exceed 500 cubic yards of material where necessary to prepare a site, except as provided in Section 7003 of Title 26 (Building Code) of the County Code. Any grading projects proposed on a lot located within a Significant Ecological Area shall be reviewed by the SEATAC, and recommendations shall be sent to the Director prior to approval; or

b. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required for any grading, excavation, or fill that exceeds

500 cubic yards of material and any proposal shall be reviewed by SEATAC prior to public hearing.

2. Grading Permit. A grading permit is also required for any grading project, as provided in Title 26 (Building Code) of the County Code.

3. Additional Findings. When a Conditional Use Permit is required, additional findings shall be made:

a. The use or structures requested are clearly accessory and subordinate to, will not alter the nature of, and are limited to facilities compatible with the intent and purpose of Zone O-S on the property where proposed.

b. In a Significant Ecological Area, such placement will not contribute to the detriment of the resources constituting the basis for classification as a Significant Ecological Area.

22.140.250 Guest Houses.

A. Applicability. This Section applies to guest houses as an accessory use in Zones A-1, A-2, R-A, R-1, R-2, R-3, and R-4.

B. Maximum Number Permitted. One detached guest house is permitted as accessory to a single-family residence.

C. Development Standards. Guest houses shall comply with the following standards:

1. A guest house shall be located on the same lot as a single-family residence and shall be located at least 20 feet away from such residence.

2. A guest house shall not have a kitchen or kitchen facilities.

3. A guest house shall not be rented or otherwise used as a separate dwelling.

4. A guest house shall be only for the use of temporary guests or servants of the occupants of the single-family residence.

5. A guest house shall not be established on a lot having less than one and one-half times the required area, except that the guest house may be established on any lot containing 10,000 square feet or more.

D. Prohibitions.

1. A guest house attached to a single-family residence is prohibited.

2. A guest house is not permitted where a second unit exists on the lot.

22.140.260 Health Retreats.

A. Applicability.

1. This Section applies to health retreats in Zones A–1 and A-2.

2. For health retreats in Zone R-R, Subsection B, below, shall apply.

B. Minimum Lot Size. Health retreats shall be located on a lot having an area of not less than two acres.

C. Number of Persons on Premises. Not more than 10 persons, including staff, patrons, and guests, shall be in residence at such retreat at any one time.

D. Activities. All activities shall be conducted as part of a live-in healthcare program only; the providing of services for persons maintaining residence for less than 24 hours shall be prohibited.

E. Screening. All exercise, gymnasium, therapy and similar equipment, and areas used for sunbathing, shall be located within a building or shall be effectively screened so as not to be visible to surrounding property. Such screening shall consist of walls, screening fences, or suitable landscaping. Where the buildings housing the retreat are visible to surrounding property, all structures shall be compatible with the dwellings and structures in the vicinity.

F. Transport. All patrons shall be transported to and from the property unless otherwise expressly authorized by the Commission or Hearing Officer.

G. Signs. No signs shall be permitted in conjunction with such use.

22.140.270 Historic Vehicle Collections.

A. Applicability. This Section applies to historic vehicle collections in Zones A-1, A-2, R-A, R-1, and R-2.

B. Application Requirements.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for a historic vehicle collection that complies with this Section; or

2. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required for a historic vehicle collection that requests a modification to the standards listed in this Section.

C. Screening. A historic vehicle collection shall be fully screened from off-site public view by means of walls, fences, or landscaping, or any other screening methods acceptable to the Director.

D. Setback and Required Yards. No portion of a historic vehicle collection shall be located within five feet of any building or structure, with the exception of garages, or within any required yard area.

E. Maximum Storage Area. The area used to store vehicles shall not exceed 10 percent of the total area of the lot.

F. Health and Safety. The historic vehicle collection shall be kept or maintained so as not to constitute a health or safety hazard.

G. Covenant. The applicant shall sign a covenant and agreement indicating that the applicant has read and understands the standards enumerated above and such other conditions that the Director may impose, and will faithfully abide by each and every standard and condition.

22.140.280 Holiday and Seasonal Sales.

A. Applicability. This Section applies to holiday and seasonal sales in all zones where permitted.

B. Christmas Tree Sales. A lot that proposes to offer Christmas trees for sale shall only conduct the sale between December 1 and December 31 in the same calendar year, both dates inclusive. All structures, facilities, and materials used in conjunction with the sales shall be removed from the premises by December 31 and the lot restored to a neat condition.

22.140.290 Home-Based Occupations.

A. Purpose. Home-based occupations may be established so that a resident may carry on a business activity which is clearly incidental and subordinate to a dwelling unit in a Residential Zone. The establishment of a home-based occupation shall be compatible with the surrounding neighborhood and uses, and shall not adversely change the character of the dwelling unit or detract from the character of the surrounding neighborhood.

B. Applicability. This Section applies to home-based occupations in Zones A-1, A-2, R-A, R-1, R-2, R-3, R-4, R-5, C-MJ, C-RU, MXD-RU, and MXD.

C. Development Standards. Home-based occupations shall comply with the following standards:

1. The home-based occupation shall be demonstrably secondary and incidental to the primary dwelling unit and shall not change the character and appearance of the dwelling unit.

2. The home-based occupation shall not generate pedestrian or vehicular traffic in excess of that which is customary for a dwelling unit, or which would have a disruptive effect on the neighborhood.

3. The home-based occupation shall not be conducted in any attached or unattached structure intended for the parking of automobiles.

4. The home-based occupation shall not create or cause noise, dust, vibration, odor, gas, fumes, smoke, glare, electrical interferences, hazards, or nuisances. There shall be no storage or use of toxic or hazardous materials other than the types and quantities customarily found in connection with a dwelling unit. Any noises shall comply with Chapter 12.08 (Noise Ordinance) in Title 12 (Environmental Protection) of the County Code.

5. Only one home-based occupation is permitted per dwelling unit.

6. No more than one person not residing on the property may be employed, either for pay or as a volunteer, to work on the property as part of the home-

based occupation. One on-site standard sized parking space shall be provided for such employee or volunteer in addition to other required parking set forth in this Title 22.

7. Signage, in any form, that indicates, advertises, or otherwise draws attention to the home-based occupation is prohibited.

8. No stock in trade, inventory, or display of goods or materials shall be kept or maintained on the property, except for incidental storage kept entirely within the dwelling unit.

9. No mechanical equipment is permitted in connection with the home-based occupation, other than light business machines, such as computers, scanners, facsimile transmitting devices, digital printers, and copying machines.

10. Activities conducted and equipment or material used shall not change the type of construction of the residential occupancy and shall be subject to all required permits.

11. The home-based occupation shall not involve the use of commercial vehicles for delivery of materials and products to or from the property in excess of that which is customary for a dwelling unit or which has a disruptive effect on the neighborhood. Such delivery services can include, but are not limited to, mail, express mail, and messenger services. No tractor trailer or similar heavy duty delivery or pickup is permitted in connection with the home-based business.

12. No more than one client visit or one client vehicle per hour shall be permitted, and only between the hours of 8:00 a.m. to 8:00 p.m., Monday through Friday, in connection with the home-based occupation.

D. Prohibitions. The following uses are prohibited as home-based occupations as listed in Table 22.140.290-A, below.

TABLE 22.140.290-A: USES PROHIBITED AS HOME-BASED OCCUPATIONS	
Adult entertainment	Medical physician (non-psychiatric) offices, except as a secondary office which is not used for the general practice of medicine, but may be used for consultation and emergency treatment as an adjunct to a principal office located elsewhere
Ambulance services	Photography laboratories, other than for occupant's own use
Animal training services	Recording/motion picture/video production studios, except for editing or pre-recorded material

TABLE 22.140.290-A: USES PROHIBITED AS HOME-BASED OCCUPATIONS	
Automotive repair, painting, body/fender work, upholstering, detailing, washing, including motorcycles, trucks, trailers, and boats	Restaurants
Beautician or barber services	Retail sales
Body piercing services	Tattooing services
Dentist, except as a secondary office which is not used for the general practice of dentistry, but may be used for consultation and emergency treatment as an adjunct to a principal office located elsewhere	Tow truck services
Funeral chapel or home	Upholstery
Firearms manufacturing or sales	Veterinary services and other uses which entail the harboring, training, care, breeding, raising, or grooming of dogs, cats, birds, or other domestic animals on the property; except those which are permitted by this Section (other than those owned by the resident)
Garment manufacturing	Welding or machine shops
Gunsmith services	Yoga/spa retreat centers
Massage therapy services, unless the therapist has procured a massage technician's business license and a massage parlor business license, as needed	Any other uses which disrupt and are inconsistent with the residential character of the neighborhood

22.140.300 Homeless Shelters.

A. Applicability. This Section applies to homeless shelters in all zones where permitted.

B. Maximum Occupancy. No more than 30 individuals, excluding staff, shall be allowed at one time if such proposed shelter is located on a lot of less than one acre.

C. Concentration. There shall not be an over-concentration of homeless shelters in the surrounding area.

D. Vicinity. The land uses and developments in the immediate vicinity of the site shall not constitute an immediate or potential hazard to occupants of the shelter.

E. Parking. The number of parking spaces to be provided on the property shall be sufficient to mitigate any adverse impacts on persons or properties in the surrounding area.

F. Other Regulations. The proposed shelter shall meet all operational and maintenance standards set forth in Title 25 (Housing and Community Development) of the California Code of Regulations, relating to shelters.

22.140.310 Hotels in Zone R-4 and R-5.

A. Applicability. This Section applies to hotels in Zone R-4 and R-5.

B. Maximum Number of Guest Rooms Permitted.

1. A maximum of 75 guest rooms per net acre may be permitted if the Commission or Hearing Officer finds that:

a. The proposed site has frontage on one or more major or secondary highways, parkways, or local streets having a minimum width of 80 feet;

b. Such highways, parkways, or streets are improved as necessary to carry the kind and quality of traffic to be generated; and

c. The provisions for access and circulation to adequately accommodate such traffic are provided.

2. A maximum of 50 guest rooms per net acre may be permitted if the Commission or Hearing Officer finds that the proposed site has frontage on highways, parkways, or local streets having a minimum width of less than 80 feet.

3. In computing the allowable number of guest rooms, each guest suite shall be considered the equivalent of two guest rooms.

4. In any case where the Commission or Hearing Officer fails to specify the total number of guest rooms permitted, it shall be deemed to be 50 guest rooms per net acre.

C. Incidental Businesses. Hotels having not less than 100 guest rooms are permitted to have incidental commercial service concessions in accordance with Section 22.140.090 (Apartment Houses, Incidental Commercial Services), subject to all development standards therein.

D. Guest Rooms or Suites with Cooking Facilities. Guest rooms and suites where expressly permitted by the Commission or Hearing Officer to have bar sinks or gas, electrical, or water outlets designed or intended to be used for cooking facilities, shall conform to the following standards:

1. The design of such hotel, including lobbies, service areas, dining and kitchen facilities, elevators, and other features, is intended to be used for transient occupancy as a hotel rather than as dwelling units for permanent occupancy.

2. At least 90 percent of the guest rooms and suites shall only be rented out to be occupied on a temporary basis by guests staying 30 days or less.

3. The hotel shall be registered with the Treasurer and Tax Collector as provided by Chapter 4.72 (Transient Occupancy Tax) in Title 4 of the County Code.

4. In any case where the Commission or Hearing Officer does not specifically approve such bar sinks or gas, electrical or water outlets, they shall be deemed to be prohibited.

22.140.320 Joint Live and Work Units.

A. Purpose. The Section facilitates the establishment of, and to ensure the compatibility of, residential and commercial uses within joint live and work units by allowing such uses in certain Commercial Zones with appropriate development limitations and standards, and to streamline the permitting procedure for such uses. Joint live and work units may occupy portions of buildings designed for mixed use developments.

B. Applicability. This Section applies to joint live and work units in Zones C-H, C-1, C-2, C-3, C-M, C-MJ, C-RU, MXD-RU, and MXD.

C. Application Requirements.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for joint live and work units in Zones C-H, C-1, C-2, C-3, C-MJ, C-RU, MXD-RU, and MXD;

2. Minor Conditional Use Permit. A Minor Conditional Use Permit (Chapter 22.160) application is required for joint live and work units in Zone C-M; or

3. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required for a joint live and work unit that requests:

a. A modification to any of the requirements in this Section; or

b. The conversion of a joint live and work unit, which is not located on the ground floor of a building, to a commercial use which is permitted in the underlying zone, or conversion of any joint live and work unit to an exclusive residential use.

D. County Agency Review. All joint live and work units that require approval by Public Works shall first be referred to the Department for review and approval to ensure that the use exceptions specified in this Section are properly evaluated.

E. Prohibited Locations. Joint live and work units are prohibited if any portion of the development is located within:

1. A Significant Ecological Area (SEA);

2. A Very High Fire Hazard Severity Zone;

3. An Airport Land Use influence area as depicted in the Los Angeles County Airport Land Use Plan;

4. On land with a slope of 25 percent or more; or

5. On land not served by a public water and sewer system.

F. Permitted Uses. Notwithstanding the uses otherwise permitted in the zone, the commercial component of the joint live and work units shall only include:

1. The following uses as listed in Table 22.140.320-A, below.

TABLE 22.140.320-A: PERMITTED USES	
Antiques, the restoration of genuine antiques	Leatherwork, using previously tanned leather
Architecture and building design	Musical instruments making and assembly
Art studios, including painting and sculpturing	Offices, business or professional, including transcription studios
Bookbinding	Ornamental metal, provided that there are no forging works or any process used in bending or shaping
Cartooning and animation	Photography studios
Ceramics making	Picture mounting and framing
Clothing design and sewing	Pottery throwing
Commercial art	Printing and publishing
Costume designing	Shoes and footwear fabrication
Engraving of metal products	Silk screen processing
Furniture, the crafting and assembly of, including custom upholstering	Textile weaving, hand looms only

TABLE 22.140.320-A: PERMITTED USES	
Glass, the hand production of, including glass blowing, glass, crystal and art novelties, and the assembly of stained art glass	Toys production
Graphic design and display studio	Watch making
Interior decorating studios	Woodcarving
Jewelry making	Wood products crafting

2. In Zone C-M, in addition to the uses specified in Table 22.140.320-A, above, the following assembly and manufacture uses involving previously prepared materials, and excluding the use of drop hammers, automatic screw machines, punch presses exceeding five tons capacity, and motors exceeding one horsepower capacity that are used to operate lathes, drill presses, grinders, or metal cutters, are permitted provided that all activities are conducted within an enclosed building, as listed in Table 22.140.320-B, below.

TABLE 22.140.320-B: ADDITIONAL PERMITTED USES IN ZONE C-M	
Aluminum products	Glass products and stained-glass assembly, provided that no individual crucible shall exceed a capacity of 16 square feet
Appliance assembly, electrical, electronic, and electromechanical	Instrument assembly, electrical, electronic, and electromechanical, including precision machine shops
Bone products	Jewelry manufacture
Canvas products	Leather products, excluding machine belting
Cellophane and plastic products	Metals; working and casting of rare, precious, or semiprecious metals
Cloth, textile, and yarn products, excluding dyeing of yarn	Optical goods manufacture
Cosmetics, perfume manufacture, and toiletries, excluding soap	Paper products
Equipment assembly, electrical, electronic, and electromechanical	Shell products
Felt products	Stone products
Fur products	Wicker and bamboo products

G. Development Standards. All joint live and work units shall conform to the following development standards:

1. Additional Standards. The development standards specified in Section 22.140.360.A.7 (Development Standards) shall apply.

2. Minimum Size. The minimum size of a joint live and work unit shall be 1,000 square feet.

H. Performance Standards. All joint live and work units shall conform to the following performance standards:

1. The performance standards specified in Section 22.140.360.A.8 (Performance Standards).

2. At least one resident of the living space shall perform or oversee the commercial activity performed in the working space.

3. The living and working spaces within a joint live and work unit shall not be rented, leased, or sold separately.

4. The maximum number of employees who do not reside within a joint live and work unit is two.

5. For a multi-story joint live and work unit that is located partially on the ground floor, the working space shall be located on the ground floor.

6. The minimum floor area for working space shall be 250 square feet.

7. Where a ground-floor joint live and work unit fronts upon a street, the working space shall be oriented to the street.

8. The joint live and work unit shall have at least one shared external entrance/exit for the working space and the living space.

9. There shall be direct access between the living space and working space.

I. Covenant and Agreement. The applicant shall record with the Registrar-Recorder/County Clerk, an agreement that the joint live and work units will be maintained in accordance with this Section as a covenant running with the land for the benefit of the County, and the covenant shall also declare that any violation thereof shall be subject to Chapter 22.242 (Enforcement Procedures).

22.140.330 Live Entertainment, Accessory.

A. Purpose. This Section regulates accessory live entertainment to ensure land use compatibility and prevent adverse impacts on adjacent uses.

B. Applicability. Live entertainment may be permitted as an accessory use in a legally existing bar, cocktail lounge, or restaurant having an occupancy load of less than 200 persons and located within an enclosed building in all zones where bars, cocktail lounges, or restaurants are permitted, and the building is in compliance with Subsection E, below.

C. Prohibition. Accessory live entertainment shall not be permitted if:

1. The principal use is a nonconforming use in the zone where it is located; or

2. The principal use is legally operating pursuant to a Variance (Chapter 22.194) or in a building nonconforming due to standards as specified in Subsection E, below, unless and until the principal use is in compliance with these standards.

D. Application Requirements.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for accessory live entertainment when all of the requirements in Subsection E, below, have or can be met; or

2. Conditional Use Permit.

a. A Conditional Use Permit (Chapter 22.158) application is required for accessory live entertainment when any of the requirements in Subsection E, below, have not or cannot be met.

b. This application shall not be construed to authorize the modification of development standards required for the establishment of such bar, cocktail lounge, or restaurant, unless a Variance (Chapter 22.194) application is granted.

E. Development Standards.

1. Parking. Automobile parking shall be developed as follows:

a. Parking for the principal use shall comply with all of the requirements in Chapter 22.112 (Parking).

b. Access and egress to such parking shall be located so as to reduce or eliminate the impact of traffic on residential development in the immediate area.

22.140.340 Manufacturing as an Accessory Use in Commercial Zones.

A. Applicability.

1. This Section applies to manufacturing as an accessory use in Zones C-3, C-M, and C-R and to retail laundries in Zones C-3 and C-MJ.

2. This Section shall not apply to manufacturing as a principal use as permitted in Zone C-M by Chapter 22.20 (Commercial Zones).

B. Uses Allowed. Manufacturing as an accessory use shall include processing, packaging, treating, and incidental storage related to and operated in conjunction with and accessory to a business conducted on the same lot.

C. Location.

1. Activities shall be restricted to the ground floor of the building and shall not occupy more than 25 percent of said ground floor area.

2. Any such activities shall be conducted wholly within a completely enclosed building.

D. Employees. Not more than five employees shall be engaged in such activities.

E. Appearance. A commercial appearance shall be maintained by office or window display space, or both, across all the street or highway frontage of the building, except doorways, to a depth of not less than two feet.

F. Setbacks. Any portion of the building devoted to such activities shall be not nearer than 50 feet to any Agricultural or Residential Zone.

G. Performance Standards. All noise, vibration, dust, odor, and all other objectionable factors will be confined or reduced to the extent that no annoyance or injury will result to persons or property in the vicinity.

H. Interpretation. Where a conflict in interpretation occurs regarding application of any provision of this Section, the Director shall make such determination.

22.140.350 Mixed Use Developments in Commercial Zones.

A. Mixed Use Development in Zones C-H, C-1, C-2, C-3, and C-M.

1. Purpose. This Section facilitates the establishment of and ensures the compatibility of residential and commercial uses within vertical mixed use developments by allowing such uses in certain Commercial Zones with appropriate development limitations and standards, and to streamline the permitting procedure for such uses. Joint live and work units may occupy portions of buildings designed for mixed use developments.

2. Applicability. This Subsection A applies to mixed use developments in Zones C-H, C-1, C-2, C-3, and C-M.

3. Application Requirements.

a. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for mixed use developments in Zones C-H, C-1, C-2, and C-3;

b. Minor Conditional Use Permit. A Minor Conditional Use Permit (Chapter 22.160) application is required for mixed use developments in Zone C-M; or

c. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required for mixed use developments that request:

i. A modification to any requirement in this Section; or

ii. The conversion from a mixed use development to an exclusive residential use.

4. County Agency Review. All mixed use developments that require approval by Public Works shall first be referred to the Department for review and approval to ensure that the prohibited uses specified in Subsection A.6, below, are properly regulated.

5. Prohibited Locations. No mixed use development shall be allowed if any portion of the development would be located in:

a. A Significant Ecological Area (SEA);

b. A Very High Fire Hazard Severity Zone;

c. An Airport Land Use influence area as depicted in the Los Angeles County Airport Land Use Plan;

d. On land with a slope of 25 percent or more; or

e. On land not served by a public water or public sewer system.

6. Prohibited Uses. Notwithstanding the uses otherwise permitted in the zone, the following uses are prohibited in the commercial component of a mixed use development, as listed in Table 22.140.360-A, below.

TABLE 22.140.360-A: PROHIBITED USES	
Animal-Related Uses	
Dog training schools	
Cultural, Educational, and Institutional Uses	
Lodge halls	
Recreational Uses	
Athletic fields	Golf courses including the customary clubhouse and accessory facilities
Retail/Commercial Uses	
Auction houses	Pet stores
Ice sales	Recording studios
Industrial Uses	
Assaying services	Laboratories, research and testing
Bakery goods distributors	Laundry plants, wholesale
Furniture and household goods, transfer and storage	Motion picture studios and indoor sets
Industrial Uses – Assembly and Manufacturing Uses	
Aluminum products	Leather products, excluding machine belting
Appliance assembly, electrical, electronic, and electromechanical	Metals, working and casting of rare, precious, or semiprecious metals
Bone products	Metal plating
Canvas products	Optical goods manufacture
Cellophane products	Paper products
Cloth products	Perfume manufacture
Cosmetics, excluding soap	Phonograph records manufacture
Equipment assembly, electrical, electronic, and electromechanical	Plastic products
Felt products	Shell products

TABLE 22.140.360-A: PROHIBITED USES	
Fur products	Stone products
Glass products and stained-glass assembly, provided no individual crucible shall exceed a capacity of 16 square feet	Textile products
Golf ball manufacture	Toiletries, excluding soap
Instrument assembly, electrical, electronic, and electromechanical; including precision machine shops	Wicker and bamboo products
Jewelry manufacture	Yarn products, excluding dyeing of yarn
Industrial Uses – Food Processing	
Candy and confectioneries	Ice cream
Fruit and vegetable juices, excluding the use of carbonization	Wineries
Service Uses	
Ambulance emergency service facilities	Hospital equipment and supply rentals
Ambulance service facilities	Mortuaries
Bakery shops	Party equipment rentals
Beauty shops	Pet grooming
Dry cleaning establishments	Taxidermists
Furniture and appliance rentals	Tool rentals, including rototillers, power mowers, sanders and saws, cement mixers, and other similar equipment, excluding heavy machinery or trucks
Transportation, Communication, Utility and Public Service Uses	
Communications equipment buildings	Parcel delivery terminals
Electric distribution substations, including microwave facilities	Radio and television broadcasting studios
Gas metering and control stations, public utility	Telephone repeater stations.
Microwave stations	
Vehicle-Related Uses	
Air pollution sampling stations	Automobile supply stores
Automobile and other vehicle repair garages	Boat and other marine sales
Automobile battery service	Boat rentals
Automobile brake repair shops	Car washes, automatic, coin operated, and hand wash
Automobile muffler shops	Mobilehome sales
Automobile radiator shops	Motorcycle, motor scooter, and trail bike rentals and sales
Automobile rental and leasing agencies	Recreational vehicle rentals and sales
Automobile sales, sale of new and used motor vehicles	Tire retreading or recapping
Automobile sightseeing agencies	Trailer rentals and sales
Automobile service stations	Truck rentals

7. Development Standards. The following development standards shall apply:

a. Parking.

i. With the exception of fully subterranean parking structures, all parking areas shall:

(1) Be located in the rear of the structure; and

(2) Be completely screened with walls or landscaping so that they are not visible from the street that provides frontage, except that views of parking areas down or along access driveways need not be screened.

ii. Separate commercial and residential parking spaces must be provided in compliance with Chapter 22.112 (Parking). Spaces shall be separately designated by signage, striping, pavement marking, and/or physical separation.

b. Loading/Unloading. Off-street loading areas shall be located toward the rear of the building and shall not be visible from the street.

c. Trash/Recycling. Areas for the collection and storage of refuse and recyclable materials shall be located on the site in locations that are convenient for both the residential and commercial uses. The trash enclosures shall be located toward the rear of the building and shall not be visible from the street.

d. Zone-Specific Standards.

i. In Zones C-H, C-1, and C-2, not more than 17 dwelling units per net acre shall be permitted.

ii. In Zones C-3 and C-M:

(1) Not more than 50 dwelling units per net acre shall be permitted.

(2) Buildings and structures shall not exceed a height of 60 feet above grade.

8. Performance Standards. The following performance standards shall apply:

a. Mixed Use Development Type.

i. With the exception of entrance hallways and joint live and work units, commercial and residential uses shall not be located on the same floor.

ii. With the exception of joint live and work units, the ground floor space shall be devoted solely to commercial uses.

iii. With the exception of joint live and work units, all floor space above the ground floor shall be devoted solely to residential uses.

b. Hours of Operation. The hours of operation for commercial uses shall be no earlier than 7:00 a.m., and no later than 10:00 p.m., daily.

c. Operating Activities Prohibited. The following operating activities shall be prohibited:

i. Storage or shipping of flammable liquids or hazardous materials beyond that normally associated with a residential use; and

ii. Welding, machining, or open flame work.

9. Covenant and Agreement. The applicant shall record in the Registrar-Recorder/County Clerk, an agreement that the mixed use developments will be maintained in accordance with this Section as a covenant running with the land for the benefit of the County, and the covenant shall also declare that any violation thereof shall be subject to Chapter 22.242 (Enforcement Procedures).

B. Mixed Use Development in Zone C-MJ.

1. Applicability. This Subsection B applies to mixed use developments in Zone C-MJ.

2. Application Requirements. A Conditional Use Permit (Chapter 22.158) application is required for mixed use developments in Zone C-MJ.

3. Prohibited Uses. Prohibited uses in mixed use developments shall comply with Subsection A.6, above.

4. Development Standards for Mixed Use Developments. The following development standards shall apply:

a. Recreational Spaces for Mixed Use Developments.

i. Areas Defined.

(1) Common Recreational Space. Recreational space shall be for the exclusive use of the residents in the development, and may include the following as listed in Table 22.140.360-B, below.

TABLE 22.140.360-B: COMMON RECREATIONAL SPACE	
Atriums	Playgrounds
Barbecue and picnic areas	Pool decks
Community or multipurpose rooms	Swimming pools and spas
Courtyards	Tennis, volleyball, and other ball courts
Gardens, including rooftop gardens	Terraces
Indoor or outdoor exercise areas and rooms	Yards, interior side and rear, exclusive of vehicular access
Lawns	

(2) Private Recreational Space. Recreational space attached to and accessed from, within an individual dwelling unit, and may include an atrium, balcony, patio, porch, or terrace.

(3) Excluded from Recreational Space. Off-street parking and loading areas, driveways and other vehicular access areas, service areas, and perimeter landscaping with no more than two feet in width shall not count as useable recreational space.

ii. Minimum Dimensions. For every dwelling unit in a mixed use development, a minimum of 100 square feet for private and commercial recreational space shall be provided and maintained. Landscaping required for the development may count towards this requirement as long as the landscaping is usable recreational space.

iii. Additional Standards for Common Recreational Space.

(1) Accessibility. Common recreational space shall be located on the same property as the units it serves, and shall be available exclusively for the use of all residents of the development.

(2) Roof Top Common Recreational Space. Where a roof top is used for common recreational space, the roof top shall incorporate

landscaping, decorative paving materials, and recreational amenities of the type listed in Subsection B.4.a.i.(1), above. Mechanical equipment storage areas on roof tops shall not be counted towards recreational space.

b. Other Residential Amenities for Mixed Use Developments. Any development that includes dwelling units shall provide adequate private or common laundry facilities that are reserved for the exclusive use of the residents residing in the development.

5. Performance Standards for Mixed Use Developments. The following performance standards shall apply:

a. Hours of Operation. The hours of operation for commercial uses shall be no earlier than 6:00 a.m., and no later than 12:00 a.m., daily, unless modified by Conditional Use Permit (Chapter 22.158).

b. Loading. Off-street loading areas shall be located towards the rear of the structures where feasible and shall not be visible from the street. Loading, unloading, and all maintenance activities shall be conducted within the hours of operation noted in Subsection B.5.a, above, and in such fashion to prevent annoyance to adjacent residents and tenants.

c. Noise. Noise shall be controlled in such a manner so as not to create a nuisance or hazard on any adjacent property.

d. Operating Activities Prohibited. The following operating activities shall be prohibited:

i. Storage or shipping of flammable liquids or hazardous materials beyond that normally associated with a residential use; and

ii. Welding, machining, or open flame work.

22.140.360 Mixed Use Developments in Zone MXD-RU.

A. General. In Zone MXD-RU, as part of a mixed use development that includes a commercial component, residential uses shall be permitted as listed in Section 22.24.030 (Land Use Regulations for Rural Zones) for "mixed use developments, vertical or horizontal."

B. Development Standards. The following standards shall apply:

1. General.

a. Any mixed use development shall conform to the development standards set forth in Section 22.24.040 (Development Standards for Rural Zones).

b. The conversion of any mixed use development to an exclusively residential use pursuant to Section 22.140.350.A.3.c (Conditional Use Permit) shall be prohibited.

2. Vertical. Vertical mixed use development shall be subject to the applicable provisions of Sections 22.140.350.A.7 (Development Standards) and 22.140.350.A.8 (Performance Standards).

3. Horizontal. Horizontal mixed use developments shall:

a. Comply with the requirements in:

i. Section 22.140.350.A.5 (Prohibited Locations).

ii. Section 22.140.350.A.8.b (Hours of Operation).

iii. Section 22.140.350.A.8.c (Operating Activities Prohibited).

iv. Section 22.140.350.A.9 (Covenant and Agreement).

b. Maintain a minimum distance of 10 feet between any residential building established on the same lot, unless otherwise approved with a Conditional Use Permit, notwithstanding the provisions of Section 22.110.050 (Distance Between Buildings); and

c. Provide separate vehicular access for commercial and residential uses.

C. Prohibited Uses. For any commercial component of a mixed use development in Zone MXD-RU, in addition to the prohibited uses for commercial components of mixed use developments in 22.140.350.F (Prohibited Uses), the uses listed in Table 22.140.360-A shall be prohibited:

TABLE 22.140.360-A: PROHIBITED USES	
Amphitheaters	Menageries, zoos, animal exhibitions, or other facilities for the keeping or maintaining of wild animals
Dry cleaning establishments, except that drop-off and pick-up sites may be permitted in a mixed-use development if the clothes are cleaned at a different location	Nightclubs
Earth stations	Paint and wallpaper stores
Feed and grain sales	Recreational vehicle parks
Firewood, sale of	Stations – bus, railroad and taxi
Golf-driving ranges	Veterinary, small animal clinics
Hospitals	Veterinary, small animal hospitals
Meat markets	

22.140.370 Mobilehome Parks.

A. Applicability. This Section applies to mobilehome parks in all zones where allowed. The Commission or Hearing Officer, in granting the Conditional Use Permit (Chapter 22.158), may impose additional conditions, but may not modify any of the following standards listed in this Section, except as otherwise provided in this Section or pursuant to a Variance (Chapter 22.194) application.

B. Density.

1. The total number of lots within a mobilehome park shall not exceed the number of dwelling units per net acre specified in the zone, unless a density bonus is granted pursuant to Chapter 22.120 (Density Bonuses and Affordable Housing Incentives).

2. In those zones or General Plan categories where residential densities have not been established, the density shall be established by the Commission or Hearing Officer.

C. Access and Circulation.

1. At least two access points to a public street or highway from the mobilehome park shall be provided, which can be used by emergency vehicles.

D. Screening. Public street frontages of a new mobilehome park shall be screened to a height between five feet and eight feet with a wall, a decorative fence, an opaque hedge of shrubs or trees, or a landscaped berm. Such screening shall be

tapered to less than five feet where needed to provide unobstructed visibility for motorists.

E. Signs.

1. Signs shall be subject to the provisions of Chapter 22.114 (Signs), except that in lieu of business signs standards as listed in that Chapter, a mobilehome park may only display the following signs:

a. One wall-mounted or freestanding sign not exceeding 20 square feet in sign area, or 40 square feet in total sign area, to identify the mobilehome park may be located at each principal entrance.

b. One freestanding sign, not exceeding six square feet in sign area or 12 feet in total sign area, advertising property for sale, lease, or rent, or indicating vacancy status, may be located at each principal entrance.

c. Temporary subdivision sales, entry, and special feature signs shall be allowed as specified in Section 22.114.180 (Temporary Subdivision and Real Estate Signs).

d. A directional or informational sign indicating the location of each residence by number shall be located at each principal entrance and at other appropriate locations for use by emergency vehicles, as well as the convenience of guests. The size, location, and number of such signs shall be established by the Commission or Hearing Officer.

2. No source of illumination for any signs shall be directly visible from adjoining streets or residential property, and no such signs shall be erected within five feet of any exterior property line.

F. Local Park Space Obligations. Local park space shall be provided to serve the mobilehome park, or a fee shall be paid in lieu thereof, as required for subdivisions by Title 21 (Subdivisions) of the County Code.

G. Fire Protection. Notwithstanding any provision of State law, the Commission or Hearing Officer may require amenities or conditions in accordance with Title 32 (Fire Code) of the County Code, that the Fire Department deems necessary to

protect life and property, including but not limited to fire hydrant systems, water supply, fire equipment access, posting of fire equipment access, parking lot identification, weed abatement, debris abatement, combustible storage abatement, and burglar bars.

H. Recreational Vehicle Park within a Mobilehome Park. In Zones C-H, C-1, C-2, C-3, and C-M, where a recreational vehicle park is located within a mobilehome park, it shall be a separate section of the mobilehome park and shall be so designated.

I. Prohibitions.

1. A mobilehome park shall have no conventionally constructed or stud-framed residences or apartment houses, other than one dwelling unit for the use of a caretaker or manager responsible for maintaining or operating the property.

2. There shall be no commercial uses, except those uses approved by the Commission or Hearing Officer and which are necessary to facilitate the operation of the mobilehome park.

J. Long-Term Leases.

1. In the event the County eliminates rent control for mobilehomes, all Conditional Use Permit (Chapter 22.158) applications for new mobilehome parks shall require as a condition of approval that all rental agreements have, in bold print no less than one-half inch high, the following statement: "There is no rent control for mobilehome parks in Los Angeles County. Potential residents may wish to secure long-term leases for their own protection."

2. The Department shall be provided with a sample copy of the rental agreement prior to occupancy of the mobilehome park.

22.140.380 Mobilehomes Used as a Residence During Construction.

A. Applicability. This Section applies to mobilehomes used as a residence during construction, as a temporary use, in all zones where permitted.

B. Time Limitation. A mobilehome may be used as a temporary residence for the owner and his family during the construction by such owner of a permanent residence, but only while a building permit for the construction of such residence is in full force and effect.

C. Density and Size. The mobilehome shall contain only one dwelling unit not to exceed 12 feet in width and shall have no structural attachments.

D. Removal. The mobilehome shall be removed from the site prior to the end of the date listed in the approved application.

22.140.390 Model Homes.

A. Applicability. This Section applies to model homes in Zones A-1, A-2, R-A, R-1, R-2, R-3, R-4, and R-5.

B. Development Standards.

1. Model homes shall be established on an approved lot in a tentative tract that has been filed and approved by the Commission or Hearing Officer.

2. Model homes may be used in conjunction with an approved temporary tract office but not a general real estate business.

3. Any structure used for such purpose at the end of two years shall either be removed or restored for a use permitted in the zone where located, except that the Director may, upon a showing of need by the owner of the property, extend the permitted time beyond two years.

22.140.400 Oil Wells.

A. Purpose. This Section regulates oil wells, including the installation and use of such equipment, structures, and facilities for oil drilling and producing operations customarily required or incidental to usual oil field practice; including, but not limited to, the initial separation of oil, gas, and water, and for the storage, handling, recycling, and transportation of such oil, gas, and water to and from the property.

B. Prohibition. Unless otherwise permitted in the zone, no refineries or absorption plants are permitted in conjunction with an oil well.

C. Development Standards in Zones A-2, M-1, M-1.5, and M-2. This Subsection C applies to oil wells located in Zones A-2, M-1, M-1.5, and M-2:

1. Application Requirements.

a. A Ministerial Site Plan Review (Chapter 22.186) application is required for oil wells:

i. In established oil fields as delineated on maps published by the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and

ii. That comply with the requirements in this Subsection C; or

b. A Conditional Use Permit (Chapter 22.158) application is required for oil wells:

i. Outside established oil fields as delineated on maps published by the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources;

ii. That request a modification to any of the standards in this Subsection C; or

iii. Notwithstanding Subsection C.3, below, in Zone M-2, if located within 300 feet of any public school or park, or any Residential Zone or Zone A-1.

2. Setback From Highway. A well hole, derrick, or tank shall not be placed within 20 feet of any public highway.

3. Setback From Residences. No oil drilling shall be within 300 feet of any residence, except for a residence on the same land that is owned or leased by the person drilling the oil well.

4. Additional Standards for Setbacks Less Than 500 Feet From Residences. Drilling within 500 feet of one or more residences, except for a residence on the same land that is owned or leased by the person drilling the oil well, shall comply with the following standards:

a. All derricks used in connection with the drilling of the well shall be enclosed with fire-resistant and soundproofing material unless the heads of all families occupying any residence within 1,320 feet (one-quarter mile) of the drilling site, other than of a residence described at the beginning of this Subsection C.3, above, file a written waiver with the Commission or Hearing Officer.

b. All drilling and pumping equipment shall be operated by muffled internal-combustion engines or by electric motors.

c. Materials, equipment, tools, or pipe used for either drilling or producing operations at the well hole shall not be delivered to or removed from the drilling site except between the hours of 8:00 a.m. and 6:00 p.m. of any day, except in the case of emergency.

5. Enclosures. Any unattended earthen sump located within 1,320 feet of the nearest highway, or within 2,640 feet (one-half mile) of 20 or more residences shall be enclosed with a fence not less than five feet high, mounted on steel posts with not less than three strands of barbed wire around the top. Such fence shall be constructed of woven wire fencing or equivalent of not greater than six-inch mesh.

6. Roads. When private roads to wells are constructed, that portion of such roads lying within 200 feet of an oiled or surfaced public highway, or of an existing residence, shall be oiled or surfaced.

7. Fire and Safety. All drilling and producing operations shall conform to all applicable fire and safety regulations.

8. Number of Tanks Allowed. Not more than two production tanks, neither to exceed 1,000 barrels capacity, shall remain on the property following completion of production tests at each well; provided that this condition shall not restrict the maintenance of additional tanks for storage and shipping.

9. No Public Nuisance. All drilling and production operations shall be conducted in such a manner as not to constitute a public nuisance. Proven technological improvements in drilling and production methods shall be adopted as they may become, from time to time, available if capable of reducing factors of nuisance and annoyance.

10. Signs. Signs shall not be constructed, erected, maintained, or placed on the property, or any part thereof, except those required by law or ordinance to be displayed in connection with the drilling or maintenance of the well.

11. Toilet Facilities. Suitable and adequate sanitary toilet and washing facilities shall be installed and maintained in a clean and sanitary condition at all times.

12. Removal Upon Completion or Abandonment. The derrick used to drill any well hole or to repair, clean out, deepen, or re-drill any completed or drilling well, shall be removed within 90 days after completion or abandonment of any well.

13. Restoration Upon Abandonment. Within 90 days after abandonment of any well, earthen sumps used in drilling or production, or both, shall be filled, and the drilling site restored as nearly as practicable to its original condition.

14. Bonds. Except as provided in Subsection C.15, below, a faithful performance bond of $2,000 shall be filed with the Board for each well for the first five wells. Where more than five wells are drilled, $10,000 in bonds shall be the total required of all oil operators. Either such bond shall include as obligees all persons who may be damaged or annoyed by such use, or a policy of insurance shall be filed with the Board having a maximum amount of recovery not less than the amounts required of a bond, directly insuring all persons who may be damaged or annoyed by such use.

15. Assignment of Savings and Loan Certificates and Shares. In lieu of the bond required by Subsection C.14, above, the oil well operator may deposit with the Executive Officer-Clerk of the Board and assign to the County savings and loan certificates or shares equal in amount to the required amount of the bond. Such deposit and assignment shall comply with all the provisions and conditions of Section 4.36 (Assignment of Savings and Loan Certificates and Shares) of Title 4 of the County Code.

16. Insurance Agreement. If an oil well operator deposits and assigns savings and loan certificates and shares in lieu of filing the bond required by Subsection C.14, above, and does not file with the Board the policy of insurance described in the same Subsection, the operator also shall file a written agreement with the Board that the County may satisfy, either in whole or in part from such certificates or shares, any final judgment, the payment of which would have been guaranteed by such bond or policy of insurance.

D. Development Standards in Zone O-S. All oil and gas drilling operations proposed in Zone O-S shall be located, developed, and operated in compliance with the following standards:

1. Restrictions on Sumps. On or after December 24, 1982, no person shall dig, excavate, construct, or establish any open sump on any oil well site or at any other place in connection with the operation of any oil well approved pursuant to this Subsection D, except that sumps which are containerized or otherwise lined and covered to protect wildlife and groundwater are permitted.

2. Uses Permitted. Oil wells shall be limited to gas drilling operations, including accessory storage tanks and equipment.

3. Additional Setbacks Less Than 500 Feet From Sensitive Uses.

a. If the proposed drilling is within 500 feet of a dwelling unit, hospital, school, rooming house, or other similar residential, educational, or health care facility; the following standards shall apply:

i. All derricks used in connection with the drilling of the well shall be fully enclosed with fire-resistant and soundproofing material maintained in a serviceable condition.

ii. All engines or motors used in connection with the drilling of the well shall be either electric or adequately muffled to prevent the emission of sound, sparks or ignited carbon, or soot.

iii. All oil, gas, or other produced substances shall be transported from any site by buried pipeline, except that an alternative transport system may be approved with a Conditional Use Permit (Chapter 22.158) application.

b. A well hole, derrick, or tank shall not be placed within 300 feet of any dwelling unit, school, or hospital or other similar residential, educational, or health facility.

4. Production. Production tanks shall not exceed a capacity of 1,000 barrels per tank, nor total more than a capacity of 2,000 barrels per well.

5. Refining Not Permitted. Refining shall not take place on-site, except that normal production operations including the initial separation of oil, gas, and water and the storage, handling, recycling, and transportation of such materials is permitted.

6. Noise, Odor, and Vibrations. Any machinery or equipment used in the production or processing of substances within the site shall be designed or housed and operated so that odor is limited to a minimum and so that noise and vibrations conform to the limits as specified in Chapter 12.08 (Noise Ordinance) of Title 12 of the County Code.

7. Containment. Adequate measures shall be designed and constructed to insure containment of spills. For operations outside of established oil fields, the Commission or Hearing Officer may require additional measures if a spill may potentially affect a Significant Ecological Area or a similar natural resource area.

8. Equipment Storage. Accessory tanks and equipment shall be stored within the fenced or walled area of the site. Any other equipment that is not essential to the daily operation of the oil well located on the site shall not be stored on the site.

9. Discharge. All oil field waste shall be discharged into a suitable container for removal from the site.

10. Roads. All private access roads leading off any surfaced public street or highway shall be paved with asphalt or concrete not less than three inches thick for the first 50 feet of the access road from the public street or highway. The remainder of the access road shall be wet down during use, oiled, hard-surfaced, or maintained in such other fashion to limit dust.

11. Fences and Walls. Fences or walls in compliance with Chapters 11.46 and 11.48 of Title 11 (Health and Safety) of the County Code is required. Such fence shall enclose all drilling equipment or machinery, tanks, and vehicular parking.

12. Signs. No signs shall be placed, constructed, or used on the drilling site except those required for public safety, and except those required by law or ordinance to be displayed in connection with the drilling or maintenance of any well.

13. Screening. All visible structures shall be painted or otherwise surfaced with a color compatible with the surrounding area.

14. Landscaping. A landscaping plan indicating the size, type, and location of all vegetation to be planted, as well as topographic features and irrigation facilities, shall be submitted for review and approval by the Director. A phasing plan indicating the time schedule of planting shall be submitted in conjunction with the landscape plan. The plan shall show the placement of all trees and shrubs plantings around the perimeter of the property for screening of the operations from adjoining or adjacent public streets or highways or Residential Zones. If the oil wells, equipment, and facilities are effectively screened from view due to their isolation or with existing trees and shrubs or by intervening topography to the satisfaction of the Director, such may be used in lieu of required landscaping.

15. Toilet Facilities. Suitable and adequate sanitary toilet and washing facilities shall be installed on-site, and shall be maintained in a clean and sanitary condition at all times.

16. Maintenance. The drilling site and access to the site shall be maintained in a neat and orderly fashion.

17. Abandonment. Within 90 days from the date of abandonment, the oil well site shall be cleared of all equipment and restored as nearly as practicable to its original condition.

18. Other Regulations. The drilling operation and development of the site shall be compatible with all other applicable laws, ordinances, and regulations.

19. Bonding. A faithful performance bond, cashier's check, or certificate of deposit of $5,000 shall be filed with the Board for each well drilled; or at the election of the applicant, $25,000 for five or more wells. Such bond, cashier's check, or certificate of deposit shall be executed in favor of the County to cover all costs of

rehabilitating the drilling site after abandonment of the well in the event of a failure to rehabilitate the site.

22.140.410 Outdoor Dining.

A. Applicability. This Section applies to restaurants with outdoor dining in all zones where permitted.

B. Application Requirements.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for outdoor dining that complies with Subsections C through G, below; or

2. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required for outdoor dining and a request to modify the requirements in Subsections C through G, below.

C. Walls. Where areas are used for outside eating, drinking, or assembly within 75 feet of a Residential or Agricultural Zone, a solid masonry wall between five and six feet in height shall be required along the lot lines adjoining said zones, except that:

1. Where such wall is located within 10 feet of any alley, street, parkway, or highway and would interfere with the line-of-sight of the driver of a motor vehicle leaving the property on a driveway, or moving past a corner at the intersection of two streets or highways, said wall shall not exceed a height of 42 inches; and

2. The Director may approve substitution of a decorative fence or wall, where, in his opinion, such fence or wall will adequately comply with the intent in Subsection C.1, above, and any required application findings.

D. Lighting. Lighting shall be so arranged to prevent glare or direct illumination in any Residential or Agricultural Zone.

E. Awnings. All awnings shall conform to the requirements in Title 26 (Building Code) of the County Code for roof coverings.

F. Music. There shall be no amplified sound or music in the outdoor dining area.

G. Fencing. A 42-inch high wall, fence, or hedge, or a five-foot wide landscaped area shall be established along the outside eating, drinking, and assembly area adjoining any public sidewalk, street, or highway; except where all of the tables and chairs are removed daily.

H. Additional Standards. All applicable provisions of Title 11 (Health and Safety) of the County Code shall be observed in all areas of the restaurant.

22.140.420 Outdoor Display.

A. Applicability. This Section applies to outdoor display in Zones C-H, C-1, C-2, C-3, C-M, C-MJ, C-RU, MXD-RU, M-1, M-1.5, M-2, M-2.5, and M-3.

B. Use Regulations. All outdoor display shall be located entirely within an enclosed building, except for as listed in this Subsection B.

1. Outdoor display is permitted as listed in Table 22.140.420-A, below.

TABLE 22.140.420-A: OUTDOOR DISPLAY

	C-H	C-1, C-2	C-3, C-M	C-MJ	C-RU	MXD-U	M-1, M-1.5, M-2, M-2.5, M-3	MXD
Antique shops	–	–	–	–	P	P	–	–
Amusement rides and devices	–	P	P	P	P	P	–	–
Automobile and truck sales, leasing, or rental, as permitted in the zone	–	P	P	P	P	P	–	–
Automobile service stations, limited to automobile accessories and facilities necessary to dispensing petroleum products only	–	P	P	P	P	P	P	–
Bicycle rentals	–	–	–	–	P	P	–	–
Boat sales and rentals	–	–	P	P	P	P	P	–
Box and utility trailers, sales, or rental, as permitted in the zone	–	–	P	P	P	P	P	–
Ceramic shops	–	–	–	–	P	P	–	–
Carnivals	P	P	P	P	P	P	–	–
Community gardens	–	P	P	P	P	P	–	P
Crops, including field, tree, bush, berry, row, and nursery stock	P	P	P	–	P	P	P	–
Farm equipment, storage, sales, and rental	–	–	–	–	P	–	–	–
Feed and grain sales[1]	–	–	–	–	P	P	–	–
Firewood sales	–	–	–	–	P	–	–	–
Florist shops	–	–	–	–	P	P	–	–
Fruit and vegetable markets[1]	–	–	–	–	P	P	–	–
Gas metering and control stations, public utility	–	P	P	–	P	P	–	–
Holiday and seasonal sales per Section 22.140.280 (Holiday and Seasonal Sales)	P	P	P	P	P	P	–	P

Menageries, zoos, animal exhibitions, or other facilities for the keeping or maintain of wild animals	–	–	–	–	P	–	–	–
Mobilehome sales or rental, as permitted in the zone	–	–	P	–	P	–	P	–
Motorcycle sales and rental	–	–	–	–	P	P	–	–
Newsstands	–	–	–	–	P	P	–	–
Recreational vehicle sales or rental, as permitted in the zone	–	–	P	P	P	–	–	–
Restaurants and other eating establishments, including food take–out, per Section 22.140.410 (Outdoor Dining)	P	P	P	P	P	P	–	P
Notes: "–" means outdoor display is not permitted "P" means outdoor display is permitted 1. Outdoor display of product must be limited to a maximum of 8 feet in height and located at least 10 feet from any property line.								

2. In Zones C-RU and MXD-RU, outdoor display is permitted provided that no vehicle or equipment is stacked upon each other.

C. Uses Not Listed. Outdoor display for uses other than those listed in Subsection B, above, may be authorized by a Special Event Permit (Chapter 22.188), where in compliance with Section 22.188.030.B.2.b.

22.140.430 Outdoor Storage.

A. Applicability. This Section applies to outdoor storage in Zones C-3, C-M, C-MJ, C-RU, MXD-RU, M-1, M-1.5, M-2, M-2.5, and M-3.

B. Zones C-3, C-M, C-MJ, C-RU, and MXD-RU. This Subsection B applies to outdoor storage in Zones C-3, C-M, C-MJ, C-RU, and MXD-RU.

1. Outside storage is permitted on the rear of a lot when such storage is strictly incidental to the permitted use existing in a building on the front portion of the same lot.

2. Any outdoor area used for storage shall be completely enclosed by a solid masonry wall and solid gate which shall be between five and six feet in height, except:

a. The Director may approve the substitution of an industrial-type fence that serves a similar purpose, such as a chain-link fence with embedded plastic or PVC strips or screen planting that evenly obscures at least 95 percent of the fence surface area.

b. A request for substitution shall require a Ministerial Site Plan Review (Chapter 22.186) application.

3. The storage enclosure shall be at least 50 feet away from the front property line.

4. The height of stored items shall not exceed the enclosure surrounding it.

C. Industrial Zones. This Subsection C applies to outdoor storage in Zones M-1, M-1.5, M-2, M-2.5, and M-3.

1. Exemptions. The following uses are exempt from this Subsection C:

a. Outdoor display, per Section 22.140.420 (Outdoor Display).

b. Automobile dismantling and junk and salvage yards, which shall instead be subject to the standards in Section 22.140.120 (Automobile Dismantling Yards and Junk and Salvage Yards).

c. Scrap metal processing yards, which shall instead be subject to the standards in Section 22.140.530 (Scrap Metal Processing Yards).

2. Fences and Walls. Where a fence or wall is required pursuant to this Subsection C, it shall be developed as provided herein:

a. All fences and walls shall be of uniform height in relation to the ground upon which they stand, and shall be a minimum of eight feet in height and shall not exceed 15 feet in height. Where fences or walls exceed a height of 10 feet and are located on street or highway frontages they shall be set back at least three feet from the property line. The area between the fence and the lot line shall be fully landscaped according to the specifications hereinafter described in Subsection C.4, below.

b. All fences and walls open to view from any street or highway or any area in a Residential, Agricultural, or Commercial Zone shall be constructed of the following materials:

i. Metallic panels, at least .024 inches thick, painted with a "baked on" enamel or similar permanent finish;

ii. Masonry; or

iii. Other materials comparable to the foregoing, if approved by the Director.

c. Required fences which are not open to view from any street or highway or any area in a Residential, Agricultural, or Commercial Zone may be constructed of material other than as specified in Subsection C.2.c, above if constructed and maintained in accordance with the provisions of this Subsection C.

d. All fences and walls shall be constructed in workmanlike manner and shall consist solely of new materials unless the Director approves the substitution of used materials where, in his opinion, such used materials will provide the equivalent in service, appearance, and useful life.

e. All fences and walls, excluding masonry and approved permanent-finish panels, shall be painted a uniform, neutral color, excluding black, which blends with the surrounding terrain, and improvements shall be maintained in a neat, orderly condition at all times.

f. No portion of the wall or fence shall be used for advertising or display purposes except for the name and address of the firm occupying the premises, and such identification sign shall not consist of an aggregate area in excess of 30 square feet.

g. Any structures which are used as part of the yard boundaries or are exposed to view from a street or highway frontage shall be subject to painting, maintenance and sign requirements for fences and walls as provided in Subsections C.2.e and C.2.f, above.

3. Modification of Fences or Walls.

a. Upon approval of a Minor Conditional Use Permit (Chapter 22.160) application, the Commission or Hearing Officer may modify fences or

walls not open to view from any street or highway, or any area in a Residential, Agricultural or Commercial Zone:

i. Where adjoining property is located in an Industrial Zone and is developed with another outside storage use; or

ii. Where substantial fences, walls, or buildings are located adjacent to property lines on surrounding property which serve to enclose such yard as well or better than the wall or fence required herein.

b. Should the use, fence, wall, or building providing justification for such modification be removed, such wall or fence shall be provided in compliance with this Section within six months from the date of such removal.

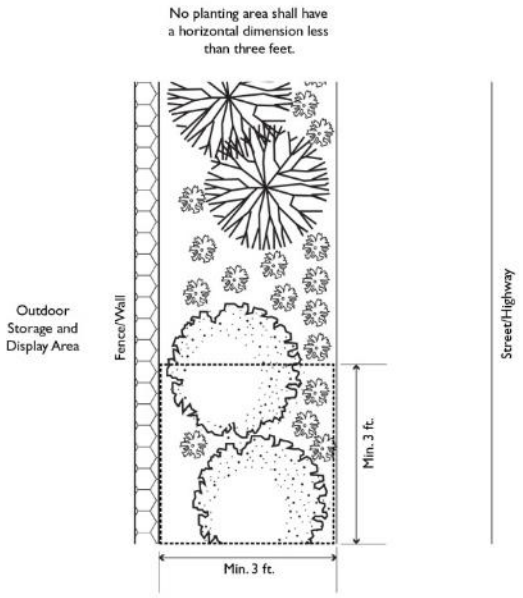
4. Landscaping Requirements.

a. All required fences or walls that are open to view from any public street or highway, or from any Residential, Agricultural, or Commercial Zone, shall be provided with at least one square foot of landscaping for each linear foot of such frontage, and this landscaping shall meet the following standards:

i. Landscaping shall be distributed along the street or highway frontage in accordance with a site plan approved by the Director.

ii. No planting area shall have a horizontal dimension of less than three feet, as shown in Figure 22.140.430-A, below.

FIGURE 22.140.430-A: MINIMUM PLANTING AREA DIMENSION



iii. Landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary.

iv. A permanent watering system shall be provided that satisfactorily irrigates all planted areas. Where the watering system consists of hose bibs alone, these bibs shall be located not more than 50 feet apart within the required landscaped area. Sprinklers used to satisfy the requirements of this Subsection C.4 shall be spaced to assure complete coverage of the required landscaped area.

b. The Director may approve alternative methods of providing landscaping where the criteria established above would cause unnecessary hardship or constitute an unreasonable requirement and an alternative plan will, in his opinion, provide as well or better for landscaping within the intent of this Subsection C.4.

5. Storage Restrictions.

a. All portions of outdoor storage areas shall have adequate grading and drainage, and shall be continuously maintained.

b. All raw materials, equipment, or finished products that are stored outdoors pursuant to this Subsection C:

i. Shall not be stored above the height of the fence or wall within 10 feet of the fence or wall;

ii. Shall be stored in such manner that it cannot be blown from the enclosed storage area; and

iii. Shall not be placed or allowed to remain outside the enclosed storage area.

22.140.440 Parking as a Transitional Use.

A. Applicability. This Section applies to parking as a transitional use in Zones A-1, A-2, R-R, R-A, R-1, R-2, R-3, and R-4.

B. Location. The lot to be used for transitional parking shall adjoin or be separated by an alley from a property with a qualifying zone. Qualifying zones include: C-1, C-2, C-3, C-M, CPD, M-1, M-1.5, MPD, M-2, M-2.5, M-3, B-1, and B-2.

C. Distance. Parking shall be limited to an area within 100 feet from the boundary of a property with a qualifying zone.

D. Access. The area developed with parking shall have direct vehicular access to an improved public street, highway, alley, or to the property with a qualifying zone.

E. Requirements. The lot developed with transitional parking, including access, shall:

1. Have a side lot line adjoining, or separated only by an alley, for a distance of not less than 50 feet, from the property with a qualifying zone; or

2. Have a rear lot line adjoining or separated only by an alley from the property with a qualifying zone, provided that a Parking Permit (Chapter 22.178) has been approved.

3. Where the lot referred to in Subsection E.1, above, has a width less than 100 feet, additional lots may be considered for parking provided:

a. They have successive contiguity on side lot lines with the first lot described in Subsection E.1, above;

b. That in no event shall the total area developed for parking extend more than 100 feet from the property with a qualifying zone; and

c. That all area extending from the subject property is developed for parking.

F. Length. The side lot line of the lot developed with parking shall not exceed the length of the lot line common to the property with a qualifying zone. The Director may modify this provision to the extent permitted in Subsection E, above.

G. Area Requirements. Any remaining portion of a lot developed with parking shall contain not less than the required area or width.

H. Design. Parking shall be developed in accordance with the provisions of Section 22.112.080 (Parking Design), except that the required portion of the front yard, where required by the zone, shall be landscaped.

I. Limitations. Parking shall be limited to motor vehicle parking lots exclusively and shall exclude vehicles over two tons rated capacity.

22.140.450 Plant Nurseries, Retail.

A. Applicability. This Section applies to plant nurseries, including propagation of nursery stock and retail sales, in Zones A-1, A-2, R-R, and SR-D.

B. Minimum Site Area. Retail plant nurseries shall have a minimum site area as specified:

1. In Zone SR-D, no minimum size.

2. In Zone A-1, A-2, and R-R, five acres.

C. Products for Sale. Products offered for sale shall be limited to nursery stock and related materials incidental to the planting, care, and maintenance of plants, including fertilizer, pesticides, seeds, and planting containers, but shall exclude general building materials, hardware, the sale and rental of tools other than for soil preparation, and general landscaping.

D. Enclosure. All storage, display, and sale of products other than nursery stock shall be conducted within a completely enclosed building or within an area enclosed by a solid wall or fence and gate between five and six feet in height.

E. Storage. No storage shall be higher than the enclosure surrounding the nursery.

22.140.460 Produce Stands.

A. Applicability. This Section applies to produce stands as an accessory use in all zones where permitted.

B. Products for Sale. Produce stands, including other on-site retail sales, may be used as an accessory use to crop production, small animal raising, or community gardens. All products displayed or sold shall be lawfully grown or produced on the subject lot.

C. Additional Development Standards for Zones A-1, A-2, O-S, R-R, and M-1. This Subsection C applies to produce stands in Zones A-1, A-2, O-S, R-R, and M-1:

1. Minimum Site Area. There shall be a minimum lot size of one gross acre.

2. Maximum Floor Area. The stand shall have a maximum floor area of 300 square feet.

3. Location. The stand shall be a minimum of 20 feet from any street or highway that the lot fronts, or from any adjacent residences.

4. Materials. The stand, except for the floor, shall be exclusively of wood-frame construction.

22.140.470 Real Estate Tract Offices.

A. Applicability. This Section applies to real estate tract offices, as a temporary use, in Zones A-1, A-2, R-A, R-1, R-2, R-3, R-4, and MXD.

B. Approval Period. Real estate tract offices may be approved for a period of up to two years. The Director may, upon a showing of need by the owner of the property, extend the permitted time beyond two years.

C. Location. Real estate tract offices are permitted in a residential development for the initial sale of lots within that development. The office may be

located within a new residence that is part of the development or within a temporary building.

D. Restriction. Real estate tract offices shall not be used to conduct general real estate business for properties outside of the residential development.

E. Removal of Building or Structure. If a temporary building is used for this purpose, upon termination of the use or time period specified in the permit, it shall be either removed or restored for a use permitted in the zone where located.

22.140.480 Recreation Clubs and Facilities – Neighborhood, Commercial, and Private.

A. Uses. Recreation clubs and facilities may include tennis, polo, swimming, and similar recreational activities, together with related accessory uses, unless as otherwise specified in this Section.

B. Neighborhood Recreation Facilities.

1. Applicability. This Subsection B applies to neighborhood recreation facilities in Zones R-A, R-1, R-2, R-3, R-4, and R-5.

2. Development Standards. A neighborhood recreation facility, if not accessory to a principal use, shall be operated as a non-profit corporation limited to the use by the surrounding residents in a neighborhood. This provision shall not be interpreted to permit commercial enterprises.

C. Commercial and Private Recreation Clubs.

1. Applicability. This Subsection C applies to commercial and private recreation clubs in all zones where permitted.

2. Development Standards.

a. Accessory Uses. Unless as otherwise specified in this Subsection C.2, a commercial or private recreation club may also include an accessory clubhouse, pro shop, or restaurant.

b. Zones A-1, A-2, and C-H. In Zones A-1, A-2, and C-H, where specifically designated a part of an approved Conditional Use Permit

(Chapter 22.158) application, a private recreation club may include a pro shop or restaurant, as an accessory use.

c. Zone O-S. A private recreation club may be established in Zone O-S according to the following standards:

i. Activities shall be limited to hunting, shooting, fishing, or boating.

ii. Adequate land or water facilities shall be provided to accommodate the recreational activity for which such club is organized. In no event shall the recreation club be less than five acres in size.

iii. Where specifically designated a part of an approved Conditional Use Permit, such use may include a restaurant and bar as accessory uses.

22.140.490 Recreational Vehicle Parks.

A. Applicability. This Section applies to recreational vehicle parks in Zones A-1, A-2, O-S, R-R, W, and C-R. The Commission or Hearing Officer, in granting the Conditional Use Permit (Chapter 22.158), may impose additional conditions relating to park perimeter walls or enclosures on public street frontage, signs, access, and vehicle parking, may prohibit certain uses from recreational vehicle parks, but may not modify any of the following standards listed in this Section, except as otherwise provided in this Section or pursuant to a Variance (Chapter 22.194) application.

B. Development Standards.

1. Signs. Signs shall be subject to the provisions of Chapter 22.114 (Signs), except that in lieu of business signs standards as listed in said Chapter, one freestanding or roof business sign not exceeding 20 square feet in sign area, or 40 square feet in total sign area, shall be permitted at a location approved by the Commission or Hearing Officer.

2. Maximum Duration of Occupancy. Occupancy by any one occupant or party shall be limited to 90 consecutive days in any six-month period.

3. Area. The recreational vehicle park shall have an area of not less than five acres.

4. Fire Protection. Notwithstanding any provision of State law, the Commission or Hearing Officer may require amenities or conditions in accordance with Title 32 (Fire Code) of the County Code that the Fire Department deems necessary to protect life and property, including but not limited to fire hydrant systems, water supply, fire equipment access, posting of fire equipment access, parking, lot identification, weed abatement, debris abatement, combustible storage abatement, and burglar bars.

5. Prohibitions.

a. A recreational vehicle park shall have no permanent residency or dwelling units except that of a caretaker, a manager, or employees responsible for maintaining or operating the property, as permitted by the zone and authorized by the Commission or Hearing Officer as part of the Conditional Use Permit.

b. Facilities within the recreational vehicle park shall be used only by the occupants of the park, except where otherwise authorized by the Conditional Use Permit.

c. No commercial uses are allowed, except those permitted by the zone and authorized by the Conditional Use Permit. This Subsection does not prohibit accessory uses where authorized by the permit, including, but not limited to, areas for the storage of unoccupied recreational vehicles.

6. Zone O-S. A recreational vehicle park may be permitted only in conjunction with a principal use permitted in Zone O-S.

7. Compliance with Other Regulations. Approval of a Conditional Use Permit (Chapter 22.158) application for a recreational vehicle park shall not relieve the applicant and his successors in interest from complying with all other applicable statutes, ordinances, rules and regulations.

22.140.500 Rehabilitation Facilities for Small Wild Animals.

A. Applicability. This Section applies to rehabilitation facilities for small wild animals as an accessory use in Zones A-1, A-2, R-A, R-1, and C-RU.

B. Licensing. The animals shall be cared for by a licensed rehabilitator who shall be a resident of a single-family residence on the subject lot.

C. Type and Number of Animals Allowed.

1. The animals shall be indigenous to Los Angeles County and shall weigh no more than 30 pounds.

2. Coyotes, bobcats, deer, mountain lions, bears, and other similarly dangerous animals shall not be allowed.

3. The allowable number of animals shall be as follows:

a. For lots with at least 10,000 square feet of area, up to 20 animals.

b. For lots of 7,500 to 9,999 square feet of area, up to 16 animals.

c. For lots of 6,000 to 7,499 square feet of area, up to 12 animals.

d. For lots of 5,000 to 5,999 square feet of area, up to six animals.

4. The Commission or Director, after consultation with the Departments of Animal Care and Control and Public Health, may allow a higher number of animals than the numbers specified in Subsection C.3, above.

D. Authorization. The facilities shall only be authorized for as long as the applicant maintains a continuously valid permit and Memorandum of Understanding from the California Department of Fish and Wildlife, or in the case of wild migratory birds, a valid permit from the United States Department of Fish and Wildlife.

22.140.510 Renewable Energy.

A. Purpose. This Section establishes standards, conditions, and procedures that support and facilitate the development of small-scale solar energy systems, utility-scale solar energy facilities, temporary meteorological towers, and small-scale wind energy systems in a manner that protects public health, safety, and welfare and minimizes significant impacts to the environment.

B. Definitions. Specific terms used in this Section are defined in Section 22.14.180 of Division 2 (Definitions), under "Renewable Energy."

C. Applicability.

1. Applicability of this Section. This Section applies to the development of any small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system.

2. Exemption. Subject to Subsection C.3 below, this Section shall not apply:

a. To any structure-mounted small-scale solar energy system, structure mounted utility-scale solar energy facility, or small residential rooftop solar energy system as defined and regulated by Section 65850.5 of the California Government Code and Title 26 (Building Code) of the County Code in Zone R-1, when a building permit has been issued prior to January 12, 2017, the effective date of this Section;

b. To any ground-mounted small-scale solar energy system, structure mounted utility-scale solar energy facility in Zone R-1 other than a small residential rooftop solar energy system as defined and regulated by Section 65850.5 of the California Government Code and Title 26 (Building Code) of the County Code, ground-mounted utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system when a Ministerial Site Plan Review (Chapter 22.186), a Minor Conditional Use Permit (Chapter 22.160), or a Conditional Use Permit (Chapter 22.158), as applicable, has been granted prior to January 12, 2017, the effective date of this Section; or

c. When preempted by regulation under the jurisdiction of the California Public Utilities Commission or preempted by other applicable law.

3. Modification to Existing System or Facility. This Section shall apply when a modification to a lawfully existing, as of January 12, 2017, the effective date of this Section, small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system, occurs as follows:

a. Any modification that would substantially increase the physical size, height, or footprint of an existing small-scale solar energy system, utility-

scale solar energy facility, temporary meteorological tower, or small-scale wind energy system;

b. Any modification that would substantially change the type of equipment used by an existing small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system except for replacement of equipment for maintenance purposes; or

c. Any modification that would convert a small-scale solar energy system into a utility-scale solar energy facility; and

d. Any modification that would convert a small-scale wind energy system into a utility-scale wind energy system is prohibited.

4. Applicability of Zone and Supplemental District Regulations. All provisions of the zone and any supplemental district in which a small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system is located shall apply as follows:

a. For a small-scale solar energy system, temporary meteorological tower, or small-scale wind energy system, where a provision of the zone or supplemental district regulates the same matter as this Section, the provision of this Section shall apply; and

b. For a utility-scale solar energy facility, where a provision of the zone or supplemental district regulates the same matter as this Section, the more restrictive provision shall apply, except for the height of structure-mounted facilities and perimeter fences, in which case, this Section will control.

5. Prohibition. The following shall be prohibited:

a. Ground-mounted utility-scale solar energy facilities within adopted Significant Ecological Areas designated in the General Plan and Economic Opportunity Areas designated in the Antelope Valley Area Plan; and

b. Utility-scale wind energy facilities, including conversion of a small-scale wind energy system into a utility-scale wind energy facility.

D. Small-Scale Solar Energy Systems.

1. Application Requirements.

a. Permitted. Structure-mounted small-scale solar energy systems are permitted in compliance with this Subsection D;

b. Ministerial Site Plan Review. Ground-mounted small-scale solar energy systems, except in Zones O-S and W, shall require a Ministerial Site Plan Review (Chapter 22.186) application, in compliance with this Subsection D; or

c. Minor Conditional Use Permit. Ground-mounted small-scale solar energy systems in Zones O-S and W shall require a Minor Conditional Use Permit (Chapter 22.160) application, in compliance with this Subsection D; and

d. Modification. A Minor Conditional Use Permit (Chapter 22.160) application shall be required where a modification to a development standard has been requested.

2. Additional Application Materials.

a. Ministerial Site Plan Review. In addition to the application materials required for a Ministerial Site Plan Review (Chapter 22.186), the application shall contain the following information:

i. A site plan that depicts the small-scale solar energy system's footprint, height, and setback from all property lines; and

ii. A minimum of six color photographs, displaying various angles illustrative of the project area, with a photo-key map.

b. Minor Conditional Use Permit. In addition to the application materials required for a Minor Conditional Use Permit (Chapter 22.160), the application shall contain the following information:

i. A minimum of six color photographs, displaying various angles illustrative of the project area, with a photo-key map; and

ii. Color photo simulations of the project area before construction of the project and after construction of the project.

3. Development Standards. Small-scale solar energy systems shall comply with the following standards:

a. Conformance with Federal, State, and County Requirements. A small-scale solar energy system shall comply with the California Solar Rights Act (California Civil Code Section 714 et seq.), the California Solar Shade Control Act (California Public Resources Code Section 25980 et seq.), and any other applicable federal, State, and County legal requirements (and as may be modified by this Section).

b. Additional Standard for Structure-Mounted Small-Scale Solar Energy Systems. In addition to the applicable standards of this Subsection D.3, the combined height of a structure and structure-mounted small-scale solar energy system shall not exceed the height limit of the zone by more than five feet.

c. Additional Standards for Ground-Mounted Small-Scale Solar Energy Systems. In addition to the applicable standards of this Subsection D.3, a ground-mounted small-scale solar energy system shall also comply with the following standards:

i. Height. The height of a solar array shall not exceed 15 feet.

ii. Maximum Lot Coverage. The maximum lot coverage for solar arrays and any accessory structures shall be 25 percent of the lot or 2.5 acres, whichever is lesser.

d. Additional Standard for Lot Coverage Modification to Ground Mounted Small-Scale Solar Energy Systems. In addition to the applicable standards of this Subsection D.3, a lot coverage modification for a ground mounted small-scale solar energy system shall also comply with Subsection E.5 (Additional Findings), below.

4. Aviation Review. When a Minor Conditional Use Permit (Chapter 22.160) is required by Subsection D.1, above, and the small-scale solar energy system is located within a Military Operations Area (MOA) or Airport Influence Area (AIA), Subsection H, below, shall apply.

5. Additional Findings. When a Minor Conditional Use Permit (Chapter 22.160) application is required by Subsection D.1, above, the following additional findings shall apply, as applicable.

a. Additional Findings for a Minor Conditional Use Permit.

i. The project complies with all applicable development standards in Subsection D.3, above;

ii. The project is sited and designed and will be constructed in such a way to minimize significant impacts to the environment; and

iii. The project is sited in such a way to minimize site disturbance, such as grading, brush clearance, and other forms of earthwork.

b. Additional Findings for a Modification to Development Standards.

i. Due to topographic or physical features of the site, strict compliance with all the required development standards would substantially and unreasonably interfere with the establishment of the proposed project on the subject property; and

ii. The requested modification would not be contrary to the purpose of this Section.

c. Additional Findings for Projects Requiring Aviation Review. Where an application requires aviation review and the application request would penetrate the lower floor elevation of any MOA mapped in the County General Plan, the following additional findings are required:

i. The MOA military operator has determined:

(1) The project would not be detrimental to the function of that MOA; and

(2) The project would not pose a health or safety hazard to MOA personnel or the public.

6. Conditions of Approval. In addition to the conditions that may be imposed under Section 22.160.060 (Conditions of Approval), when a Minor Conditional

Use Permit (Chapter 22.160) application is required by Subsection D.1, above, the following conditions of approval shall be imposed:

a. Development Standards. The applicable development standards in Subsection D.3, above, unless specifically modified as provided herein.

b. Conditions to Ensure Compliance with Findings. Any additional conditions deemed necessary to ensure that such use will be in accordance with the required findings in Subsection D.5, above.

c. Additional Conditions of Approval for a Lot Coverage Modification to Ground-Mounted Small-Scale Solar Energy Systems. In addition to the conditions of approval required by this Subsection, when a lot coverage modification has been requested for a ground-mounted small-scale solar energy system, Subsections E.6.d.v and E.6.d.vii, below, shall apply.

E. Utility-Scale Solar Energy Facilities.

1. Application Requirements.

a. Minor Conditional Use Permit. Structure-mounted utility-scale solar energy facilities in Zone R-1, except small residential rooftop solar energy systems as defined and regulated by Section 65850.5 of the California Government Code and Title 26 (Building Code) of the County Code, shall require a Minor Conditional Use Permit (Chapter 22.160) application, in compliance with this Subsection E; or

b. Conditional Use Permit. Ground-mounted utility-scale solar energy facilities in Zones A-2, C-H, C-1, C-2, C-3, C-M, C-R, C-MJ, C-RU, M-1, M-1.5, M-2, M-4, R-R, MXD-RU, MXD, and IT shall require a Conditional Use Permit (Chapter 22.158) application, in compliance with this Subsection E.

2. Application Materials.

a. Minor Conditional Use Permit. In addition to the application materials required for a Minor Conditional Use Permit (Chapter 22.160) application, the application shall contain the following information:

i. A minimum of six color photographs, displaying various angles illustrative of the project area, with a photo-key map; and

ii. Color photo simulations of the project area before construction of the project and after construction of the project.

b. Conditional Use Permit. In addition to the application materials required for a Conditional Use Permit (Chapter 22.158) application, the application shall contain the following information:

i. All materials and information required by Subsection E.2.a, above;

ii. A site plan that depicts the following:

(1) Solar array footprint and height;

(2) Solar array setbacks from all property lines;

(3) Area and amount of proposed grading and site disturbance;

(4) Topography of the site;

(5) Any watercourses on the site;

(6) Access roads;

(7) Any required fencing;

(8) Any required signage;

(9) Any required lighting;

(10) Transmission lines; and

(11) Any significant ridgelines on the site.

iii. A detailed landscaping plan that depicts:

(1) Any required fencing;

(2) Proposed plant species palette, the number and size of each plant;

(3) Proposed water usage for planting and maintaining proposed landscaping; and

(4) Proposed timing and phasing of proposed landscaping.

iv. A decommissioning plan;

v. A hydrology study;

vi. A conceptual dust control plan;

vii. A glare study; and

viii. A description of amount and source of water necessary for the construction and operation of the project.

3. Development Standards. Utility-scale solar energy facilities shall comply with the following standards:

a. Conformance with Federal, State, and County Requirements. A utility-scale solar energy facility shall comply with any applicable federal, State, and County legal requirements (and as may be modified by this Subsection E).

b. Additional Standards for Structure-Mounted Utility-Scale Solar Energy Facilities. In addition to the applicable standards required by this Subsection E, a structure-mounted utility-scale solar energy facility shall also comply with the following standards:

i. Height. The combined height of a structure and structure mounted utility-scale solar energy facility's solar arrays shall not exceed the height limit of the zone by more than five feet.

ii. Setbacks. If a structure-mounted utility-scale solar energy facility is mounted to a building, setbacks from the perimeter of the roof shall be:

(1) Three feet on residential buildings; or

(2) Four feet on non-residential or mixed use buildings.

c. Additional Standards for Ground-Mounted Utility-Scale Solar Energy Facilities. In addition to the applicable standards of this Subsection E.3, a ground-mounted utility-scale solar energy facility shall also comply with the following standards:

i. Coastal Zone. Within the Coastal Zone, the placement of any ground-mounted utility-scale solar energy facility shall comply with the applicable Local Coastal Plan.

ii. Fencing. Fencing shall be required around the perimeter of the ground-mounted utility-scale solar energy facility. In addition to compliance with the California Public Utilities Commission and United States Occupational Safety and Health Administration fencing guidelines for substations, all fencing shall comply with the following, except as otherwise required by Public Works to maintain minimum corner sight distance:

(1) Opaque and non-opaque fences are permitted;

(2) Fencing up to eight feet in height is permitted;

(3) Fencing shall not be located within 15 feet of a public right of way but may be located within the required setback area; and

(4) Facility perimeter fencing shall incorporate small animal permeable design.

iii. Height. The height of any solar array shall not exceed 25 feet.

iv. Lighting. In addition to the requirements of Chapter 22.80 (Rural Outdoor Lighting District), any outdoor lighting required for safety and security purposes shall be shielded and directed downward to avoid light trespass and shall include:

(1) Motion sensors for entry-lighting to the on-site equipment, structures, and buildings; and

(2) Light-sensor or motion-sensor lighting for the main facility access gate, operations and maintenance building doorways, and any parking areas of facilities with operation and maintenance buildings.

v. Setbacks. Setbacks from the property line shall be:

(1) A minimum of 30 feet in Agricultural Zones; or

(2) As provided in the base zone for all non-Agricultural Zones.

vi. Significant Ridgelines. The highest point of a ground mounted utility-scale solar energy facility shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline identified in the General Plan or in an applicable Community Standards District.

vii. Signs. One pole-mounted project identification sign shall be located at each temporary or permanent ingress or egress point. Signs shall include owner and emergency contact information. No other signs shall be posted at the ground-mounted utility-scale solar energy facility other than safety, directional, and warning signs as required in Chapter 22.114 (Signs).

viii. Landscaped Buffer. A landscaped area at least 10 feet in depth shall be maintained along any facility perimeter fencing and between such fencing and any public right-of-way or adjacent property with an existing residential or agricultural use.

4. Aviation Review. When a Minor Conditional Use Permit (Chapter 22.160) or Conditional Use Permit (Chapter 22.158) is required by this Subsection E and the utility-scale solar energy facility is located within a MOA or AIA, Subsection H, below, shall apply.

5. Additional Findings.

a. Conditional Use Permit and Minor Conditional Use Permit. When a Conditional Use Permit (Chapter 22.158) application or Minor Conditional Use Permit (Chapter 22.160) application is required by Subsection E.1, above, the following additional findings shall apply, as applicable:

i. The project complies with all applicable development standards in Subsection E.3, above;

ii. The project is sited and designed and will be constructed in such a way to minimize significant impacts to the environment, including

impacts to birds and bats, through appropriate measures including minimizing proximity to perch sites such as transmission lines and towers; and

iii. The project is sited in such a way to minimize site disturbance, such as grading, brush clearance, and other forms of earthwork.

b. Additional Findings for Ground-Mounted Utility-Scale Solar Energy Facilities. In addition to the findings required by this Subsection E.5, for ground mounted utility-scale solar energy facilities, the following additional findings shall apply, as applicable:

i. The proposed vegetation required along the facility perimeter fencing sufficiently provides a buffer from adjacent residential and agricultural uses through variable placement and muting of frontage or other sensitive viewsheds so as to provide a natural visual transition between the project and its surroundings;

ii. The proposed vegetation sufficiently provides ground cover to the satisfaction of a County biologist; and

iii. The proposed vegetation sufficiently provides such buffer and ground cover in a timely manner to the satisfaction of a County biologist.

c. Additional Findings for a Modification to Development Standards. In addition to the findings required by this Subsection E.5, when a modification has been requested to any development standard required by Subsection E.3, above, the following additional findings shall apply, as applicable:

i. Due to topographic or physical features of the site, strict compliance with all the required development standards would substantially and unreasonably interfere with the establishment of the proposed project on the subject property; and

ii. The requested modification would not be contrary to the purpose of this Section.

d. Additional Findings for Projects Requiring Aviation Review. In addition to the findings required by this Subsection E.5, where a project requires aviation review and the project would penetrate the lower floor elevation of any MOA

mapped in the County General Plan, the Commission or Hearing Officer, the following additional findings shall apply, as applicable:

i. MOA military operator has determined:

(1) The project would not be detrimental to the function of that MOA; and

(2) The project would not pose a health or safety hazard to personnel or the public.

6. Conditions of Approval. In addition to the conditions that may be imposed when a Minor Conditional Use Permit (Chapter 22.160) or Conditional Use Permit (Chapter 22.158) is required by Subsection E.1, above, the following conditions of approval shall be imposed:

a. Development Standards. The applicable development standards in Subsection E.3, above, unless specifically modified as provided herein.

b. Findings. Any additional conditions deemed necessary to ensure that such use will be in accordance with the required findings in Subsection E.5, above.

c. Glare. All utility-scale solar energy facilities shall be designed and located in such a way to minimize reflective glare toward any habitable structure on adjacent properties as well as adjacent street rights-of-way.

d. Additional Conditions of Approval for Ground-Mounted Utility Scale Solar Energy Facilities. In addition to the conditions of approval required by this Subsection E.6, ground-mounted utility-scale solar energy facilities shall also require the following conditions of approval:

i. Access Roads. All temporary and permanent ingress and egress points to the ground-mounted utility-scale solar energy facility shall be designed and sited to the satisfaction of Public Works and Fire Department, shall consider adequate spacing from intersections, and shall maintain adequate sight distances. Dirt access roads shall be treated with a suitable non-toxic long-term soil binder or application of similarly effective material to control dust, such as gravel.

ii. Decommissioning.

(1) The decommissioning plan shall be prepared to the satisfaction of the Director and the Director of Public Works.

(2) Prior to any ground disturbance or the issuance of any grading or building permit, performance and financial guarantees in an amount sufficient to ensure the performance of the decommissioning plan shall be determined to the satisfaction of the Director and the Director of Public Works and incorporated into a final decommissioning plan. This amount shall be posted by the permittee.

(3) Prior to any ground disturbance or the issuance of any grading or building permit, the permittee shall record an easement granting access to the County for activities related to decommissioning. A draft easement document shall be submitted prior to easement recordation, for review and approval by the Director and the Director of Public Works.

(4) In the event that any portion of a ground mounted utility-scale solar energy facility ceases operation for a consecutive period of six months, or the permit for the use has expired, operations for that use shall be deemed to have been abandoned. Within six months after the written notice is mailed from the Director to the permittee advising of the abandoned use, the facility or portions thereof shall be removed from the property. However, within the six months after written notice of abandonment is mailed to the permittee, the permittee may provide the Director with a written request and justification for an extension to resume operations of the facility or portions thereof, so long as the permit has not expired.

iii. Landscaped Buffer.

(1) A landscaped area at least 10 feet in depth shall be maintained along any facility perimeter fencing and between such fencing and any public right-of-way or adjacent property with an existing residential or agricultural use.

(2) Existing non-invasive drought-tolerant vegetation approved by a County biologist shall be retained and/or new non-invasive, drought tolerant vegetation approved by a County biologist shall be planted within the landscaped area within the time frames specified in the permit conditions.

(3) The landscaped area shall incorporate a variety of design elements appropriate for the surrounding area, including but not limited to hardscape, such as decorative rocks, boulders, berms, and fencing and softscape, such as trees, shrubs, vines, and succulents. In no way shall the hardscape or softscape features adversely affect drainage patterns.

(4) The landscaped area shall be established in such manner that adequate corner sight distance is maintained from all access roads to the public right-of-way to the satisfaction of Public Works.

(5) The landscaped area shall be planted and temporary irrigation system installed prior to final permit inspection of the project or project phase to the satisfaction of the Director. Establishment of the plantings shall be verified at the time of regular inspections according to inspection time frames in the permit conditions; and

(6) The landscaped area shall be maintained throughout the life of the facility.

iv. Scenic Resources. Any ground-mounted utility-scale solar energy facility placed within the viewshed of a Scenic Drive, Scenic Highway, or Scenic Route identified in the General Plan, an applicable Area or Community Plan, or Community Standards District shall be analyzed for any associated negative impacts, including but not limited to visual impacts. Appropriate conditions relating to siting, buffering, height, and design of the facility may be imposed to minimize significant effects on the viewshed.

v. Site Disturbance.

(1) Air Quality Management District. State requirements imposed by the applicable Air Quality Management District conditions shall apply.

(2) Soil Erosion. To ensure dust control and minimal soil erosion, existing vegetation may be mowed, but removal of existing vegetation root systems shall be prohibited, except where necessary for construction of access roads, substations and related underground transmission lines, tanks, basins, inverter pads, or other areas required by the County.

(3) Hydrology. The facility shall be designed to minimize erosion, sedimentation, or other impacts to the natural hydrology and drainage patterns of the property. Existing topography and watercourses shall be retained or restored to pre-development conditions following construction and during operations, except for drainage features specifically designed to mitigate drainage impacts. Prior to any discretionary approval, a hydrology study shall be prepared in compliance with the most recent County standards for addressing drainage impacts to the satisfaction of Public Works.

(4) Grading. To control fugitive dust and preserve the natural topography, the facility shall be designed in such a way that ground disturbance or grading is limited to only the access roads, substations and related underground transmission lines, tanks, basins, inverter pads, or other areas required by the County. The facility shall comply with all applicable grading standards.

(5) Fugitive Dust Control Plan. A fugitive dust control plan including a dust plume response plan shall be prepared by the permittee for review and approval by applicable agencies prior to any earthwork activities.

(6) Construction Practices.

(a) Fugitive Dust. Fugitive dust emission shall be controlled by phased earthwork, site watering, use of clean gravel not to exceed a depth of six inches where applicable, application of non-toxic soil stabilizers, limiting public access on unpaved areas, posting private roadways with reduced

speeds, and/or re-vegetation. Use of other fugitive dust mitigation measures may be implemented by the permittee if determined by applicable agencies to be suitable methods to adequately control dust in a safe manner during construction, operation, and removal and restoration activities.

(b) Vegetation. Work where the facility components are being installed in areas with existing vegetation shall be conducted with minimal disturbance, and the permittee shall take all necessary precautions to not use vehicles or machinery for grading or alter the exiting grade in these areas. When vehicles or machinery are deemed necessary for installation, appropriate ground protection practices, such as construction mats, stabilizers, or established vegetation, shall be utilized for both dust suppression and to ensure that the use of vehicles or machinery is compatible with continued and future vegetation growth. The permittee shall retain a biologist to confirm that construction practices are compatible with continued and future vegetation growth. Any grading, disking, scraping, or other ground disturbance proposed as part of the facility shall be permanently stabilized with an earth-stabilizing product or other measure that is acceptable to the Department and the Departments of Public Works and Public Health to prevent fugitive dust.

vi. Transmission Lines. On-site and off-site transmission lines shall be placed underground to the satisfaction of the Department and Public Works, except where above-ground crossings are otherwise required, such as over the California Aqueduct. A franchise agreement shall be required for distribution/transmission facilities within the public right-of-way. Disturbed areas shall comply with Subsection E.6.d.v (Site Disturbance), above to ensure dust control and minimal soil erosion.

vii. Water Quality Protection. Measures to protect groundwater and surface water from waste discharge shall be incorporated into the facility design, as appropriate, and shall meet the requirements of the Regional Water Quality Control Board.

viii. Water Use.

(1) The facility shall use the minimum amount of water required during the construction period. The facility shall be limited to the maximum use of water as established by the Commission or Hearing Officer, as applicable, for the duration of the construction period.

(2) The facility shall use the minimum amount of water required during the operation of the facility. The facility shall be limited to the maximum use of water as established by the Commission or Hearing Officer, as applicable, for the operation of the facility for the duration of this grant.

(3) The facility shall use piped recycled water if it is available from the public right-of-way within one mile from the property at fair market value, suitable for use, and deemed appropriate by a County biologist. If such piped recycled water does not meet all of the facility's water demand, the facility shall use piped potable water to supplement piped recycled water if it is available from the public right-of-way within one mile from the property at fair market value and suitable for use.

(4) The permittee shall maintain a daily log, which shall include the number of gallons and acre feet of water used on the property used for the following, which includes, but is not limited to, construction, operation, maintenance, landscaping, and irrigation. The permittee shall complete the record of monthly water usage by source within eight days following the conclusion of each calendar month. The log shall be made available to the Department upon demand.

F. Temporary Meteorological Towers.

1. Permit Required.

a. Minor Conditional Use Permit. Temporary meteorological towers in Zones R-1, R-2, R-3, R-4, R-5, R-A, A-1, A-2, O-S, C-RU, and MXD shall require a Minor Conditional Use Permit (Chapter 22.160) application, except when modified by this Subsection F.

2. Application Materials. In addition to the application materials required for a Minor Conditional Use Permit (Chapter 22.160) application, the application shall contain the following information:

a. A minimum of six copies of the proposed site plan, elevation plan, and location map depicting the project location on United States Geological Survey topographic sheets. On each set of the required site and elevation plans, the applicant shall depict the type and location of any safety lights and energy storage devices; and

b. Drawings to scale of the structure, including the tower, base, wind-measuring devices, and footings, if any.

3. Development Standards. Temporary meteorological towers shall comply with the following standards:

a. Minimum Lot Size. The minimum lot size shall be 0.5 acres.

b. Maximum Tower Height. Tower height shall be measured from the ground to the top of the tower, excluding the wind measuring devices, and be consistent with the following:

i. The tower shall not exceed a height of 35 feet above grade for lots less than one acre in size;

ii. The tower shall not exceed a height of 65 feet above grade for lots from one acre to less than two acres in size; and

iii. The tower shall not exceed a height of 85 feet above grade for lots two acres or greater in size.

c. Location.

i. The minimum distance between a temporary meteorological tower and any property line or road right-of-way shall be the distance which is the equivalent to the height of the temporary meteorological tower including any wind measuring devices provided that the required distance shall also comply with any applicable fire setback requirements pursuant to Section 4290 of the California Public Resources Code;

ii. No part of a temporary meteorological tower shall be located within or over drainage, utility, or other established easements, or on or over property lines; and

iii. Safe clearance shall be provided between a temporary meteorological tower and all structures and trees.

d. Design.

i. Colors. The colors used in the construction materials or finished surface shall be muted and visually compatible with surrounding development.

ii. Lighting. A safety light that meets Federal Aviation Administration (FAA) standards shall be required for all towers exceeding 50 feet in height including any wind-measuring devices. A safety light may also be required on shorter towers. All required lights shall be shielded from adjacent properties, and no other lights shall be placed upon the tower.

iii. Climbing Apparatus. All climbing apparatus must be located at least 12 feet above the ground, and the tower must be designed to prevent climbing within the first 12 feet.

e. Signs. One sign, limited to 18 inches in length and one foot in height, shall be posted at the base of the tower; the sign shall include a notice of no trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.

f. Displacement of Parking Prohibited. The location of a temporary meteorological tower shall not result in the displacement of required parking as specified in Chapter 22.112 (Parking).

g. Maintenance. Temporary meteorological towers shall be maintained in operational condition that pose no potential safety hazards.

h. Removal. Within six months after the operation of a temporary meteorological tower has ceased or its permit has expired, whichever occurs first, the permittee shall remove the temporary meteorological tower, clear the site of all equipment, and restore the site as nearly as practicable to its condition prior to its installation. Failure to remove the temporary meteorological tower as required above shall constitute a public nuisance. Prior to installation of any temporary meteorological

tower, the permittee shall post a performance security, satisfactory to the Director of Public Works, in an amount and form sufficient to cover the cost of the removal of the temporary meteorological tower as provided herein. In the event the temporary meteorological tower is not so removed within 90 days after the permittee's receipt of notice requiring removal, the County may itself cause it to be removed, and the permittee shall be required to pay the County's cost of removal.

i. Guy Wires. The use of guy wires shall be prohibited.

4. Aviation Review. The Director shall distribute copies of the proposed temporary meteorological tower site plan, elevation plan, and location map to aviation related regulatory agencies and facilities with flight operations in the vicinity, as determined by the Director, such as the FAA, Fire Department, Sheriff, Edwards Air Force Base, and Air Force Plant 42, as applicable. Any comments received within 30 days of distribution will be considered in establishing conditions, as appropriate.

5. Additional Findings.

a. Minor Conditional Use Permit. When a Minor Conditional Use Permit (Chapter 22.160) application is required by Subsection F.1, above, the following additional findings shall apply, as applicable:

i. The project complies with all applicable development standards in Subsection F.3, above, unless modified by Subsection F.5.b, below.

b. Additional Findings for a Modification to Development Standards. In addition to the applicable findings required by this Subsection F.5, when a modification has been requested to any development standard in Subsection F.3, above, the following additional findings shall apply, as applicable:

i. Due to topographic or physical features of the site, strict compliance with all the required development standards would substantially and unreasonably interfere with the establishment of the proposed project on the subject property; and

ii. The requested modification would not be contrary to the purpose of this Section.

6. Conditions of Approval. In addition to the conditions that may be imposed under a Minor Conditional Use Permit (Chapter 22.160) application, the following conditions of approval shall be imposed:

a. Development Standards. The applicable development standards in Subsection F.3, above, unless modified by Subsection F.5, above.

b. Findings. Any additional conditions deemed necessary to ensure that such use will be in accordance with the required findings in Subsection F.5, above.

G. Small-Scale Wind Energy Systems.

1. Application Requirements.

a. Minor Conditional Use Permit. Small-scale wind energy systems in Zone R-1, R-2, R-3, R-4, R-5, R-A, A-1, A-2, and O-S shall require a Minor Conditional Use Permit (Chapter 22.160) application, except when modified by this Subsection G.

2. Additional Application Materials.

a. In addition to the application materials required for a Minor Conditional Use Permit (Chapter 22.160), the application shall contain the following information:

i. A minimum of six copies of the proposed site plan, elevation plan, and location map depicting the project location on United States Geological Survey topographic sheets. On each set of the required site and elevation plans, the applicant shall depict the type and location of any safety lights and energy storage devices; and

ii. Drawings to scale of the structure, including the tower, base, wind turbine generator, blades, footings, and associated equipment.

3. Development Standards. Small-scale wind energy systems shall comply with the following standards:

a. Minimum Lot Size. The minimum lot size shall be 0.5 acres.

b. Maximum Tower Height. Tower height shall be measured from the ground to the top of the tower, excluding the wind turbine generator, blades, and wind measuring devices, as applicable, and be consistent with the following:

i. The tower shall not exceed a height of 35 feet above grade for lots less than one acre in size;

ii. The tower shall not exceed a height of 65 feet above grade for lots from one acre to less than two acres in size; and

iii. The tower shall not exceed a height of 85 feet above grade for lots two acres or greater in size.

c. Location.

i. The minimum distance between a small-scale wind energy system and any property line or road right-of-way shall be the distance which is the equivalent to the height of the system including any wind turbine generator, wind measuring devices, and the highest vertical extent of any blades, provided that the required distance shall also comply with any applicable fire setback requirements pursuant to Section 4290 of the California Public Resources Code.

ii. No part of a small-scale wind energy system shall be located within or over drainage, utility, or other established easements, or on or over property lines.

iii. Safe clearance shall be provided between a small-scale wind energy system and all structures and trees.

d. Design.

i. Colors. The colors used in the construction materials or finished surface shall be muted and visually compatible with surrounding development.

ii. Lighting. A safety light that meets FAA standards shall be required for all systems exceeding 50 feet in height including any wind turbine generator, wind-measuring devices, and the highest vertical extent of any blades. A

safety light may also be required on shorter towers. All required lights shall be shielded from adjacent properties, and no other lights shall be placed upon the tower.

iii. Climbing Apparatus. All climbing apparatus must be located at least 12 feet above the ground, and the tower must be designed to prevent climbing within the first 12 feet.

e. Signs. One sign, limited to 18 inches in length and one foot in height, shall be posted at the base of the tower; the sign shall include a notice of no trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.

f. Displacement of Parking Prohibited. The location of a small scale wind energy system shall not result in the displacement of required parking as specified in Chapter 22.112 (Parking).

g. Guy Wires. The use of guy wires shall be prohibited.

h. Clearance of Blade Above Ground Level. No portion of a small scale wind energy system blade shall extend within 20 feet of the ground.

i. Automatic Overspeed Controls. A small-scale wind energy system shall be equipped with manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of the small-scale wind energy system.

j. Wind Turbine Generator.

i. The wind turbine generator shall be certified by a qualified, licensed engineer as meeting the requirements of wind turbine-specific safety and/or performance standards adopted by the national or international standards-setting body, including, but not limited to IEC (International Electric Code) standard 61400-2.

ii. The wind turbine generator shall have a manufacturer's warranty with at least five years remaining from the date the application is filed.

iii. The model of equipment proposed shall have a documented record of at least one year of reliable operation at a site with average wind speeds of at least 12 mph.

k. Noise. Noise from a small-scale wind energy system shall not exceed 60 dBA SEL (single event noise level) as measured at the closest neighboring inhabited dwelling, except during short-term events, such as utility outages and severe windstorms.

l. Visual Effects.

i. No small-scale wind energy system shall be placed or constructed in such a way that it silhouettes against the skyline above any major ridgeline when viewed from any designated Major, Secondary, or Limited Secondary Highway on the County Highway Plan Policy Map, from any designated Scenic Highway, or from any significantly inhabited area, as determined by the Director. As used in this Section, major ridgeline shall mean any ridgeline that surrounds or visually dominates the landscape, as determined by the Director, due to its:

(1) Size in relation to the hillside or mountain terrain of which it is a part;

(2) Silhouetting appearance against the sky, or appearance as a significant natural backdrop;

(3) Proximity to and visibility from existing development or major transportation corridors; or

(4) Significance as an ecological, historical, or cultural resource, including a ridgeline that provides a natural buffer between communities or is part of a park or trails system.

ii. The top of a small-scale wind energy system, including the wind turbine generator and the highest vertical extent of the blades, shall be located at least 25 vertical feet below the top of any adjacent major ridgeline, and a small-scale wind energy system shall be located at least 100 horizontal feet from any adjacent major ridgeline.

iii. Any small-scale wind energy system that is placed within the viewshed of a designated Major, Secondary, Limited Secondary, or Scenic

Highway shall be assessed for its visual effects, and appropriate conditions relating to siting, buffers, and design of the system shall be applied.

iv. The placement of a small-scale wind energy system shall not obstruct views of the ocean from any residence or highway, and shall otherwise conform to the policies and standards of any applicable Local Coastal Plan.

m. Maintenance. Systems shall be maintained in operational condition that poses no potential safety hazards.

n. Removal. Within six months after the operation of a small-scale wind energy system has ceased or its permit has expired, whichever occurs first, the permittee shall remove the system, clear the site of all equipment, and restore the site as nearly as practicable to its condition prior to the installation of the system. Failure to remove such system as required above shall constitute a public nuisance. Prior to installation of any such system, the permittee shall post a performance security, satisfactory to the Director of Public Works, in an amount and form sufficient to cover the cost of the removal of the system as provided herein. In the event the system is not so removed within 90 days after the permittee's receipt of notice requiring removal, the County may itself cause the system to be removed, and the permittee shall be required to pay the County's cost of removal.

o. Additional Standards for Ground-Mounted Small-Scale Wind Energy Systems. In addition to the standards required by this Subsection G.3, a ground mounted small-scale wind energy system shall also comply with the following:

i. Use of trellis-style towers is prohibited;

ii. Buffers. The following buffers shall apply to reduce impacts to birds and bats:

(1) No part of the ground-mounted small-scale wind energy system shall be closer than 300 feet or five times the tallest wind tower height including the wind turbine generator, wind-measuring devices, and highest vertical extent of any blades, whichever is greater, from the following:

(a) Bat roosting sites;

(b) Recorded open space easements and publicly designated preserve areas; and

(c) Riparian areas and wetland.

(2) No part of the ground-mounted small-scale wind energy system shall be closer than one mile from a known golden eagle nest site; and

iii. Tower Base. The vegetation within a 10-foot radius of the base of a wind tower shall be mowed, and appropriate measures shall be applied to prevent re-growth, but removal of existing vegetation root systems shall be prohibited.

4. Aviation Review. The Director shall distribute copies of the proposed site plan, elevation plan, and location map to aviation related regulatory agencies and facilities with flight operations in the vicinity, as determined by the Director, such as the FAA, Fire Department, Sheriff's Department, Edwards Air Force Base, and Air Force Plant 42, as applicable. Any comments received within 30 days of distribution, or more if additional review time is granted by the Director, will be considered in establishing conditions.

5. Additional Findings. When a Minor Conditional Use Permit (Chapter 22.160) application is required by Subsection D.1, above, the following additional findings shall apply, as applicable.

a. Due to topographic or physical features of the site, strict compliance with all the required development standards would substantially and unreasonably interfere with the establishment of the proposed project on the subject property; and

b. The requested modification would not be contrary to the purpose of this Section.

6. Conditions of Approval. In addition to the conditions that may be imposed under Section 22.160.060 (Conditions of Approval), when a Minor Conditional Use Permit (Chapter 22.160) application is required by Subsection G.1, above, the following conditions of approval shall be imposed:

a. Development Standards. The applicable development standards in Subsection G.3, above, unless modified by Subsection G.5, above.

b. Findings. Any additional conditions deemed necessary to ensure that such use will be in accordance with the applicable findings in Subsection G.5, above.

H. Aviation Review. For any small-scale solar energy system or utility-scale solar energy facility subject to a Minor Conditional Use Permit (Chapter 22.160) or Conditional Use Permit (Chapter 22.158) and located within a MOA or AIAs as identified by the General Plan or applicable Airport Land Use Compatibility Plans, the following provisions apply:

1. Consultation. Aviation-related agencies shall be consulted for review of the proposed use for any potential impacts to ensure the safety of residents and continued viability of military training and testing operations. The Department shall distribute copies of the proposed site plan, elevation plan, and location map to the aviation-related agencies and shall request comments within a 30 day period. Applicable aviation-related agencies to be consulted include, but are not limited to, the FAA, United States Navy, Edwards Air Force Base, Air Force Plant 42, United States Forest Service, California Department of Transportation Division of Aeronautics, Public Works – Aviation Division, Airport Land Use Commission, Fire Department, and Sheriff's Department. The consultation review shall request consideration of the following:

a. Uses that produce electromagnetic and frequency spectrum interference, which could impact military operations;

b. Uses that release into the air any substances that may impair visibility such as steam, dust, or smoke;

c. Uses that produce light emissions that could interfere with pilot vision or be mistaken for airfield lighting, such as glare or distracting lights;

d. Uses that physically obstruct any portion of the MOA due to relative height above ground level; and

e. Uses, such as utility-scale solar energy facilities, that may affect aviation fire-fighting operations.

2. Any comments received through consultation shall be considered by the Department and provided to the Commission or Hearing Officer, as applicable.

I. Enforcement Procedures.

1. Pursuant to Section 22.242.070.A (Final Zoning Enforcement Order), the Director is authorized to issue a Final Zoning Enforcement Order, without prior issuance of a Notice of Violation, to any permittee operating a small-scale solar energy system, utility scale solar energy facility, temporary meteorological tower, or a small-scale wind energy system not in compliance with the provisions of this Section. The Final Zoning Enforcement Order shall subject the non-compliant permittee to enforcement actions pursuant to Section 22.242.070 (Zoning Enforcement Order and Noncompliance Fee). In addition, the non-compliant permittee may be subject to any civil and criminal remedies.

2. Nothing in this Subsection I shall preclude the Director from issuing a warning, field notice of violation, Notice of Violation, or citation prior to issuing a Final Zoning Enforcement Order for a non-compliant small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system.

22.140.520 Residential Care Facilities.

A. Applicability. This Section applies to residential care facilities, including adult residential facilities, group homes, and small family homes for children, that house six or fewer persons in all zones where permitted.

B. Application Requirements.

1. Permitted. Residential care facilities are permitted if located in an existing dwelling unit in a zone where residential uses are permitted by the zone; or

2. Application Required.

a. In Zones A-1, A-2, R-A, R-1, R-2, R-3, R-4, and R-5, new residential care facilities shall be located no closer than 300 feet from another

established residential care facility, unless a Minor Conditional Use Permit (Chapter 22.160) application is approved. Foster family homes and residential care facilities for the elderly, or persons over 62 years of age, are exempt from this Subsection B.2.a; or

b. In all other zones, residential care facilities in a new building are permitted with any residential use permitted by the zone with the required application for said residential use.

C. State Licensing. Residential care facilities shall be licensed by the State prior to operation.

22.140.530 Scrap Metal Processing Yards.

A. Applicability. This Section applies to scrap metal processing yards in Zone M-2.

B. Enclosure. All operations and storage, including all equipment used in conducting such use, other than parking, shall be conducted within an enclosed building or within an area enclosed by a solid wall or solid fence.

C. Fences and Walls. Where fences or walls are provided, they shall be developed as follows:

1. All fences and walls shall be of a uniform height in relation to the ground upon which they stand, and shall be between eight and 15 feet in height. Where fences or walls exceed a height of 10 feet and are located on street or highway frontages, they shall be set back at least three feet from the lot line. The area between the fence and the lot line shall be fully landscaped according to the specifications hereinafter described in Subsection F, below.

2. All fences and walls open to view from any street or highway or any area in a Residential, Agricultural, or Commercial Zone shall be constructed of the following materials:

a. Metallic panels, at least 0.024 inches thick, painted with a "baked on" enamel or similar permanent finish;

b. Masonry; or

c. Other materials comparable to the foregoing, if approved by the Commission or Hearing Officer.

3. Other required fences may be constructed of material other than as specified in Subsection C.2, above.

4. All fences and walls shall be constructed in workmanlike manner and shall consist solely of new materials unless the Commission or Hearing Officer approves the substitution of used materials where, in his opinion, such used materials will provide the equivalent in service, appearance, and useful life.

5. All fences and walls, excluding masonry and approved permanent-finish panels, shall be painted a uniform, neutral color, excluding black, which blends with the surrounding terrain, and improvements shall be maintained in a neat, orderly condition at all times. Such fence or wall shall contain no painted signs or posters except as approved by the Commission or Hearing Officer.

6. Any structures which are used as part of the yard boundaries or are exposed to view from a street or highway frontage shall be subject to painting, maintenance, and sign requirements for fences and walls as provided in Subsection C.5, above. The Commission or Hearing Officer may approve other appropriate architectural treatment.

D. Modification to Fences and Walls. The Commission or Hearing Officer may modify fences or walls required by Subsection C, above, when said fences or walls are not exposed to view from any street or highway or any area in a Residential, Agricultural, or Commercial Zone:

1. Where adjoining property is located within Zones M-2, M-2.5, or M-3, and is developed with an automobile dismantling yard, junk and salvage yard, scrap metal processing yard, or other open storage use displaying similar characteristics; or

2. Where substantial fences, walls, or buildings are located adjacent to property lines on surrounding properties which serve to enclose such yard as well or better than the wall or fence required herein. Should the use, fence, wall, or building

providing justification for such modification be removed, such wall or fence shall be provided in compliance with this Section within six months from the date of such removal.

E. Paving.

1. All areas of the yard open to vehicular passage shall be paved with an asphalt surfacing or an oil and aggregate mixture to prevent emission of dust or tracking of mud onto public rights-of-way; provided, however, the Commission or Hearing Officer may approve other paving materials which provide, in thier opinion, the equivalent in service and useful life.

2. Areas designated for storage or otherwise restricted to vehicular passage shall be indicated on the site plan and be so maintained unless surfaced as provided herein.

F. Landscaping.

1. At least one square foot of landscaping shall be provided for each linear foot of street or highway frontage, and said landscaping shall be developed in accordance with a site plan which complies with the following criteria:

a. Landscaping shall be distributed along said frontage in accordance with the site plan approved by the Commission or Hearing Officer.

b. No planting area shall have a horizontal dimension of less than three feet.

c. A permanent watering system or hose bibs shall be provided which satisfactorily irrigates all planted areas. When hose bibs are utilized, they shall be so located as to permit the watering of planted areas with a 50-foot hose.

d. All landscaped areas shall be continuously and properly maintained in good condition.

2. In existing yards, the Commission or Hearing Officer may approve alternative methods of providing landscaping where the criteria provided herein would cause unnecessary hardship or constitute an unreasonable requirement and an

alternative plan will, in the Director's opinion, provide as well or better for landscaping within the intent of this provision.

G. Storage Limitations.

1. Salvage or junk:

a. Shall not be placed or allowed to remain outside of the enclosed yard area; and

b. May be stored above the height of the fence or wall, provided such storage is not within 10 feet of an exterior lot line.

2. Where the land upon which the yard is located is in Zone M-3, and such storage above said fence or wall is not within 500 feet of any other zone, the 10-foot setback shall not apply.

H. Modification. Notwithstanding Subsection D, above, the requirements in this Section may be modified upon approval of a Variance (Chapter 22.194) application.

I. Compliance with Other Regulations. The standards of development for such yards as set forth in this Section shall not relieve the proprietors of such yards from complying with all regulations, laws, and ordinances of the County and the State of California.

22.140.540 Second Units.

A. Purpose. This Section is to provide for the development of second units in Residential and Agricultural Zones with appropriate development restrictions, pursuant to Section 65852.2 of the California Government Code. Nothing in this Section shall preclude the development of multiple single-family residences pursuant to Title 21 (Subdivisions) of the County Code in lieu of and as an alternative to the procedures set forth in this Section and Section 65852.2 of the California Government Code.

B. Definitions. Specific terms used in this Section are defined in Division 2 (Definitions) under "Second Units."

C. Applicability.

1. This Section applies to second units in all zones where permitted.

2. All regulations of the zone and any supplemental district or specific plan in which the second unit is located shall apply, except as follows:

a. Where the regulations within this Section are contrary to regulations established by any zone, district, or specific plan, the more restrictive regulation shall apply;

b. Notwithstanding Subsection C.2.a, above, the parking requirements in Chapter 22.112 (Parking) for second units shall supersede those regulations established by any zone, district, or specific plan;

c. No zone, district, or specific plan regulation that requires discretionary review or hearing to establish a second unit shall apply; and

d. No zone, district, or specific plan regulation that prohibits a second unit shall apply.

D. Prohibited Areas. A second unit is prohibited if any part of its building site is located:

1. Within a Significant Ecological Area;

2. On land with a natural slope of 25 percent or more; or

3. Within the boundaries of a noise zone, as described in Chapter 22.76 (Noise Insulation Program).

E. Application Requirements. A second unit is permitted in any area that is not prohibited under Subsection D, above, provided that the applicant obtains one of the following:

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required if the second unit's building site is located:

a. Outside of a Very High Fire Hazard Severity Zone, as defined in Section 223-V of Title 32 (Fire Code) of the County Code;

b. Within an area that is served by a public sewer system; and

c. Within an area that is served by a public water system; or

2. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required if the second unit's building site does not meet all of the location criteria described in Subsection E.1, above.

F. Additional Application Materials.

1. Ministerial Site Plan Review. A second unit that requires a Ministerial Site Plan Review (Chapter 22.186) application shall submit the following materials:

a. Verification by public sewer and public water purveyors, that the sewer and water facilities in the area are adequate to meet the demands of the second unit and all other properties served by the same sewer and water facilities;

b. If any portion of an exterior wall of the first story of the second unit will be located more than 150 feet from fire apparatus access, verification by the Fire Department that there exists a fire apparatus access road, as provided in Section 902.2.1 of Title 32 (Fire Code) of the County Code; and

c. Evidence that the applicant is an owner-occupant of the single-family residence located on the same lot on which the second unit is proposed.

2. Conditional Use Permit. A second unit that requires a Conditional Use Permit (Chapter 22.158) application shall submit the following materials:

a. Application within a Very High Fire Hazard Severity Zone. For a proposed second unit in a Very High Fire Hazard Severity Zone:

i. Preliminary verification, with conditions as applicable, by the Departments of Fire and Public Works that the existing single-family residence and second unit will be adequately protected against fire hazard; and

ii. For a second unit within 200 feet of a nature preserve, wildlife habitat, park, forest, or similar area, owned by a public agency or non-profit organization, conceptual approval by the Fire Department of a fuel modification plan that does not extend into these areas.

b. Application in Area with No Public Sewer System. For a proposed second unit within an area that is not served by a public sewer system,

preliminary verification, with conditions as applicable, by the Department of Public Health that a private sewer system may be installed for the second unit in accordance with the guidelines of that department.

c. Application in Area with No Public Water System. For a proposed second unit within an area that is not served by a public water system, preliminary verification, with conditions as applicable, by the Fire Department, Public Health, and Public Works that the existing or proposed water supply to the site will be adequate to serve, both the existing single-family residence and the second unit.

d. All Applications. An assumption of risk, waiver of liability, and covenant not to sue by the applicant and the property owner, if different, and their successors for the County, its agents, officers, and employees, for damages resulting from approval of, or imposition of conditions on, a Conditional Use Permit pursuant to this Section.

G. Use Restrictions.

1. A second unit may be developed on a lot that contains not more than one single-family residence.

2. No more than one second unit is permitted on any lot.

3. A second unit may not be separately sold from the primary single-family residence on the same lot, but it may be used as a rental unit.

4. A second unit within an Equestrian District shall be located at least 35 feet from any side or rear property line, unless the unit is attached to and entirely within the outside horizontal dimensions of an existing single-family residence.

5. A second unit shall not be permitted on a lot where either of the following exists:

a. A mobilehome or residence for use by a caretaker and his immediate family; or

b. A guest house.

H. Development Standards. A second unit shall comply with the following development standards:

1. Single-Family Residence Standards. A second unit shall comply with Section 22.140.580 (Single-Family Residences), except Section 22.140.580.B (Minimum Building Width) and Section 22.140.580.C (Minimum Floor Area) shall be superseded by this Subsection H.

2. Street Frontage. The lot on which the second unit is located shall take vehicular access from a street or highway with a right-of-way of at least 50 feet in width.

3. Minimum Floor Area. The minimum floor area shall be 220 square feet.

4. Maximum Floor Area. The maximum floor area shall vary depending on the location and size of the lot as follows:

a. In urban areas:

i. 600 square feet, for lots less than 6,000 square feet in size.

ii. 800 square feet, for lots between 6,000 square feet and 7,499 square feet in size.

iii. 1,000 square feet, for lots between 7,500 square feet and 9,999 square feet in size.

iv. 1,200 square feet, for lots 10,000 square feet or larger in size.

b. In rural areas: 1,200 square feet.

5. Height. The maximum height of a second unit shall be as follows:

a. In urban areas:

i. 17 feet for detached units.

ii. 20 feet for attached units, with the following exceptions:

(1) Any portion of the structure that is set back more than 20 feet from the front property line may have an additional foot in height for every additional foot of setback, up to a maximum of 35 feet in height; and

(2) Any portion of the structure that is set back more than five feet from the side property line may have an additional foot in height for every additional foot of setback, up to a maximum of 35 feet in height.

b. In rural areas: 35 feet.

6. Minimum Lot Size. The minimum size of a lot on which a second unit is developed shall be as follows:

a. In urban areas, a net area of 5,000 square feet, except that this standard shall not apply to an attached second unit that is added as a second story and is entirely within the outside horizontal dimensions of the existing structure.

b. In rural areas, a gross area of one acre.

7. Maximum Lot Coverage-Urban Areas. In urban areas, the maximum lot coverage for all buildings shall be 40 percent.

8. Required Yards – Rural Areas. In rural areas, each lot on which a second unit is developed shall have front, side, and rear yards of not less than 35 feet in depth.

I. Covenant. Any application for a second unit shall be submitted only by the owner-occupant of the single-family residence on the property where the second unit is proposed. Thereafter, either the single-family residence or the second unit shall be owner-occupied in perpetuity. A covenant shall be filed with the Registrar-Recorder/County Clerk that states the owner-occupant agrees to the terms and also states that any violation thereof shall be subject to Chapter 22.242 (Enforcement Procedures). This covenant shall run with the land.

J. Modification. The requirements in Subsection H, above, may be modified upon approval of a Variance (Chapter 22.194) application.

22.140.550 Secondhand Stores.

A. Applicability. This Section applies to secondhand stores in Zones C-2 and MXD.

B. Residential Uses Prohibited. A residential use, accessory or otherwise, is prohibited on the same lot as a secondhand store, unless the residential use is within a

mixed use development that has a secondhand store and otherwise complies with Section 22.140.360 (Mixed Use Developments).

C. Enclosure. The areas of a secondhand store for donation drop-off, sorting, storing, and distributing shall be located entirely within an enclosed building.

D. Required Sign. A secondhand store shall post one wall sign, with a minimum of one square foot and a maximum of four square feet of sign area, notifying the public that donation drop-offs to the secondhand store during non-business hours are prohibited. The sign area for this wall sign shall not be included in calculating the maximum wall sign areas permitted for the secondhand store under Section 22.114.110 (Wall Signs).

22.140.560 Self-Service Storage Facilities.

A. Purpose. This Section establishes comprehensive regulations to provide self-service storage facilities which are compatible with the surrounding community. The minimum development standards for self-service storage facilities are intended to protect property values, aesthetics, and the public health, safety, and general welfare.

B. Applicability. This Section applies to self-service storage facilities in all zones where permitted.

C. Minimum Lot Area: The minimum lot size shall be one acre, unless the Commission or Hearing Officer approves a smaller lot.

D. Resident Manager.

1. A resident manager shall be required at the facility, housed in a structure with an architectural style and exterior finish compatible with the other buildings on the subject property.

2. Failure to provide and maintain such a manager to ensure compliance with the provisions of this Section shall constitute a public nuisance and grounds for revocation of an approved permit.

E. Access and Circulation.

1. Vehicular ingress and egress shall be limited to one point for each side of the subject property adjoining any street or highway, and shall conform to the Fire Department standards.

2. At least 40 feet of clear, unobstructed driveway depth shall be provided from the road to the primary access gate or principal entry point of the facility.

3. Interior driveway widths shall be at least 26 feet unless, due to the irregular shape or configuration of the lot under consideration, the Commission or Hearing Officer specifically authorizes a width less than 26 feet, if in conformity with Fire Department standards. A driveway providing access to storage units on one side only of the facility shall be not less than 20 feet in width.

F. Parking and Loading.

1. At least two covered parking spaces shall be provided adjacent to the manager's residence.

2. One parking space shall be provided for use by each employee in addition to the manager. Employee parking spaces shall be located adjacent to the manager's residence.

3. One standard parking space for each 7,000 square feet of gross floor area shall be provided, made conveniently accessible and arranged as not to obstruct any driveways or adversely affect vehicular ingress and egress to the facility.

4. Loading areas shall be provided in an amount sufficient to ensure that driveways remain unobstructed and conveniently accessible.

G. Site Design.

1. The architecture of the self-service storage facility, including, but not limited to fences, walls, gates, buildings, and landscaping, shall, to the maximum extent possible, be compatible with the community.

2. Buildings shall be designed, located, and screened so that the views of boat and vehicle storage, overhead doors, and the interior driveways within such facilities are not readily visible from adjacent streets.

3. No door openings for any storage unit shall be visible at ground level from any residentially zoned property.

H. Building Height and Lot Coverage.

1. Building height shall be approved by the Commission or Hearing Officer.

2. Total lot coverage by buildings shall not exceed 50 percent.

I. Setbacks.

1. Front Yards. All buildings and structures shall be set back a minimum of 10 feet from the front lot line, except where abutting a Residential Zone, where they shall be set back a minimum of 20 feet.

2. Side and Rear Yards. All buildings and structures in side and rear yards abutting a Residential Zone shall be set back as follows:

a. Single-story buildings, a minimum of 10 feet.

b. Two-story buildings, a minimum of 15 feet.

c. Three or more story buildings, a minimum of 20 feet.

d. In all other cases, the required setbacks in the side and rear yards shall be determined by the development standards of the zone in which the lot is located.

J. Landscaping and Screening.

1. All areas between required fences or walls and the lot lines that are not used for driveways shall be fully landscaped with lawn, shrubbery, trees, or flowers.

2. In addition to Subsection J.1, above, for every 20 feet of street frontage of the subject property, a minimum of one 24-inch boxed tree shall be planted and continuously maintained.

K. Fences and Walls.

1. All fences or walls shall be constructed of materials such as textured masonry, concrete block, wood, or other similar materials to assure an aesthetic visual effect to passers-by. No chain link fencing is permitted.

2. The design and materials used in the construction of fences and walls shall be compatible with the architecture of the buildings of the self-service storage facility and with buildings in the area surrounding the facility.

3. When the facility adjoins a residentially zoned property, a masonry or decorative block wall at least six feet in height shall be constructed along the property lines.

4. When the facility is across from or adjacent to a residentially zoned property, a masonry or decorative block wall or wrought iron fence at least six feet in height shall be constructed along the required setback line. The decorative side of the block shall face the residential area.

5. Exterior wall surfaces shall at all times be kept free from graffiti or any other marks of vandalism.

6. No fencing or walls shall be permitted in the required front yard area unless specifically authorized by the Commission or Hearing Officer.

L. Outdoor Storage.

1. The following may be stored outside of an enclosed building, in an area designated and approved for such outdoor storage, if such storage is permitted in the zone:

a. Boats.

b. Campers.

c. Passenger vehicles, as defined in Section 465 of Title 15 (Vehicle and Traffic) of the County Code.

d. Recreational vehicles.

e. Travel trailers.

2. Outdoor storage shall further comply with the following conditions:

a. Outdoor storage shall not be visible from any adjoining lot or from adjacent streets when viewed at ground level.

b. Outdoor storage is prohibited within required setback areas.

c. Any vehicle or piece of equipment stored shall not be permitted to exceed 15 feet in height, as measured from grade.

d. Areas proposed for outdoor storage within the facility shall be clearly indicated on the site plan and approved prior to the use of any such area for outdoor storage.

M. Outdoor Lighting. Outdoor lighting shall be shielded to direct light and glare only onto the premises of the facility. Such lighting shall be deflected, shaded, and focused away from all adjoining properties. Such lighting should not exceed an intensity of one foot-candle of light throughout the facility.

N. Signs. Notwithstanding Chapter 22.114 (Signs), the following standards apply:

1. Signage shall, to the maximum extent possible, be unobtrusive and harmonious with the surrounding area of the facility.

2. No signage shall appear or be permitted on any fences or walls unless specifically authorized by the Commission or Hearing Officer.

3. No signs, other than ground-mounted and monumental signs, shall be permitted in the required front yard, unless specifically authorized by the Commission or Hearing Officer.

O. Public Restrooms. A public restroom, as defined in Chapter 13.26 (Public Restrooms) Title 13 of the County Code, shall be installed and be conveniently located on the site for use by customers. Said public restroom shall include separate facilities for men and women, each with toilets and sinks suitable for use by persons with disabilities, in accordance with applicable State regulations.

P. Trash Receptacles.

1. All such receptacles shall be placed within a masonry or decorative block wall enclosure of adequate height to preclude view of the receptacle. Said enclosure shall have a wooden or other type of opaque gate.

2. One four-cubic-yard trash receptacle and surrounding enclosure shall be provided as follows:

a. Between 0 to 60,000 gross square feet, one receptacle.

b. Over 60,000 gross square feet, two receptacles.

Q. Use Restrictions and Prohibitions. In addition to those activities and uses that are prohibited in the zone in which the facility is proposed, the following uses and activities are prohibited, and each such prohibition is a mandatory condition of every approved Conditional Use Permit (Chapter 22.158) application. Rental or lease contracts to each individual lessee shall include clauses in conspicuous print and clear language indicating these prohibitions:

1. Water, gas, or telephone service to any rental space;

2. The public sale of any item from a rental space or within a self-service storage facility such as, but not limited to, auctions, commercial, wholesale or retail sales, or miscellaneous or garage sales, except as otherwise permitted by law;

3. The storage of any caustic, hazardous, toxic or flammable or explosive matter, material, liquid, or object;

4. The storage of any matter, material, liquid, or object which creates or tends to create obnoxious or offensive dust, odor, or fumes;

5. The construction, repair, servicing, renovating, painting, or resurfacing of any motor vehicle, boat, trailer, or other machine or implement including, but not limited to, furniture, toys, carpets, or similar equipment, objects, or materials;

6. Any commercial, business, professional, industrial, or recreational use or activity;

7. The establishment of a transfer and storage business;

8. Use of parking and loading spaces required by Subsection F, above, as rental storage space;

9. Human habitation of any rental space;

10. Animal boarding in any rental space; and

11. Utilization of any cargo shipping container on the subject property, unless specifically authorized by the Commission or Hearing Officer.

R. Modification. The requirements in this Section may be modified upon approval of a Variance (Chapter 22.194) application.

22.140.570 Shared Water Wells.

A. Applicability. This Section applies to shared water wells as an accessory use in Zones A-1, A-2, R-A, R-1, and R-2.

B. Additional Application Requirements. In addition to any application materials required by this Title 22, an application for a shared water well shall include:

1. Description. The legal description of each lot that will share the well.

2. Statement. A detailed statement of:

a. The number and location of the dwelling units that will share the well and each of their existing and proposed uses. For purposes of determining the number of dwelling units that will share the well:

i. A primary unit, second unit, caretaker's residence (either conventional or mobilehome), and a senior citizen residence shall each be considered one dwelling unit; and

ii. A detached or attached guest house without a kitchen shall not be considered a dwelling unit.

b. The amount of water that will be available to each dwelling unit that will share the well and the intended uses for the water.

3. Site Plan. A site plan that shows:

a. The location and depth of all existing and proposed infrastructure for water and sewers on the lot, including, but not limited to, the infrastructure for:

i. Existing wells, including abandoned wells;

ii. Newly proposed wells; and

iii. Existing and proposed sewage or waste disposal systems.

b. Existing and proposed easements, covering any portion of the lot.

4. Water Test Results. Test results for boring, chemical constituent, and bacteriology, showing, to the satisfaction of the Department of Public Health, the adequacy of groundwater depth, well yield, water flow, and water quality to service the dwelling units that will share the well.

5. Access Easement. An access easement prepared by a licensed attorney, licensed surveyor, or registered civil engineer, showing, to the satisfaction of the Fire Department and the Departments of Public Health and Public Works, that access to the shared water well, and its related pumps, tanks, and pipes, has been granted to the owners of the dwelling units that will share the well.

6. Covenant. A covenant prepared by a licensed attorney, signed by the owners of all of the dwelling units that will share the well, setting forth, to the satisfaction of the Fire Department and the Departments of Public Health, and Public Works:

a. The information described in Subsections B.1 and B.2, above.

b. The procedures for modifying and amending the covenant.

c. That the owner of the lot that contains the shared water well has agreed to:

i. Ensure a continuous flow of water to all dwelling units that will share the well;

ii. Submit a bacteriology report to the Department of Public Health every three years following the approval of the shared well, prepared by a registered civil engineer, registered engineering geologist, or certified hydrologist with hydrology-related experience, describing the quality of the water from the shared water well; and

iii. Submit a report to the Department of Public Health or other appropriate County department every three years following the approval of the

shared well, prepared by a California-registered geologist or registered engineer holding a valid Class A general engineering contractor C-57 or C-61 (D-21) license, certifying that the shared water well is fully operational.

d. That each owner of a lot that will share the well has agreed to ensure that the water from the shared water well will be used exclusively to service those dwelling units described in the application for the shared well.

e. That the applicant will obtain all necessary permits and approvals from the Fire Department and the Departments of Public Health and Public Works.

7. Documentation Regarding Assumption of Risk. A document prepared by a licensed attorney, and satisfactory to the County, demonstrating that all owners of the dwelling units that will share the well and all successors, assigns, and tenants of such owners agree to assume all risks, waive all liability, covenant not to sue, and indemnify the County, its agents, officers, and employees for any damages resulting from the County's approval of, or imposition of, conditions on the application or subsequent use of the shared water well by such persons.

8. Waivers. During review, the Director may waive any of the requirements set forth in Subsections B.1 through B.7 above, provided that the Director obtains an approval for such waiver from the Fire Department and the Departments of Public Health and Public Works.

C. Notice. The application shall comply with all noticing requirements as required by a Minor Conditional Use Permit (Chapter 22.160) application, except that the notification radius shall be 1,000 feet from the exterior boundaries of the lots that propose to share a water well. In addition, noticing of the filing and the application materials shall also be sent to the Fire Department and the Departments of Public Health and Public Works for their review and conceptual approval.

D. Additional Findings.

1. The shared water well will not be materially detrimental to the affected aquifer/water table levels;

2. The shared water well will not be materially detrimental to the use, enjoyment, or value of the properties adjacent to the properties where the subject dwelling units are located;

3. The shared water well will not induce significant growth in the area surrounding the shared water well; and

4. The shared water well will not have a significant adverse effect on public services, facilities, and roads in the area surrounding the shared water well.

E. Conditions. The Hearing Officer may impose any conditions deemed appropriate to ensure that the use of the shared water well will be consistent with the findings in Subsection D, above, and will further the objectives of all other provisions of this Section, including, but not limited to, conditions requiring that:

1. Prior to the construction of the shared well, the applicant shall obtain all necessary permits and approvals from the Fire Department and the Departments of Public Health and Public Works; and

2. Prior to the use of the shared well, the documents described in Subsections B.5, B.6, and B.7, above, shall be recorded with the Registrar-Recorder/County Clerk and that such recorded documents shall constitute covenants running with the land for the benefit of the County.

22.140.580 Single-Family Residences.

A. Applicability.

1. This Section applies to single-family residences in Zones A-1, A-2, R-A, R-1, R-2, R-3, R-4, C-RU, and MXD-RU.

2. In Zone O-S, a single-family residence may be developed only as an accessory use to a farm or ranch as a principal use, with the approval of a Conditional Use Permit (Chapter 22.158) application.

B. Minimum Building Width.

1. Required Width. A single-family residence shall be not less than 20 feet wide.

2. Exception to Required Width. Notwithstanding Subsection B.1, above:

a. A single-family residence may be a minimum of 18 feet wide, if the lot is less than 26 feet in width.

b. To allow for flexibility and creativity of design, a single-family residence may be less than 20 feet wide, but not less than 12 feet wide, if the floor area, exclusive of accessory structures, is at least 900 square feet and the side or sides oriented toward a public street, highway, or parkway have a dimension of at least 20 feet.

3. Additions. Additions to a single-family residence are not restricted in width.

C. Minimum Floor Area. A single-family residence shall have a floor area of not less than 800 square feet.

D. Roof and Exterior Siding Materials.

1. Every single-family residence shall have a roof constructed with wood-shake, shingle, asphalt composition, crushed rock, or other roofing material with similar appearance, quality, and durability, in compliance with Title 26 (Building Code) of the County Code;

2. Every single-family residence shall have an exterior siding of brick, wood, stucco, metal, concrete, or other material with similar appearance, quality, and durability, in compliance with Title 26 (Building Code) of the County Code;

3. Metal roof and exterior siding materials with a factory-applied surface coating are permitted if in compliance with Subsection D.4, below. Factory-applied surface coatings include "baked on" enamel, powder coating, or other similar permanent coating applied to the roof or siding materials by the manufacturer; and;

4. The following roof and exterior siding materials on every single-family residence are hereby prohibited:

a. Shiny, glossy, polished, and metallic-looking materials; and

b. Any materials with a finished surface that result in glare or direct illumination across the bounding property line from a visible source of illumination, where the intensity of such resulting glare or direct illuminations creates a nuisance or detracts from the use or enjoyment of another property.

E. Modification.

1. Applicability. The requirements in Subsections B through D, above, may be modified upon approval of a Minor Conditional Use Permit (Chapter 22.160) application, subject to Subsection E.2, below.

2. Additional Findings.

a. A finding that such modification would not be materially detrimental to the use, enjoyment, or value of property of other persons which is located in the vicinity of the residential site can be made; and

b. Any of the following findings can be made:

i. That such modification would be architecturally compatible with existing residences in the surrounding neighborhood;

ii. That a proposed alteration or addition to an existing single-family residence will be a continuation of its existing architectural style;

iii. That such modification is needed for safety reasons to comply with other applicable codes, laws, ordinances, rules, and regulations; or

iv. The site of the proposed single-family residence is sufficiently remote or screened so as to preclude the proposed modification from having a detrimental effect upon the surrounding area.

F. Additional Standards for Zones C-RU and MXD-RU. In Zones C-RU and MXD-RU, the following additional standards shall apply:

1. Single-family residences are permitted only in conjunction with any use listed in Section 22.24.030.C.1 (Principal Uses) for said zone in the "Retail/Commercial Uses" or "Services Uses" Category, provided that the use is legally established on the same lot.

2. Single-family residences shall comply with the standards in Section 22.18.040 (Development Standards for Residential Zones) for Zone R-1.

3. The standards required by this Chapter shall not apply to any the commercial development on the same lot.

22.140.590 Tasting Rooms and Remote Tasting Rooms.

A. Purpose. This Section provides comprehensive standards for tasting rooms and remote tasting rooms to facilitate the development of such agriculturally supportive businesses, while at the same time to minimize their potential impacts to surrounding uses.

B. Definitions. Specific terms used in this Section are defined in Division 2 (Definitions), under "Tasting Rooms and Wineries."

C. Applicability. This Section applies to tasting rooms and remote tasting rooms in all zones where permitted.

D. Application Requirements.

1. Minor Conditional Use Permit. A Minor Conditional Use Permit (Chapter 22.160) application is required for tasting rooms and remote tasting rooms when Subsection D.2, below, does not apply; or

2. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required if:

a. The applicant requests a modification to any development or operating standard as set forth in Subsections F and G, below, for the tasting room or remote tasting room, including a request to allow the tasting room or remote tasting room to hold additional wine events, or to allow the on-site consumption of additional food items or additional types or qualities of alcohol, beyond what would otherwise be allowed by this Section; or

b. The subject lot for where a proposed tasting room or remote tasting room is located within:

i. A national recreation area or within one mile of a national recreational area;

ii. A 500-foot radius of any use selling alcoholic beverages for on-site or off-site consumption; or

iii. A high crime reporting district, as described in the California Alcoholic Beverage Control Act or the regulations as established under the Act.

E. Additional Application Materials for Remote Tasting Rooms. In addition to the materials required by the applications listed in Subsection D, above, when an application is filed in Zones A-1, A-2, or R-R for a remote tasting room, the application shall contain the following information:

1. Maps showing the existing topography of the subject lot on which the remote tasting room is located, delineating all portions of such lot with a slope of 25 percent or greater; and

2. Site plans showing the location and area of the subject lot, or the adjoining lot as applicable, where the existing agricultural products that are under cultivation for the purpose of wine production are situated, as well as photographic evidence of such products.

F. Development Standards.

1. Tasting Rooms.

a. Maximum Floor Area. Tasting rooms shall not occupy more than 20 percent of the total floor area of the associated winery facilities, or 10,000 square feet, whichever is less.

2. Remote Tasting Rooms. In Zones A-1, A-2, and R-R, remote tasting rooms shall comply with the following:

a. Lot Size. The lot on which the remote tasting room is located shall have a minimum net area of two acres. For the purpose of this Subsection F.2, net area shall exclude any significant ecological area in addition to those areas excluded from the definition of "net area" in Section 22.14.140 of Division 2 (Definitions).

b. Use of Lot. Remote tasting rooms shall be permitted only:

i. On a lot containing existing agricultural products under cultivation for the purpose of wine production, provided that such agricultural products cover at least 50 percent of the net area of such lot; or

ii. On a lot adjoining a lot as described in Subsection F.2.b.i, above, that is owned or leased by the same person owning or leasing such adjoining property, provided that the owner or lessee records a covenant with the Registrar-Recorder/County Clerk, as approved by the Director prior to recordation, agreeing to continue to own or lease the adjoining lot for as long as the remote tasting room remains in operation, with any violation of said covenant being subject to Chapter 22.242 (Enforcement Procedures).

c. Access. Remote tasting rooms shall provide access to the nearest public roadway to the satisfaction of the Fire Department and Public Works, and such access shall have a minimum width of 28 feet.

d. Lot Coverage. The lot coverage of a remote tasting room shall be a maximum of 15 percent of the net area of the lot on which it is located or 15,000 square feet, whichever is less.

G. Performance Standards. Tasting rooms and remote tasting rooms shall comply with the following standards:

1. Noise Control. Tasting rooms and remote tasting rooms shall comply with the noise control provisions of Chapter 12.08 (Noise Ordinance) in Title 12 of the County Code.

2. Employee Training. Any employee who serves or sells alcoholic beverages in any tasting room or remote tasting room shall complete a responsible beverage service training program that meets the requirements of the California Alcoholic Beverage Control Act within 90 days of hire. Records of such training shall be kept and maintained on the tasting room or remote tasting room premises and shall be made available upon request by the Department or Sheriff's Department.

3. Tasting Amount. Wine tastings shall be limited to the serving of no more than three ounces of wine per customer per day.

4. Complimentary Food Items. Complimentary food items customarily offered with wine tasting may be offered to customers, including but not limited to fruit slices, cheese, and crackers, provided that:

a. No advertisements for such food items shall be placed on any signage for the associated tasting room; and

b. Food items are prepared and offered in accordance with any and all regulations or requirements of the applicable government agencies regarding the preparation, licensing, and inspection of such food items.

5. Packaged Food Sales. Tasting rooms and remote tasting rooms may engage in the retail sale of packaged food for off-site consumption, including, but not limited to, jam, jellies, and olive oil, provided that:

a. The packaged food is produced from agricultural products grown on lots owned or leased by the holder of a Type 02 license issued by the California Department of Alcoholic Beverage Control;

b. The associated winery's logo is permanently and prominently affixed to all such packaged food sold; and

c. The packaged food is prepared and offered in accordance with any and all regulations or requirements of the applicable government agencies regarding the preparation, licensing, and inspection of such packaged food.

6. Incidental Merchandise Sales. Tasting rooms and remote tasting rooms may engage in the retail sale of incidental merchandise, provided that the associated winery's logo is permanently and prominently affixed to all such items sold.

7. Additional Standards for Tasting Rooms. Tasting rooms in Zones A-1, A-2, and R-R shall also comply with the following additional standards:

a. Operating Hours. Tasting rooms shall operate only between the hours of 10:00 a.m. and 7:00 p.m., every day.

b. Noise. A tasting room shall produce no external amplified sounds. Live music, both inside and outside the tasting room, is prohibited.

c. Wine Events. Tasting rooms may host wine events, if a Special Event Permit (Chapter 22.188) application is granted. Wine events may be hosted by the winery for its own financial gain, or for the financial gain of a private non-profit organization, as the term is defined in Section 23356.1 of the California Business and Professions Code.

8. Additional Standards for Remote Tasting Rooms.

a. Wine Events. Remote tasting rooms in Zones C-1, C-2, C-3, C-M, and C-R may hold a wine event without a Special Event Permit, provided that:

i. The wine event is limited to a maximum of 25 guests or customers;

ii. The remote tasting room holds no more than 20 wine events in any 12-month period; and

b. A record of each wine event is maintained on the premises of the remote tasting room and is made available upon request by the Department or Sheriff's Department.

22.140.600 Townhouses.

A. Applicability. This Section applies to townhouses in Zones A-1, A-2, R-R, R-A, R-1, and R-2.

B. Development Standards.

1. Standards of Zone Apply. A townhouse development shall be subject to all standards of the zone in which proposed except as otherwise provided in this Section or in a Conditional Use Permit (Chapter 22.158) in which density-controlled development is requested and approved.

2. Number of Townhouses. The maximum number of townhouses that may be confined within a single building shall be specified as part of the approval. In the absence of a specified number, not more than six townhouses shall be so placed.

3. Distance Between Buildings or Structures. The required distance between buildings or structures shall be specified as part of the approval. In the

absence of a specified number, the distance between buildings or structures in a townhouse development shall not be less than 10 feet.

4. Modification. The requirements in this Subsection B may be modified upon approval of a Variance (Chapter 22.194) application.

C. Conditions. In approving a townhouse development, the Commission or Hearing Officer may impose conditions pertaining to the following:

1. Yards.

a. The Commission or Hearing Officer may modify any or all yard requirements of the zone wherein a townhouse development is proposed. In reaching its determination to modify the yard requirements and to what extent, the Commission or Hearing Officer shall base its decision on whether such modification will:

i. Encourage design features promoting amenities equal to or better than a development plan incorporating required yards, and

ii. Assist in integrating the proposed development in relation to location on the site and its relationship to the surrounding area.

b. Nothing in this Subsection C.1 shall be construed to prohibit the imposition of yard depths exceeding the minimum provided in the zone.

2. Architecture. The Commission or Hearing Officer may impose conditions governing the suitability of architecture as necessary to integrate the proposed development project within the proposed site and the surrounding area, including appearance of the proposed development from surrounding property.

22.140.610 Wineries.

A. Purpose. This Section provides comprehensive standards for wineries to facilitate the development of such agriculturally supportive businesses, while at the same time to minimize their potential impacts to surrounding uses.

B. Definitions. Specific terms used in this Section are defined in Division 2 (Definitions), under "Tasting Rooms and Wineries."

C. Applicability. This Section applies to wineries in all zones where permitted.

D. Application Requirements.

1. Ministerial Site Plan Review.

a. A Ministerial Site Plan Review (Chapter 22.186) application is required for wineries in Zones A-2 and R-R, if:

i. The production capacity is 5,000 cases of wine or less per year; and

ii. The lot is not located in a national recreation area, or within one mile of a national recreation area; or

b. A Ministerial Site Plan Review (Chapter 22.186) application is required for wineries in Zones C-M, M-1, M-1.5, and M-2, unless Subsection D.3.c, below, applies; or

2. Minor Conditional Use Permit. A Minor Conditional Use Permit (Chapter 22.160) application is required where Subsection D.1, above, does not apply and where Subsection D.3, below, does not apply; or

3. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required for wineries:

a. In Zones A-1, A-2, and R-R:

i. The lot is located in a national recreation area, or within one mile of a national recreation area; or

ii. The production capacity is more than 5,000 cases of wine per year; or

b. In any zone, to request a modification to any requirement in Subsection F (Development Standards) or Subsection G (Performance Standards), below.

E. Additional Application Materials for Wineries. In addition to the materials required by the applications listed in Subsection D, above, when an application is filed in Zones A-1, A-2, or R-R, the application shall contain the following information:

1. Maps showing the existing topography of the subject lot on which the winery is located, delineating all portions of such lot with a slope of 25 percent or greater; and

2. Site plans showing the location and area of the subject lot, or the adjoining lot as applicable, and showing where the existing agricultural products are under cultivation for the purpose of wine production, as well as photographic evidence of such products.

F. Development Standards.

1. Zones A-1, A-2, and R-R. Wineries in Zones A-1, A-2, and R-R shall comply with the following standards:

a. Lot Size. The lot on which the winery is located shall have a minimum net area of two acres.

b. Use of Lot. Wineries shall be permitted only:

i. On a lot containing existing agricultural products under cultivation for the purpose of wine production, or;

ii. On a lot adjoining a lot as described in Subsection F.1.b.i above, that is owned or leased by the same person owning or leasing such adjoining property, provided that the owner or lessee records a covenant with the Registrar-Recorder/County Clerk, as approved by the Director prior to recordation, agreeing to continue to own or lease the adjoining lot for as long as the winery remains in operation, with any violation of said covenant being subject to Chapter 22.242 (Enforcement Procedures).

c. Access. Wineries shall provide access to the nearest public roadway to the satisfaction of Public Works and the Fire Department. Such access shall be at least 28 feet in width.

d. Parking. In addition to any other parking requirement as provided in Chapter 22.112 (Parking), a winery shall provide a minimum paved parking area of 12 feet by 35 feet for any mobile bottling or crushing facility used by the winery.

e. Maximum Size. The lot coverage of the winery facilities shall be a maximum of 25 percent of the net area of a lot on which the winery is located, or 50,000 square feet, whichever is less.

f. Stream Setbacks. Winery facilities, parking, and private waste disposal systems shall be located at least 100 feet from any stream bank.

G. Performance Standards.

1. Sales. Wineries may sell wine to licensed wholesalers and retailers both on- and off-site. Wineries may ship wine directly to the general public if such shipping is the result of a wine sale transaction made at an off-site event or via an order made by mail, telephone, or Internet.

2. Noise Control. Wineries shall comply with the noise control provisions of Chapter 12.08 (Noise Ordinance) of Title 12 of the County Code.

3. Wine Events. Wineries may host wine events if a Special Event Permit (Chapter 22.188) application is granted. Wine events may be hosted by the winery for its own financial gain, or for the financial gain of a private non-profit organization, as the term is defined in Section 23356.1 of the California Business and Professions Code.

4. Operating Hours. Wineries in Zones A-1, A-2, and R-R shall operate only between the hours of 7:00 a.m. and 7:00 p.m., every day.

5. Waste Disposal. Winery waste and wastewater shall be disposed of in accordance with the requirements of the Los Angeles Regional Water Quality Control Board. Records of compliance with such requirements shall be maintained on the premises and made available upon request to the Department.

22.140.620 Yard Sales.

A. Purpose. This Section establishes comprehensive standards for the sale of personal property at a yard sale on property with an existing residential use in all zones in the unincorporated areas of the County. Subject to the requirements of this Section, these sales shall be permitted on one designated weekend per month, and up to two non-designated weekends during the calendar year.

B. Permitted Yard Sales. Subject to the limitations in Subsections C and D, below, a yard sale shall be permitted in all zones as accessory to any residential use on any property that contains one or more dwelling units. Each dwelling unit on a property shall be permitted to conduct its own yard sale pursuant to this Section.

C. Designated Weekends for Yard Sales. Except as provided in Subsection D, below, yard sales shall be permitted on "designated weekends" only. For the purposes of this Section, a designated weekend shall be defined as the last weekend of the month where both Saturday and Sunday fall within the same month. No yard sale shall be allowed on Monday through Friday in any month.

D. Registration Required for Additional Yard Sales.

1. In addition to yard sales permitted pursuant to Subsection C, above, up to two additional yard sales shall be permitted in any calendar year on a "non-designated weekend." For the purposes of this Section, a "non-designated weekend" shall be defined as any weekend of a month that is not a designated weekend, where both Saturday and Sunday fall within the same weekend. Prior to conducting any such additional yard sale, the operator of the yard sale shall register the yard sale with the Department on a form prescribed by the Department. Proof of registration shall be made available by the operator for inspection during the yard sale. A record of yard sales conducted on non-designated weekends shall be kept by the Department.

2. When either a warning or a Final Zoning Enforcement Order is issued by the Department for failure to register prior to conducting the yard sale, the operator shall retroactively register the yard sale within 15 calendar days of the date specified in the warning or order. Retroactive registration will not be permitted for a second or subsequent violation of this Section that occurred within the same calendar year.

E. Operational Standards for Yard Sales. Yard sales authorized pursuant to this Section shall comply with the following:

1. Authorized Operators. The property owners or tenants of the dwelling unit associated with the yard sale shall be the only persons permitted to conduct the yard sale.

2. Hours of Operation. A yard sale shall be held between the hours of 7:00 a.m. and 6:00 p.m., only.

3. Items Allowed to be Sold. The items allowed to be sold at a yard sale shall be limited to secondhand, household, or incidental personal items owned by the property owners or tenants of the dwelling unit conducting the yard sale. This Section shall not authorize the sale of new items or new merchandise acquired for resale at a yard sale.

4. Display of Items to be Sold. Items for sale at a yard sale shall be displayed only in the front or side yard of the residence or dwelling unit associated with the yard sale. No yard sale items shall be displayed for sale in any public right-of-way.

5. Signage. Yard sale operators may have a maximum of two temporary signs advertising the yard sale, which signs shall be placed on the involved residence or dwelling unit. Each sign shall have a maximum area of four square feet, and may only be displayed one day prior to, and during, the yard sale, and shall be removed immediately after the yard sale has ended. No yard sale signs shall be placed in the public right-of-way.

22.140.630 Secondary Land Uses Under High-Voltage Transmission Lines.

A. Purpose. This Section facilitates the establishment of selected secondary land uses under high-voltage transmission lines to ensure compatibility with adjacent properties.

B. Applicability. This Section applies to secondary land uses under high-voltage transmission lines in Zones A-1, R-A, R-1, R-2, R-3, R-4, and IT.

C. Exemptions. This Section shall not apply to properties:

1. With a natural slope of ten percent or more.

2. In a National Forest, National Recreation Area, or Significant Ecological Area.

D. Permitted Uses. Notwithstanding the uses subject to a Conditional Use Permit (Section 22.158) application and uses not listed in the basic zone, the following secondary land uses under high-voltage transmission lines are permitted:

1. In Zones R-1, R-2, R-3, R-4, and IT:

a. Crops; including field, tree, bush, berry, and row; and

b. Plant nurseries, propagation of nursery stock only.

2. In Zones R-A, R-1, R-2, R-3, R-4, and IT: greenhouses.

3. In Zones A-1, R-A, R-1, R-2, R-3, R-4, and IT: parks, playgrounds, and beaches; including accessory facilities.

4. In Zones A-1, R-A, R-1, R-2, and IT: riding and hiking trails, excluding trails for motor vehicles.

5. In Zone IT: community gardens.

E. Additional Application Materials. In addition to any information required by this Title 22, an application for a secondary land use under high-voltage transmission lines shall include:

1. Authorization from the utility company for the applicant to apply for the secondary land use under high-voltage transmission lines;

2. A site plan depicting the location and elevations of transmission towers and lines and the boundary of any utility easements shall be shown, if applicable; and

3. Certification from the Fire Department and Public Works that the secondary land use under high-voltage transmission lines complies with all applicable Fire and Public Works regulations. Any modification or expansion to an approved site plan shall require new certification by the Fire Department and Public Works.

F. Use Regulations.

1. Use Regulations for Crops and Greenhouses. Where permitted by Subsection D, above, the following regulations shall apply to crops, including field, tree,

bush, berry, and row; plant nurseries, propagation of nursery stock only; and greenhouses.

a. Prohibitions.

i. Grading. Grading of natural slopes is prohibited.

ii. Native Vegetation. Removal of native vegetation is prohibited.

iii. Retail Sales. In Zones R-A, R-1, R-2, R-3, R-4, and IT, retail sales are prohibited.

b. Yards.

i. Notwithstanding the yard requirements in the basic zone, where the subject property adjoins a Residential Zone or residential use, a yard of not less than 10 feet in depth shall be required.

ii. The following uses and structures are permitted in any required yard:

(1) Crops;

(2) Greenhouses, up to 10 feet in height; and

(3) Fences and walls, up to six feet in height.

c. Storage. Storage, including structures, cargo shipping containers, storage areas for equipment or machinery, and storage piles or areas for bulk materials are permitted according to the following:

i. Storage is permitted when strictly accessory to the permitted use.

ii. Storage shall be screened from view where visible from the public right-of-way. Screening may include fences, walls, landscaping, or other screening materials.

iii. Storage shall be located:

(1) At least 10 feet from a Residential Zone or residential use; and

(2) At least 20 feet from the public right-of-way.

iv. Cargo shipping containers shall comply with the following additional regulations:

(1) Number permitted.

(a) For a property of more than one acre in size, one cargo shipping container shall be permitted per acre of subject property, up to a maximum of five cargo shipping containers per subject property.

(b) For a property of less than one acre in size, one cargo container shall be permitted per subject property.

(2) Development standards.

(a) Cargo shipping containers shall not exceed 10 feet in height, 10 feet in width, and 40 feet in length.

(b) Cargo shipping containers shall be placed at least six feet from any other structure or other cargo shipping container and shall not be stacked upon each other.

(c) Cargo shipping containers shall be painted one uniform color, per cargo shipping container, and shall not display any images or lettering on their sides, except for images or lettering providing safety information related to the contents stored within, if such safety information is required by the County Code or other applicable local, State, or federal regulations.

v. Storage of bulk materials shall comply with the following additional regulations:

(1) Bulk materials shall be stored in such a manner that they cannot be blown from the subject property.

(2) Bulk materials shall be stored up to a maximum height of six feet.

(3) For the purposes of this Subsection F.1.c.v, bulk materials shall include mulch, soil, manure, perlite, peat moss, tree or plant containers, and other similar materials related to the growing of crops and use of greenhouses.

d. Vehicular Circulation.

i. Adequate vehicular circulation onto and off the property shall be provided as determined by the Director in consultation with Public Works and the Fire Department.

ii. Vehicles shall be prohibited from backing onto the property from the public right-of-way and from backing off of the property onto the public right-of-way.

e. Noise. If the subject property adjoins a Residential Zone or residential use, any vehicle, equipment, or machinery used in conjunction with the secondary land use under high tension power lines shall comply with the following:

i. Loading and unloading activities shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.

ii. Reverse signal alarms and back-up beeping devices shall not be used between 10:00 p.m. and 7:00 a.m.

iii. Operation of power equipment and machinery shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.

f. Fencing and Walls. Fencing and walls, if provided, shall comply with the following:

i. Any fence or wall open to view from the public right-of-way or any area in a Residential, Agricultural, or Commercial Zone shall be constructed in workmanlike manner and shall consist solely of new materials unless the Director approves the substitution of used materials where, in his opinion, such used materials will provide the equivalent in service, appearance, and useful life.

ii. Such fences and walls shall be of a uniform, neutral color, excluding black, which blends with the surrounding terrain.

g. Maintenance.

i. The subject property shall be maintained in a neat and orderly fashion where visible from the public right-of-way.

ii. Fences, walls, landscaping, or any other screening material, if provided, shall be maintained in a neat and orderly fashion where visible from the public right-of-way.

iii. All structures, walls, or fences that are visible from the public right-of-way line shall remain free of graffiti. In the event that graffiti occurs, the property owner, lessee, or agent thereof shall remove such graffiti within 24 hours, weather permitting. Paint utilized in covering such graffiti shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

Sight Distance. Adequate sight distance from any driveway or access road to the public right-of-way shall be maintained to the satisfaction of Public Works. Notwithstanding Subsections F.1.b, F.1.c, F.1.f, above, the placement of any object, such as crops, greenhouses, landscaping, fencing, walls, or storage, adjacent to the property line may be subject to review by Public Works.

DIVISION 8: PERMITS, REVIEWS, AND LEGISLATIVE ACTIONS.

Chapters:

Chapter 22.150 Adult Business Permits.
Chapter 22.152 Animal Permits.
Chapter 22.154 Cemetery Permits.
Chapter 22.156 Reserved (Coastal Development).
Chapter 22.158 Conditional Use Permits.
Chapter 22.160 Conditional Use Permits, Minor.

Chapter 22.162 Development Agreements.
Chapter 22.164 Explosives Permits.
Chapter 22.166 Housing Permits.
Chapter 22.168 Los Angeles County Mills Act Program.
Chapter 22.170 Lot Line Adjustments.
Chapter 22.172 Nonconforming Uses, Buildings and Structures.
Chapter 22.174 Oak Tree Permits.
Chapter 22.176 Parking Deviations, Minor.
Chapter 22.178 Parking Permits.
Chapter 22.180 Plan Amendments.
Chapter 22.182 Requests For Reasonable Accommodations.
Chapter 22.184 Revised Exhibit "A"s.
Chapter 22.186 Site Plan Review, Ministerial.
Chapter 22.188 Special Events Permits.
Chapter 22.190 Surface Mining Permits.
Chapter 22.192 Urban Agriculture Incentive Zone Program.
Chapter 22.194 Variances.
Chapter 22.196 Yard Modifications.
Chapter 22.198 Zone Changes.

Chapter 22.150 Adult Business Permits.

Sections:

22.150.010 Purpose.
22.150.020 Definitions.
22.150.030 Applicability.

22.150.040 Application and Review Procedures.
22.150.050 Development Standards.
22.150.060 Location Requirements.
22.150.070 Findings and Decision.
22.150.080 Existing Adult Businesses.
22.150.090 Review of Termination Schedule.
22.150.100 Conflicts.
22.150.110 Modifications or Revocations.

22.150.010 Purpose.

A. To promote the health, safety, and general welfare of the residents of the County, this Chapter is intended to regulate adult businesses which, unless closely regulated, have serious secondary effects on the community. These secondary effects include, but are not limited to, the following: depreciation of property values, increases in vacancy rates in residential and commercial areas, increases in incidences of criminal activity, increases in litter, noise, and vandalism and the interference with enjoyment of residential property in the vicinity of such businesses.

B. It is neither the intent nor the effect of this Chapter to impose limitations or restrictions on the content of any communicative material. Similarly, it is neither the intent nor the effect of this Chapter to restrict or deny access by adults to materials of a sexually explicit nature, or to deny access by the distributors or exhibitors of such materials to their intended market.

C. It is the intent of this Chapter to afford new adult businesses a reasonable opportunity to locate in a relevant real estate market.

D. Nothing in this Chapter is intended to authorize, legalize or license the establishment, operation or maintenance of any business, building or use which violates any County ordinance or any statute of the State of California regarding public

nuisances, unlawful or indecent exposure, sexual conduct, lewdness or obscene or harmful matter or the exhibition or public display thereof.

22.150.020 Definitions.

Any terms used in this Chapter which are defined in Section 7.92.020 (Definitions) in Title 7 of the County Code shall have the meaning set forth in that Section.

22.150.030 Applicability.

A. This Chapter authorizes adult businesses identified by this Title 22 as subject to the approval of an Adult Business Permit.

B. Any application filed pursuant to this Chapter:

1. Is considered to be a ministerial permit application and, as such, is not subject to the time limits specified in Section 65950 et seq. of the California Government Code, or CEQA; and

2. Shall require a nondiscretionary public hearing before the Commission. The Commission shall approve or deny the application.

22.150.040 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Adult Business Permit Checklist.

B. Additional Application Materials. In addition to Subsection A, above, the following application materials shall be required:

1. A narrative description of the proposed use or development including an explanation of how the proposed business will satisfy the applicable requirements of this Chapter.

C. Multiple Applications. The application shall be in compliance with Section 22.222.060 (Multiple Applications).

D. Application Filing and Withdrawal. The application shall be in compliance with Section 22.222.070 (Application Filing and Withdrawal).

E. Fees and Deposits. The application shall be in compliance with Section 22.222.080 (Fees and Deposits).

F. Preliminary Application Review.

1. The Director shall determine whether the application contains all the information required by this Chapter.

a. If it is determined that the application is not complete, the applicant shall be notified in writing within 20 days of the date of receipt of the application that the application is not complete and the reasons for which that status was determined, including any additional information necessary to render the application complete.

b. The applicant shall have 30 days to submit additional information requested by the Director to render the application complete. Failure to do so within the 30-day period shall render the application void.

c. Within 10 days following the receipt of an amended application or supplemental information, the Director shall again determine whether the application is complete in accordance with the procedures set forth in this Subsection F.

d. Evaluation and notification shall occur as provided above until such time as the application is determined to be complete. The applicant shall be notified within 10 days of the date the application is found to be complete.

2. When an application has been accepted as complete, the Director shall schedule the application for a nondiscretionary public hearing before the Commission within 60 days from the date on which the application was accepted as complete. The nondiscretionary public hearing shall be in compliance with Sections 22.222.120 (Public Hearing Procedures) and 22.222.110 (Project Evaluation and Staff Report). The Commission shall approve or deny the application within 90 days from the date on which the application was accepted as complete by the Director.

3. If the Commission has not acted to approve or deny the application within the prescribed time in Subsection F.2, above, the applicant shall be permitted to begin operating the adult business for which the Adult Business Permit is sought. The applicant shall be permitted to continue to operate that adult business unless and until

the Commission acts to deny the Adult Business Permit and provides the applicant with written notification of that action, including the reasons for denial, by mail.

22.150.050 Development Standards.

The following development standards shall apply to adult businesses:

A. No adult business shall be located in any temporary or portable structure.

B. Trash dumpsters shall be enclosed by a screened enclosure and shall not be accessible to the public.

C. No exterior door or window on the premises shall be propped or kept open at any time during business hours, and any exterior windows shall be covered with opaque covering at all times.

D. Permanent barriers shall be installed and maintained to screen the interior of the premises from public view for each door used as an entrance or exit to the business.

E. No landscaping shall exceed 30 inches in height, except trees with foliage not less than six feet above the ground.

F. The entire exterior grounds, including the parking lot, shall be lighted in such a manner that all areas are clearly visible at all times.

G. Signage shall conform to the standards established for the zone and shall not contain sexually explicit photographs, silhouettes or other sexually explicit pictorial representations.

H. All entrances to an adult business shall be clearly and legibly posted with a notice indicating that minors are prohibited from entering the premises.

I. No nonconforming structure shall be converted for use as an adult business.

J. The adult business shall not conduct or sponsor any activities which create a demand for parking spaces beyond the number of spaces required by this Title 22 for the business.

K. No adult business shall be operated in any manner that permits the observation of any persons or material depicting, describing or related to specified

sexual activities or specified anatomical areas, inside the premises, from any public way or from any location outside the building or area of such establishment. This provision shall apply to any merchandise, display, decoration, sign, show window or other opening.

L. All exterior areas of the adult business, including buildings, landscaping, and parking areas shall be maintained in a clean and orderly manner at all times.

M. Any business license required pursuant to Title 7 (Business Licenses) of the County Code shall be kept current at all times.

N. Each adult business shall conform to all applicable laws and regulations.

O. The adult business shall not operate or be open between the hours of 2:00 a.m. and 9:00 a.m.

P. The premises within which the adult business is located shall provide sufficient sound-absorbing insulation so that sound generated inside said premises shall not be audible anywhere on any adjacent property or public right-of-way or within any other building or other separate space within the same building.

Q. The adult business will not conduct any massage, acupuncture, tattooing, acupressure or escort services, and will not allow such activities on the premises.

R. At least one security guard shall be on duty patrolling the premises at all times while the business is open. If the occupancy limit of the premises is greater than 50 persons, an additional security guard shall be on duty. The security guard(s) shall be charged with preventing violations of law, with enforcing compliance by patrons with the requirements of this Chapter and with notifying the Sheriff of any violations of law observed. Security guard(s) required by this Subsection R shall be uniformed in such a manner so as to be readily identifiable as a security guard by the public and shall be duly licensed as a security guard as required by applicable provisions of state or local law. No security guard required pursuant to this Subsection R shall act as a doorperson, ticket seller, ticket taker, or admittance person while acting as a security guard hereunder.

S. The adult business shall not sell or display obscene matter, as that term is defined by Section 311 of the California Penal Code or its successors, and shall not exhibit harmful matter, as that term is defined by Section 313 of the California Penal Code or it successors, to minors.

22.150.060 Location Requirements.

A. Adult businesses shall not be located:

1. Within 250 feet of:

a. Any lot upon which there is located any residence whether such use is within or outside the unincorporated area of the County; or

b. Any property located in a Residential or Agricultural Zone, or equivalent zone in any other jurisdiction; and

2. Within 500 feet of any church, chapel or other publicly recognized place of worship whether such use is within or outside the unincorporated area of the County; and

3. Within 500 feet of any public or private school (kindergarten through twelfth grade) or child care center whether such use is within or outside the unincorporated area of the County; and

4. Within 500 feet of any park owned by a public entity whether such use is within or outside the unincorporated area of the County.

B. The distances specified in this Section shall be measured in a straight line, without regard to intervening structures, from the nearest point of the premises in which the proposed adult business is to be established to the nearest property line of a use or zoning classification listed above.

22.150.070 Findings and Decision.

A. The Commission shall make findings in compliance with Section 22.222.200 (Findings and Decision).

B. In considering an application pursuant to this Chapter, the Commission shall approve the permit if all of the following findings are made:

1. The adult business is consistent with the location and development standards contained in this Chapter;

2. The adult business is located in a zone classification which lists adult business as a permitted use;

3. Except as otherwise specifically provided in this Chapter, the adult business complies with the development features prescribed in this Title 22; and

4. The adult business has submitted to the Director documentation of successfully completing the process and receipt of the license required under Chapter 7.92 (Adult Businesses) in Title 7 of the County Code. In cases where such documentation is unavailable at the time the Commission takes action on the application, any action by the Commission granting an Adult Business Permit shall be conditioned upon the applicant providing to the Director the documentation required by this Subsection A.4. No Adult Business Permit shall be valid unless and until such documentation has been provided to the Director.

C. Issuance or denial of the ministerial permit is not subject to administrative appeal.

22.150.080 Existing Adult Businesses.

A. Any adult business lawfully operating on February 9, 1996, the effective date of this Chapter, in violation hereof shall be deemed a nonconforming use.

B. Any adult business lawfully operating on February 9, 1996, the effective date of this Chapter which results in a nonconforming status due to the development standards enumerated in Section 22.150.050 (Development Standards) shall cease operation, or otherwise be brought into full compliance with the development standards of this Chapter, not later than November 17, 1996.

C. Any adult business lawfully operating on February 9, 1996, the effective date of this Chapter, which becomes nonconforming due to either the location standards enumerated in Section 22.150.060 (Location Requirements) or the permitted zone classes enumerated in Division 3 (Zones) shall cease operation, or otherwise be

brought into full compliance with the location standards, not later than 20 years following February 9, 1996, the effective date of this Chapter.

D. An adult business lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location of a residence, or a Residential or Agricultural Zone, within 250 feet of the adult business, or the subsequent location of a church, chapel or other publicly recognized place of worship, public park, public or private school or child care center, within 500 feet of the adult business, if the adult business is continuous, which means that interruptions in use cannot exceed six months.

22.150.090 Review of Termination Schedule.

An application for review of the termination schedules for a nonconforming adult business prescribed in Section 22.150.080 (Existing Adult Businesses) may be approved by the Commission generally following the procedures set out in Section 22.172.060 (Review of Amortization Schedule or Substitution of Use). In considering an application for review of the termination schedules for an adult business, which is nonconforming due to either the location or development standards, the Commission shall use the following criteria in making a determination, instead of the criteria prescribed at Section 22.172.060.C.2 (Findings):

A. The owner's financial investment in the business prior to February 9, 1996, the effective date of this Chapter;

B. The present actual and depreciated value of the business improvements;

C. The applicable federal tax depreciation schedules for such improvements;

D. The remaining useful life of the business improvements;

E. The extent to which the business fails to comply with all applicable requirements of this Chapter;

F. The extent, if any, to which the business has been brought into compliance with any of the applicable requirements of this Chapter since February 9, 1996, the effective date of this Chapter, and with which such business previously failed to conform, including the cost incurred for any such improvements;

G. The remaining term of any lease or rental agreement under which the business is operating;

H. Whether the business can be brought into conformance with all applicable requirements of this Chapter without requiring to be relocated, and the cost of complying with such requirements;

I. Whether the business must be discontinued at the present location in order to comply with the requirements of this Chapter and, if such relocation is required:

1. The availability of relocation sites, and

2. The cost of such relocation;

J. The ability of the owner to change the business to a conforming use.

22.150.100 Conflicts.

If the provisions of this Chapter conflict or contravene the provisions of another Chapter of this Title 22, the provisions of this Chapter shall prevail as to all matters and questions arising out of the subject matter of this Chapter.

22.150.110 Modifications or Revocations.

In addition to the grounds for modifications and revocations prescribed in Chapter 22.238 (Modifications and Revocations), and after a hearing as provided Section 22.238.070 (Public Hearing and Action), the Commission may modify or revoke an Adult Business Permit or adult business nonconforming use if it finds that one or more of the following conditions exist:

A. The building, structure, equipment or location of such business does not comply with or fails to meet any of the health, zoning, fire and safety requirements or standards of any of the laws of the State of California or ordinances of the County applicable to such business operation;

B. The business owner, its employee, agent or manager has been convicted in a court of competent jurisdiction of:

1. Any violation of any statute, or any other ordinance, arising from any act performed in the exercise of any rights granted by the Adult Business Permit, the revocation of which is under consideration, or

2. Any offense involving the maintenance of a nuisance caused by any act performed in the exercise of any rights granted by the Adult Business Permit, the revocation of which is under consideration;

C. The business owner, its employee, agent or manager has knowingly made any false, misleading or fraudulent statement of material fact in the application for a permit, or in any report or record required to be filed with the Commission.

Chapter 22.152 Animal Permits.

Sections:

22.152.010 Purpose.
22.152.020 Application and Review Procedures.
22.152.030 Findings and Decision.
22.152.040 Conditions of Approval.

22.152.010 Purpose.

The Animal Permit is established to regulate:

A. The keeping or maintaining as a pet or for the personal use of members of the family residing on the premises of:

1. Wild or domestic animals not specifically classified which will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare; and

2. Domestic or wild animals exceeding the number permitted or on lots having less than the area required, which will not be materially detrimental to the

use, enjoyment, or valuation of property of other persons located in the vicinity of such site.

B. Rehabilitation facilities for small wild animals, in compliance with Section 22.140.500 (Rehabilitation Facilities for Small Wild Animals) which:

1. Will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare; and

2. Will not be materially detrimental to the use, enjoyment, or valuation of property or other persons located in the vicinity of such site.

22.152.020 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Animal Permit Checklist.

B. Additional Application Materials. In addition to Subsection A, above, the following application materials shall be required:

1. The type and number of animals requested.

2. A site plan indicating:

a. The area and dimensions of the building or enclosure wherein the animal or animals are to be kept or maintained, as well as the locations and dimensions of all other structures within a distance of 50 feet from the exterior boundaries of such building or enclosure; and

b. Site drainage patterns, where appropriate.

3. A statement specifying plans for waste disposal.

4. All of the information submitted by the applicant shall be certified to be correct by a statement under penalty of perjury pursuant to Section 2015.5 of the California Code of Civil Procedure.

C. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review – Discretionary) and this Chapter. Notwithstanding Section 22.228.040.B, notice shall be mailed in compliance with Section 22.222.160.A (Standard Radius).

D. Agency Review. The Director shall request the technical opinion of the Directors of the Departments of Animal Care and Control and Public Health, relative to the ability of the applicant to maintain such animals properly as indicated in the application and site plan.

22.152.030 Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.228.050 (Findings and Decision) and include the findings in Subsection B, below.

B. Findings.

1. The reports from the Directors of the Departments of Animal Care and Control and Public Health indicate that such animals may be reasonably maintained as specified in the application.

2. The requested animal or animals at the location proposed will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

3. The proposed site is adequate in size and shape to accommodate the animal or animals requested without material detriment to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

22.152.040 Conditions of Approval.

The Hearing Officer may impose any conditions deemed necessary to ensure that the Animal Permit will comply with all findings required by this Chapter, including those recommended by the Departments of Animal Care and Control and Public Health. Such conditions may include those in Section 22.158.060 (Conditions of Approval).

Chapter 22.154 Cemetery Permits.

Sections:

22.154.010 Applicability.
22.154.020 Application and Review Procedures.
22.154.030 Findings and Decision.
22.154.040 Conditions of Approval.
22.154.050 Reduction in Boundaries.

22.154.010 Applicability.

A. General Applicability. A person shall not establish or maintain any cemetery or extend the boundaries of any existing cemetery at any place within the unincorporated area of the County without a permit first having been applied for and obtained from the Commission. This Chapter does not prevent the maintenance, development, and operation within their present boundaries of cemeteries which were legally established on February 19, 1937, the date this Chapter took effect.

B. Cemetery Deemed Established When.

1. A cemetery shall be deemed to be established or maintained or extended where the interment of one or more dead human bodies or cremated remains is made in or upon any property, whether or not the same has been duly and regularly dedicated for cemetery purposes under the laws of the State of California, and which on February 19, 1937, the date this Chapter took effect, was not included within the boundaries of a legally existing cemetery.

2. Any person who makes or causes to be made any interment in or upon such property, and any person having the right of possession of any such property who knowingly permits the interment of a dead body or cremated remains therein or thereupon shall be deemed to have established, or maintained, or extended a cemetery within the meaning of the provisions of this Title 22.

C. Permit Assignment and Use Limitations. No permit granted as a result of any such application shall be assignable prior to the actual establishment of such

cemetery or extension of any existing cemetery, nor shall, such permit be used by any other person than applicant in the establishment of such cemetery or extension of an existing cemetery.

22.154.020 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Cemetery Permit Checklist.

B. Additional Application Materials. In addition to Subsection A, above, the following application materials shall be required:

1. The names and addresses of the officers and directors of the corporation which will be in charge of the operation of the cemetery;

2. A map showing the exact location, exterior boundaries and legal description of the property which it is proposed to be used for a cemetery and the location of all buildings, whether public or private, located within a distance of 500 feet from the exterior boundaries of the subject parcel of land and the location and depth of all wells in said area from which domestic or irrigating water is obtained. The map shall also show the location and names of all roads located within a distance of 500 feet from the exterior boundaries of said parcel. The map shall further show the elevation in feet above sea level or the highest and lowest points in said premises, and the width, depth and location of all natural watercourses and artificial drains or conduits for the drainage of stormwater located upon said parcel and within 2,000 feet from the exterior boundary thereof in any direction;

3. A financial statement of applicant, showing the financial ability of applicant to establish, care for, and maintain the proposed cemetery in such a manner as to prevent the same from being a public nuisance; and

4. A statement setting forth whether said cemetery is to be established as a perpetual-care or nonperpetual-care cemetery, and if a perpetual-care fund is to be or has been created, the amount then on hand and the method, scheme or plan of continuing and adding to the same in full details sufficient to show that said cemetery will be maintained so as not to become a public nuisance.

C. Type III Review. The application shall be filed and processed in compliance with Chapter 22.230 (Type III Review – Discretionary) and this Chapter.

22.154.030 Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.230.050 (Findings and Decision) and include the findings in Subsection B, below.

B. Findings.

1. The establishment or maintenance of the proposed cemetery or the extension of an existing cemetery will not or may not jeopardize nor adversely affect the public health, safety, comfort, or welfare.

2. Such establishment, maintenance, or extension will not or may not reasonably be expected to be a public nuisance.

3. Such establishment, maintenance, or extension will not tend to interfere with the free movement of traffic or with the proper protection of the public through interference with the movement of police, ambulance, or fire equipment, and thus interfere with the convenience of the public or the protection of the lives and property of the public.

4. The applicant, through the proposed perpetual-care fund or otherwise, demonstrates adequate financial ability to establish and maintain the proposed cemetery so as to prevent the proposed cemetery from becoming a public nuisance.

22.154.040 Conditions of Approval.

Prior to taking final action, the Board, Commission or Hearing Officer may require of the applicant any reasonable dedication of public streets or highways through the premises proposed to be used for the proposed cemetery or extension of an existing cemetery so as to prevent the same from jeopardizing the public safety, comfort, or welfare. If the time required by the Board, Commission or Hearing Officer for compliance with such conditions shall elapse without such conditions having been met, the Board, Commission or Hearing Officer may deny the permit.

22.154.050 Reduction in Boundaries.

A. Cemetery Permit. A Cemetery Permit application pursuant to this Chapter shall be required to reduce the boundary of an existing cemetery never used.

B. Additional Application and Review Procedures.

1. Application Materials. Notwithstanding Section 22.154.020 (Application and Review Procedures), Section 22.154.020.B (Additional Application Materials) shall not be required as part of this application.

2. Notification Radius. Notwithstanding Section 22.222.160.A (Standard Radius), the Director shall mail notice to all owners of property located within a 700-foot radius of the exterior boundaries of the subject property, as shown on the County's last equalized assessment roll, unless a wider notification radius is required by Section 22.222.160.B (Additional Radius).

Chapter 22.156 Reserved (Coastal Development).

Chapter 22.158 Conditional Use Permits.

Sections:

22.158.010 Purpose.
22.158.020 Applicability.
22.158.030 Application and Review Procedures.
22.158.040 Development Standards.
22.158.050 Findings and Decision.

22.158.060 Conditions of Approval.
22.158.070 All Zone Regulations Apply Unless Permit is Granted.
22.158.080 Building Bulk Provisions.

22.158.010 Purpose.

The Conditional Use Permit is established to regulate uses and development that may be appropriate in the applicable zone and require additional consideration to ensure proper integration with the surrounding community.

22.158.020 Applicability.

A. Zones. This Chapter authorizes uses identified by this Title 22 as subject to the approval of a Conditional Use Permit.

B. Additional Consideration. This Chapter also authorizes uses or development with unusual site features or operating characteristics requiring additional consideration to ensure that the use or development will be compatible in design, location, and operation with adjacent properties and in the surrounding area.

22.158.030 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Conditional Use Permit Checklist.

B. Type III Review. The application shall be filed and processed in compliance with Chapter 22.230 (Type III Review – Discretionary) and this Chapter.

22.158.040 Development Standards.

A. Adequate Water Supply – Criteria. If it appears that the use requested will require a greater water supply for adequate fire protection than does either the existing use or any use permitted without a Conditional Use Permit in the same zone, and will not comply with the provisions of Division 1 (Water) of Title 20 of the County Code, such facts shall be prima facie evidence that such requested use will adversely affect and be materially detrimental to adjacent uses, buildings and structures and will not comply with the findings required by this Chapter. If the Water Appeals Board grants a variance

pursuant to any provision of Chapter 20.12 (Water Appeals Board) of said Division 1, permitting the proposed use with the existing or proposed water supply, this Section shall not apply.

22.158.050 Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.230.050 (Findings and Decision) and include the findings in Subsection B, below.

B. Findings.

1. The proposed use will be consistent with the adopted General Plan for the area.

2. The requested use at the location proposed will not:

a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;

b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and

c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

3. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in this Title 22, or as is otherwise required to integrate said use with the uses in the surrounding area.

4. The proposed site is adequately served:

a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; and

b. By other public or private service facilities as are required.

22.158.060 Conditions of Approval.

A. The Commission or Hearing Officer may impose conditions to ensure that the approval will be in accordance with the findings required by the application. Such conditions may involve any pertinent factors that could affect the establishment,

operation, and maintenance of the requested use or development, including, but not limited to:

1. Special yards, open spaces, and buffer areas;

2. Fences and walls;

3. Parking facilities, including vehicular ingress and egress and the surfacing of parking areas and driveways to specified standards;

4. Street and highway dedications and improvements, including sidewalks, curbs, and gutters;

5. Water supply and fire protection in accordance with the provisions of Division 1 (Water) of Title 20 of the County Code;

6. Landscaping and maintenance of grounds;

7. Regulation of nuisance factors such as noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation;

8. Regulation of operating hours for activities affecting normal neighborhood schedules and functions;

9. Regulation of signs, including outdoor advertising;

10. A specified validation period limiting the time in which development may begin;

11. Provisions for a bond or other surety that the proposed conditional use will be removed on or before a specified date;

12. A site plan indicating all details and data as prescribed in this Title 22; and

13. Such other conditions as will make possible the development of the proposed conditional use in an orderly and efficient manner and in general accordance with all elements of the General Plan and the intent and purpose of this Title 22.

B. Approval may also be contingent upon compliance with applicable provisions of any other federal, State, or County requirements.

22.158.070 All Zone Regulations Apply Unless Permit is Granted.

Unless specifically modified by a Conditional Use Permit, all regulations prescribed in the zone in which such Conditional Use Permit is granted shall apply.

22.158.080 Building Bulk Provisions.

The building bulk provisions prescribed in the various zones shall not apply to uses permitted by Conditional Use Permit. In granting a Conditional Use Permit application, the Commission or Hearing Officer shall prescribe the height limit, maximum lot coverage, or floor-area ratio for the use approved. Where the Commission or Hearing Officer fails to specify said height limit, maximum lot coverage, or floor-area ratio, those provisions applicable to principal permitted uses in the specific zone shall be deemed to be so specified.

Chapter 22.160 Conditional Use Permits, Minor.

Sections:

22.160.010 Purpose.
22.160.020 Applicability.
22.160.030 Application and Review Procedures.
22.160.040 Development Standards.
22.160.050 Findings and Decision.
22.160.060 Conditions of Approval.
22.160.070 All Zone Regulations Apply Unless Permit is Granted.
22.160.080 Building Bulk Provisions.

22.160.010 Purpose.

The Minor Conditional Use Permit is established to regulate uses and development that, by their nature, are limited in scope and impacts, and may be appropriate in the applicable zone and require additional consideration to ensure proper integration with the surrounding community.

22.160.020 Applicability.

A. Zones. This Chapter authorizes uses identified by this Title 22 as subject to the approval of a Minor Conditional Use Permit.

B. Additional Consideration. This Chapter also authorizes uses or development with unusual site features or operating characteristics requiring additional consideration to ensure that the use or development will be compatible in design, location, and operation with adjacent properties and the surrounding area.

22.160.030 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Minor Conditional Use Permit Checklist.

B. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review – Discretionary) and this Chapter.

22.160.040 Development Standards.

A. Adequate Water Supply – Criteria. If it appears that the use requested will require a greater water supply for adequate fire protection than does either the existing use or any use permitted without a Minor Conditional Use Permit in the same zone, and will not comply with the provisions of Division 1 (Water) of Title 20 of the County Code, such facts shall be prima facie evidence that such requested use will adversely affect and be materially detrimental to adjacent uses, buildings and structures and will not comply with the findings required by this Chapter. If the Water Appeals Board grants a variance pursuant to any provision of Chapter 20.12 (Water Appeals Board) of said Division 1, permitting the proposed use with the existing or proposed water supply, this Section shall not apply.

22.160.050 Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.228.050 (Findings and Decision) and include the findings in Subsection B, below.

B. Findings.

1. The proposed use will be consistent with the adopted General Plan for the area.

2. The requested use at the location proposed will not:

a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;

b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and

c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

3. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

4. The proposed site is adequately served:

a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; and

b. By other public or private service facilities as are required.

22.160.060 Conditions of Approval.

The Hearing Officer may impose conditions to ensure that the approval will be in accordance with the findings required by Section 22.160.050 (Findings and Decisions). Such conditions may include those in Section 22.158.060 (Conditions of Approval).

22.160.070 All Zone Regulations Apply Unless Permit is Granted.

Unless specifically modified by a Minor Conditional Use Permit, all regulations prescribed in the zone in which such Minor Conditional Use Permit is granted shall apply.

22.160.080 Building Bulk Provisions.

The building bulk provisions prescribed in the various zones shall not apply to uses permitted by Minor Conditional Use Permit. In granting a Minor Conditional Use Permit application, the Hearing Officer shall prescribe the height limit, maximum lot coverage, or floor-area ratio for the use approved. Where the Hearing Officer fails to specify said height limit, maximum lot coverage, or floor-area ratio, those provisions applicable to principal permitted uses in the specific zone shall be deemed to be so specified.

Chapter 22.162 Development Agreements.

Sections:

22.162.010 Purpose.
22.162.020 Applicability.
22.162.030 Application and Review Procedures.
22.162.040 Findings and Decision.
22.162.050 Conditions of Approval.
22.162.060 Ordinances, Regulations, and Requirements Applicable to Development.
22.162.070 Subsequently Enacted Federal and State Laws.
22.162.080 Adoption of Ordinance – Execution of Contract.
22.162.090 Recordation of Executed Agreement.
22.162.100 Enforcement – Continuing Validity.
22.162.110 Amendment or Cancellation.
22.162.120 Review for Compliance – Director's Authority.
22.162.130 Violation of Agreement.

22.162.010 Purpose.

This Chapter establishes procedures and requirements for consideration of Development Agreements for the purposes specified in, and as authorized by, Article 2.5 (Development Agreements), Chapter 4, Title 7 of the California Government Code.

22.162.020 Applicability.

A. General Applicability. The Commission may recommend, and the Board may enter into, a Development Agreement for the development of real property with any person having a legal or equitable interest in such property as provided in this Chapter.

B. Local Coastal Program. A Development Agreement shall not be approved in an area for which a local coastal program is required to be prepared and certified pursuant to the requirements of Division 20 (California Coastal Act) of the California Public Resources Code unless:

1. The required local coastal program has been certified by such provisions prior to the date on which the Development Agreement is approved; or

2. In the event that the required local coastal program has not been certified, the California Coastal Commission approves such Development Agreement by its formal action.

22.162.030 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Development Agreement Checklist.

B. Type IV Review. The application shall be filed and processed in compliance with Chapter 22.232 (Type IV Review – Discretionary) and this Chapter.

22.162.040 Findings and Decision.

A. Findings.

1. Findings and decision shall be made in compliance with Section 22.232.040.A.2 (Findings) and include the findings in Subsection A.2, below.

2. The Commission shall recommend approval of an application to the Board if the following findings are made:

a. The proposed Development Agreement is consistent with the General Plan and any applicable Community, Area, or Specific Plan.

b. The proposed Development Agreement complies with zoning, subdivision, and other applicable ordinances and regulations.

c. The proposed Development Agreement is consistent with the public convenience, general welfare, and good land use practice, making it in the public interest to enter into the Development Agreement with the applicant.

d. The proposed Development Agreement will not:

i. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;

ii. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; or

iii. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

B. Coordination of Approvals.

1. Where an application for a Development Agreement is concurrently filed with an application for a Zone Change, permit, variance, tentative tract, or minor land division and may be feasibly processed together, all public hearings shall be concurrently held.

2. In instances where the provisions of applicable ordinances would permit the modification of development standards during consideration of such Development Agreement, such standards may be concurrently considered where modification is requested.

22.162.050 Conditions of Approval.

A. Every Development Agreement entered into by the Board shall include the following terms, conditions, restrictions, and requirements:

1. The duration of the agreement, including a specified termination date if appropriate;

2. The uses to be permitted on the property;

3. The density or intensity of use permitted;

4. The minimum height, size, and location of buildings permitted;

5. The reservation or dedication of land for public purposes to be accomplished, if any; and

6. The time schedule established for periodic review as required by Section 22.162.120 (Review for Compliance – Director's Authority).

B. Such terms, conditions, restrictions, or requirements shall not be contrary to zoning, subdivision, or other ordinances, laws, or regulations applicable to the proposed development.

C. A Development Agreement may also include additional terms, conditions, restrictions, and requirements for subsequent discretionary actions in addition to those provided in Subsection A, above, provided that such terms, conditions, restrictions, and requirements do not prevent development of the lot included in such agreement for the uses and to the density or intensity of development set forth in the agreement, including but not limited to:

1. The requirement of development schedules providing that construction of the proposed development as a total project or in phases be initiated and/or completed within specified time periods;

2. The construction of public facilities required in conjunction with such development, including but not limited to vehicular and pedestrian rights-of-way, drainage and flood control facilities, parks and other recreational facilities, and sewers and sewage treatment facilities;

3. The prohibition of one or more uses normally listed as permitted, accessory, or subject to discretionary review in the zone where placed;

4. The limitation of future development or requirement of specified conditions under which further development not included in the agreement may occur;

5. The requirement of a faithful performance bond where deemed necessary to, and in an amount deemed sufficient to, guarantee the faithful performance of specified terms, conditions, restrictions, and/or requirements of the agreement. In lieu of the required bond, the applicant may deposit with the Executive Office of the Board and assign to the County, certificates of deposit or savings and loan certificates or shares equal in amount to the same conditions as set forth herein. Such deposit and assignment shall comply with all the provisions and conditions of Chapter 4.36 (Assignment of Savings and Loan Certificates and Shares) in Title 4 of the County Code;

6. The requirements of specified design criteria for the exteriors of buildings and other structures, including signs;

7. The requirement of special yards, open spaces, buffer areas, fences and walls, landscaping, and parking facilities, including vehicular and pedestrian ingress and egress;

8. The regulation of nuisance factors such as noise, vibration, smoke, dust, dirt, odors, gases, garbage, heat, and the prevention of glare or direct illumination of adjacent properties; and

9. The regulation of operating hours and other characteristics of operation adversely affecting normal neighborhood schedules and functions on surrounding property.

22.162.060 Ordinances, Regulations, and Requirements Applicable to Development.

Unless otherwise provided by a Development Agreement, the General Plan, zoning, subdivision, and other ordinances, rules, regulations, and official policies governing permitted uses of land, governing density and governing design, improvement and construction standards, and specifications applicable to property subject to a Development Agreement shall be those applicable to such development on the date of execution of the Development Agreement by the Board; provided, however, that a Development Agreement shall not:

A. Be construed to prevent the application of later adopted or amended ordinances, rules, regulations, and policies in subsequent applications applicable to the property which do not conflict with such existing ordinances, rules, regulations, and policies; or

B. Prevent the approval, approval subject to conditions, or denial of subsequent development applications pursuant to such existing or later adopted or amended ordinances, rules, regulations, and policies.

22.162.070 Subsequently Enacted Federal and State Laws.

In the event that federal or State laws or regulations enacted subsequent to execution of a Development Agreement prevent or preclude compliance with one or more provisions of such agreement, the provisions of such agreement shall be deemed modified or suspended to the extent necessary to comply with said federal or State law or regulation.

22.162.080 Adoption of Ordinance – Execution of Contract.

A. Approval by the Board of a Development Agreement shall be by ordinance.

B. No ordinance shall be adopted and the Board shall not execute a Development Agreement until it has been executed by the applicant. If the applicant has not executed the agreement or agreement as modified by the Board, and returned said executed agreement to the Executive Office of the Board within 30 days following Board approval, the approval shall be deemed withdrawn, and the Board shall not adopt said ordinance nor execute said agreement.

C. Such 30-day time period may be extended upon approval of the Board.

22.162.090 Recordation of Executed Agreement.

Not more than 10 days following the execution of a Development Agreement by the Board, the Executive Office of the Board shall record with the Registrar-Recorder/County Clerk a copy of the executed agreement.

22.162.100 Enforcement – Continuing Validity.

A. Unless and until amended or cancelled in whole or in part as provided in Section 22.162.110 (Amendment or Cancellation), a Development Agreement shall be enforceable by any party thereto notwithstanding any change in regulations which alters or amends the regulations applicable to development as specified in Section 22.162.060 (Ordinances, Regulations, and Requirements Applicable to Development).

B. The burden of a Development Agreement shall be binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement.

22.162.110 Amendment or Cancellation.

A Development Agreement may be amended, or cancelled in whole or in part, by mutual consent of all parties to the agreement or their successors in interest. Procedures for amendment or cancellation shall be the same as provided in this Chapter for initiation and consideration of such agreement.

22.162.120 Review for Compliance – Director's Authority.

A. Every Development Agreement entered into by the Board shall provide for periodic review of the applicant's compliance with such agreement by the Director at a time interval specified in such agreement, but in no event longer than 12 months.

B. The Director shall determine on the basis of substantial evidence that the applicant or his successor in interest has or has not complied with the agreement. If as a result of this review the Director determines that the agreement is not being complied with, the Director shall notify the applicant or its successor in interest of those findings as required by law for the service of summons or by registered or certified mail, postage prepaid, return receipt requested, also indicating that failure to comply within a period specified, but in no event less than 30 days, may result in legal action to enforce compliance, termination, or modification of the agreement.

C. It is the duty of the applicant or its successor in interest to provide evidence of good faith compliance with the agreement to the Director's satisfaction at the time of said review. Refusal by the applicant or its successor in interest to provide

the required information shall be deemed prima facie evidence of violation of such agreement.

D. If, at the end of the time period established by the Director, the applicant or its successor in interest has failed to comply with the terms of the agreement or, alternatively, submitted additional evidence satisfactorily substantiating such compliance, the Director shall notify the Commission of the Director's findings recommending such action as the Director deems appropriate, including legal action to enforce compliance or to terminate or modify the agreement.

22.162.130 Violation of Agreement.

A. Commission Review.

1. Where the Director notifies the Commission that the Director's findings indicate that a Development Agreement is being violated, a public hearing shall be scheduled before the Commission to consider the applicant's reported failure to comply, and the action recommended by the Director. Procedures for conduct of such hearing shall be the same as provided in this Chapter for initiation and consideration of a Development Agreement.

2. If as a result of such hearing the Commission finds that the applicant or his successor in interest is in violation of a Development Agreement, it shall notify the Board of its findings, recommending such action as it deems appropriate.

B. Board Actions. Where the Commission reports the violation of a Development Agreement, the Board may take one of the following actions:

1. Approve the recommendation of the Commission instructing that action be taken as indicated therein in cases other than a recommendation to terminate or modify an agreement.

2. Refer the matter back to the Commission for further proceedings with or without instructions.

3. Schedule the matter for hearing before itself where termination or modification of an agreement is recommended. Procedures for such hearing shall be the same as provided in Section 22.162.110 (Amendment or Cancellation).

Chapter 22.164 Explosives Permits.

Sections:

22.164.010 Definitions.

22.164.020 Applicability.

22.164.030 Application and Review Procedures.

22.164.040 Findings and Decision.

22.164.050 Conditions of Approval.

22.164.010 Definitions.

Specific terms used in this Chapter are defined in Section 22.14.050 of Division 2 (Definitions), under "Explosive and Explosives."

22.164.020 Applicability.

A. General Applicability. No quantity of explosives, other than gunpowder, in excess of 100 pounds, or gunpowder in excess of 750 pounds, shall be stored or kept in any place, house, or building in the County without a permit as specified in this Chapter, unless said explosives are contained in a magazine situated, constructed, operated, and maintained in the manner described in Part 1 (High Explosives) of Division 11 of the California Health and Safety Code.

B. Exemption. This Chapter shall not apply to any explosive in transit in railway cars or other vehicles, or to any explosive awaiting transportation in or delivery from a railway car or other vehicle, or to the transfer of any such explosive from a car of one railway company to a car of a connecting railway company, provided that the car or other vehicle in which said explosive is being transported, or is awaiting transportation

or delivery, shall be kept locked or guarded; and provided further that the time during which such explosive is kept waiting transportation or delivery shall not exceed 24 hours.

22.164.030 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Explosives Permit Checklist.

B. Type II Review. If the application request is to store explosives for not more than three months and there is no permit in force for that location, the application shall be filed and processed in compliance with Chapter 22.228 (Type II Review – Discretionary) and this Chapter.

C. Type III Review. If the application request is to store explosives for more than three months, the application shall be filed and processed in compliance with Chapter 22.230 (Type III Review – Discretionary) and this Chapter.

D. Agency Review.

1. The Director shall immediately notify the Fire Department of every application for a permit to keep or store explosives. Where a public hearing is to be held, the Director shall notify the Fire Department of the time and place thereof.

2. The Fire Department, within 10 days after receipt of a copy of the application for a permit, shall furnish to the Director a report thereon as to whether or not in the Fire Chief's opinion explosives in the amounts and kinds mentioned in the application can be kept at the place proposed without danger of serious injury to persons other than those employed in or about the magazine, or to property other than that of the application.

22.164.040 Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.220.200 (Findings and Decision) and include the findings in Subsection B, below.

B. Findings.

1. The report of the Fire Department indicates the explosives in the amounts and kinds mentioned in the application can be kept at the place proposed without danger of serious injury to persons other than those employed in or about the magazine, or to property other than that of the application.

2. The requested explosives in the amounts and kinds mentioned in the application can be kept at the place proposed without danger of serious injury to persons other than those employed in or about the magazine, or to property other than that of the applicant.

22.164.050 Conditions of Approval.

The Commission or Hearing Officer shall consider and may impose such conditions as deemed necessary to protect the public health, safety, and general welfare, and to prevent material detriment to the property of other persons located in the vicinity of such proposed use. The Commission or Hearing Officer may also approve the permit contingent upon compliance with applicable provisions of other ordinances.

Chapter 22.166 Housing Permits.

Sections:

22.166.010 Purpose.
22.166.020 Definitions.
22.166.030 Applicability.
22.166.040 Housing Permit Evaluation Fee.
22.166.050 Covenant and Agreement.
22.166.060 Monitoring.
22.166.070 Development Standards Prescribed by Permit.
22.166.080 Administrative Housing Permit.

22.166.090 Discretionary Housing Permit.

22.166.010 Purpose.

The Housing Permit is established to facilitate the increased production of affordable housing and senior citizen housing through the implementation of the provisions of Chapter 22.120 (Density Bonuses and Affordable Housing Incentives) relating to density bonuses and affordable housing incentives.

22.166.020 Definitions.

Specific terms used in this Chapter are defined in Section 22.14.040 of Division 2 (Definitions), under "Density Bonuses and Affordable Housing Incentives."

22.166.030 Applicability.

A. Any person desiring to obtain a Housing Permit pursuant to this Chapter, that requires either an administrative review (Administrative Housing Permit) or a discretionary review (Discretionary Housing Permit), and that meets the applicable requirements of Chapter 22.120 (Density Bonuses and Affordable Housing Incentives), shall file a written application with the Director, accompanied by the applicable fee as required herein.

B. All qualified projects with housing set-asides shall adhere to the applicable requirements of this Chapter.

22.166.040 Housing Permit Evaluation Fee.

A. The applicant shall pay directly to the CDC an initial deposit of $750 from which actual costs shall be billed and deducted.

B. If during the evaluation process, actual costs incurred reach 80 percent of the amount on deposit, the applicant shall be notified by the CDC and be required to submit a minimum supplemental deposit in the amount of $500 directly to the CDC. There is no limit to the number of supplemental deposits that may be required to be submitted to the CDC prior to the completion or withdrawal of the Housing Permit.

C. If an initial or supplemental deposit is not received by the CDC within 30 days of notification that such deposit is due and payable, all work shall be discontinued until such deposit is received.

D. At the sole discretion of the applicant, the amount of an initial or supplemental deposit may exceed the minimum amount defined herein, except that at no time shall such initial or supplemental deposit be less than the minimum requirement.

E. The final Housing Permit Evaluation Fee shall be based on actual costs incurred by the CDC.

F. Costs shall be computed on a monthly basis and deducted from the amount on deposit. The Housing Permit Evaluation Fee shall be considered final upon completion of the review process, including any appeal process. If final costs do not exceed the amount on deposit, the unused portion of the amount on deposit shall be refunded to the applicant.

G. Costs shall be computed using actual hours expended by the CDC staff multiplied by the most current applicable hourly rates, approved by the Auditor-Controller, that are available at the time that costs are assessed.

H. Cost data used to determine the Housing Permit Evaluation Fee shall be maintained by the CDC and made available for public review while work is in progress, and for three years following final action or withdrawal of the application.

22.166.050 Covenant and Agreement.

A covenant and agreement, or other similar mechanism, acceptable to the Department and CDC, shall be recorded with the Registrar-Recorder/County Clerk to ensure the continuing availability of housing set-aside units and child care facilities, as applicable, for the use restriction periods specified in Chapter 22.120 (Density Bonuses and Affordable Housing Incentives). The agreement shall contain remedies for violations of the covenant, including, but not limited to, monetary penalties. The covenant and agreement shall be recorded with the Registrar-Recorder/County Clerk prior to the issuance of a certificate of occupancy by Public Works.

A. The covenant and agreement shall include the following:

1. A description of the total number of units, including the housing set-aside;

2. A description of the household income groups to be accommodated by the qualified project;

3. The location, sizes (sq. ft), and number of bedrooms of the housing set-aside units, and market-rate units, if applicable;

4. A description of remedies, including monetary penalties, for breach of the agreement;

5. Rental Housing Developments. When housing set-asides are rental units, the covenant and agreement shall also include the following:

a. The rules and procedures for qualifying tenants, filling vacancies, and maintaining housing set-asides, and where applicable, establishing affordable rents; and

b. Provisions requiring owners to comply with monitoring procedures, as described in Section 22.166.060 (Monitoring);

6. For-Sale Developments. When housing set-asides are for-sale units, the covenant and agreement shall also include the following:

a. The rules and procedures for qualifying buyers, and where applicable, establishing affordable housing costs and affordable sales prices;

b. Provisions restricting the housing set-aside units to be owner-occupied;

c. Provisions requiring owners to comply with monitoring procedures, as described in Section 22.166.060 (Monitoring);

d. For very low, lower, and moderate (single-family) income housing set-asides, provisions restricting the sale and resale of the housing set-aside units to eligible buyers during the applicable term of affordability, using a resale formula, as determined by the CDC, to determine the resale price; and

e. For moderate income housing set-asides (common interest development), provisions restricting the initial sale to eligible buyers, and requiring entering into an equity-sharing agreement with the County that states the following terms:

i. Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The County shall recapture any initial subsidy and its proportionate share of appreciation, which shall then be used within three years for any of the purposes described in Subdivision (e) of Section 33334.2 of the California Health and Safety Code.

ii. The County's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.

iii. The County's proportionate share of appreciation shall be equal to the ratio of the initial subsidy to the fair market value of the home at the time of initial sale;

7. Child Care Facilities. When the qualified project includes a child care facility, the covenant and agreement shall also include the following:

a. The rules and procedures for qualifying children, filling vacancies, and maintaining a percentage of use by qualified households;

b. The minimum amount of time in which a child care facility must remain in operation; and

c. The minimum required percentage of children of very low, lower, or moderate income households who attend the child care facility.

B. Release of the Covenant and Agreement. Under certain circumstances, and after consultation with the Executive Director of the CDC, the covenant and

agreement may be terminated by the Director after making written findings as to the need for releasing the covenant and agreement.

22.166.060 Monitoring.

The monitoring of affordable housing set-aside units shall be administered by the CDC. The CDC shall be responsible for verifying income eligibility, monitoring sales of affordable housing set-aside units to qualified buyers, conducting periodic site inspections, and administering the annual registration/certification of affordable housing set-aside units approved pursuant to this Chapter for the duration of the required term as specified in Section 22.120.040 (Density Bonus).

A. Registration/Certification. Property owners shall register their affordable housing set-aside units with the CDC according to the following schedule:

1. Rental Units. Prior to the granting of a certificate of occupancy by DPW for any unit in the qualified project, the owner shall register each affordable set-aside unit and certify annually with the CDC thereafter, on or before January 1 of each year, that affordable housing set-aside units remain in conformance with the terms of the Housing Permit.

2. For-Sale Units.

a. For very low, lower, and moderate (single-family) income housing set-asides, prior to the granting of a certificate of occupancy by Public Works for any unit in the qualified project, the owner shall register each affordable housing set-aside unit, at the time of sale and certify annually with the CDC thereafter, on or before January 1 of each year, that the affordable housing set-aside units remain in conformance with the terms of the Housing Permit.

b. For moderate income housing set-asides (common interest development), prior to the granting of a certificate of occupancy by Public Works for any unit in the qualified project, the owner shall register each affordable housing set-aside unit, at the time of sale and certify annually with the CDC thereafter, on or before January 1 of each year, that the affordable housing set-aside units remain in conformance with the terms of the Housing Permit.

B. Fees. In addition to the applicable review fees, as described in Chapter 22.250 (Applications, Petitions, and Fees), the applicant for a Housing Permit that is granted approval by the County shall be required to deposit monitoring/inspection fees with the CDC at the time that the Housing Permit is accepted by the applicant and before a certificate of occupancy is issued by Public Works for any unit in the qualified project. The monitoring/inspection deposits shall be $125 per affordable housing set-aside unit per year, and the applicant shall provide the total cumulative amount for the term of the grant, to be deposited into a trust fund from which actual costs are deducted by the CDC to defray the ongoing monitoring costs. On or before April 1 of each year, the CDC shall provide an annual report to the Director that describes the following:

1. The location and status of each affordable housing set-aside unit approved in accordance with Chapter 22.120 (Density Bonuses and Affordable Housing Incentives) and this Chapter; and

2. The results of the registration/certification of each affordable housing set-aside unit and a notification to the Director of any necessary zoning enforcement action to maintain the housing set-aside units consistent with Chapter 22.120 (Density Bonuses and Affordable Housing Incentives).

C. Enforcement and Noncompliance. In the event of noncompliance, the owner of the housing set-aside units shall be subject to Section 22.242 (Enforcement Procedures).

22.166.070 Development Standards Prescribed by Permit.

In granting a Housing Permit, the Commission or Director shall prescribe the height limit, stories, yards, maximum lot coverage, gross structural area, parking, and other development standards for the use approved. Where the Commission or Director fails to specify said height limit, stories, yards, maximum lot coverage, gross structural area, density, parking, or other development standards, those provisions applicable to principal permitted uses in the specific zone shall be deemed to be so specified.

22.166.080 Administrative Housing Permit.

A. Application and Review Procedures.

1. Application Checklist. The application shall contain all of the materials required by the Administrative Housing Permit Checklist.

2. Fees.

a. When an application is filed, it shall be accompanied by the filing fee required for either of the following:

i. Housing Permit, Administrative; or

ii. Housing Permit, Administrative, with Off-Menu Incentives.

b. In addition, the Director shall refer the application to the CDC for review, pursuant to this Chapter, and the applicant shall pay directly to the CDC the Housing Permit Evaluation Fee (Section 22.166.040).

c. A fee shall not be required if the application is exempt pursuant to Section 22.222.080.C.2 (Fee Exemption for Affordable Housing).

3. Additional Application and Review Procedures.

a. The application shall be in compliance with Section 22.222.060 (Multiple Applications).

b. The application shall be in compliance with Section 22.222.070 (Application Filing and Withdrawal).

c. The application shall be in compliance with Section 22.222.090 (Initial Application Review).

B. Findings and Decision. An application that meets all the requirements for qualified projects shall be approved unless the Director makes one or more of the following findings, as applicable:

1. When an incentive is requested:

a. The incentive is not required in order to provide for affordable housing costs or affordable rents; or

b. The incentive would have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible

method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, lower, or moderate income households.

2. When an additional density bonus or incentive for the provision of a childcare facility is requested:

a. The additional density bonus or incentive for a child care facility does not significantly contribute to the economic feasibility of the construction of the child care facility;

b. The additional incentive would have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, lower, or moderate income households; or

c. That the community has adequate child care facilities.

C. Notification.

1. The Director shall notify the applicant of the action taken on the application, by first class mail, or other means deemed appropriate by the Director. Such notification may also be hand-delivered to the applicant when appropriate.

2. Off-Menu Incentives. Where applicable, when an applicant requests an off-menu incentive, the Director shall also notify the Commission, adjacent property owners, and the local town council, or similar local community associations, of the action taken on the application, by first class mail, or other means deemed appropriate by the Director. The notice shall specify that the project is subject to an Administrative Housing Permit and that the incentives are not subject to a discretionary review. The notice shall also specify that the basis for which an appeal can be filed by the applicant or any interested person or the matter called up for review by the Commission are limited to the criteria contained in Subsection B, above, and that the permissible grounds upon which the Commission may act in such appeal or call for review as described in Subsection E, below, are also limited to such criteria.

D. Effective Date of Decision. Notwithstanding the provisions of Section 22.222.230 (Effective Date of Decision and Appeals), if applicable, when an applicant requests an off-menu incentive, the decision of the Director shall become effective on the 21st day following the date of the decision, unless appealed by the applicant or any interested person or called up for review by the Commission prior to that date.

E. Appeals.

1. Off-Menu Incentives.

a. When an off-menu incentive is requested, an appeal to the Commission may be made by any interested person dissatisfied with the action taken by the Director on an Administrative Housing Permit, and/or the project may be called up for review by the Commission. Such appeal shall be filed with the Commission, or be called up for review by the Commission, within 21 days following the date of the decision. The appeal shall be accompanied by the fee required by Chapter 22.250 (Applications, Petitions, and Fees). Appeals that do not address the findings and determinations made by the Director, as described in Subsection B, above, shall not be accepted.

b. Notice of Appeal. A notice of appeal shall be sent to the Commission, adjacent property owners, local town council, and/or similar local community associations. In the event that the matter is called up for review by the Commission, a notice of call for review shall be sent to the local town council, and/or similar local community associations.

2. Decision. The Commission shall review the record of the decision and shall affirm, modify, or reverse the original decision. When a decision is modified or reversed, the Commission shall state the specific reasons for modification or reversal. In rendering its decision, the Commission shall not consider any argument or evidence of any kind other than the record of the matter received from the Director or appellants, which shall solely be based on the findings and determination of the Director, as described in Subsection B, above. The decision of the Commission shall be final.

3. Time Limit for Decision and Notice. Decisions on appeals or calls for review shall be rendered within 90 days of the end of the appeal period. The notice of the decision shall be mailed within 10 days after the date of the decision to the applicant and other persons required to be notified pursuant to Subsection C, above.

4. Failure to Act. If the Commission fails to act upon an appeal or call for review within the time limits prescribed in this Section, the applicant's project shall be deemed approved, except that the applicant, at their sole discretion, may elect to waive the time limit in order to obtain a written decision by the Commission.

F. Effective Date When an Appeal is Filed. Where an appeal is filed for an Administrative Housing Permit, the date of decision by the Commission on such appeal shall be deemed the date of grant in determining any applicable expiration date for the permit.

G. Time Limits and Extensions. An Administrative Housing Permit that is not used within two years after the granting of the permit, becomes null, void, and of no effect, except that the Director may extend such time for a period of not to exceed one year, provided an application requesting such extension is filed prior to such expiration date. The Director may grant an additional (second) one-year extension, provided that an application requesting such extension is filed prior to the expiration of the first such extension.

H. Conditions of Approval.

1. The Director, in approving an application for an Administrative Housing Permit, shall require the applicant to enter into and record a covenant and agreement, as described in Section 22.166.050 (Covenant and Agreement), with the County to ensure the affordability and age restrictions, and where applicable, require a monitoring fee pursuant to Section 22.166.060 (Monitoring).

2. The Administrative Housing Permit shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the Department their affidavit stating that they are aware of, and agree to accept, all of the requirements of the permit.

I. Post-Decision Actions and Regulations

1. Documentation, scope of approval, and Exhibit "A" shall be in compliance with Section 22.222.240 (Documentation, Scope of Approval, and Exhibit "A").

2. Use of property before final action shall be in compliance with Section 22.222.250 (Use of Property Before Final Action).

3. Performance guarantees and covenants shall be in compliance with Section 22.222.260 (Performance Guarantee and Covenant).

J. All Zone and District Regulations Apply Unless Permit is Granted. Unless specifically modified by a Housing Permit, all regulations prescribed in the zone or the community standards district in which such Housing Permit is granted shall apply.

22.166.090 Discretionary Housing Permit.

A. Application and Review Procedures.

1. Application Checklist. The application shall contain all of the materials required by the Discretionary Housing Permit Checklist.

2. Fees.

a. When a Discretionary Housing Permit application is filed, it shall be accompanied by the filing fee required for a Discretionary Housing Permit.

b. A fee shall not be required if the application is exempt per Section 22.222.080.C.2 (Fee Exemption for Affordable Housing).

c. In addition, the Director shall refer the application to the CDC for review, pursuant to this Chapter, and the applicant shall pay directly to the CDC the Housing Permit Evaluation Fee (Section 22.166.040).

3. Type III Review. The application shall be filed and processed in compliance with Chapter 22.230 (Type III Review – Discretionary) and this Chapter.

B. Findings and Decision.

1. Common Procedures. Findings and decision shall be made in compliance with Section 22.230.050 (Findings and Decision) and include the findings in Subsections B.2 and B.3, below, where applicable.

2. Findings.

a. The proposed use will be consistent with the adopted General Plan for the area.

b. The requested use at the proposed location will not:

i. Adversely affect the health, peace, comfort, or welfare or persons residing or working in the surrounding area;

ii. Be detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and

iii. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

c. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

d. The proposed site is adequately served:

i. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate; and

ii. By other public or private service facilities as are required.

e. The proposed project at the location proposed has been designed to be complimentary to the surrounding area in terms of land use patterns and design.

f. The proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs.

3. Findings for Waiver or Modification of Development Standards. The Commission shall approve a request for waiver or modifications of development standards upon making the following findings:

a. The waiver or modification to development standards is necessary to make the housing units economically feasible; and

b. The waiver or modification of development standards will not have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

C. Conditions of Approval – Discretionary Review

1. The Commission may impose any conditions deemed necessary to ensure that such use will be in accordance with the findings required by Section 22.166.090.B (Findings and Decision):

a. Conditions imposed by the Commission may involve any pertinent factors affecting the establishment, operation, and maintenance of the requested use.

b. The Commission, in approving an application for a Discretionary Housing Permit, shall condition the applicant to enter into and record a covenant and agreement with the County, as described in Section 22.166.050 (Covenant and Agreement), to ensure the affordability and/or age restrictions of the housing set-asides, and where applicable, require a monitoring fee pursuant to Section 22.166.060 (Monitoring).

2. The Commission may also approve the requested Discretionary Housing Permit contingent upon compliance with applicable provisions of other ordinances.

3. The Discretionary Housing Permit will not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed with the Director their affidavit stating that they are aware of, and agree to accept, all of the conditions of the Discretionary Housing Permit.

D. Appeals.

1. Appeals. Appeals shall be in compliance with Chapter 22.240 (Appeals).

2. Waivers or Modification of Development Standards. Reasons for which appeals for waivers or modifications of development standards are based shall be in accordance with Section 22.166.090.B (Findings and Decision).

E. Post-Decision Actions and Regulations.

1. Post-decision actions and regulations shall be in compliance with Section 22.230.090 (Post-Decision Actions and Regulations).

2. In addition to Section 22.230.090.D, the Director may grant an additional (second) one-year extension, provided that an application requesting such extension is filed prior to the expiration of the first such extension.

F. All Zone and District Regulations Apply Unless Permit is Granted. Unless specifically modified by a Housing Permit, all regulations prescribed in the zone or the community standards district in which such Housing Permit is granted shall apply.

Chapter 22.168 Los Angeles County Mills Act Program.

Sections:

22.168.010 Title for Citation.
22.168.020 Purpose.
22.168.030 Definitions.
22.168.040 Applicability.
22.168.050 Program Implementation.
22.168.060 Application.
22.168.070 Inspection of the Property.
22.168.080 Grant or Denial of the Application.

22.168.090 Exemption From Disqualification.
22.168.100 Required Provisions of an Historical Property Contract.
22.168.110 Recordation of an Historical Property Contract.
22.168.120 Cancellation of an Historical Property Contract.
22.168.130 Administrative Guidelines; Form Historical Property Contract.

22.168.010 Title for Citation.

The provisions of this Chapter 22.168 are known as, and may be cited as, the "Los Angeles County Mills Act Program."

22.168.020 Purpose.

The Program provides an incentive for owners of qualified historical properties within the unincorporated areas of the County to preserve, restore, and rehabilitate the historic character of such properties, thereby providing an historical, architectural, social, artistic, and cultural benefit to the citizens of the County, as authorized by the provisions of Article 12 (commencing with Section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code, which provisions are commonly known as the "Mills Act."

22.168.030 Definitions.

Specific term(s) used in this Chapter are defined in Section 22.14.130 of Division 2 (Definitions), under "Mills Act Program."

22.168.040 Applicability.

Only qualified historical properties shall be eligible to participate in the Program.

22.168.050 Program Implementation.

To implement the Program, the Director shall propose provisions to control the cost to the County of the operation of the Program, including, but not limited to, provisions designed to limit the total reduction in unrealized property tax revenue to the County resulting from historical property contracts. The Director, in consultation with

the Landmarks Commission, shall also propose priority criteria by which an application can receive priority consideration over other applications. Such provisions and priority criteria must be approved by the Board, and may be amended from time to time by the Board.

22.168.060 Application.

A. Any person may file an application with the Director to enter into an historical property contract. An application must be accompanied by the applicable application fee, which shall be non-refundable.

B. An application shall contain the following information:

1. Name and address of the applicant and of all owners of the subject property;

2. Evidence that the applicant is the sole owner of the subject property or has the written permission of all owners to make such application;

3. The location and legal description of the subject property;

4. Evidence that the subject property is a qualified historical property;

5. A proposed plan for the preservation and, when necessary, the restoration or rehabilitation of the subject property, including a plan for all construction and maintenance work which is proposed to be performed;

6. Evidence satisfactory to the Director that execution of the historical property contract will result in the preservation and, when necessary, the restoration and/or rehabilitation of a qualified historical property; and

7. Such other information as the Director may require.

22.168.070 Inspection of the Property.

After the Director determines that an application to participate in the Program is complete, the Director shall cause to be conducted, and the owners shall allow, an inspection of the interior and exterior of the subject property to substantiate the information and evidence contained in the application, and to determine whether the work proposed as part of the plan required by Section 22.168.060.B.5 is necessary for

and will result in the preservation and, when necessary, the restoration or rehabilitation of the subject property.

22.168.080 Grant or Denial of the Application.

A. Grant of Application. The Director may grant an application if, after the inspection required by Section 22.168.070 (Inspection of the Property), the Director determines that the information and evidence contained in the application has been substantiated, and that the work proposed as part of the plan required by Section 22.168.060.B.5 is necessary for, and will result in, the preservation and, when necessary, the restoration and/or rehabilitation of the subject property. Upon granting the application, the Director and all owners of the subject property shall execute an historical property contract containing all of the provisions required by Section 22.168.100 (Required Provisions of an Historical Property Contract), and including the plan required by Section 22.168.060.B as an exhibit, incorporating its provisions into the contract. An historical property contract shall not be effective for any purpose unless all owners of the subject property execute the historical property contract and pay the applicable non-refundable, contract execution fee. Within 20 days after execution of the contract, the owners shall pay all required inspection, recording, and other fees set forth in the contract.

B. Denial of Application. The Director shall deny the application if it fails to contain the information and evidence required by Section 22.168.060 (Application), or if the Director determines that such evidence and/or information has not been satisfactorily substantiated following inspection of the subject property pursuant to Section 22.168.070 (Inspection of the Property). The Director shall also deny the application if the Director determines that granting the application would be inconsistent with any approved provisions described in Section 22.168.050 (Program Implementation). At any time prior to denying an application, the Director may suggest modifications or changes to the application which, if adopted by the applicant, would cause the application to conform to the requirements of this Chapter.

C. No Administrative Appeal. Other than as provided in Section 22.168.090 (Exemption From Disqualification), the decision of the Director on the application shall be final and shall not be subject to administrative appeal.

22.168.090 Exemption From Disqualification.

Where a qualified historical property is ineligible to participate in the Program because of any approved provisions described in Section 22.168.050 (Program Implementation), the owners or other persons authorized by the owners may file a request with the Director for an exemption from the disqualifying provisions pursuant to this Section.

A. Requirements for Exemption Request. A request for an exemption shall be accompanied by the applicable application fee and the applicable exemption request fee. The exemption request shall contain the information and evidence required by Section 22.168.060 (Application). In addition, the exemption request shall include evidence that, notwithstanding the disqualifying provisions, the subject property is deserving of an historical property contract due to its exceptional nature, or because it is subject to special circumstances not generally applicable to other qualified historical properties. After the Director determines that the exemption request application is complete, the Director shall inspect the property pursuant to Section 22.168.070 (Inspection of the Property) for the purposes described therein and to evaluate whether the exemption is warranted due to the exceptional nature of the subject property or because the subject property is subject to special circumstances not generally applicable to other qualified historical properties.

B. Director's Recommendation. Upon completion of the review of the exemption request and inspection of the subject property, the Director shall make a recommendation to the Board to approve or deny the request based on the criteria set forth in Section 22.168.080.A (Grant of Application), and also based on whether there is sufficient evidence showing that the subject property has an exceptional nature or is subject to special circumstances not generally applicable to other qualified historical properties that warrant the exemption.

C. Decision of the Board. The Board may grant the exemption request if it finds that the applicant has substantiated the information and evidence required under Subsection A, above, and that the work proposed as part of the plan required by Section 22.168.060.B is necessary for and will result in the preservation and, when necessary, the restoration and/or rehabilitation of the subject property. If the Board grants the exemption request, the Director and all owners shall execute an historical property contract as described in Section 22.168.080.A (Grant of Application).

22.168.100 Required Provisions of an Historical Property Contract.

An historical property contract shall contain all of the provisions required by Sections 50280, 50281, and 50282 of the California Government Code, and shall also include provisions that require:

A. That the preservation, and any restoration and/or rehabilitation of the qualified historical property, conform to any rules and regulations established or adopted by the County regarding the preservation, restoration, and/or rehabilitation of qualified historical properties.

B. An inspection of the interior and exterior of the premises by the Department every five years, or on any more frequent basis as the Director deems necessary, to determine the owners' compliance with the contract.

C. The owners to provide all information requested by the Director or the Department for purposes of determining the owners' compliance with the contract.

D. Such other terms and provisions as the Director determines are necessary.

22.168.110 Recordation of an Historical Property Contract.

Not later than 20 days after the execution of an historical property contract, the Director shall cause to be recorded with the Registrar-Recorder/County Clerk a copy of the contract, which contract shall adequately describe the subject property. The Department shall provide all owners with a copy of the recorded contract.

22.168.120 Cancellation of an Historical Property Contract.

An historical property contract shall be cancelled under the circumstances and pursuant to the procedures described in this Section. No historical property contract may be cancelled unless and until the Department has given notice of, and a Hearing Officer has held, a public hearing pursuant to this Section.

A. Circumstances for Cancellation. An historical property contract shall be cancelled under the following circumstances:

1. If the Hearing Officer determines that the owners of the subject property has breached any of the conditions of the historical property contract or has allowed the subject property to deteriorate to the point that it no longer meets the standards for a qualified historical property;

2. The subject property is demolished, destroyed, or significantly altered due to a natural disaster such that the subject property no longer meets the standards for a qualified historical property and the Hearing Officer determines, after consultation by the Director with the State Office of Historic Preservation, that preservation, rehabilitation, or restoration of the subject property is infeasible; and

3. The subject property has been acquired in whole or in part by eminent domain by an entity authorized to exercise eminent domain, if the Hearing Officer determines that the eminent domain acquisition frustrates the purposes of the historical property contract.

B. Public Hearing Procedure.

1. At least 30 days before the public hearing on the cancellation of an historical property contract, the Department shall mail notice of the public hearing to the last known address of each owner of the qualified historical property and shall publish notice of the public hearing pursuant to Sections 6060 and 6061 of the California Government Code.

2. The public hearing on the matter shall be conducted by a Hearing Officer pursuant to Section 22.222.120 (Public Hearing Procedure). The Hearing Officer shall make a determination as to whether any of the circumstances described in

Subsection A, above, have been met. If such a determination is made, the Hearing Officer shall declare the historical property contract cancelled, and within 20 days after such determination, the Department shall record a notice of contract cancellation with the Registrar-Recorder/County Clerk. The Hearing Officer shall mail notice of the action taken to the same persons to whom notice of the public hearing was mailed pursuant to Subsection B.1, above.

C. Cancellation Fee.

1. Except as provided in Subsection C.2, below, if an historical property contract is declared cancelled pursuant to Subsection B.2, above, the owners shall pay a cancellation fee equal to 12 1/2 percent of the current fair market value of the property, as determined by the Assessor as though the property were free of the contractual restriction. The cancellation fee shall be paid to the Auditor-Controller at the time and in the manner that the Auditor-Controller shall prescribe and shall be allocated by the Auditor-Controller as required by Section 50286 of the California Government Code.

2. The cancellation fee described in Subsection C.1, above, shall not apply to an historical property contract cancelled because of a circumstance described in Subsection A.2 or A.3, above.

D. No Administrative Appeal. The decision of the Hearing Officer on the cancellation of the historical property contract shall be final and shall not be subject to administrative appeal.

22.168.130 Administrative Guidelines; Form Historical Property Contract.

A. The Director, in consultation with the Landmarks Commission, shall issue administrative guidelines to implement this Chapter, which guidelines shall provide for the administration and operation of the Program. The administrative guidelines shall also include any provisions and priority criteria approved by the Board pursuant to Section 22.168.050 (Program Implementation).

B. The Director shall prepare a form historical property contract for approval by the Board which contains, at a minimum, all the provisions described in Section 22.168.100 (Required Provisions of a Historical Property Contract).

Chapter 22.170 Lot Line Adjustments.

Sections:

22.170.010 Applicability.
22.170.020 Application and Review Procedures.
22.170.030 Development Standards.
22.170.040 Post-Decision Actions and Regulations.

22.170.010 Applicability.

A. Lot Line Adjustments provide a process to adjust the lot line between two or more existing adjacent lots, where the land taken from one lot is added to an adjacent lot and where a greater number of lots than originally existed are not thereby created.

B. For a Lot Line Adjustment where the subject property lies within the boundaries of the Coastal Zone, as defined in Section 30103 of the California Public Resources Code, a coastal development permit shall be required pursuant to Chapter 22.56 (Coastal Development Permits).

22.170.020 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all materials required by the Lot Line Adjustment Checklist.

B. Type I Review. The application shall be filed and processed in compliance with Chapter 22.226 (Type I Review – Ministerial) and this Chapter, unless Subsection C, below, applies.

C. Coastal Development Permit. If the subject property lies within the boundaries of the Coastal Zone, as defined in Section 30103 of the California Public Resources Code, a lot line adjustment shall require a coastal development permit (Chapter 22.56).

22.170.030 Development Standards.

Lot Line Adjustments shall conform to the following development standards:

A. The lot design, frontage, access, and similar standards shall be consistent with applicable provisions contained in Title 21 (Subdivisions) of the County Code.

B. Any change in access, lot configuration or orientation of structures, easements, or utilities to lot lines will not, in the opinion of the Director, result in any burden on public services or materially affect the property rights of any adjacent owners.

C. The lots to be adjusted are eligible for unconditional certificates of compliance under the provisions of the Subdivision Map Act and this Title 22.

D. The adjusted lot configurations will be in accord with established neighborhood lot design patterns and will not violate any statute, ordinance, regulation, or good planning practice.

E. If any of the lots to be adjusted are improved with a structure requiring a building permit, the applicant shall provide an inspection report from the Building and Safety Division of Public Works certifying that changes in lot lines will not violate any ordinances or regulations administered by such department. Public Works shall collect any fees required for this service.

22.170.040 Post-Decision Actions and Regulations.

If the application is approved:

A. The Director shall record a certificate of compliance containing the descriptions of the lots as they will exist after adjustment. If the request is denied, the Director shall report this in writing to the applicant, citing the reasons for denial.

B. The Lot Line Adjustment shall be reflected in a deed or record of survey which shall be recorded by the applicant.

Chapter 22.172 Nonconforming Uses, Buildings and Structures.

Sections:

22.172.010 Definitions.

22.172.020 Regulations Applicable.

22.172.030 Public Uses – Additions and Alterations Authorized When.

22.172.040 Public Utilities – Additions and Alterations Authorized When.

22.172.050 Termination Conditions and Time Limits.

22.172.060 Review of Amortization Schedule or Substitution of Use.

22.172.010 Definitions.

A. As used in this Chapter the expressions "Type I, Type II, Type III, Type IV, and Type V building" are used as defined Title 26 (Building Code) of the County Code.

B. "Building or structure, nonconforming due to standards" and "building or structure, nonconforming due to use" are defined in Section 22.14.020 of Division 2 (Definition).

22.172.020 Regulations Applicable.

The following regulations shall apply to all nonconforming uses and to all buildings or structures nonconforming due to use and/or standards as specified herein:

A. Continuation. A nonconforming use or a building or structure nonconforming due to use and/or standards may be continuously maintained provided there is no alteration, enlargement, or addition to any building or structure; no increase in occupant load; nor any enlargement of area, space, or volume occupied by or devoted to such use, except as otherwise provided in this Title 22.

B. Additions to a Nonconforming Use or a Building or Structure Nonconforming Due to Use and/or Standards. This Section does not authorize the extension, expansion, or enlargement of the area of land or the area within a building or structure devoted to a nonconforming use, or the alteration, enlargement of, or addition to a building or structure nonconforming due to use and/or standards, or permit the addition of land, buildings, or structures used in conjunction with a nonconforming use or a building or structure nonconforming due to use and/or standards except:

1. To the extent required by a subsequently enacted or subsequently adopted law, ordinance, or regulation, and the Director so finds. Such additions as are permitted by this Subsection B shall not be construed to extend the termination date of the subject nonconforming use, or a building or a structure nonconforming due to use.

2. Additions may be made to a building nonconforming due to use and/or standards which is designed for and used as a residence without requiring any additional parking space or driveway paving; provided, that such additions neither increase the number of dwelling units in such structure, nor occupy the only portion of an area which can be used for required parking space or access thereto. Notwithstanding the foregoing, a second unit in compliance with Chapter 22.106.540 (Second Units) may be developed on a lot containing a single-family residence nonconforming due to standards, provided that where the single-family residence is nonconforming due to parking standards, sufficient parking shall be provided to ensure that both the single-family residence and the second unit comply with the applicable provisions of Chapter 22.112 (Parking).

C. Additions to a Building or Structure Nonconforming Due to Standards. Additions may be made to a building or structure nonconforming due to standards which

is not in violation of any provisions of this Title 22 and is nonconforming only because it does not meet the following standards of development as provided herein:

1. Yards, provided such addition or expansion is developed pursuant to the yard requirements of this Title 22.

2. Building height limits, but not including floor area ratio or maximum lot coverage provisions, provided such addition or expansion is developed pursuant to the height requirements of this Title 22.

3. Parking facilities including width of access and paving, improvement, number of spaces, and landscaping of parking areas; provided, that parking spaces for such addition, increase in occupant load or expansion shall be developed pursuant to the provisions of Chapter 22.112 (Parking). Such addition or expansion shall not occupy the only portion of an area which can be used for the required parking space or access thereto. Where the number of parking spaces provided prior to such addition is sufficient to comply with said Chapter 22.112 after such expansion, the existing development of such parking facilities shall be deemed to comply with this Subsection C.

4. Such additions as are permitted by this Subsection C shall not be construed to authorize the modification of any provision of this Title 22 nor extend the termination date of the subject nonconforming use.

D. Conforming Uses in a Building or Structure Nonconforming Due to Standards Other Than Parking. A building or structure nonconforming due to standards other than parking may be occupied by any use permitted in the zone in which it is located, subject to the limitations and conditions governing such use as specified in the zone.

E. Conforming Uses in a Building or Structure Nonconforming Due to Parking. A building or structure nonconforming due to parking standards may be occupied by any use permitted in the zone in which it is located subject to the limitations and conditions governing such use as specified in the zone; provided, that:

1. The use has the same or lesser parking requirement as the existing or previous use; or

2. If the use has a greater requirement than the existing or previous use, a sufficient number of additional parking spaces is developed to accommodate the increased amount of space required by the new use.

F. Buildings or structures, for which a valid building permit has been issued prior to the effective date, or operative date where later, of the ordinance codified herein, or any amendments thereto, making such building or structure nonconforming due to use and/or standards, may be completed and used in accordance with the provisions of this Title 22, provided:

1. That such construction or the proposed use of such building or structure under construction is not in violation of any other ordinance or law at said effective or operative date; and

2. That such building or structure is completed within:

a. One year from said effective or operative date, if two stories or less in height and not more than 70,000 square feet in floor area, except that one additional month shall be permitted for each 15,000 square feet in excess of said 70,000 square feet,

b. One and one-half years from said effective or operative date, if three to six stories in height and not more than 100,000 square feet in floor area, except that one additional month shall be permitted for each 15,000 square feet in excess of said 100,000 square feet, or

c. Two years from said effective or operative date if seven stories or more in height and not more than 150,000 square feet in floor area except that one additional month shall be permitted for 15,000 square feet in excess of said 150,000 square feet; and

3. That such building or structure is completed in accordance with the plans and specifications on which such building permit was issued.

G. Repair of Damaged or Partially Destroyed Buildings or Structures Nonconforming Due to Use or Standards. Any building or structure nonconforming due to use or standards which is damaged or partially destroyed may be restored to the condition in which it was immediately prior to the occurrence of such damage or destruction, provided:

1. That the cost of reconstruction does not exceed 50 percent of the total market value of the building or structure as determined by:

a. The current assessment roll immediately prior to the time of damage or destruction, or

b. A narrative appraisal prepared by a certified member of a recognized professional appraiser's organization; provided, that such appraisal is first submitted to and approved by the Director. Submission of an appraisal shall be at the option of the applicant. In verifying the accuracy of the appraisal submitted, the Director may request additional supporting information from the applicant and/or may conduct an investigation including a request for technical assistance from any source which in the Director's opinion can contribute information necessary to complete such evaluation. Further, the Director may also obtain an independent narrative appraisal of the applicant's property to verify the accuracy of the appraisal submitted by the applicant. Where a discrepancy exists between the applicant's appraisal and the appraisal prepared pursuant to the Director's request, the Director may at the Director's discretion determine the market value of the applicant's property based on the evidence submitted and the Director's decision is final; provided, that the applicant shall first have the opportunity to file additional information to substantiate the accuracy of the appraisal submitted by the applicant. Where the Director undertakes an investigation and/or requests that an independent appraisal be prepared as provided herein, the applicant shall pay to the County the actual cost of conducting such investigation and/or the appraisal. Value shall be determined by the use of the assessment roll in all instances where an appraisal prepared pursuant to this Subsection G is not approved by the

Director. Such costs shall not include the land or any factor other than the building or structure itself.

2. That all reconstruction shall be started within one year from the date of damage and be pursued diligently to completion.

H. Maintenance of Buildings or Structures Nonconforming Due to Use. When maintenance or routine repairs within any 12-month period exceed 25 percent of the current market value of a building or structure nonconforming due to use, or a building or structure nonconforming due to standards which is subject to termination by operation of law as specified in Section 22.172.050.B (Termination by Operation of Law), such building or structure shall be made to conform to the requirements for new buildings or structures as specified by this Title 22. This provision does not apply to additions permitted by this part or to Section 22.110.110.B (Relocation of Buildings and Structures for Public Use). Market value shall be determined by the method specified in Subsection G, above.

I. Limitation on Additional Development. No new use, building, or structure shall be developed on any lot containing a nonconforming use or a building or structure nonconforming due to use and/or standards unless the following conditions prevail:

1. That each existing and proposed use, building or structure, including appurtenant structures, improvements and open space, will be located on a lot having the required area as provided in Section 22.110.120 (Density), Section 22.110.130 (Required Lot Area and Width), Section 22.110.140 (Required Lot Area or Width for Specific Circumstances), Section 22.110.150 (Substandard Lots), and Section 22.110.160 (Resubdivision Conditions for Undersized or Underwidth Lots);

2. That such lot can be divided into smaller lots each of which when considered as a separate lot will contain not less than the required area; and

3. That each such lot so divided into smaller lots will comply with the requirements of this Title 22 as to the number and location of structures.

J. The provisions of this Section shall not be construed to extend the termination date of such nonconforming uses, buildings, and structures.

22.172.030 Public Uses – Additions and Alterations Authorized When.

Any publicly owned nonconforming use or building or structure nonconforming due to use and/or standards, including but not limited to, schools, colleges, parks, libraries, fire stations, Sheriff stations and other public sites, may be added to, extended, or altered if such additions, extensions, or alterations do not extend beyond the boundaries of the original site established prior to the time approval was required. Nothing in this Title 22 pertaining to nonconforming due to use and/or standards shall be construed to require the termination, discontinuance or removal of such uses, buildings or structures except as provided in Section 22.238.050 (Nonconforming Uses and Structures – Additional Grounds).

22.172.040 Public Utilities – Additions and Alterations Authorized When.

Any building or structure of a public utility made nonconforming by the provisions of this Title 22, including equipment or other facilities necessary for operating purposes; but excluding offices, service centers, or yards; may be added to, extended, or altered, provided, there is no change in use or enlargement of the original site established prior to the time such approval was required. Nothing in this Title 22 pertaining to nonconforming uses or buildings and structures nonconforming due to use or standards shall be construed to require the termination, discontinuance, or removal of such uses, buildings or structures except as provided in Section 22.238.050 (Nonconforming Uses and Structures – Additional Grounds).

22.172.050 Termination Conditions and Time Limits.

The following regulations shall apply to all nonconforming uses and buildings and structures nonconforming due to use, and to buildings and structures nonconforming due to standards as specified in this Section.

A. Termination by Discontinuance. Discontinuance of a nonconforming use or of the use of a building or structure nonconforming due to use and/or standards as indicated herein shall immediately terminate the right to operate or use such

nonconforming use, building or structure, except when extended as otherwise provided in this Title 22:

1. Changing a nonconforming use to a conforming use;

2. Removal of a building or structure nonconforming due to use or standards;

3. Discontinuance of a nonconforming use or use of a building or structure nonconforming due to use for a consecutive period of two or more years;

4. Discontinuance of the use of a building or structure nonconforming due to standards, in those cases where such building or structure is subject to termination by operation of law as specified in Subsection B.2, below, for a consecutive period of two or more years.

B. Termination by Operation of Law. Nonconforming uses and buildings or structures nonconforming due to use, and those buildings or structures nonconforming due to standards enumerated in this Section, shall be discontinued and removed from their sites within the time specified in this Section, except when extended or revoked as otherwise provided in this Title 22:

1. In the case of nonconforming uses and buildings or structures nonconforming due to use:

a. Where the property is unimproved, one year;

b. Where the property is unimproved except for buildings or structures of a type for which Title 26 (Building Code) of the County Code does not require a building permit, three years;

c. Where the property is unimproved except for buildings or structures which contain less than 100 square feet of gross floor area, or where such buildings or structures have a total market value of $500 or less as reflected by the current assessment roll, three years;

d. Outdoor advertising signs and structures, five years;

e. Where a nonconforming use is carried on in a conforming structure, five years except where the provisions of Subsection C, below, apply;

f. In other cases, 20 years from the effective date or operative date where later of the ordinance or amendment thereto establishing said nonconforming status, and for such longer time so that the total life of the structure from the date of construction, based on the type of construction as defined by Title 26 (Building Code) of the County Code, will be as follows:

i. Type IV and Type V buildings used as:

(1) Three-family dwellings, apartment houses and other buildings used for residential occupancy, 35 years;

(2) Stores and factories, 25 years;

(3) Any other building not herein enumerated, 25 years;

ii. Type III buildings used as:

(1) Three-family dwellings, apartment houses, offices and hotels, 40 years;

(2) Structures with stores below and residences, offices or a hotel above, 40 years;

(3) Warehouses, stores and garages, 40 years;

(4) Factories and industrial buildings, 40 years;

iii. Type I and Type II buildings used as:

(1) Three-family dwellings, apartment houses, offices and hotels, 50 years;

(2) Theaters, warehouses, stores and garages, 50 years;

(3) Factories and industrial buildings, 50 years;

g. Where the property is developed as a mobilehome park, which is constituted only of spaces rented to mobilehomes, then the length of time shall be as specified by this Subsection B.1.

2. In the case of buildings or structures nonconforming due to standards, signs as follows:

a. Signs as prohibited by Section 22.114.040 (Prohibited Signs Designated), 90 days;

b. All other signs and sign structures except outdoor advertising signs, 10 years.

C. Exception. The termination periods enumerated in this Section shall not apply to one-family and two-family dwellings.

22.172.060 Review of Amortization Schedule or Substitution of Use.

A. Applicability.

1. An application may be filed with the Director:

a. Requesting extension of the time within which a nonconforming use or building or structure nonconforming due to use, or due to standards where applicable, must be discontinued and removed from its site as specified in Section 22.172.050.B (Termination by Operation of Law) or Section 22.246.010.D.2 (Considered Nonconforming Use When),

b. Requesting substitution of another use permitted in the zone in which the nonconforming use is first permitted where a building or structure is vacant despite efforts to ensure continuation of a nonconforming use and is so constructed that it may not reasonably be converted to or used for a use permitted in the zone in which it is located, or

c. Requesting repairs of one-family and two-family dwellings in excess of those provided for in Section 22.172.020.G (Repair of Damaged or Partially Destroyed Buildings or Structures Nonconforming Due to Use and/or Standards).

2. The Director may accept such filing either before or after the date of expiration of such nonconforming use, building or structure.

B. Application Review and Procedure.

1. Application Checklist. The application submittal shall contain all of the materials required by the Nonconforming Uses, Buildings and Structures Review Checklist.

2. Review and Procedures.

a. Type III Review. The application shall be filed and processed in compliance with Chapter 22.230 (Type III Review – Discretionary) and this Chapter.

b. Exception. In the instance where final action was taken to deny a nonconforming use, building or structure review prior to amendment of the facts required for approval adopted by this Chapter 22.172, effective December 26, 1980, the one-year restriction on reapplication shall not apply.

C. Findings and Decision.

1. Common Procedures. Findings and decision shall be made in compliance with Section 22.222.200 (Findings and Decision) and include the findings in Subsection C.2, below.

2. Findings.

a. To require cessation of such use, building or structure would impair the property rights of any person to such an extent as to be an unconstitutional taking of property; and

b. Such use, building or structure does not now and will not during the extension period requested:

i. Adversely affect the health, peace or welfare of persons residing or working in the surrounding area, or

ii. Be materially detrimental to the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or

iii. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

D. Conditions of Approval. The Commission or Hearing Officer, in approving an application, may impose conditions deemed necessary to ensure that the approval will be in accordance with the findings required. Conditions imposed by the Commission or Hearing Officer may involve any pertinent factors affecting the establishment, operations, and maintenance of the uses, buildings, or structures

requested including, but not limited to, those specified in Section 22.158.060 (Conditions of Approval).

Chapter 22.174 Oak Tree Permits.

Sections:

22.174.010 Purpose.
22.174.020 Definitions.
22.174.030 Applicability.
22.174.040 Application and Review Procedures.
22.174.050 Review of Oak Tree Report by the Fire Department.
22.174.060 Findings and Decision.
22.174.070 Conditions of Approval.
22.174.080 Notice of Action.
22.174.090 Effective Date of Decision and Appeals.
22.174.100 Post-Decision Actions and Regulations.
22.174.110 Enforcement.

22.174.010 Purpose.

The Oak Tree Permit is established: (a) to recognize oak trees as significant historical, aesthetic, and ecological resources, and as one of the most picturesque trees in Los Angeles County, lending beauty and charm to the natural and manmade landscape, enhancing the value of property, and the character of the communities in which they exist; and (b) to create favorable conditions for the preservation and propagation of this unique, threatened plant heritage, particularly those trees which may

be classified as heritage oak trees, for the benefit of current and future residents of the County.

It is the intent of the Oak Tree Permit to maintain and enhance the general health, safety and welfare by assisting in counteracting air pollution and in minimizing soil erosion and other related environmental damage. The Oak Tree Permit is also intended to preserve and enhance property values by conserving and adding to the distinctive and unique aesthetic character of many areas of the County in which oak trees are indigenous. The stated objective of the Oak Tree Permit is to preserve and maintain healthy oak trees in the development process.

22.174.020 Definitions.

Specific terms used in this Chapter are defined in Section 22.14.150 of Division 2 (Definitions), under "Oak Tree Permits."

22.174.030 Applicability.

A. Damaging or Removing Oak Trees Prohibited — Permit Requirements. Except as otherwise provided in Subsection B, below, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into a protected zone of any tree of the oak genus which is:

1. 25 inches or more in circumference (eight inches in diameter) as measured four and one-half feet above mean natural grade; in the case of an oak with more than one trunk, whose combined circumference of any two trunks is at least 38 inches (12 inches in diameter) as measured four and one-half feet above mean natural grade, on any lot within the unincorporated area of the County; or

2. Any tree that has been provided as a replacement tree, pursuant to Section 22.174.070 (Conditions of Approval), on any lot within the unincorporated area of the County, unless an Oak Tree Permit is first obtained as provided by this Chapter.

B. Exemptions. This Chapter shall not apply to:

1. Any permit, variance, or tentative map for a subdivision, including a minor land division, approved by the Board, Commission, Hearing Officer, or the Director prior to August 20, 1982, the effective date of this Chapter.

2. Cases of emergency caused by an oak tree being in a hazardous or dangerous condition, or being irretrievably damaged or destroyed through flood, fire, wind, or lightning, as determined after visual inspection by a licensed forester with the Fire Department, Forestry Division (Fire Department).

3. Emergency or routine maintenance by a public utility necessary to protect or maintain an electric power or communication line or other property of a public utility.

4. Tree maintenance, limited to medium pruning of branches not to exceed two inches in diameter in accordance with guidelines published by the International Society of Arboriculture intended to ensure the continued health of a protected tree.

5. Trees planted, grown, or held for sale by a licensed nursery.

6. Trees within existing road rights-of-way where pruning is necessary to obtain adequate line-of-sight distances and/or to keep street and sidewalk easements clear of obstructions, or to remove or relocate trees causing damage to roadway improvements or other public facilities and infrastructure within existing road rights-of-way, as required by the Director of Public Works.

22.174.040 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Oak Tree Permit Checklist.

B. Additional Application Materials. In addition to Subsection A, above, the following application materials shall be required:

1. Site Plan. The application shall require a site plan showing:

a. Proposed construction, excavation, grading and/or landfill. Where a change in grade is proposed, the change in grade within the protected zone of each plotted tree shall be specified.

b. The location of all oak trees subject to this Chapter proposed to be removed, damaged, encroached, or relocated, or within 200 feet of proposed construction, grading, landfill or other activity. Each tree shall be assigned an

identification number on the plan, and a corresponding permanent identifying tag shall be affixed to the north side of each tree in the manner prescribed by Section 22.174.070 (Conditions of Approval). These identifications shall be utilized in the Oak Tree Report and for physical identification on the property where required. The protected zone shall be shown for each plotted tree.

c. Location and size of all proposed replacement trees.

d. Location of all surface drainage systems.

2. Oak Tree Report.

a. An Oak Tree Report certified to be true and correct shall be prepared by an individual with expertise acceptable to the Director and the Fire Department. The Oak Tree Report, as deemed acceptable by the Director and the Fire Department, shall identify each oak tree on the site plan as required by Subsection B.1, above, and shall contain the following information:

i. The name, address, telephone number, and business hours of the preparer.

ii. Evaluation of the physical structure of each tree as follows:

(1) The circumference and diameter of the trunk, measured four and one-half feet above natural grade;

(2) The diameter of the tree's canopy, plus five feet, establishing the protected zone;

(3) Aesthetic assessment of the tree, considering factors such as but not limited to symmetry, broken branches, unbalanced crown, excessive horizontal branching; and

(4) Recommendations to remedy structural problems where required.

iii. Evaluation of the health of each tree as follows:

(1) Evidence of disease, such as slime flux, heart rot, crown rot, armillaria root fungus, exfoliation, leaf scorch, and exudations;

(2) Identification of insect pests, such as galls, twig girdler, borers, termites, pit scale, and plant parasites;

(3) Evaluation of vigor, such as new tip growth, leaf color, abnormal bark, deadwood, and thinning of crown;

(4) Health rating based on the archetype tree of the same species; and

(5) Recommendations to improve tree health, such as insect or disease control, pruning, and fertilization.

iv. Evaluation of the applicant's proposal as it impacts each tree shown on the site plan, including suggested mitigating and/or future maintenance measures where required and the anticipated effectiveness thereof.

v. Identification of those trees shown on the site plan which may be classified as heritage oak trees. Heritage oak trees are either of the following:

(1) Any oak tree measuring 36 inches or more in diameter, measured four and one-half feet above the natural grade; or

(2) Any oak tree having significant historical or cultural importance to the community, notwithstanding that the tree diameter is less than 36 inches.

vi. Identification of any oak tree officially identified by a County resource conservation district.

vii. Any other information required by the Director or the Fire Department.

b. The requirement for an Oak Tree Report may be waived by the Director where a single tree is proposed for removal in conjunction with the use of a single-family residence listed as a permitted use in the zone, and/or such information is deemed unnecessary for processing the applications.

C. Review Procedures.

1. Multiple applications shall be in compliance with Section 22.222.060 (Multiple Applications).

2. Application filing and withdrawal shall be in compliance with Section 22.222.070 (Application Filing and Withdrawal).

3. Fees and deposits shall be in compliance with Section 22.222.080 (Fees and Deposits).

4. Initial application review shall be in compliance with Section 22.222.090 (Initial Application Review).

5. Project evaluation and staff report shall be in compliance with Section 22.222.110 (Project Evaluation and Staff Report).

D. Application Without a Public Hearing.

1. An application to remove or relocate not more than one oak tree in conjunction with a single-family residence permitted in the zone with a Ministerial Site Plan Review (Chapter 22.186), shall be filed and processed in compliance with this Subsection D and this Chapter.

2. Prior to making a decision, the Director shall review the application for compliance with Section 22.174.060 (Findings and Decision) and Section 22.174.070 (Conditions of Approval).

E. Application with a Public Hearing. Unless an application is filed pursuant to Subsection D, above, the public hearing shall be held pursuant to Section 22.222.120 (Public Hearing Procedure), provided:

1. Notice Requirements. Notwithstanding Section 22.222.120.B.2 (Notice of Public Hearing), notification shall be provided as follows:

a. Multiple Applications. Where an application for a permit or review that requires noticing is concurrently filed with an Oak Tree Permit application, notice of the Oak Tree Permit application shall be included in said notice.

b. Single Applications. Where an Oak Tree Permit application is filed and Subsection D.1.a, above, does not apply, only the following notification shall be required:

i. The Director not less than 30 days before the date of public hearing shall cause notice of such filing to be published once in a newspaper of general circulation in the County available in the community in which such application is proposed.

ii. Such notice shall include the statement: "Notice of Oak Tree Permit Filing." Also included shall be information indicating the location of the subject property (address or vicinity), legal description of the property involved, the applicant's request, and the time and place of the proposed public hearing. The notice shall also provide the address and telephone number of the Department, and state that the Department may be contacted for further information.

2. Decision After Public Hearing. The decision of the Commission or Hearing Officer after the public hearing shall be held in compliance with Section 22.222.210 (Decision After Public Hearing).

F. Agency Review. Upon receipt of an application, the Director shall refer a copy of the Oak Tree Report to the Fire Department. Review of the Oak Tree Report by the Fire Department shall comply with Section 22.174.050 (Review of Oak Tree Report by the Fire Department).

22.174.050 Review of Oak Tree Report by the Fire Department.

A. The Fire Department shall review the Oak Tree Report for accuracy of statements contained therein and shall make inspections on the project site. Such inspections shall determine the health of all oak trees on the project site and such other factors as may be necessary and proper to complete the review. A copy of the Fire Department's review shall be submitted in writing to the Director within 15 days after its completion. The review shall not be considered complete until the applicant pays to the Fire Department any fees and deposits for oak tree inspections and report reviews as required in Section 328 (Land Development and Environmental Review Fees) of Title 32 of the County Code.

B. The Fire Department may suggest conditions for use by the Commission, Hearing Officer, or Director pursuant to Section 22.174.070 (Conditions of Approval).

C. When the Fire Department determines that replacement or relocation on the project site of oak trees proposed for removal is inappropriate, the Fire Department may recommend that the applicant pay into the Oak Forests Special Fund the amount equivalent to the oak resource value of the trees described in the Oak Tree Report. The oak resource value shall be calculated by the applicant and approved by the Fire Department according to the most current edition of the International Society of Arboriculture's "Guide to Establishing Values for Trees and Shrubs."

D. Funds collected for the Oak Forests Special Fund shall be used for the following purposes only:

1. Establishing and planting new trees on public lands.

2. Maintaining existing oak trees on public lands.

3. Purchasing prime oak woodlands.

4. Purchasing sensitive oak trees of cultural or historic significance.

E. Not more than seven percent of the funds collected may be used to study and identify appropriate programs for accomplishing the purposes set forth in Subsection D, above.

22.174.060 Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.222.200 (Findings and Decision) and include the findings in Subsection B, below.

B. Findings.

1. The proposed construction or proposed use will be accomplished without endangering the health of the remaining oak trees subject to Title 22 regulations, if any, on the subject property.

2. The removal or relocation of the oak trees proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.

3. In addition to the above facts, at least one of the following findings apply:

a. That the removal or relocation of the oak trees proposed is necessary as continued existence at present locations frustrates the planned improvement or proposed use of the subject property to such an extent that:

i. Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or

ii. Placement of such oak trees precludes the reasonable and efficient use of such property for a use otherwise authorized;

b. That the oak trees proposed for removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the trees; or

c. That the condition of the oak trees proposed for removal with reference to seriously debilitating disease or danger of falling is such that it cannot be remedied through reasonable preservation procedures and practices.

4. The removal of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the Oak Tree Permit procedure.

C. Relocation of Trees. For purposes of interpreting this Section, it shall be specified that while relocation is not prohibited by this Chapter, it is a voluntary alternative offering sufficient potential danger to the health of an oak tree as to require the same findings as removal.

22.174.070 Conditions of Approval.

Conditions may be imposed to ensure that the approval will be in accordance with the findings required by Section 22.174.060 (Findings and Decision). Such conditions may involve, but are not limited to, the following:

A. The replacement of oak trees proposed for removal or relocation with oak trees of a suitable type, size, number, location, and date of planting. In determining whether replacement should be required, the Commission, Hearing Officer, or Director shall consider but is not limited to the following factors:

1. The vegetative character of the surrounding area.

2. The number of oak trees subject to this Chapter which are proposed to be removed in relation to the number of such oak trees currently existing on the subject property.

3. The anticipated effectiveness of the replacement of oak trees, as determined by the Oak Tree Report submitted by the applicant and evaluated by the Fire Department.

4. The development plans submitted by the applicant for the proposed construction or the proposed use of the subject property.

5. The relocation of oak trees approved for removal shall not be deemed a mitigating factor in determining the need for replacement oak trees.

6. Replacement oak trees:

a. Required replacement oak trees shall consist exclusively of indigenous oak trees and shall be in the ratio of at least two to one. Each replacement oak tree shall be at least a 15-gallon size specimen and measure at least one inch in diameter one foot above the base. The Commission, Hearing Officer, or Director, in lieu of this requirement, may require the substitution of one larger container specimen for each oak tree to be replaced, where, in their opinion, the substitution is feasible and conditions warrant such greater substitution;

b. Replacement oak trees shall be properly cared for and maintained for a period of two years and replaced by the permittee if mortality occurs within that period;

c. Where feasible replacement oak trees should consist exclusively of indigenous oak trees and certified as being grown from a seed source collected in Los Angeles or Ventura Counties; and

d. Replacement oak trees shall be planted and maintained on the subject property and, if feasible, in the same general area where the oak trees were removed. The process of replacement of oak trees shall be supervised in the field by a person who, in the opinion of the Fire Department, has expertise in the planting, care, and maintenance of oak trees.

B. A plan for protecting oak trees on the subject property during and after development, such as, but not limited to, the following requirements:

1. The installation of chain link fencing not less than four feet in height around the protected zone of oak trees shown on the site plan. Said fencing shall be in place and inspected by the Fire Department prior to commencement of any activity on the subject property. Said fencing shall remain in place throughout the entire period of development and shall not be removed without written authorization from the Fire Department.

2. Where grading or any other similar activity is specifically approved within the protected zone, the applicant shall provide an individual with special expertise acceptable to the Director to supervise all excavation or grading proposed within the protected zones and to further supervise, monitor and certify to the Fire Department the implementation of all conditions imposed in connection with the applicant's Oak Tree Permit.

3. Any excavation or grading allowed within the protected zone or within 15 feet of the trunk of an oak tree, whichever distance is greater, be limited to hand tools or small hand-power equipment.

4. Oak trees on other portions of the subject property not included within the site plan also be protected with chain link fencing thus restricting storage, machinery storage, or access during construction.

5. The oak trees on the site plan be physically identified by number on a tag affixed to the north side of the tree in a manner preserving the health and viability of the tree. The tag shall be composed of a noncorrosive all-weather material and shall be permanently affixed to the tree. The oak tree shall be similarly designated on the site plan in a manner acceptable to the Director.

6. Corrective measures for oak trees noted on the Oak Tree Report as requiring remedial action be taken, including pest control, pruning, fertilizing, and similar actions.

7. To the extent feasible as determined by the Director, utility trenching shall avoid encroaching into the protected zone on its path to and from any structure.

8. At the start of grading operations and throughout the entire period of development, no person shall perform any work for which an Oak Tree Permit is required unless a copy of the Oak Tree Report, location map, fencing plans, and approved Oak Tree Permit and conditions are in the possession of a responsible person and also available at the site.

C. The applicant shall provide an oak tree information manual prepared by and available from the Fire Department to the property owner, subsequent property owner, and any homeowners association.

22.174.080 Notice of Action.

The Director shall issue and mail a notice of action in compliance with Section 22.222.220 (Notice of Action).

22.174.090 Effective Date of Decision and Appeals.

A. The effective date of decision and appeals shall be in compliance with Section 22.222.230 (Effective Date of Decision and Appeals).

B. Notwithstanding Section 22.222.230 (Effective Date of Decisions and Appeals), the decision of the Hearing Officer or Director shall become final and effective unless an appeal is timely filed pursuant to Chapter 22.240 (Appeals).

C. The decision of the Commission on an application or on an appeal shall be final and effective on the date of decision. Appeal of an Oak Tree Permit application to the Board is only allowed where an Oak Tree Permit is concurrently considered with a permit, variance, zone change, or tentative map for a subdivision, including a minor land division, and such Oak Tree Permit shall be appealable only as a part of an appeal on the concurrent entitlement. Said appeal must be made within the applicable time period and shall be subject to the applicable procedures established for appealing the concurrent entitlement.

22.174.100 Post-Decision Actions and Regulations.

A. Documentation, scope of approval, and Exhibit "A" shall be in compliance with Section 22.222.240 (Documentation, Scope of Approval, and Exhibit "A).

B. Use of property before final action shall be in compliance with Section 22.222.250 (Use of Property Before Final Action).

C. Performance guarantee and covenant shall be in compliance with Section 22.222.260 (Performance Guarantee and Covenant).

D. Expiration date and extension for unused permits and reviews shall be in compliance with Section 22.222.270 (Expiration Date and Extension for Unused Permits and Reviews).

E. Cessation of use shall be in compliance with Section 22.222.280 (Cessation of Use).

22.174.110 Enforcement.

In interpreting Chapter 22.242 (Enforcement Provisions) as they apply to this Chapter, each individual tree cut, destroyed, removed, relocated, or damaged in violation of these provisions shall be deemed a separate offense.

Chapter 22.176 Parking Deviations, Minor.

Sections:

22.176.010 Applicability.
22.176.020 Application and Review Procedures.
22.176.030 Findings and Decision.
22.176.040 Notice of Action.
22.176.050 Effective Date of Decision and Appeals.
22.176.060 Post-Decision Actions and Regulations.

22.176.010 Applicability.

A. A Minor Parking Deviation application may be filed for a reduction of less than 30 percent in the number of parking spaces required by this Title 22 or, in the case of an eating establishment selling food for off-site consumption, not less than one parking space for each 250 square feet is proposed in accordance with "Entertainment, assembly, and dining" uses pursuant to Chapter 22.112 (Parking).

B. When applicable, the review of this application shall take into consideration that a project will provide well-designed bicycle parking spaces in excess of the bicycle parking spaces otherwise required under Section 22.112.100 (Bicycle Parking Spaces and Related Facilities), or in excess of the total number of bicycle parking spaces provided by a qualifying project under Section 22.112.110 (Reduction in Required Parking Spaces when Bicycle Parking Provided).

22.176.020 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Minor Parking Deviation Checklist.

B. Review Procedures.

1. Multiple applications shall be in compliance with Section 22.222.060 (Multiple Applications).

2. Application filing and withdrawal shall be in compliance with Section 22.222.070 (Application Filing and Withdrawal).

3. Fees and deposits shall be in compliance with Section 22.222.080 (Fees and Deposits).

4. Initial application review shall be in compliance with Section 22.222.090 (Initial Application Review).

5. Prior to taking action, the Director shall provide notice of application in compliance with:

a. Section 22.222.170 (Sign Posting); and

b. Section 22.222.130 (Notice of Application), except where modified below:

i. Notice Content. The notice shall also indicate that any individual may oppose the granting of the application by a written protest to the Director.

ii. Comment Period. The Director shall allow a minimum comment period of 15 days after the notice has been mailed. The end of the comment period shall be stated on the notice.

iii. Notification Radius.

(1) Notice shall be mailed in compliance with Section 22.222.160.A (Notification Radius); and

(2) In those cases where the mailing address of any owner of property required to be notified differs from the site address of such property, notification shall also be sent to the "occupant" at the site address.

22.176.030 Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.222.120 (Findings and Decision) and include the findings in Subsection B, below.

B. Findings.

1. The use, development of land, and application of development standards comply with all applicable provisions of this Title 22.

2. The use, development of land, and application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, are so arranged as to:

a. Avoid traffic congestion;

b. Provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities;

c. Insure the protection of public health, safety, and general welfare;

d. Prevent adverse effects on neighboring property; and

e. Be in conformity with good zoning practice.

3. The use, development of land, and application of development standards are suitable from the standpoint of functional developmental design.

C. Additional Findings.

1. If applicable, the use and development of land provides well-designed bicycle parking spaces in excess of the bicycle parking spaces otherwise required under Section 22.112.100 (Bicycle Parking Spaces and Bicycle Facilities), or in excess of the total number of bicycle parking spaces provided by a qualifying project under Section 22.22.120 (Reduction in Required Parking Spaces when Bicycle Parking Provided).

22.176.040 Notice of Action.

The Director shall issue and mail a notice of action in compliance with Section 22.222.220 (Notice of Action).

22.176.050 Effective Date of Decision and Appeals.

A. The effective date of decision and appeals shall be in compliance with Section 22.222.230 (Effective Date of Decision and Appeals).

B. Notwithstanding Section 22.222.230 (Effective Date of Decisions and Appeals), the decision of the Director shall become final unless an appeal is timely filed pursuant to Chapter 22.240 (Appeals).

C. The decision of the Commission on an appeal shall be final and effective on the date of decision.

22.176.060 Post-Decision Actions and Regulations.

A. Documentation, scope of approval, and Exhibit "A" shall be in compliance with Section 22.222.240 (Documentation, Scope of Approval, and Exhibit "A").

B. Use of property before final action shall be in compliance with Section 22.222.250 (Use of Property Before Final Action).

C. Performance guarantee and covenant shall be in compliance with Section 22.222.260 (Performance Guarantee and Covenant).

D. Expiration date and extension for unused permits and reviews shall be in compliance with Section 22.222.270 (Expiration Date and Extension for Unused Permits and Reviews).

E. Cessation of use shall be in compliance with Section 22.222.280 (Cessation of Use).

Chapter 22.178 Parking Permits.

Sections:

22.178.010 Purpose.

22.178.020 Definitions.

22.178.030 Application and Review Procedures.

22.178.040 Development Standards.

22.178.050 Findings and Decision.

22.178.060 Conditions of Approval.

22.178.070 Termination on Cessation of Use or Occupancy.

22.178.080 Agreement to Develop Following Termination of Approved Use.

22.178.010 Purpose.

A. The Parking Permit is established to provide an alternative to the parking requirements of Chapter 22.112 (Parking) in the event that a particular use does not have the need for such requirements.

B. It is the intent to provide more flexibility in the design of particular uses that have special characteristics by reducing the number of parking spaces otherwise required for such uses including:

1. Housing developments for senior citizens and persons with disabilities where few of the residents will own their own automobiles.

2. Certain uses where parking requirements are based upon floor area of a structure, but bear no relationship to the number of employees, customers, etc., on the premises or the trade conducted.

3. Businesses which provide their employees, customers, or others with positive incentives to use means of transportation other than the automobile.

C. It is the intent to conserve land and promote efficient land use by allowing:

1. The dual or shared use of parking facilities by two or more uses.

2. Tandem parking for nonresidential uses.

3. Compact parking spaces for apartment houses.

D. It is the intent to provide greater flexibility and opportunity to meet the parking requirements by allowing:

1. Off-site parking facilities.

2. The short-term leasing of required parking spaces.

3. Transitional parking for lots with rear lot lines abutting Commercial or Industrial Zones.

4. Uncovered parking for low and moderate income housing.

22.178.020 Definitions.

(Reserved)

22.178.030 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Parking Permit Checklist.

B. Type III Review. The application shall be filed and processed in compliance with Chapter 22.230 (Type III Review – Discretionary) and this Chapter.

22.178.040 Development Standards.

Unless specifically modified by a Parking Permit, all regulations prescribed in Chapter 22.112 (Parking) shall apply.

22.178.050 Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.222.200 (Findings and Decision) and include the findings in Subsection B, below.

B. Findings.

1. There is no need for the number of vehicle parking spaces required by Chapter 22.112 (Parking) because of any of the following:

a. The age and/or physical condition of the residents is such that the use of automobiles is unlikely.

b. The nature of the use is such that there is a reduced occupancy.

c. The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as van pools, transit fare subsidies, commuter travel allowances, car pools, or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration.

d. Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or

alternative may be waived for certain housing developments for senior citizens and persons with disabilities, where the Commission or Hearing Officer finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasibly converted to parking if needed.

e. The reduction in the number of vehicle parking spaces will be offset by the provision of bicycle parking spaces, at a minimum ratio of two bicycle spaces for every one vehicle parking space above the minimum number of bicycle parking spaces otherwise required under Section 22.112.100 (Bicycle Parking Spaces and Related Facilities).

2. There are no conflicts arising from special parking arrangements allowing shared vehicle parking facilities, tandem spaces, or compact spaces because:

a. Uses sharing parking facilities operate at different times of the day or days of the week;

b. Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan; or

c. Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces.

3. Off-site facilities, leases of less than 20 years, rear lot transitional parking lots, and uncovered residential vehicle parking spaces will provide the required parking for uses because:

a. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use;

b. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces;

c. Such transitional lots are designed to minimize adverse effects on surrounding properties; or

d. Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood.

4. The requested Parking Permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.

5. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features prescribed in this Title 22.

22.178.060 Conditions of Approval.

Conditions may be imposed to ensure that the approval will be in accordance with the findings required by Section 22.178.050 (Findings and Decision). Such conditions may include those in Section 22.158.060 (Conditions of Approval) and, in addition, the following conditions shall be imposed for vehicle parking, where applicable, unless specifically waived or modified:

A. The required parking spaces for senior citizens and persons with disabilities may be reduced to not less than one space for each four dwelling units.

B. Where reduced occupancy is a primary consideration in the approval of a Parking Permit, the maximum occupant load for such use shall be established.

C. Where special programs are proposed to reduce the parking requirement, they shall be reviewed annually to determine their effectiveness. In the event that such programs are terminated or unsuccessful, the property owner shall supply the required parking.

D. The required vehicle parking spaces for all uses other than a housing development for senior citizens and persons with disabilities may be reduced to not less than 50 percent of the parking spaces required by Chapter 22.112 (Parking).

E. Where land is required to be reserved to insure that sufficient area is available to meet the vehicle parking requirements, restrictions shall be imposed on such land so that it can feasibly be converted to parking if needed.

F. Where shared parking facilities are approved, operating conditions such as hours or days of operation shall be established for each use sharing the facility.

G. Where tandem parking is proposed for nonresidential uses, there shall be valets or other persons employed to assist in the parking of automobiles. The ratio of valets to parking spaces shall be established. The parking of automobiles by valets on public streets shall be prohibited. Each tandem parking space shall be eight feet wide; the length of the space shall be 18 feet for each automobile parked in tandem. Parking bays shall contain only two parking spaces where access is available from only one end. Bays of four parking spaces may be permitted where access is available from both ends.

H. Where compact parking is proposed for apartments, no more than 40 percent of the required spaces shall be for compact automobiles. A program to manage the distribution of parking spaces shall be approved and operated by the apartment management or a homeowners' association.

I. If off-site parking facilities are proposed, such facilities must be within 400 feet from any entrance of the use to which they are accessory. Parking for employees shall be located within 1,320 feet from the entrance to such use. Directions to such facilities shall be clearly posted at the principal use.

J. Where leasing of parking facilities is proposed for any period less than 20 years, the applicant shall guarantee that the leased spaces are available for his sole use, the lease shall be recorded with the Registrar-Recorder/County Clerk, and the applicant shall demonstrate that he has the ability to provide the required number of spaces should the lease be cancelled or terminated. Except for the term of the lease, the provisions of Section 22.112.050.B (Alternative Compliance) relating to leases shall apply. A copy of such lease shall be submitted to the Director and County Counsel for review and approval. Other conditions including, but not limited to, requiring title

reports, covenants, and bonding may also be imposed where necessary to insure the continued availability of leased parking spaces.

K. Where transitional parking is proposed for lots whose rear lot line adjoins or is separated only by an alley from a Commercial or Industrial Zone, no access is permitted from the parking facility to the street on which the lot fronts. The parking facility shall be developed in accordance with the standards of Chapter 22.112 (Parking) and Section 22.140.440 (Parking as a Transitional Use), unless specifically waived or modified by the Parking Permit. The hours and days of operation shall be established to prevent conflicts with adjoining less restrictive uses, and the facility shall be secured to prevent unauthorized use during times when the facility is closed.

L. Where uncovered parking is proposed for low and moderate income housing, the following setback and screening provisions are required:

1. Uncovered parking spaces shall not be located in the required front, side, corner side, or rear yards except in those places where garages or carports are permitted in accordance with Section 22.110.080 (Required Yards).

2. Uncovered parking spaces shall be screened by a six-foot high solid fence or wall or by a three-foot wide planting strip along the sides of the parking space if the space is located within 10 feet of any property line.

a. Landscaping material in the planting strip shall consist of evergreen trees and/or shrubs of such size, spacing, and character that they form an opaque screen five to six feet high within two years of planting. This landscaping must be continuously maintained.

ii. Such buffering by walls, fences, or landscaping is optional where the lots adjoining the uncovered parking area are developed with parking facilities, either covered or uncovered.

c. Uncovered parking spaces will be permitted only for those units actually designated for low or moderate income housing.

M. In the event that any applicant and/or property owner is unable to comply with the provisions of the Parking Permit, the use for which permit has been granted

shall be terminated, reduced, or removed unless some other alternative method to provide the required parking is approved by the Director.

N. The Parking Permit shall be granted for a specified term where deemed appropriate.

22.178.070 Termination on Cessation of Use or Occupancy.

An approved Parking Permit shall terminate and cease to be in effect at the same time the principal use or occupancy for which such permit is granted terminates.

22.178.080 Agreement to Develop Following Termination of Approved Use.

A. In addition to the covenant required by Chapter 22.222.260 (Performance Guarantee and Covenant), the covenant shall include that should such Parking Permit terminate, the owner or his successor in interest will develop the parking spaces needed to bring the new use or occupancy into conformance with the requirements of Chapter 22.112 (Parking) at the time such new use or occupancy is established.

B. Where a Parking Permit is approved for off-site parking, the agreement shall be recorded on both the lot containing the principal use as well as the lot developed for off-site parking.

C. All agreements shall be reviewed and approved by the Director and County Counsel prior to recordation.

Chapter 22.180 Plan Amendments.

Sections:

22.180.010 Purpose.
22.180.020 Applicability.
22.180.030 Application and Review Procedures.

22.180.040 Findings and Decision.

22.180.010 Purpose.

A Plan Amendment may be initiated to amend the General Plan, which identifies the goals, policies, and implementing actions regarding long-term development in the County. The General Plan is based on an understanding of existing and projected conditions and needs, all of which are subject to change. The Plan Amendment process established by State law and this Chapter therefore enables the General Plan map designations and/or written policy statements to be amended. All such Plan Amendments shall be made pursuant to the provisions of this Title 22, in addition to Section 65350 et seq. of Title 7 (Planning and Land Use) of the California Government Code.

22.180.020 Applicability.

A. Initiation. Initiation of a Plan Amendment shall be in compliance with Section 22.222.120.A (Initiation and Scheduling).

B. Additional Area Included When. Where a petition is filed requesting a Plan Amendment, the Commission or Director may elect to include additional property within the boundaries of the area to be studied when, in their opinion, good zoning practice justifies such action.

C. General Plan. Each mandatory element of the General Plan may be amended up to four times in a single calendar year in compliance with Section 65358 of the California Government Code.

22.180.030 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Plan Amendment Checklist.

B. Type IV Review. The application shall be filed and processed in compliance with Chapter 22.232 (Type IV Review – Discretionary) and this Chapter.

22.180.040 Findings and Decision.

A. Findings and decision shall be made in compliance with Section 22.232.040.A.2 (Findings) and include the findings in Subsection B, below.

B. The Commission may recommend approval of an application to the Board if the following findings are made:

1. The amendment is consistent with the adjacent area, if applicable.

2. The amendment is consistent with the principles of the General Plan.

3. Approval of the amendment will be in the interest of public health, safety, and general welfare and in conformity with good zoning practice.

4. The amendment is consistent with other applicable provisions of this Title 22.

Chapter 22.182 Requests For Reasonable Accommodations.

Sections:

22.182.010 Purpose.

22.182.020 Definitions.

22.182.030 Applicability.

22.182.040 Application and Review Procedures.

22.182.050 Findings and Decision.

22.182.060 Conditions of Approval.

22.182.070 Effective Date of Decision.

22.182.080 Appeals.

22.182.090 Expiration of Reasonable Accommodation.

22.182.100 Post-Decision Actions and Regulations.

22.182.010 Purpose.

This Chapter implements part of the County's Housing Element in its General Plan and provides a procedure for individuals with disabilities to request Reasonable Accommodations, consistent with the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act, as those Acts are amended from time to time. The sole intent of this Chapter is to ensure that individuals with disabilities have an equal opportunity to use and enjoy housing by allowing an accommodation or accommodations with respect to certain County regulations, policies, procedures, and standards if said accommodation or accommodations are both reasonable and necessary to provide such equal opportunity without compromising the County's commitment to protecting community character and environmental quality.

22.182.020 Definitions.

Terms used in this Chapter are defined in Section 22.14.180 of Division 2 (Definitions) under "Requests for Reasonable Accommodations."

22.182.030 Applicability.

A. This Chapter shall apply to all requirements of this Title 22 as well as all other regulations, policies, procedures, and standards regulated by the Department.

B. Any individual with a disability, someone acting on their behalf, or a provider or developer of housing for individuals with disabilities, desiring to obtain a Reasonable Accommodation in accordance with this Chapter shall file an application with the Director.

22.182.040 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Request for Reasonable Accommodations Checklist.

B. Additional Application Materials. In addition to Subsection A, above, the Director may request additional information as the Director deems reasonably necessary where such request is consistent with the above-identified state and federal acts and the privacy rights of the individual with a disability.

C. Application and Review Procedures.

1. Multiple applications shall be in compliance with Section 22.222.060 (Multiple Applications).

2. Application filing and withdrawal shall be in compliance with Section 22.222.070 (Application Filing and Withdrawal).

3. An applicant requesting a Reasonable Accommodation shall not be required to pay the County Environmental Assessment fee if the project that is the subject of said request qualifies for either a categorical exemption or statutory exemption under CEQA.

4. Initial application review shall be in compliance with Section 22.222.090 (Initial Application Review).

22.182.050 Findings and Decision.

A. Required Findings of the Director.

1. Where an application for a Request for a Reasonable Accommodation is sought in connection with a residential use for which no concurrent application for entitlement under Title 21 (Subdivision) or this Title 22 is required, the Director shall grant the request based upon the following findings:

a. The requested accommodation is intended to be used by an individual with a disability who resides or will reside on the property;

b. The requested accommodation is necessary to afford an individual with a disability equal opportunity to use and enjoy a residential use;

c. The requested accommodation will not impose an undue financial or administrative burden on the County; and

d. The requested accommodation will not require a fundamental alteration in the nature of the land use and zoning programs of the County.

2. The Director shall deny the application for a Request for a Reasonable Accommodation where the findings set forth in Subsection A.1, above, cannot be substantiated, and shall make written findings to that effect.

3. Any Reasonable Accommodation approval shall include the requirement that such accommodation be removed when it is no longer necessary for the original purpose granted unless in the reasonable discretion of the Director it is so physically integrated into the property or the improvements thereon that the cost or effort to remove it would create an unreasonable hardship.

B. Commission or Hearing Officer Review Where Concurrent. When an application for a Request for Reasonable Accommodation is filed in conjunction with an application for a permit, variance, or any other discretionary land use entitlement as provided by Title 21 (Subdivisions) or this Title 22, the Commission or Hearing Officer shall grant or deny the application for a Request for a Reasonable Accommodation concurrently with the decision rendered for such permit, variance, or other discretionary land use entitlement, and shall make findings addressing the criteria set forth in Subsection A, above.

C. Notice of Action.

1. The Commission, Hearing Officer, or Director, as applicable, shall notify the applicant by mail of the action taken on an application for Reasonable Accommodation. Said notice shall include the required findings.

a. Notice of action on applications considered by the Director pursuant to Subsection A, above, shall be issued within 30 days of the date of the application, or within an extended period as mutually agreed upon, in writing, by the applicant and the Director. In addition to the applicant, a copy of the notice of action by the Director shall be provided by mail to the property owner, owners of all property abutting the exterior boundaries of the subject property in each direction, and owners of the closest inhabited property to the subject property if the abutting property in such direction is uninhabited.

b. Notice of action on applications considered by the Commission or Hearing Officer in conjunction with another land use entitlement application pursuant to Subsection B, above, shall be provided along with the decision for such other entitlement in accordance with the requirements for such other

entitlement. In addition to any other persons required to receive notice of an action on the related entitlement application, a copy of the notice of action shall also be provided by mail to the property owner, owners of all property abutting the subject property, and owners of the closest inhabited property to the subject property in each direction if the abutting property in such direction is uninhabited.

2. The notice of action shall include notice of the right to appeal, as set forth in Section 22.182.080 (Appeals).

22.182.060 Conditions of Approval.

A. Recorded Agreement.

1. The Commission, Hearing Officer, or Director may require the applicant to record, with the Registrar-Recorder/County Clerk, an agreement that the Reasonable Accommodation granted will be maintained in accordance with the terms of the Reasonable Accommodation and this Chapter as a covenant running with the land for the benefit of the County in those instances described in Subsection A.2, below. The recorded agreement shall also provide that any violation thereof shall be subject to the enforcement procedures of Chapter 22.242 (Enforcement Procedures). The recorded agreement shall also be in compliance with Section 22.222.260 (Performance Guarantee and Covenant).

2. The Commission, Hearing Officer, or Director may require the recorded agreement described in Subsection A.1, above, if:

a. The accommodation is physically integrated on the property and cannot feasibly be removed or altered, and the structure would otherwise be subject to Chapter 22.236 (Modification or Elimination of Conditional Use Permit Conditions); or

b. The accommodation is temporary and required to be discontinued if no longer maintained in compliance with this Chapter.

3. The Commission, Hearing Officer, or Director may authorize termination of the agreement to maintain the Reasonable Accommodation described in

Subsection A.1, above, after making written findings that the lot is in compliance with all applicable land use and zoning regulations.

4. The property owner is required to record the termination or release of any agreement provided by this Subsection A.

22.182.070 Effective Date of Decision.

The Director's determination on a Request for a Reasonable Accommodation becomes effective on the 30th day following the Director's mailing of the notice of action. The decision by the Commission or Hearing Officer made in conjunction with another land use entitlements application becomes final on the latest date such related entitlements becomes effective.

22.182.080 Appeals.

A. An appeal regarding a decision to grant or deny an application for a Request for Reasonable Accommodation shall be made in writing, pursuant to the procedures established in Chapter 22.240 (Appeals).

B. All decisions on an appeal shall address and be based upon the same findings required by Section 22.182.050.A (Required Findings of the Director).

C. Decisions on an appeal of a decision made by the Director shall be effective on the date of decision and no further administrative appeals may be heard.

D. Decisions on an appeal of a decision made by the Commission or Hearing Officer made in conjunction with other land use entitlements as set forth in Section 22.182.050.B (Commission or Hearing Officer Review Where Concurrent) shall be effective on the same date as is provided for an appeal of the related land use entitlement and any further rights of appeal will be the same as is provided for an appeal of the related land use entitlement.

22.182.090 Expiration of Reasonable Accommodation.

A. A Reasonable Accommodation which is not used within the time specified in the notice of action or, if no time is specified, within two years after the date of grant of the Reasonable Accommodation, shall expire and be of no further effect, except that:

1. In cases in which the Director granted the original Reasonable Accommodation, the Director may extend the time to use it for a period not to exceed one year, provided an application requesting such extension is filed prior to its expiration date; and

2. In the case of a Reasonable Accommodation granted concurrently and in conjunction with another land use entitlement, the Commission or Hearing Officer may extend the time to use it to correspond with any extensions granted for the use of such related entitlements.

B. A Reasonable Accommodation shall be considered used within the intent of this Section, when construction, development, or use authorized by such Reasonable Accommodation, that would otherwise have been prohibited in the absence of an accommodation being granted, has commenced.

C. A Reasonable Accommodation shall automatically cease to be of any further force and effect if the use for which such accommodation was granted has ceased or has been suspended for a consecutive period of two or more years and may be required to be physically removed in accordance with Section 22.182.050.A.3.

22.182.100 Post-Decision Actions and Regulations.

A. Documentation, scope of approval, and Exhibit "A" shall be in compliance with Section 22.222.240 (Documentation, Scope of Approval, and Exhibit "A").

B. Use of property before final action shall be in compliance with Section 22.222.250 (Use of Property Before Final Action).

C. Performance guarantee and covenant shall be in compliance with Section 22.222.260 (Performance Guarantee and Covenant).

Chapter 22.184 Revised Exhibit "A"s.

Sections:

22.184.010 Applicability.
22.184.020 Application and Review Procedures.
22.184.030 Decision.

22.184.010 Applicability.

The Revised Exhibit "A" provides a process to authorize limited modification to the plans (exhibits) of an approved discretionary permit or review that remain in substantial conformance with the conditions of approval.

22.184.020 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Revised Exhibit "A" Checklist.

B. Type I Review. The application shall be filed and processed in compliance with Chapter 22.226 (Type I Review – Ministerial) and this Chapter.

22.184.030 Decision.

A. Criteria for Modification.

1. The Director may approve modifications to an Exhibit "A" for an approved discretionary permit or review, provided that the modifications comply with the following:

a. Are consistent with the scope of the project and the findings made in the original approval.

b. Comply with all existing conditions of approval.

c. Maintain the required number of vehicle parking spaces.

d. Comply with standards and regulations of the zone, unless specifically modified by the conditions of approval.

2. Modifications not in conformance with Subsection A.1, above, shall require an application for a Modification or Elimination of Conditional Use Permit

Conditions (Chapter 22.236), where applicable, or shall require an application for a new permit or review.

B. Documentation. In addition to Section 22.226.060 (Documentation), approved modifications to an exhibit shall be marked "Revised Exhibit A" and the date of approval.

Chapter 22.186 Site Plan Review, Ministerial.

Sections:

22.186.010 Applicability.

22.186.020 Application and Review Procedures.

22.186.010 Applicability.

A. Zones. This Chapter authorizes uses identified by this Title 22 as subject to the approval of a Ministerial Site Plan Review.

B. Amendments to a Ministerial Site Plan Review. Amendments to a Ministerial Site Plan Review shall comply with this Chapter.

22.186.020 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Ministerial Site Plan Review Checklist.

B. Type I Review. The application shall be filed and processed in compliance with Chapter 22.226 (Type I Review – Ministerial) and this Chapter.

Chapter 22.188 Special Events Permits.

Sections:

22.188.010 Purpose.
22.188.020 Applicability.
22.188.030 Application and Review Procedures.
22.188.040 Findings and Decision.
22.188.050 Notice of Action.
22.188.060 Effective Date of Decision and Appeals.
22.188.070 Post-Decision Actions and Regulations.
22.188.080 Conditions of Issuance.
22.188.090 Certain Uses on County Property – Board Authority.
22.188.100 Movie On-Location Filming.

22.188.010 Purpose.

The Special Events Permit is established to regulate short-term and extended-term special events. Special events are uses, activities, or events that are temporary and that may not otherwise be allowed in the applicable zone, but may be permitted because of their limited or temporary nature, provided that such special events are evaluated for compatibility with surrounding land uses and any adverse effects or incompatibilities are avoided or adequately mitigated.

22.188.020 Applicability.

A. Short-Term Special Events. A Short-Term Special Events Permit may approve the following special events:

1. Short-term events sponsored by a public agency or a religious, fraternal, educational, or service organization directly engaged in civic, charitable, or public service endeavors, limited to:

a. Carnivals.

b. Exhibitions.

c. Fairs.

d. Short-term farmers' markets not otherwise governed by Division 3 (Zones) or 4 (Combining Zones and Supplemental Districts) of Title 22 of the County Code.

e. Festivals, excluding outdoor festivals.

f. Pageants and religious observances, excluding tent revival meetings.

2. Outdoor display of goods, equipment, merchandise, or exhibits in a Commercial Zone, provided that:

a. All goods, equipment, and merchandise shall be the same as those sold or held for sale within the business on the lot where the outdoor display is proposed;

b. Not more than 20 percent of the area designated for parking required by Chapter 22.112 (Parking) for the established business shall be used in connection with the outdoor display;

c. A temporary banner may be permitted for the duration granted in the permit at any location on the subject property, but in no event shall the banner exceed 40 square feet of total sign area; and

d. This Chapter shall not permit the outdoor storage of goods, equipment, merchandise, or exhibits, except as otherwise may be provided by this Title 22.

B. Extended-Term Special Events Permitted. An Extended-Term Special Events Permit may approve any special event, except that outdoor display of goods, equipment, merchandise, or exhibits shall not be permitted.

C. Certain Uses on County Property – Board Authority. Certain uses on County property are permitted in accordance with Section 22.188.090 (Certain Uses on County Property).

D. Movie On-Location Filming. Movie on-location filming for a period of time to be determined by the Director shall be reviewed in accordance with Section 22.188.100 (Movie On-Location Filming).

22.188.030 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Special Events Permit Checklist.

B. Review Procedures.

1. Multiple applications shall be in compliance with Section 22.222.060 (Multiple Applications).

2. Application filing and withdrawal shall be in compliance with Section 22.222.070 (Application Filing and Withdrawal), except that the time period specified in Section 22.222.070.C shall be reduced from one year to six months.

3. Fees and deposits shall be in compliance with Section 22.222.080 (Fees and Deposits).

4. Initial application review shall be in compliance with Section 22.222.090 (Initial Application Review).

5. Prior to taking action, the Director shall provide notice of application in compliance with Section 22.222.130 (Notice of Application), except where modified below:

a. Notice Content. The notice shall also indicate that any individual may oppose the granting of the application by a written protest to the Director.

b. Comment Period. The Director shall allow a minimum comment period of 15 days after the notice has been mailed. The end of the comment period shall be stated on the notice.

c. Notification Radius.

i. Notice shall be mailed in compliance with Section 22.222.160.A; and

ii. In those cases where the mailing address of any owner of property required to be notified differs from the site address of such property, notification shall also be sent to the "occupant" at the site address.

C. Short-Term Special Events Permit.

1. Permit Term.

a. Short-term special events listed in Section 22.188.020.A.1 shall not be conducted for more than six weekends or seven consecutive days during any 12-month period, except where an Extended-Term Special Events Permit is approved pursuant to Subsection D, below.

b. Short-term special events listed in Section 22.188.020.A.2 shall not be conducted more than once during any 30-day period nor more than four times during any 12-month period. Each occurrence of such special event shall not exceed one weekend or three consecutive days.

2. Procedures. Decision on the application shall be based on:

a. Compliance with this Chapter; and

b. An assessment of whether the use, structure, development of land, or application of development standards is in compliance with all applicable provisions of this Title 22.

D. Extended-Term Special Events Permit.

1. Permit Term. Extended-Term Special Events Permits may approve a special event for an extended period of time, as determined appropriate by the Director.

2. Procedures. Decision on the application shall be based on:

a. Compliance with this Chapter; and

b. An assessment of whether the use, structure, development of land, or application of development standards is in compliance with all applicable provisions of this Title 22.

22.188.040 Findings and Decision.

A. Short-Term Special Events Permit.

1. Common Procedures. Decision shall be made in compliance with Section 22.222.200 (Findings and Decision) and Subsections A.2 and A.3, below, and include the findings in Subsection C, below.

2. Additional Findings.

a. Approval will not result in the use of a lot for a cumulative time period in excess of the maximum time period such special event may be authorized during any 12-month period, except where a longer period is specifically approved in accordance with Section 22.188.030.D (Extended-Term Special Events Permit).

b. With respect to an application for the outdoor display:

i. Not more than 20 percent of the area designated for parking required by Chapter 22.112 (Parking) for the established business shall be used in connection with the outdoor display; and

ii. All goods, equipment, and merchandise shall be the same as those sold or held for sale within the business on the lot or parcel of land where the outdoor display is proposed.

3. Additional Procedures for Decision. In addition to Subsection A.1, above, the Director shall deny an application when any written protest submitted within 15 days of the date noted on the notice and determined by the Director to be of general community interest and cannot be adequately mitigated through the imposition of conditions.

B. Extended-Term Special Events Permit.

1. Common Procedures. Decisions shall be made in compliance with Section 22.222.200 (Findings and Decision) and Subsection B.2, below, and include the findings in Subsection C, below.

2. Additional Procedures for Decision.

a. In addition to Subsection B.1, above, the Director shall deny an application when any written protest submitted within 15 days of the date noted on

the notice and determined by the Director to be of general community interest and cannot be adequately mitigated through the imposition of conditions.

b. In all cases where a written protest has been received and the Director determines that the concerns raised are of general community interest, the applicant shall be notified in writing. Such notification will also inform the applicant that within 30 days after receipt of such notice he may request a public hearing before the Hearing Officer by filing any additional information that the Director may require and by paying an additional fee, the amount of which shall be stated in the notice. At the expiration of the 30-day period:

i. The Director shall deny an application where the applicant has not requested a public hearing; or

ii. A public hearing shall be scheduled before the Hearing Officer. All procedures related to notification, publication, and conducting the public hearing shall be the same as for a Conditional Use Permit. Following a public hearing, the Hearing Officer shall approve, conditionally, approve, or deny the proposed application, based on the findings required by Subsection C, below, and all other applicable requirements of this Chapter.

C. Findings

1. Adequate temporary parking to accommodate vehicular traffic to be generated by such use will be available either on-site or at alternate locations acceptable to the Director in any case where such special event is proposed for a period longer than one weekend or three consecutive days.

2. The operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

3. The proposed site is adequate in size and shape to accommodate such special event without material detriment to the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site.

4. The proposed site is adequately served by bicycle facilities and/or streets or highways having sufficient width and improvements to accommodate the kind and quantity of vehicle and bicycle traffic that such special event will or could reasonably generate.

22.188.050 Notice of Action.

The Director shall issue and mail a notice of action in compliance with Section 22.222.220 (Notice of Action).

22.188.060 Effective Date of Decision and Appeals.

A. The effective date of decision and appeals shall be in compliance with Section 22.222.230 (Effective Date of Decision and Appeals).

B. Notwithstanding Subsection A, above, the decision of the Hearing Officer or Director shall become final unless an appeal is timely filed pursuant to Chapter 22.240 (Appeals).

C. Notwithstanding Chapter 22.240 (Appeals), the decision of the Commission on an appeal shall be final and effective on the date of decision.

22.188.070 Post-Decision Actions and Regulations.

A. Documentation, scope of approval, and Exhibit "A" shall be in compliance with Section 22.222.240 (Documentation, Scope of Approval, and Exhibit "A").

B. Use of property before final action shall be in compliance with Section 22.222.250 (Use of Property Before Final Action).

C. Performance guarantee and covenant shall be in compliance with Section 22.222.260 (Performance Guarantee and Covenant).

D. Expiration date and extension for unused permits and reviews shall be in compliance with Section 22.222.270 (Expiration Date and Extension for Unused Permits and Reviews).

E. Cessation of use shall be in compliance with Section 22.222.280 (Cessation of Use).

22.188.080 Conditions of Issuance.

A. The Director may impose conditions to ensure that the Special Events Permit will be in accordance with the findings required by the application. Such conditions may involve any pertinent factors that could affect the operation of such special event, including, but not limited to:

1. Requirement of adequate temporary parking facilities including vehicular access and egress.

2. Requirement of adequate temporary parking facilities, including vehicular access and egress, when a special event is proposed for a period longer than one weekend or three consecutive days, either on-site or at alternate locations for both the special event and related permanent uses, provided, that such temporary usage is specifically recognized in the permit, subject to this Subsection A.2:

a. Joint usage of required parking facilities established to serve a permanent use, provided the owner or occupant of the permanent use or their authorized legal representative submits written consent, and it is determined by the Director that such joint utilization will not have a substantially detrimental effect on the surrounding area;

b. Temporary occupation by a temporary use of a portion of parking facilities or structures established to serve a permanent use provided the owner or occupant of such use or their authorized legal representative submits written consent, and evidence submitted by the applicant shows that such joint utilization will not have a substantially detrimental effect on the surrounding area; and

c. The temporary reduction in required parking for such permanent use shall not be construed to require a Variance (Chapter 22.194) application with respect to parking requirements of this Title 22.

3. Regulation of temporary buildings, structures, and facilities; including:

a. Placement, height, and size limitations on commercial rides or other equipment permitted;

b. Location of open spaces including buffer areas and other yards; and

c. Signs.

4. Requirement of a performance bond or other surety device to assure that any temporary facilities or structures used for such proposed special event use will be removed from the site within one week following such event and the property restored to a neat condition. The Director may designate a different time period and/or require cleanup of additional surrounding property.

5. Regulation of nuisance factors such as but not limited to prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, garbage, and heat.

6. Regulation of operating hours and days including limitation of the duration of such special event to a shorter or longer time period than the maximum period requested.

7. Requirement that the approval of the requested special event shall comply with all other applicable federal, State and local laws.

8. Such other conditions as will make possible the operation of the proposed temporary use in an orderly and efficient manner and in accord with the intent and purpose of this Title 22.

B. In addition to such other conditions as the Director may impose, it shall also be deemed a condition of every Special Event Permit, whether such condition is set forth in the Special Event Permit or not, that such approval shall not authorize the construction, establishment, alteration, moving onto or enlargement of any permanent building, structure, or facility.

22.188.090 Certain Uses on County Property – Board Authority.

Where the following special events are proposed on property owned by or held under the control of the County, the department, district, or agency with delegated authority to administer such activity by the Board may assume jurisdiction and approve

such special events subject to limitations and conditions as are deemed appropriate by said department, district, or agency:

A. Carnivals, exhibitions, fairs, festivals, pageants, and religious observances.

B. Farmers' markets.

C. On-location filming.

22.188.100 Movie On-Location Filming.

A. Notwithstanding the other provisions of this Chapter, applications for on-location filming permits shall be filed with the filming permit coordination office which shall approve such application for a time period not to exceed the time period specified in this Title 22 where it finds that the findings set forth in Section 22.188.030.C (Findings) and Section 22.188.030.A.2 (Additional Findings) have been met by the applicant. In addition, in lieu of Section 22.188.030.A.2.a, the filming permit office shall also find that such approval will not result in a frequency of usage likely to create incompatibility between such temporary use and the surrounding area. Where an application is denied due to frequency of usage, the filming permit office shall specify the minimum time period between approvals which, in its opinion, is necessary to prevent such incompatibility.

B. In interpreting the other provisions of this Chapter in relation to on-location filming, the filming permit office shall be substituted for the Director, and the provisions of Section 22.188.020 (Application and Review Procedures) shall not apply.

C. Any person or entity issued a permit for the filming of an adult film, as defined in Section 11.39.010 (Adult Films) of Title 11 of the County Code, under this Chapter or any other law authorizing the issuance of permits for commercial filming are required to maintain engineering and work practice controls sufficient to protect employees from exposure to blood and/or any other potentially infectious materials controls, in a manner consistent with California Code of Regulations, Title 8, Section 5193 (Bloodborne Pathogens). Any such permit shall contain the following language: "Permittee must abide by all applicable workplace health and safety

regulations, including California Code of Regulations Title 8, Section 5193 (Bloodborne Pathogens), which mandates barrier protection, including condoms, to shield performers from contact with blood or other potentially infectious material during the production of films." The County shall charge, or shall direct any other person or entity contracting with the County to administer the film permitting process, to charge, entertainment industry customers seeking permits for the production of adult films a fee sufficient to allow periodic inspections to ensure compliance with the conditions set forth in Section 11.39.010 (Adult Films).

(Measure B, approved by voters in Nov. 6, 2012 General Election: Ord. 90-0093 § 10, 1990: Ord. 83-0007 § 8, 1983.)

Chapter 22.190 Surface Mining Permits.

Sections:

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22.190.100 Appeal to State Mining and Geology Board.

22.190.010 Purpose.

A. The Surface Mining Permit is established to regulate surface mining and reclamation of mined lands in compliance with the Surface Mining and Reclamation Act of 1975, Division 2, Chapter 9, of the California Public Resources Code, beginning with Section 2710.

B. It is the intent in regulating surface mining activities to ensure that:

1. The production and conservation of minerals is encouraged while addressing concerns relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment during and after mining operations;

2. Adverse effects on the environment, including air pollution, impedance of groundwater movement and water quality degradation, damage to wildlife habitat, flooding, erosion, and excessive noise are prevented or mitigated;

3. Mined lands are returned to a usable condition readily adaptable for alternative land uses, with no residual hazards to public health or safety; and

4. Consistency is achieved with the mineral resources management policies of the General Plan.

22.190.020 Definitions.

Specific terms used in this Chapter are defined in Section 22.14.190 of Division 2 (Definitions), under "Surface Mining Operations."

22.190.030 Applicability.

A. General Applicability. Except as specified in Subsection D, below, a person shall not use any property within the unincorporated area of Los Angeles County for surface mining operations unless a Surface Mining Permit is first obtained and a Reclamation Plan is approved as provided by this Chapter.

B. Uses Authorized. Where a Surface Mining Permit has been obtained pursuant to this Chapter and while such permit is in full force and effect in conformity

with the conditions of such permit, said property shall be used exclusively for surface mining operations and the following specific uses:

1. The stockpiling of rock, sand and gravel, and other minerals, including the installation, maintenance, or operation of rock-crushing plants or apparatus.

2. Batching plants or mixing plants for either portland cement or asphaltic concrete, except where specifically prohibited as a condition of such permit.

3. Any use permitted in the zone, subject to the limitations and conditions set forth therein, provided the Commission or Hearing Officer specifically authorizes such use in the permit.

4. Accessory uses to mining operations and processing of minerals.

C. Filing Time – Plans for Existing Operations

1. Surface Mining. Any person desiring a Surface Mining Permit as provided for in this Title 22 may file an application with the Director, except that no application shall be filed or accepted if final action has been taken within one year prior thereto by either the Board or Commission or Hearing Officer on an application for the same or substantially the same permit. In all cases, the required Reclamation Plan shall accompany the Surface Mining Permit application.

2. Reclamation Plan. In any case of existing surface mining operations as described in Subsection D.4, below, the required Reclamation Plan may be filed with the Director without an application for a Surface Mining Permit. Such Reclamation Plans shall be filed no later than one year from January 26, 1980, the effective date of this Chapter.

D. Exemptions. This Chapter does not apply to any of the following activities or situations:

1. Excavations or grading conducted for farming or on-site construction or for the purpose of restoring land following a flood or other natural disaster.

2. Surface mining operations that are required by federal law in order to protect a mining claim if such operations are conducted solely for that purpose.

3. Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than 1,000 cubic yards in any one location of one acre or less.

4. Any surface mining operation for which a valid, unexpired zone exception was granted prior to November 23, 1970, or for which a valid Conditional Use Permit (Chapter 22.158) is in full force and effect, or which was lawfully established in Zone Q, provided that such operation shall remain in compliance with and subject to all limitations and conditions imposed by such former grant or zone, and provided further that all Reclamation Plans, interim management plans and financial assurances shall be obtained or provided as required by this Title 22 and the California Public Resources Code, Division 2, Chapter 9, beginning with Section 2710.

22.190.040 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Surface Mining Permit Checklist.

B. Type III Review. The application shall be filed and processed in compliance with Chapter 22.230 (Type III Review – Discretionary) and this Chapter.

C. Publication. Notwithstanding Section 22.230.040 (Public Hearing), notice of application shall be published in two newspapers of general circulation at least one of which is a newspaper available in the community in which such use is proposed to be established. Such publications, if made in a daily newspaper, shall be for a period of not less than five consecutive publications of such newspaper, and if made in a weekly newspaper, shall be for a period of not less than two consecutive publications of such paper, the first publication in either case appearing not less than 20 days before the date of the hearing.

D. Notification of Filing. The Director shall furnish a copy of each submitted application for a Surface Mining Permit, Reclamation Plan and proposal for financial assurance to the State Geologist and the Director of Public Works. The Director shall

notify the California Department of Transportation of a request for a Surface Mining Permit, if notification of the Department of Transportation is required pursuant to Section 2770.5 of the California Public Resources Code.

E. Protection of Proprietary Information. Applications for Surface Mining Permits, Reclamation Plans, and other documents submitted pursuant to this Chapter are public records, unless it can be demonstrated to the satisfaction of the Commission or Hearing Officer that the release of such information, or part thereof, would reveal production, reserves, or rate of depletion entitled to protection as proprietary information. The Commission or Hearing Officer shall identify such proprietary information as a separate part of the application. Proprietary information shall be made available only to the State Geologist and to persons authorized in writing by both the mining operator and the applicant or his successor in interest.

F. Fees. The applicant shall pay to the County the actual cost incurred by Public Works in conducting inspections and/or reviews pursuant to the provisions of this Chapter. Such cost shall be computed using actual hours expended by staff multiplied by the most current applicable hourly rates, approved by the Auditor-Controller, that are available at the time that costs are assessed.

22.190.050 Development Standards.

Unless the Commission or Hearing Officer deems otherwise, and so specifies in the permit, surface mining operations shall comply with Section 3503 (Surface Mining and Reclamation Practice) of Title 14 of the California Code of Regulations and be conducted in accordance with the following requirements:

A. Slopes.

1. No excavation shall be permitted that creates a temporary slope steeper than one foot horizontally to one foot vertically. The Director of Public Works may require that excavations be made with a cut face more flat in slope than the above slope requirements if deemed necessary for slope stability and public safety at any time.

2. Temporary slopes shall not be created that will interfere with the construction of finished slopes conforming to the requirements of the Reclamation Plan.

3. Slopes affecting off-site property shall meet the requirements of Appendix J of Title 26 (Building Code) of the County Code.

B. Erosion and Sedimentation Control.

1. Measures shall be taken to prevent erosion of adjacent lands by waters discharged from the site of mining operations and the off-site discharge of sediment. Such measures may include the revegetation of slopes and the construction of properly designed retarding basins, settling ponds and other water treatment facilities, ditches, and diking.

2. No discharge of sediment into off-site bodies of water shall be permitted that will result in higher concentrations of silt than existed in such water prior to surface mining operations.

3. Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion.

4. The removal of vegetation and overburden in advance of surface mining shall be kept to a minimum.

C. Water Quality Control. Mining operations shall be conducted in accordance with applicable standards of the Regional Water Quality Control Board or any other agency with jurisdiction over water quality.

D. Protection of Fish and Wildlife Habitat. All reasonable and practicable measures shall be taken to protect the habitats of fish and wildlife during surface mining operations.

E. Runoff and Flood Control. Surface mining operations shall be conducted in such a manner as to prevent or minimize flooding and/or alteration of the natural drainage system.

F. Setbacks.

1. No surface mining operation or structure shall be located within 50 feet of any public street or highway or any lot in other than the applicant's ownership unless the written consent of the owner in fee of such property is first secured and

recorded with the Registrar-Recorder/County Clerk, and except where the contiguous property is currently or intermittently being mined in the same manner.

2. No surface mining operation or structure shall be located within 100 feet of any stream bed, flood control channel, reservoir, water conservation facility, area within an adopted Flood Protection District, or area designated as an Area of Special Flood Hazard, without first obtaining the approval of the Director of Public Works. Where approval is requested, a comprehensive flood-hazard analysis evaluating the effect surface-mining operations will have on drainage and erosion on adjacent property shall also be submitted.

G. Insurance Requirements.

1. Before commencing surface mining operations, the owner or operator shall secure insurance to the extent of $100,000 against liability in tort arising from the production, activities, or operations incidental thereto conducted or carried on under or by virtue of any law or ordinance, and such insurance shall be kept in full force and effect during the period of such operations.

2. This insurance requirement is separate and independent from any bonding requirement which may be required by the Commission or Hearing Officer to assure the completion of the operator's Reclamation Plan as required by Section 22.190.080 (Reclamation Plan).

H. Control of Dust, Vibrations, Smoke, Dirt, Odors, and Bright Lights.

1. All activities of mining and processing minerals shall be conducted in a manner such that dust, vibrations, smoke, dirt, odors, and bright lights do not exceed levels compatible with uses of adjacent lands.

2. All private roads shall be wetted while being used, or shall be oiled or hard-surfaced and maintained to prevent the emanation of dust. All private access roads leading off any public street or highway shall be paved with asphalt or concrete surfacing not less than three inches in thickness for the first 50 feet of said access road.

I. Boundary Markers. The outer boundaries of all property used or intended to be used for surface mining operations shall be posted within 90 days following the

effective date of such mining permit, and permanently thereafter, with signs displaying the message "SURFACE MINING" in letters not less than four inches in height, and in letters not less than one inch in height, the message "This property may be used at any time for the extracting and processing of rock, sand, gravel, decomposed granite, clay, and similar materials, as authorized by the Zoning Code (Title 22), County of Los Angeles." Such signs shall be posted not more than 500 feet apart, with signs placed at each change in direction of boundary lines of the property, and displayed in such a manner as to give reasonable notice to passersby of the message contained thereon.

J. Hours of Operation. All operations shall be restricted to the hours between 6:00 a.m. and 10:00 p.m., except in cases of public emergency, or whenever any reasonable or necessary repairs to equipment are required to be made.

K. Salvage of Topsoil. Unless otherwise specified in the Reclamation Plan, all topsoil removed in surface mining operations shall be stored at the site of mining operations and shall be used in future reclamation of the site.

L. Benches. Benches shall be provided wherever necessary to control drainage on slopes, or to provide for access, or for public safety as determined by the Commission or Hearing Officer on the recommendation of the Director of Public Works.

M. Fencing. Prior to the commencement of any surface mining operation, the area to be used for such operations shall be enclosed with a fence as required by Chapter 11.48 (Oil Well Sumps, Sand and Gravel Pits, and Similar Excavations) of Title 11 of the County Code. Such fencing may be limited to the area currently being used for such operations; provided, however, that the operation shall be continuously enclosed as excavation progresses.

N. Explosives. Storage of explosives for use in surface mining operations shall be subject to Chapter 22.164 (Explosives Permits).

22.190.060 Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.230.050 (Findings and Decision) and include the findings in Subsection B, below.

B. Findings.

1. The requirements for Reclamation Plan approval set forth in Section 22.190.080.A (Findings Prerequisite to Approval) have been met by the applicant.

2. The requested surface mining operation conducted at the location proposed will not adversely affect the health, safety, or welfare of persons residing in the surrounding area or otherwise endanger or constitute a menace to the public health, safety, or general welfare.

3. Adverse ecological effects resulting from surface mining operations will be prevented or minimized.

4. The proposed site is adequately served by streets or highways of sufficient width and improved as necessary to facilitate the kind and quantity of traffic surface-mining operations will or could generate.

5. The proposed site for surface mining operations is consistent with the General Plan.

22.190.070 Conditions of Approval.

A. Annual Report. The mine operator shall submit annually to the Director of Public Works copies of all reports required pursuant to Section 2207 of the California Public Resources Code.

B. Imposition of Additional Conditions Authorized When. Conditions may be imposed to ensure that the approval will be in accordance with the findings required by Section 22.190.060 (Findings and Decision). Such conditions may include those in Section 22.158.050 (Conditions of Approval) or may involve any pertinent factors affecting the establishment, operation, and maintenance of surface mining operations, including, but not limited to:

1. Off-street parking for equipment and for the cars of employees.

2. Screening and/or landscaping to assure integration with surrounding areas.

3. Regulation of signs.

4. The surfacing of parking areas and roads.

5. Days of operation.

6. The following factors for which standards are established in Section 22.190.050 (Development Standards):

a. Setbacks.

b. Hours of operation.

c. Fencing.

d. Grading benches.

e. Regulation of noise, dust, bright lights, smoke, vibrations, dirt, and odors.

C. Administration and Inspections.

1. The Director of Public Works shall conduct such inspections of idle and active surface mines as are required by the terms or conditions of any entitlement, regulation, or law, including this Title 22 and the California Public Resources Code, Division 2, Chapter 9, beginning with Section 2710, and shall make such additional inspections as the Director of Public Works deems necessary to enforce the terms or conditions of any such entitlement, regulation or the applicable State and County Codes.

2. Public Works shall report its findings to the mine operator and to the State Geologist, as required by law, and shall report to the Director of Regional Planning or to other persons or agencies where the Director of Public Works deems it necessary to make such additional notification.

D. Periodic Review of Permit Conditions and Reclamation Plan. The periodic review of the conditions contained in Surface Mining Permits and approved Reclamation Plans, as provided in Subsection B, above, and Section 22.190.080.C (Reclamation Activities – Specifications), respectively, shall be conducted by the Commission or Hearing Officer in accordance with the schedule adopted at the time such permits or plans were approved. The Commission or Hearing Officer, in their review, shall hold one or more public hearings pursuant to Chapter 22.222.120 (Public Hearing

Procedure), and shall consider such new or changed circumstances as physical development near the mining site and improved technological innovations in the field of reclamation which may significantly improve the reclamation process. Modified permits or Reclamation Plans shall be binding upon the operator and all successors, heirs, and assigns of the applicant.

E. Expiration Date. The Commission or Hearing Officer may establish an expiration date for a Surface Mining Permit. Where no expiration date is specified in the permit, the permit shall terminate and cease to be in effect at the time a new principal use is established on the subject property or upon being deemed abandoned, as provided in Section 22.190.090 (Idle Mine Operations), whichever occurs first.

22.190.080 Reclamation Plan.

A. Findings Prerequisite to Approval.

1. The Commission or Hearing Officer shall approve a Reclamation Plan if the Commission or Hearing Officer finds, based upon substantial evidence in the record, that the plan conforms to the requirements of Sections 2772, 2773 and 2773.1 of the California Public Resources Code, Sections 3501 and 3503 of Title 14 of the California Code of Regulations, and the provisions of this Title 22 and, further, that the mined lands will be reclaimed so that they are readily adaptable for uses consistent with the General Plan.

2. Should the Commission or Hearing Officer take an action which is at variance with a recommendation or objection raised by the State Geologist, their findings shall address, in detail, why the specific comment or objection was not accepted.

3. In approving a Reclamation Plan, the Commission or Hearing Officer shall:

a. Require such changes to the plan and impose such conditions as are necessary to conform the plan to requirements of the applicable State and County Codes, including provision of financial assurances and annual adjustments

of such assurances as required by the California Surface Mining and Reclamation Act and related regulations.

b. Establish a schedule for beginning and completion of all reclamation activities, which schedule shall, at the discretion of the Commission or Hearing Officer, be based upon times certain or upon milestone events, or a combination of both.

c. Establish a schedule for annual inspections of reclamation activities pursuant to the provisions of Section 2772(b) of the California Public Resources Code.

d. Establish a schedule for periodic review of the Reclamation Plan at intervals of not less than 10 years, said review to be conducted as provided in Section 22.190.070.D (Periodic Review of Permit Conditions and Reclamation Plan).

e. Require as a condition of approval, financial assurances in accordance with Section 2773.1 of the California Public Resources Code.

f. Require that the mine operator file a covenant against the property with the Recorder-Registrar/County Clerk containing the following statement before commencing operation of a new surface mine or, in the case of an existing mine as described in Section 22.190.030.D.4, within 30 days following notice of approval:

> "This property is subject to Reclamation Plan (enter case number), requiring, together with other conditions, the completion of a reclamation program before use of the property for a purpose other than surface mining, except as otherwise provided in said plan. Agents of the County and the State of California may enter upon such land to enforce such Reclamation Plan and to effect reclamation, subject to compliance with applicable provisions of law."

4. The Commission or Hearing Officer may require modification of the Reclamation Plan or impose such conditions that the Commission or Hearing Officer deems necessary to ensure that the plan is in accord with the requirements in Subsection C, below.

B. Financial Assurances.

1. Each mine operator shall provide and maintain financial assurances for completion of reclamation of disturbed lands in compliance with the approved Reclamation Plan and Section 2773.1 of the California Public Resources Code and the administrative regulations adopted pursuant to said Section 2773.1.

2. At the time of each annual inspection, and as provided by Section 2770 of the California Public Resources Code, the Director of Public Works shall establish the amount of financial assurance required pursuant to the approved Reclamation Plan and State law and regulations.

3. In the case of a new mine or of an idle mine which is to be reactivated after not having been worked since January 1, 1976, the financial assurance shall be tendered to the County before commencement of mining operations. The Director of Public Works shall establish the amount of such assurance based upon the estimated amount of disturbed lands after the first full year of mining.

4. The Director of Public Works shall notify the mine operator of the amount of assurance in person or by certified mail, with copies sent to the Director and the State Geologist.

5. For ongoing mining operations the assurance shall be tendered to the County within 60 days of receipt by the mine operator of notice of the amount of the assurance from the Director of Public Works.

6. Forfeiture of the financial assurances shall be subject to the provisions of Section 2772.1 of the California Public Resources Code and all proceeds from the forfeited financial assurances shall be used to conduct and complete reclamation in accordance with the approved Reclamation Plan.

C. Reclamation Activities – Specifications. Unless otherwise specified in the approved Reclamation Plan, the reclamation of mined lands shall be carried out in accordance with the following requirements:

1. Concurrent Reclamation.

a. The reclamation of mined lands shall occur as soon as practical following completion of mining operations at successive locations within the mining site as required by the schedule in the approved Reclamation Plan.

b. The reclamation of lands affected by surface mining operations shall be completed within one year of the completion of mining operations on such lands.

2. Disposal of Overburden and Mining Waste.

a. Permanent piles or dumps of overburden and waste rock placed on the land shall be made stable, shall not restrict natural drainage without provision for diversion, and shall have an overall smooth or even profile subject to the satisfaction of Public Works. Where practical, such permanent piles or dumps shall be located in the least visible location at the mining site.

b. Old equipment and inert mining wastes shall be removed or buried subject to the approval of the Commission or Hearing Officer.

c. Toxic materials shall be removed from the site or permanently protected to prevent leaching into the underlying groundwater, to the satisfaction of the Department of Public Health.

d. Overburden and mining waste placed beneath the existing or potential groundwater level which will reduce the transmissivity or area through which water may flow shall be confined to an area approved by Public Works.

3. Revegetation.

a. All permanently exposed lands that have been denuded by mining operations shall be revegetated to provide ground cover sufficient to control erosion from such lands.

b. All plantings shall be established and maintained in good horticultural condition. The revegetation shall be able to survive under natural conditions, with native species used whenever possible.

c. Revegetation methods shall take into account the topography and existing growth patterns and mixes of flora present at and adjacent to

the site of mining operations to create a more natural appearance. Plantings shall avoid rigid, geometric patterns and shall utilize natural scatterings.

4. Resoiling.

a. Resoiling measures shall take into consideration the quality of soils which may be required to sustain plant life pursuant to any revegetation that the Commission or Hearing Officer may require in its approval of the applicant's Reclamation Plan.

b. Coarse, hard material shall be graded and covered with a layer of finer material or weathered waste. A soil layer shall then be placed on this prepared surface. Where quantities of available soils are inadequate to provide cover, native materials shall be upgraded to the extent feasible for this purpose.

5. Final Slopes.

a. Final slopes shall be engineered and contoured to be geologically stable, to control the drainage therefrom, and to blend with the surrounding topography where practical. On the advice of Public Works, the Commission or Hearing Officer may require the establishment of terrace drains to control drainage and erosion.

b. Final slopes shall not be steeper than two feet horizontal to one foot vertical (2:1) unless the applicant can demonstrate to the Commission or Hearing Officer satisfaction, that a steeper slope will not:

i. Reduce the effectiveness of revegetation and erosion control measures where they are necessary;

ii. Be incompatible with the alternate future uses approved by the Commission for the site; and

iii. Be hazardous to persons that may utilize the site under the alternate future uses approved for the site.

6. Drainage, Erosion, and Sediment Control.

a. Any temporary stream or watershed diversion shall be restored to its state prior to any surface mining activities unless the Commission or Hearing Officer deems otherwise based on recommendations from Public Works.

b. Stream bed channels and stream banks affected by surface mining shall be rehabilitated to a condition which would minimize erosion and sedimentation.

c. Revegetation and regrading techniques shall be designed and executed so as to minimize erosion and sedimentation. Drainage shall be provided to natural outlets or interior basins designed for water storage, with such basins subject to the approval of the Director of Public Works. In addition, final excavation shall eliminate potholes and similar catchments to prevent potential breeding areas for mosquitoes.

d. The final grading and drainage of the site shall be designed in a manner to prevent discharge of sediment above natural levels existent prior to mining operations.

e. Silt basins which will store water during periods or surface runoff shall be equipped with sediment control and removal facilities and protected spillways designed to minimize erosion when such basins have outlet to lower ground.

f. No condition shall remain after reclamation which will or could lead to degradation of groundwater quality below applicable standards of the Regional Water Quality Control Board or any other agency with jurisdiction over water quality.

7. Backfilling and Grading.

a. Subject to the approval of Public Works, backfilled and graded areas shall be compacted to avoid excessive settlement and to the degree necessary to accommodate anticipated future uses.

b. Materials used in the refilling shall be of a quality suitable to prevent contamination and/or pollution of groundwater. If materials for backfilling and grading are obtained from an area other than the site of surface mining operations, such materials shall be included and the approximate quantities identified in the applicant's Reclamation Plan.

8. Water Features. Reservoirs, ponds, lakes, or any body of water created as a feature of the reclamation plan shall be approved by Public Works and by the Department of Public Health.

D. Establishment of New Principal Use – Restrictions. No new principal use shall be established on any property for which a Reclamation Plan has been approved unless all reclamation required therein has been completed, except as otherwise provided herein. Where concurrent reclamation is approved pursuant to Subsection C.1, above, the Commission or Hearing Officer may approve the establishment of a new principal use upon completion of each phase of the Reclamation Plan.

E. Amendments. Amendments to an approved Reclamation Plan, including attendant time schedules, may be submitted to the Commission or Hearing Officer at any time, detailing proposed changes from the original plan. Amendments to an approved Reclamation Plan shall be approved in the manner prescribed for approval of a Reclamation Plan.

F. Information and Documents Required.

1. The Reclamation Plan shall be applicable to a specific property or properties and shall be based upon the character of the surrounding area and such characteristics of the property as the type of overburden, vegetation, soil stability, topography, geology, climate, stream characteristics, and principal mineral commodities.

2. All Reclamation Plans shall contain the following information and documents:

a. The estimated time schedule for the beginning and completion of reclamation activities. If the mining operation is to be accomplished in phases, the time schedule shall indicate the estimated beginning and completion of reclamation activities for each phase.

b. An estimate of the cost of completion of reclamation activities, computed at current cost at the time proposed in the time schedule submitted for completion of the Reclamation Plan.

c. A description of the existing vegetation at, and surrounding, the site;

d. A general description of the geology of the surrounding area and a detailed description of the geology at the reclamation site.

e. A description of the proposed use or potential uses of land after reclamation, and evidence that all owners of a possessory interest in the land have been notified of the proposed use or potential uses.

f. A description of the manner in which reclamation, adequate for the proposed use or potential uses, will be accomplished, including:

i. The manner in which mining wastes and related contaminants will be controlled and disposed of; and

ii. The manner in which affected streambed channels and stream banks will be rehabilitated to a condition minimizing erosion and sedimentation.

g. An assessment of the effect of implementation of the Reclamation Plan on future mining in the area.

h. A statement by the applicant that he accepts responsibility for reclaiming mined lands in accordance with the approved Reclamation Plan.

i. A statement by the applicant that he accepts responsibility for all completed reclamation work for a period of two years or such greater period as deemed necessary by the Commission or Hearing Officer to ensure the permanency of all features of the Reclamation Plan. This Subsection shall not apply to normal maintenance and repairs unrelated to the reclamation work on public facilities where dedicated to and accepted by the County.

j. Such other information as the Commission, Hearing Officer, or Director may require. The Director may waive the filing of one or more of the above items where unnecessary to process the application.

3. Where Reclamation Plans are not filed as a part of a Surface Mining Permit, such plan shall be accompanied by an application for separate Reclamation Plan approval which contains the following information:

a. The names and addresses of the applicant and the mining operator, if different, and of any persons designated by the applicant as his agents for service of process.

b. The names and addresses of all persons owning a possessory and/or mineral interest in any or all of the property to be used for mining operations.

c. A statement indicating the reason under Section 22.190.030.D (Exemptions) why a Surface Mining Permit is not required. Include any identifying Conditional Use Permit or Zone Exception Case numbers.

d. The requirements of a Surface Mining Permit checklist.

22.190.090 Idle Mine Operations.

A. Within 90 days of a surface mining operation becoming idle, as defined in this Title 22 and in Section 2727.1 of the California Public Resources Code, the mine operator shall submit an interim management plan to the Director for review and approval as required in Section 2770(h) of the California Public Resources Code.

B. Before submitting the plan for review, the mine operator shall request an inspection of the site by Public Works. Upon notification of the results of the inspection, the operator shall submit a plan indicating what measures will be necessary for the protection of adjacent properties, environmental resources, and the general public, for review and approval.

C. The interim management plan shall be reviewed and acted upon in accord with the procedures set forth in Section 2770 of the California Public Resources Code and upon adoption shall be an amendment to the approved Reclamation Plan.

D. Required financial assurances shall remain in effect during the period the surface mining operation is idle. Posting shall be maintained as provided in Section 22.190.050.I (Boundary Markers).

E. The interim management plan may remain in effect for a period not to exceed five years, at which time the Director in accordance with Section 2770 of the California Public Resources Code shall do one of the following:

1. Renew the interim management plan for a period not to exceed five years, if the Director finds that the surface mining operator has complied fully with the interim management study; or

2. Require the surface mining operator to commence reclamation in accordance with the approved Reclamation Plan.

F. Notwithstanding any provision of this Title 22 or of an entitlement granted pursuant to this Title 22, unless review of an interim management plan is pending before the Commission or Hearing Officer, or an appeal is pending before the Board, a surface mining operation which after January 1, 1991, remains idle for over one year after becoming idle without obtaining approval of an interim management plan shall be considered abandoned and the operator shall commence and complete reclamation in accordance with the approved Reclamation Plan.

22.190.100 Appeal to State Mining and Geology Board.

An applicant whose request for a Surface Mining Permit to conduct mining operations has been denied, or any person who is aggrieved by the granting of a permit to conduct mining operations in an area of statewide or regional significance may, within 15 days following denial of an appeal, also appeal to the State Mining and Geology Board as provided in Section 2775 of the Surface Mining and Reclamation Act of 1975.

Chapter 22.192 Urban Agriculture Incentive Zone Program.

Sections:

22.192.010 Title for Citation.

22.192.020 Purpose.
22.192.030 UAIZ Program Establishment.
22.192.040 Maximum Allocation.
22.192.050 UAIZ Program Eligibility.
22.192.060 Permitted Land Uses.
22.192.070 Application for UAIZ Agreement within County's UAIZ.
22.192.080 Consideration of UAIZ Application by County.
22.192.090 UAIZ Agreement with County.
22.192.100 Recordation of an UAIZ Agreement with County.
22.192.110 Annual Inspection for Conformance.
22.192.120 Cancellation of an UAIZ Agreement with County.
22.192.130 Program Operative Date.

22.192.010 Title for Citation.

The provisions of this Chapter are known as, and may be cited as, the "Los Angeles County Urban Agricultural Incentive Zone Program."

22.192.020 Purpose.

The purpose of this Los Angeles County Urban Agriculture Incentive Zone ("UAIZ") Program is to implement the UAIZ Act ("Act"), as described in Section 51040 et seq., of the California Government Code to promote and foster urban agriculture. The UAIZ Program is designed to increase access to healthy food by providing an incentive for property owners of eligible vacant or unimproved properties within the urban areas of the County to utilize these properties for small-scale agricultural uses. The property owners of eligible properties may enter into agreements with the County, or respective cities that elect to participate in the UAIZ Program, to promote urban agriculture enterprises in exchange for reduced property tax assessments under Section 422.7 of the California Revenue and Taxation Code.

22.192.030 UAIZ Program Establishment.

An UAIZ is hereby established for all urbanized areas, as defined by the Act, throughout the unincorporated area of the County, with the exception of any unincorporated area located within the sphere of influence of an incorporated city, unless and until the legislative body of the city has consented to the inclusion of all or a part of its sphere of influence in the County's UAIZ. Each incorporated city within the County, may, likewise, establish an UAIZ within its jurisdiction by passage of a resolution after a public hearing before its respective legislative body, so long as there is a process by which each such city causes its UAIZ Agreements to be recorded with the Registrar-Recorder/County Clerk, and causes a stamped copy of its UAIZ Agreements to be submitted to the Assessor. For each such recorded and submitted UAIZ Agreement, the Assessor will apply the appropriate assessment formula annually to derive the reduced assessment roll value, for each year of the UAIZ Agreement period. Each UAIZ established by a city pursuant to this Section shall be also subject to the provisions set forth in Sections 22.192.040 (Maximum Allocation) through 22.192.060 (Permitted Land Uses), and 22.192.130 (Program Operative Date) in this Chapter. However, regardless of population or location in unincorporated or incorporated territory, an UAIZ shall never include, in whole or in part, a National Recreation Area, Significant Ecological Area, and/or Sensitive Environmental Resource Area.

22.192.040 Maximum Allocation.

In implementing the UAIZ Program, the maximum loss to the County in unrealized ad valorem property tax revenue (Article XIIIA of the California Constitution) resulting from the UAIZ Agreements, whether within the unincorporated area of the County or an incorporated city participating in the UAIZ Program, shall be a cumulative total of three million dollars for the life of the UAIZ Program. The Assessor will track the total unrealized property tax revenue loss anticipated from each UAIZ Agreement, and will notify the Director and cities with UAIZs when the maximum allocation is reached. No individual property or economic parcel shall exceed an annual unrealized property tax revenue loss to the County of $15,000.

22.192.050 UAIZ Program Eligibility.

To be eligible for the UAIZ Program, all of the following requirements must be met:

A. The property is vacant, unimproved, or contains only non-habitable structures that are or will be accessory to agricultural uses, such as a toolshed, greenhouse, produce stand, or instructional facility.

B. The property is located within a Census-designated urbanized area, as defined in the Act, so long as it is not wholly or partially within a National Recreation Area, Significant Ecological Area, or Sensitive Environmental Resource Area.

C. The property in its entirety shall be available for and dedicated to agricultural uses immediately and for the duration of the initial Agreement, which shall be for a term of five years.

D. The property shall be a minimum of one-tenth of an acre and a maximum of three acres.

E. Secured property tax obligations shall be current and paid according to installments determined by State law.

F. The UAIZ Agreement shall contain all provisions required by the Act.

22.192.060 Permitted Land Uses.

Eligible land uses under the UAIZ Program may include any agricultural land uses that are permitted or conditionally permitted both by the Act and by local regulations, including local planning and zoning codes.

22.192.070 Application for UAIZ Agreement within County's UAIZ.

A. Property owners, or authorized persons thereof, of an eligible property within the County's UAIZ may file an application with the Department to enter into an UAIZ Agreement.

B. Each application shall contain the following information:

1. Name and address of the owners of the subject property.

2. Evidence that the applicant is the sole owner of the subject property or has the written permission of all owners to make such application.

3. The location and legal description of the subject property.

4. Evidence that the subject property is currently vacant or unimproved, and contains no habitable structures.

5. Proposed agricultural activity or land uses, including crop types.

6. An agreement signed by all property owners to commit to the terms of the UAIZ Agreement.

7. A site plan evidencing to the satisfaction of the Director that execution of the UAIZ Agreement will result in actual utilization of the entire property for agricultural activity for the entire contractual period of five years.

8. Such other information as the Director may require.

22.192.080 Consideration of UAIZ Application by County.

For proposed uses that trigger other County Code requirements, the Department will make referrals to other departments as appropriate. The Director shall make a determination based on compliance with Section 22.192.070.B, above, and the recommendation from other departments, as applicable, to approve or deny the application.

22.192.090 UAIZ Agreement with County.

An approved application for property within the County's UAIZ will be finalized by execution of a notarized UAIZ Agreement by the Director, or the Director's designee, and the applicant, which shall include the approved site plan as an Exhibit "A." The term of an approved UAIZ Agreement for property within the County's UAIZ shall commence on the first day of January following recordation of the UAIZ Agreement.

22.192.100 Recordation of an UAIZ Agreement with County.

An UAIZ Agreement for property within the County's UAIZ, including the site plan attached as an Exhibit "A", shall be recorded by the property owner with the Registrar-Recorder/County Clerk. The applicant shall provide copies of the recorded UAIZ Agreement to the Assessor and the Department. After recordation, the Assessor will apply the appropriate assessment formula annually to derive the reduced assessment roll value, for each year of the UAIZ Agreement period.

22.192.110 Annual Inspection for Conformance.

Within 90 days after the recordation of any UAIZ Agreement for property within the County's UAIZ and every subsequent year thereafter, the Agricultural Commissioner shall conduct a site inspection to verify the property owner's conformance to the terms of the UAIZ Agreement.

22.192.120 Cancellation of an UAIZ Agreement with County.

A. Circumstances for Cancellation.

1. County-Initiated Cancellation for Noncompliance. If the Agricultural Commissioner finds that the property does not conform to the terms of the UAIZ Agreement, the Agricultural Commissioner will report any issues to the Department, which will then make any appropriate referrals to other departments based on the nature of the issue of noncompliance. The respective department shall initiate enforcement actions to bring the property into compliance. Should the property owner fail to comply with the corrective actions requested by the enforcing department within a time period set forth by such department, then notice of such continuing violation shall be submitted to the Director. The Director shall then notify the property owner by mail that the UAIZ Agreement will be cancelled 15 calendar days after mailing of the notice. At the end of the 15 days, the Department shall execute a cancellation document and record it with the Registrar-Recorder/County Clerk and notify the Agricultural Commissioner and Assessor.

2. Owner-Initiated Cancellation. If the property owner submits a request to the Director to cancel a recorded UAIZ Agreement, the Director will execute a cancellation document with the property owner, which the Director will record with the Registrar-Recorder/County Clerk and notify the Agricultural Commissioner and Assessor.

B. Effect of Cancellation – Tax Rate. The property shall be reassessed to its previous non-agricultural tax rate from the first day of January following recordation of the cancellation document. The property owner shall also receive a secured property tax bill equal to the cumulative value of the tax benefit received during the duration of the UAIZ Agreement upon the property owner for cancellation of any Agreement prior to

the expiration of that Agreement, unless the Director makes a determination that the cancellation was caused by extenuating circumstances despite the good faith effort by the property owner.

22.192.130 Program Operative Date.

Unless extended by State law, no UAIZ Agreement for property within the County's UAIZ or any city's UAIZ shall be renewed or created after January 1, 2019. However, any UAIZ Agreement entered into pursuant to this Chapter on or before January 1, 2019, shall be valid and enforceable for the duration of the UAIZ Agreement.

Chapter 22.194 Variances.

Sections:

22.194.010 Purpose.
22.194.020 Applicability.
22.194.030 Application and Review Procedures.
22.194.040 Development Standards.
22.194.050 Findings and Decision.
22.194.060 Conditions of Approval.
22.194.070 All Zone Regulations Apply Unless Variance is Granted.

22.194.010 Purpose.

The variance is established to permit modification of development standards as they apply to particular uses when practical difficulties, unnecessary hardships, or results inconsistent with the general purposes of this Title 22, develop through the strict literal interpretation and enforcement of such provisions.

22.194.020 Applicability.

A variance may be granted to permit modification of the following where mandated by this Title 22:

A. Building line setbacks, yards, open space, and buffer areas.

B. Height, lot coverage, density, and bulk regulations.

C. Off-street parking spaces, maneuvering areas and driveway width, and paving standards.

D. Landscaping requirements.

E. Wall, fencing, and screening requirements.

F. Street and highway dedication and improvement standards.

G. Lot area and width requirements.

H. Operating conditions such as hours or days of operation, number of employees, and equipment limitations.

I. Sign regulations other than outdoor advertising.

J. Distance-separation requirements.

22.194.030 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the variance Checklist.

B. Type III Review. The application shall be filed and processed in compliance with Chapter 22.230 (Type III Review – Discretionary) and this Chapter.

22.194.040 Development Standards.

A. Adequate Water Supply – Criteria. If it appears that the variance requested will require a greater water supply for adequate fire protection than does either the existing use or any use permitted in the same zone without a variance, and will not comply with the provisions of Division 1 (Water) of Title 20 of the County Code, such facts shall be prima facie evidence that such requested variance will adversely affect and be materially detrimental to adjacent uses, buildings, and structures and will not comply with the provisions of Section 22.194.050 (Findings and Decision).

22.194.050 Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.222.200 (Findings and Decision) and include the findings in Subsection B, below.

B. Findings.

1. Because of special circumstances or exceptional characteristics applicable to the property, the strict application of the County Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

2. The modification authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

3. Strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards.

4. Such adjustment will not be materially detrimental to the public health, safety, or general welfare, or to the use, enjoyment, or valuation of property of other persons located in the vicinity.

22.194.060 Conditions of Approval.

A. The Commission or Hearing Officer may impose conditions to ensure that the approval will be in accordance with the findings required by Section 22.194.050 (Findings and Decision). Such conditions may involve any pertinent factors affecting the establishment, operation and maintenance of the use for which such variance is requested, including those specified in Section 22.158.060 (Conditions of Approval).

B. The application may be approved contingent upon compliance with applicable provisions of other ordinances any other federal, State, or County requirements.

22.194.070 All Zone Regulations Apply Unless Variance is Granted.

Unless specifically modified by a variance, all regulations prescribed in the zone in which such variance is granted shall apply.

Chapter 22.196 Yard Modifications.

Sections:

22.196.010 Applicability.
22.196.020 Application and Review Procedures.
22.196.030 Findings and Decision.

22.196.010 Applicability.

Yard Modifications, where authorized by Section 22.110.080.E.3 (Yard Modification), Section 22.110.180 (Modifications Authorized) or as otherwise authorized by this Title 22, shall comply with this Chapter.

22.196.020 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Yard Modification checklist.

B. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review – Discretionary) and this Chapter.

C. Agency Review. Upon receipt of an application request for a modification on yards contiguous to a limited secondary highway, according to Section 22.110.080.E.3 (Yard Modification), the Director shall refer a copy of the application to the Director of Public Works. The application shall not be approved unless the written concurrence of the Director of Public Works has been received.

22.196.030 Findings and Decision.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.228.050 (Findings and Decision) and include the findings in Subsection B, below.

B. Findings.

1. Topographic features, subdivision plans, or other site conditions create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with the yard requirement or setback line.

2. The proposed structure is similar to the setbacks of other legally-built structures on adjacent or neighboring properties.

3. The use, development of land, and application of development standards is in compliance with all applicable provisions of this Title 22.

4. The use, development of land, and application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, is so arranged as to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, insure the protection of public health, safety, and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice.

5. The use, development of land, and application of development standards is suitable from the standpoint of functional developmental design.

Chapter 22.198 Zone Changes.

Sections:

22.198.010 Purpose.

22.198.020 Applicability.
22.198.030 Application and Review Procedures.
22.198.040 Development Standards.
22.198.050 Findings and Decision.

22.198.010 Purpose.

A Zone Change may be initiated to change the zone classification on a lot from one zone to another zone. A Zone Change may be approved whenever the Board finds that the public convenience, the general welfare, or good zoning practice justifies such action, in compliance with this Chapter, this Title 22, and Title 7 (Planning and Land Use) of the California Government Code.

22.198.020 Applicability.

A. Initiation. Initiation of a Zone Change shall be in compliance with Section 22.222.120.A (Initiation and Scheduling).

B. Additional Area Included When. Where an application is filed, the Commission or Director may elect to include additional property within the boundaries of the area to be studied when, in their opinion, good zoning practice justifies such action.

22.198.030 Application and Review Procedures.

A. Application Checklist. The application submittal shall contain all of the materials required by the Zone Change Checklist, including the written permission of the owner for each lot involved in the application.

B. Type IV Review. The application shall be filed and processed in compliance with Chapter 22.232 (Type IV Review – Discretionary) and this Chapter.

22.198.040 Development Standards.

A. Adequate Water Supply – Criteria. The Commission shall consider whether or not the application, if adopted, will result in a need for a greater water supply for adequate fire protection and, if so, what are the existing and proposed sources of such an adequate water supply. The Commission may request that the Fire

Department or Public Works, supply it with all facts, opinions, suggestions, and advice which may be material to reaching a decision on any or all matters mentioned in this Subsection A.

22.198.050 Findings and Decision.

A. Findings and decision shall be made in compliance with Section 22.232.040.A.2 (Findings) and include the findings in Subsection B, below.

B. The Commission shall recommend approval of an application to the Board if the following findings are made:

1. Modified conditions warrant a revision in the Zoning Map as it pertains to the area or district under consideration.

2. A need for the proposed zone classification exists within such area or district.

3. The particular property under consideration is a proper location for said zone classification within such area or district.

4. The zone classification at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice;

5. The Zone Change is consistent with the General Plan.

6. If the Zone Change will permit any uses prohibited by the existing zoning, that such Zone Change will not result in a need for a greater water supply for adequate fire protection or that the existing and proposed sources of water will provide an adequate water supply.

DIVISION 9: ADMINISTRATION.

Chapters:

Chapter 22.220 Planning Agency.

Chapter 22.222 Administrative Procedures.

Chapter 22.224 Type Reviews Pursuant to Title 22.

Chapter 22.226 Type I Review – Ministerial.

Chapter 22.228 Type II Review – Discretionary.

Chapter 22.230 Type III Review – Discretionary.

Chapter 22.232 Type IV Review – Discretionary/Legislative.

Chapter 22.234 Interpretations.

Chapter 22.236 Minor Modification or Elimination of Conditional Use Permit Conditions.

Chapter 22.238 Modifications and Revocations.

Chapter 22.240 Appeals.

Chapter 22.242 Enforcement Procedures.

Chapter 22.244 Ordinance Amendments.

Chapter 22.246 Additional Regulations.

Chapter 22.248 Publicly Owned Property.

Chapter 22.250 Applications, Petitions, and Fees.

Chapter 22.220 Planning Agency.

Sections:

22.220.010 Purpose.

22.220.020 Board of Supervisors.

22.220.030 Regional Planning Commission.

22.220.040 Hearing Officer.

22.220.050 Director of Regional Planning.

22.220.060 Hearing Examiner.

22.220.010 Purpose.

This Chapter identifies the powers and duties of the officials responsible for administering Title 21 (Subdivisions) and this Title 22.

22.220.020 Board of Supervisors.

The Board, established pursuant to Title 2 (Administration) of the County Code and Section 25000 et seq. of the California Government Code, has the the following zoning and administrative powers and duties:

A. Initiates amendments to the General Plan, Title 22, or Zoning Map.

B. Adopts amendments to the General Plan, Title 22, or Zoning Map.

C. Considers and certifies CEQA documents and hears appeals on CEQA determinations by the Commission, Hearing Officer, or Director.

D. Affirms, modifies, or reverses decisions made by the Commission; as provided for in Chapter 22.240 (Appeals).

E. Establishes fees to file applications and for services provided by the Department.

F. Appoints commissioners as provided for in Chapter 2.108 (Regional Planning Commission) in Title 2 of the County Code.

G. Appoints the Director as provided for in Chapter 2.106 (Department of Regional Planning) in Title 2 of the County Code.

H. Appoints Hearing Officers and Hearing Examiners based on the recommendation of the Director.

22.220.030 Regional Planning Commission.

The Regional Planning Commission (Commission) is established pursuant to Title 2 (Administration) of the County Code and Sections 65101 and 65902 of the California Government Code. The Commission has the following powers and duties:

A. Initiates amendments to the General Plan, Title 22, or Zoning Map.

B. Recommends approval or denial of amendments to the General Plan, Title 22, or Zoning Map and other legislative actions to the Board.

C. Conducts public hearings and, based on findings, approves, conditionally approves, or denies discretionary applications.

D. Considers, adopts, or certifies CEQA documents for applications.

E. Affirms, modifies, or reverses decisions made by the Hearing Officer through appeals or calls for review pursuant to Chapter 22.240 (Appeals) and Section 65903 of the California Government Code.

22.220.040 Hearing Officer.

The Hearing Officer is appointed by the Director and confirmed by the Board. The Hearing Officer has the authority to approve, conditionally approve, or deny applications and CEQA documents, subject to this Title 22. The Hearing Officer has the following powers and duties:

A. Conducts public hearings and, based on findings, approves, conditionally approves, or denies discretionary applications or refer the decision to the Commission.

B. Considers, adopts, or certifies CEQA documents.

C. Considers and sustains, modifies, or rescinds appeals from Final Zoning Enforcement Orders pursuant to Chapter 22.242 (Enforcement Procedures).

22.220.050 Director of Regional Planning.

The Director of Regional Planning (Director) is appointed by the Board pursuant to Chapter 2.106 (Department of Regional Planning) in Title 2 of the County Code. The Director may delegate powers and duties to Department staff, who are supervised by and report to the Director. The Director has the following powers and duties:

A. Performs initial reviews of ministerial and discretionary applications and notifies the applicant if additional information is necessary to complete review of the application.

B. Approves or denies ministerial applications.

C. Reviews applications subject to CEQA and the County's environmental review requirements and prepares CEQA documentation for the Review Authority as defined in Section 22.222.030.

D. Interprets Title 22 pursuant to Chapter 22.234 (Interpretations).

E. Recommends appointment of candidates for Hearing Officer and Hearing Examiner for decision by the Board.

F. Issues Final Zoning Enforcement Orders pursuant to Chapter 22.242 (Enforcement Procedures).

22.220.060 Hearing Examiner.

The Hearing Examiner is appointed by the Director and confirmed by the Board. The Hearing Examiner has the following powers and duties, pursuant to Section 22.222.190 (Hearing Examiner Public Hearing):

A. Conducts public hearings and receives public testimony, when determined by the Director.

B. Provides a report of the public hearing and makes recommendations to the Commission.

Chapter 22.222 Administrative Procedures.

Sections:

22.222.010 Purpose.

22.222.020 Applicability.

22.222.030 Review Authority.

22.222.040 Appeal Body.

22.222.050 Advisory Body.

22.222.060 Multiple Applications.

22.222.070 Application Filing and Withdrawal.

22.222.080 Fees and Deposits.

22.222.090 Initial Application Review.

22.222.100 Denial of Inactive Application.

22.222.110 Project Evaluation and Staff Report.

22.222.120 Public Hearing Procedure.

22.222.130 Notice of Application.

22.222.140 Notice Content.

22.222.150 Mailing.

22.222.160 Notification Radius.

22.222.170 Sign Posting.

22.222.180 Publication.

22.222.190 Hearing Examiner Public Hearing.

22.222.200 Findings and Decision.

22.222.210 Decision after Public Hearing.

22.222.220 Notice of Action.

22.222.230 Effective Date of Decision and Appeals.

22.222.240 Documentation, Scope of Approval, and Exhibit "A."

22.222.250 Use of Property Before Final Action.

22.222.260 Performance Guarantee and Covenant.

22.222.270 Expiration Date and Extension for Unused Permits and Reviews.
22.222.280 Cessation of Use.

22.222.010 Purpose.

This Chapter identifies common procedures for administering permits, reviews, and legislative actions and for administering Type Reviews in this Title 22.

22.222.020 Applicability.

A. Unique procedures in this Chapter shall apply only when a specific reference is made to this Chapter, or Section, or subsection of this Chapter.

B. Unique procedures in this Chapter may be modified if specifically stated in a permit or review.

22.222.030 Review Authority.

The Review Authority is the decision maker for an application. The Review Authority may refer an application to another Review Authority for a decision on the application. Table 22.222.030-A, below, identifies each Review Authority.

TABLE 22.222.030-A: REVIEW AUTHORITY AND APPEAL BODIES
Board
Commission
Hearing Officer
Director

22.222.040 Appeal Body.

The Appeal Body is the decision maker for an appeal of a decision by the Review Authority, when applicable.

22.222.050 Advisory Body.

An Advisory Body includes:

A. A Review Authority that provides a recommendation to another Review Authority.

B. Other County departments and experts in relevant subject areas that provide comments and recommendations to the Review Authority. Such bodies include, but are not limited to, the Subdivision Committee, Significant Ecological Area Technical Advisory Committee (SEATAC), Environmental Review Board (ERB), and the Fire, Public Works, Parks and Recreation, and Public Health Departments.

C. Any federal, State, County, or local agency.

22.222.060 Multiple Applications.

A. Review Authority in Multiple Applications. When two or more applications are filed on a property, all applications associated with said property may be subject to concurrent review by the Review Authority.

B. Findings for Multiple Discretionary Applications. When two or more discretionary applications are filed on a property, the Review Authority in making its findings shall consider each case individually and as if each application was filed separately.

C. Application Submittals for Multiple Applications. When two or more applications are filed on a property, the Director may waive individual application submittal requirements.

22.222.070 Application Filing and Withdrawal.

A. Application Forms and Submittal Information.

1. The Director shall prepare a checklist that indicates the forms, information, and materials necessary for processing each permit or review application.

2. For each permit or review requested by the applicant, the application submittal shall include:

a. Forms, information, and materials required by the checklist.

b. Fees or deposits, in compliance with Section 22.222.080 (Fees and Deposits).

3. The accuracy of the permit or review application submittal shall be the responsibility of the applicant.

4. All materials submitted for an application become County property. Said materials may be made available for public review.

B. Applicants. The following persons may file applications:

1. The owner of the subject property;

2. An agent for the applicant with written authorization by the owner of the subject property;

3. The plaintiff in an action in eminent domain to acquire the subject property, or any portion thereof; or

4. A public agency in negotiation to acquire the subject property or any portion thereof.

C. Resubmission of Application. No discretionary application shall be filed or accepted if a final action (approval or denial) has been taken within one year on an application requesting the same or substantially the same permit.

D. Withdrawal of Application.

1. An application may be withdrawn at any time prior to final action by filing a written request with the Director.

2. The request shall be signed by all persons who signed the original application, or their successors in interest.

3. Refunds shall be issued in compliance with Section 22.222.080.C (Refunds).

22.222.080 Fees and Deposits.

A. Filing Fees and Deposits Required. No application shall be accepted without payment of the required fee or deposit. Fees and deposits are established in Chapter 22.250 (Applications, Petitions, and Fees).

B. Additional Fees. In addition to any fees or deposits required by this Title 22, the applicant shall pay any fees or deposits required by any other agency, statute, or ordinance.

C. Refunds.

1. Fee Refunds. If an application is withdrawn as provided in Section 22.222.070.D (Withdrawal of Application), the Director shall refund a portion of the filing fee.

a. Three-fourths of the fee shall be refunded if the application is withdrawn prior to the mailing of the first written request by the Director for materials.

b. One-half of the fee shall be refunded if the application is withdrawn after the mailing of the first written request by the Director for materials, but prior to publication of notice per Section 22.222.180 (Publication) or prior to the start of the public hearing by the Commission or Hearing Officer.

c. There shall be no refund of any portion of the fee after:

i. The publication of notice per Section 22.222.180 (Publication);

ii. The start of the public hearing by the Commission or Hearing Officer; or

iii. The Commission, Hearing Officer, or Director takes final action on the application.

2. Deposit Refunds. If requested by the applicant, the Director shall refund the unused portion of a deposit after final action has been taken on an application or after the application has been withdrawn.

22.222.090 Initial Application Review.

A. Review of Application. The Director shall review the application and determine if additional materials are required.

B. Request for Materials. The Director may require materials to clarify, correct, or otherwise supplement the application after it has been accepted by the Department for processing. Materials may include additional or revised applications, exhibits, site plans, elevations, information, fees, and any other materials that are necessary to complete the review of the application. When materials are required, the Director shall provide a written request to the applicant. If the requested materials are

not provided, the Director may deem the application inactive per Section 22.222.100.A (Inactive Application).

C. Consultation. The Director may consult with any Advisory Body (Section 22.222.050) regarding an application that has been accepted by the Department for processing. The applicant shall pay any additional fees required for said consultation in compliance with Section 22.222.080.B (Additional Fees) or as required by said agency for such consultation. If any required fee is not paid, the Director may deem the application inactive per Section 22.222.100.A (Inactive Application).

D. Inspections. Any County official participating in the review of the application shall be granted access to the premises or property that is the subject of the application. Failure to cooperate with any County official may result in suspension of application processing until the inspection is completed. If access is not granted, the Director may deem the application inactive per Section 22.222.100.A (Inactive Application).

E. Review Authority. Where applicable, the Director shall refer an application to the Review Authority for review and decision after all required materials or fees are submitted and all required reviews, consultations, and inspections have been completed.

22.222.100 Denial of Inactive Application.

A. Inactive Application. If the applicant does not provide any item required by Section 22.222.070 (Application Filing and Withdrawal) or Section 22.222.090 (Initial Application Review) within the time period specified by the Director, or, if no time is specified, within 30 days of notification, the Director may deem the application inactive. The Director may extend the time period upon written request from the applicant. Once the Director deems an application inactive, the Director or Hearing Officer may deny an application according to Subsection B or C, below.

B. Denial by Director. The Director may deny any application for a Ministerial Site Plan Review (Chapter 22.186) in accordance with the following:

1. When an application is deemed inactive per Subsection A, above. Denial of an inactive application shall be issued in accordance with Section 22.222.220 (Notice of Action).

2. If the Director takes no action on an application within 90 days from the date of filing, it shall constitute a denial of such application.

3. The Director's decision is final and not subject to administrative appeal.

C. Denial by Hearing Officer.

1. Denial. The Hearing Officer may deny, without a public hearing, any application not listed in Subsection B, above, if such application is deemed inactive per Subsection A, above. The Hearing Officer may allow the applicant to amend such application without the filing of additional application fees prior to final action (denial). Denial of an inactive application shall be issued in accordance with Section 22.222.220 (Notice of Action).

2. New Application. Once an application is denied for inactivity, any new application shall be filed in compliance with Section 22.222.070 (Application Filing and Withdrawal).

22.222.110 Project Evaluation and Staff Report.

The Director shall evaluate the project and provide a staff report to the Review Authority based on information in the record at the time of preparation.

22.222.120 Public Hearing Procedure.

A. Initiation and Scheduling.

1. Initiation. A public hearing before the Commission or Hearing Officer may be initiated:

a. If the Board instructs the Commission, Hearing Officer, or Director to set the matter for a public hearing;

b. Upon the initiative of the Commission; or

c. Upon the filing of an application.

2. Scheduling. After initiation of a public hearing pursuant to Subsection A.1, above, the Director shall schedule a time and place for the public hearing as required by this Title 22.

B. Public Hearing.

1. Review Authority and Hearing Examiner.

a. A public hearing shall be held before the Commission or Hearing Officer unless the Director determines that the Hearing Examiner shall first hold an initial public hearing.

b. If the Director determines that the Hearing Examiner shall first hold an initial public hearing, the initial public hearing shall be held in compliance with Section 22.222.190 (Hearing Examiner Public Hearing).

2. Notice of Public Hearing.

a. Notice Content. Notice of public hearing shall include the following information:

i. The information in Section 22.222.140 (Notice Content).

ii. The date, time, and place of the public hearing and the Review Authority (Commission or Hearing Officer) or Hearing Examiner.

iii. A general description of the County's procedure concerning the conduct of the public hearing.

iv. A statement that written comments may be submitted to the Director prior to the hearing and that comments may be made or written material may be submitted at the public hearing.

v. A statement that any interested person or authorized agent may appear and be heard at the public hearing.

b. Mailing. Notice of public hearing shall be mailed in compliance with Section 22.222.150 (Mailing) at least 30 days before the public hearing.

c. Notification Radius. Notice of public hearing shall be mailed in compliance with Section 22.222.160 (Notification Radius).

d. Sign Posting. A notice of public hearing sign shall be posted in compliance with Section 22.222.170 (Sign Posting) at least 30 days before the public hearing.

e. Publication. Publication of the notice of public hearing shall be in compliance with Section 22.222.180 (Publication).

3. Alternative Notice of Public Hearing. As an alternative to Subsection B.2, above, the Director may provide an advertised notice in the time and manner authorized by the California Government Code.

4. Time and Location. A public hearing shall be held at the date, time, and location for which notice was given.

C. Continued Public Hearing.

1. A public hearing may be continued without further notice, provided that the Commission or Hearing Officer announces for the record the date, time, and location where the hearing will be continued before the adjournment of the hearing.

2. If the public hearing is continued to an undetermined date or taken off the public hearing calendar, the applicant shall pay the rehearing fee per the Filling Fee Schedule before the public hearing is rescheduled. Notice of the continued public hearing shall be provided in the same manner as required for the application.

22.222.130 Notice of Application.

A. Notice of application shall contain notice content in compliance with Section 22.222.140 (Notice Content).

B. Notice of application shall be mailed in compliance with Section 22.222.150 (Mailing).

22.222.140 Notice Content.

Notices shall include the following information:

A. The application number.

B. A general description of the application and location of the subject property.

C. A statement that the application's CEQA document will be considered, if applicable.

D. A statement that written comments may be submitted to the Director within the specified time period.

E. The phone number, street address, and website of the Department, where an interested person can call or visit to obtain additional information.

22.222.150 Mailing.

A. Notice shall be mailed or delivered to:

1. Owner and Applicant. The owner of the subject property, the applicant, and the applicant's agent, when applicable.

2. Surrounding Properties.

a. Owners of properties, as required by the permit, review, or this Title 22; and

b. Such other persons whose property might, in the Director's judgment, be affected by such application.

3. Persons Requesting Notice. A person who has filed a written request for notice of a specific application with the Director.

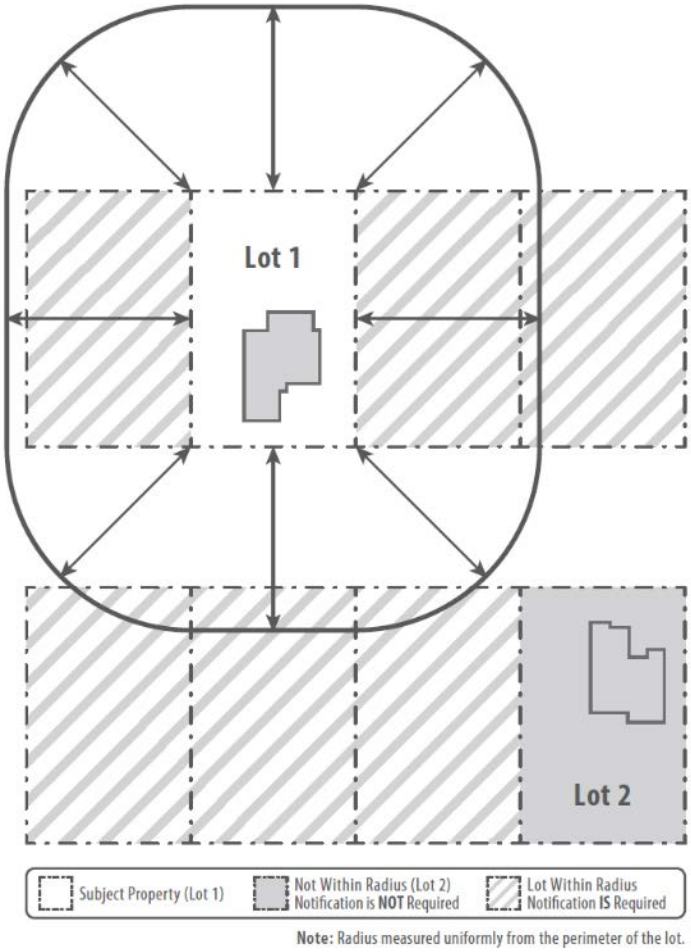
4. Public Agencies. Any public officials, departments, bureaus, or agencies, who, in the opinion of the Director, might be interested in the application.

B. Failure of any person or entity to receive notice shall not invalidate the actions of the Review Authority.

22.222.160 Notification Radius.

A. Standard Radius. Notice shall be mailed to all owners of property located within a 500-foot radius of the exterior boundaries of the subject property noted on the application, as shown on the County's last equalized assessment roll. For example, see Figure 22.222.160-A, below.

FIGURE 22.222.160-A: NOTIFICATION RADIUS



B. Additional Radius. Notwithstanding Subsection A, above, notice shall be mailed to all owners of property located within a 1,000-foot radius of the exterior boundaries of the subject property noted on the application, as shown on the County's last equalized assessment roll, unless a more specific radius is required by this Title 22, for properties in the following areas:

1. Fifth Supervisorial District.
2. The Community of Avocado Heights within the Puente Zoned District.
3. Workman Mill Zoned District.
4. South San Gabriel Zoned District.

22.222.170 Sign Posting.

A. Time. The applicant shall post signs required by this Section on the subject property.

B. Dimensions, Materials, and Content. Sign size, height, materials, colors, content, and lettering shall adhere to the specifications described in the checklist by the Department.

C. Location. One sign shall be erected on each public road frontage adjoining the subject property. The sign shall be legible and accessible by foot from said public roads. If the subject property is not visible from an existing public road, this Subsection C may be modified by the Director.

D. Additional Posting Requirements. The Director may require additional signs or that signs to be larger and/or constructed of stronger weather-proof materials to improve visibility and legibility at the posted locations.

E. Verification. At least 14 days prior to the public hearing or decision date, the applicant shall provide the Director with:

1. A photograph showing the signs erected on the subject property; and

2. A signed affidavit stating that the signs have been placed on the subject property in compliance with this Section.

F. Maintenance and Display. The applicant shall be responsible for maintaining signs in a satisfactory condition and continuously displaying the sign according to the period of time specified prior to the public hearing or decision date.

G. Failure to Comply. Failure of the applicant to comply with this Section shall result in postponement of the public hearing or decision.

H. Removal. The applicant shall remove signs from the subject property within one week following the close of the public hearing or decision date.

I. Exception. This Section shall not apply to public hearings on matters initiated by the Board or Commission. The Director may post signs for such public hearings at locations where deemed appropriate.

22.222.180 Publication.

A. Notice of public hearing or notice of application shall be published once in a newspaper of general circulation in the County available in the community of the subject property and at least 30 days before the public hearing or decision date.

B. Hearings on general amendments to this Title 22 shall be published once in a newspaper of general circulation in the County at least 30 days before the public hearing.

22.222.190 Hearing Examiner Public Hearing.

A. At the discretion of the Director, the Hearing Examiner may hold an initial public hearing on any matter subject to a public hearing before the Commission or Hearing Officer by Title 21 (Subdivisions) or this Title 22 except, however, the Hearing Examiner may not conduct appeals or calls for review of projects decided by a Hearing Officer.

B. The Director shall determine which matters shall have an initial public hearing held by the Hearing Examiner before a public hearing is conducted by the Commission or Hearing Officer. One or more of the following factors will generally indicate to the Director that an initial public hearing before the Hearing Examiner should be held:

1. An Environmental Impact Report is required.

2. An update to, or preparation of, a community or area wide plan is proposed.

3. A major amendment to the General Plan or Title 22 is proposed.

4. The construction of 50 or more residential units or 50,000 square feet or more of commercial or industrial floor area is proposed.

5. A major project pursuant to the provisions of Section 22.246.050 (Major Projects Review Trust Funds) is proposed.

6. A subdivision, General Plan Amendment, Ordinance Amendment, or Zone Change is proposed.

7. The Director determines that:

a. The subject property is remote from downtown Los Angeles;

b. The public hearing may generate significant public controversy; or

c. The application has other aspects that indicate a Hearing Examiner hearing is appropriate.

C. The Hearing Examiner shall hold an initial public hearing in compliance with Section 22.222.120.B (Public Hearing).

D. Prior to the Commission's or Hearing Officer's public hearing on a matter for which the Hearing Examiner has first conducted an initial public hearing:

1. The Hearing Examiner shall prepare a report to the Commission or Hearing Officer. The report shall include an analysis of the proposal, proposed findings and conditions where applicable, recommendations, and other pertinent materials to be submitted to the Commission or Hearing Officer.

2. The Director shall:

a. Provide a notice of action in compliance with Section 22.222.220 (Notice of Action). The notice of action shall include a synopsis of the Hearing Examiner's initial public hearing, and the written recommendation to the Commission or Hearing Officer; and

b. Provide a notice of public hearing before the Commission or Hearing Officer in accordance with Section 22.222.120 (Public Hearing Procedure).

22.222.200 Findings and Decision.

A. Findings. After evaluating the application, plans, testimony, reports, and all other materials that constitute the administrative record, the Review Authority shall make findings required by this Title 22. Findings required by this Title 22 are specific to the permit or review, zone, use, supplemental district, or as otherwise specified by this Title 22. The Review Authority may make findings, in addition to the findings required by this Title 22, after evaluating the administrative record.

B. Decision. After evaluating the administrative record, the Review Authority may approve, conditionally approve, or deny the application:

1. Approve. Where the Review Authority finds that the administrative record substantiates all of the findings required by this Title 22, the Review Authority may:

a. Approve the application;

b. Approve the application contingent upon compliance with applicable provisions of other ordinances; and

c. Impose conditions of use deemed reasonable and necessary to ensure that the approval will be in compliance with any findings made by the Review Authority.

2. Deny. Where the Review Authority finds that the administrative record does not substantiate all of the findings required by this Title 22, the Review Authority shall deny the application.

22.222.210 Decision After Public Hearing.

A. Board of Supervisors.

1. After closing the public hearing, the Board shall take action on the application.

2. The decision of the Board shall be final on any matter except a local coastal program amendment or a Coastal Development Permit, including a Coastal Development Permit located in an area without a certified local coastal program.

B. Commission.

1. After closing the public hearing, the Commission shall take action on the application.

2. The Commission shall publicly announce the appeal period for filing an appeal of its action, if applicable. The decision shall be final, unless the decision is appealed to the Board, in compliance with Section 22.222.230 (Effective Date of Decision and Appeals).

3. After the public hearing on a legislative action, the Commission shall forward their recommendation to the Board. If a discretionary application is heard

concurrently with a legislative action, the Commission shall forward their recommendations and findings on the discretionary application and the legislative action to the Board concurrently.

C. Hearing Officer.

1. After closing the public hearing, the Hearing Officer shall:

a. Make a decision on the application; or

b. Refer the decision to the Commission.

2. The Hearing Officer shall publicly announce the appeal period for filing an appeal of its action, if applicable, unless the Hearing Officer refers the decision to the Commission. The decision shall be final, unless the decision is appealed to the Commission, in compliance with Section 22.222.230 (Effective Date of Decision and Appeals).

22.222.220 Notice of Action.

A. Notice of Action. After taking its final action on an application, the Review Authority shall issue a notice of action. The notice of action shall:

1. Describe the action taken; and

2. If applicable, include:

a. Any applicable findings or conditions; or

b. Instructions for filing an appeal.

B. Delivery. The Director shall mail the notice of action to:

1. The applicant;

2. Every member of the public who testified at the public hearing for whom addresses are available; and

3. Any other person or entity who filed:

a. A written request for notification; and

b. A written protest with the Director.

22.222.230 Effective Date of Decision and Appeals.

A. The Review Authority's decision shall be effective on the 15th day following the date of the decision, unless an appeal of the decision is timely filed or an Appeal Body calls for review of the decision.

B. Appeals or calls for review shall be processed in compliance with Chapter 22.240 (Appeals) and this Section.

C. Any person dissatisfied with the action of the Review Authority may file an appeal. The appeal must be filed within 14 days of the Review Authority's decision. If an Appeal Body calls for review of the Decision, the Appeal Body must make the call for review within 14 days of the Review Authority's decision.

D. If the last day to file an appeal or call for review falls on a non-business day for the Appeal Body, then the appeal period shall extend to the next business day and the effective date of the decision shall also extend to the business day following.

E. In all cases in which a permit or review received an approval issued concurrently pursuant to Title 21 (Subdivisions) and this Title 22, the decision shall become effective on the first day after expiration of the time limit established by Section 66452.5 of the California Government Code as set forth in Section 21.56.010 (Procedures – Submittal and Determination) of Title 21 of the County Code.

F. Where a decision on a permit or review is appealed to, or called for review by, the Board, the date of decision by the Board of such appeal or review shall be deemed the date of grant in determining the effective date.

22.222.240 Documentation, Scope of Approval, and Exhibit "A."

A. Site plans, floor plans, building elevations, maps, or information submitted to the Department during the application review process may be deemed a part of the Exhibit "A" for an approved application.

B. Unless otherwise indicated by the Review Authority, the Exhibit "A" shall not be stamped as approved until the permit or review becomes effective per Section 22.222.230 (Effective Date of Decision and Appeals), complies with Section 22.222.260 (Performance Guarantee and Covenant), and any applicable

conditions of approval have been completed, unless as otherwise indicated in the conditions of approval.

C. Approvals may be subject to periodic review to determine compliance with the Exhibit "A" and the conditions of approval.

D. It shall be the responsibility of the property owner, permittee and their successors to comply with the Exhibit "A" and conditions of approval.

22.222.250 Use of Property Before Final Action.

Any property involved in a discretionary application shall not be used for the use requested in the application until and unless the permit or review has become effective, in compliance with Section 22.222.230 (Effective Date of Decision and Appeals), and an approved Exhibit "A" has been issued by the Department, in compliance with Section 22.222.240 (Documentation, Scope of Approval, and Exhibit "A").

22.222.260 Performance Guarantee and Covenant.

Approval may require the permittee to guarantee, warrant, or ensure compliance with the provisions of this Title 22, approved plans, or conditions of approval. To ensure compliance, the County may require the permittee to:

A. Record the terms and conditions of approval with the Registrar-Recorder/County Clerk. Upon any transfer or lease of the property during the term of the grant, the permittee shall provide a copy of the permit approval and its conditions to the transferee or lessee;

B. Deposit a fee, financial assurance, bond, or other mechanism in a reasonable amount, as determined by the County, to ensure the faithful performance of one or more of the conditions of approval;

C. Record a covenant restricting the use of the subject property (e.g., limitations on occupancy or maintenance of affordability) with the Registrar-Recorder/County Clerk; or

D. Record a covenant guaranteeing use and maintenance on a separate property necessary to comply with requirements (e.g. adequate access) with the Registrar-Recorder/County Clerk.

22.222.270 Expiration and Extension for Unused Permits and Reviews.

A. An approved permit or review shall be used within the time limit specified in the conditions, or, if no time limit is specified, two years after the date the decision becomes final after approval by the Review Authority. If the permit or review is not used within the applicable time limit, the approval shall expire and become null and void.

B. Notwithstanding Subsection A, above, where an application requesting an extension is timely filed prior to the expiration date, the Hearing Officer may extend the time limit in Subsection A, above, for a period of not to exceed one year.

C. In the case of discretionary applications heard concurrently with a subdivision, the time limit shall be concurrent and consistent with those of the subdivision.

D. In the case of a nonprofit corporation organized to provide low-income housing for the poor or the elderly, the Hearing Officer may grant an additional one-year extension to the time limit, provided that an application requesting such extension is timely filed prior to the expiration of the first such extension.

E. In the case of an application requiring approval by the Coastal Commission, the time limit shall comply with Chapter 22.56 (Coastal Development Permits).

F. In the case of a permit or review for a publicly owned use, no time limit shall apply to use the approval provided that the public agency:

1. Acquires the property involved or commences legal proceedings for its acquisition, within one year of the effective date of the approval; and

2. Immediately after the acquisition of, or the commencement of legal proceedings for the acquisition of the property, posts the subject property with signs, having an area of not less than 20 square feet nor more than 40 square feet in area per face indicating the agency and the purpose for which it is to be developed. One sign shall be placed facing, and located within, 50 feet of each street, highway, or parkway bordering the property. Where the property in question is not bounded by a street,

highway, or parkway the agency shall erect one sign facing the street, highway, or parkway nearest the property.

G. A permit or review shall be considered used, within the intent of this Subsection G, when construction or other development authorized by such permit or review has commenced that would be prohibited in the zone if no permit or review had been granted. For this Subsection G, construction or other development shall include grading with grading permits and construction with required building permits from Public Works.

22.222.280 Cessation of Use.

Unless otherwise specified, an approved discretionary permit or review shall automatically cease to be of any force and effect if the use for which the permit or review was granted has ceased or has been suspended for a consecutive period of two or more years.

Chapter 22.224 Type Reviews Pursuant to Title 22.

Sections:

22.224.010 Purpose.

22.224.020 Type Review Characteristics.

22.224.030 Permits and Reviews Assigned a Type Review.

22.224.040 Permits and Reviews Assigned Unique Administrative Procedures.

22.224.010 Purpose.

This Division establishes four Type Reviews. Each Type Review prescribes a set of specific administrative procedures from Chapter 22.222 (Administrative Procedures) used for processing permits and reviews in this Title 22. Permits and reviews in Division 8 (Permits, Reviews, and Legislative Actions) are assigned a Type Review or are prescribed unique administrative procedures for application processing.

22.224.020 Type Review Characteristics.

Table 22.224.020-A, below, identifies the four Type Reviews and their general application processing characteristics:

TABLE 22.224.020-A: TYPE REVIEW CHARACTERISTICS

	Chapter Number	***Ministerial/ Discretionary***	***Noticing Required***	***Posting Required***	***Review Authority***	***Public Hearing Required***
Type I Review	22.226	Ministerial	No	No	Director	No
Type II Review	22.228	Discretionary	Yes	No	Hearing Officer	Yes
Type III Review	22.230	Discretionary	Yes	Yes	Commission/ Hearing Officer	Yes
Type IV Review	22.232	Discretionary	Yes	Yes	Board	Yes

22.224.030 Permits and Reviews Assigned a Type Review.

Table 22.224.030-A, below, identifies permits and reviews and the Type Review used to process the application:

TABLE 22.224.030-A: PERMITS AND REVIEWS ASSIGNED A TYPE REVIEW

Permit or Review	***Chapter Number***	***Type Review***
Lot Line Adjustments	22.170	Type I Review
Revised Exhibit "A"s	22.184	Type I Review
Ministerial Site Plan Review	22.186	Type I Review
Animal Permits	22.152	Type II Review
Minor Conditional Use Permits	22.160	Type II Review
Yard Modifications	22.196	Type II Review
Cemetery Permits	22.154	Type III Review
Conditional Use Permits	22.158	Type III Review
Non-Conforming Uses, Buildings and Structures	22.172	Type III Review
Parking Permits	22.178	Type III Review
Surface Mining Permits	22.190	Type III Review
Variances	22.194	Type III Review
Development Agreements	22.162	Type IV Review
Plan Amendments	22.180	Type IV Review

Zone Changes	22.196	Type IV Review

22.224.040 Permits and Reviews Assigned Unique Administrative Procedures.

Table 22.224.040-A, below, identifies permits and reviews that are not assigned a Type Review for processing the application. These permits and reviews contain unique processing procedures and directly reference Chapter 22.222 (Administrative Procedures) for processing the application.

TABLE 22.224.040-A: PERMITS AND REVIEWS ASSIGNED UNIQUE ADMINISTRATIVE PROCEDURES	
Permit or Review	***Chapter Number***
Adult Business Permits	22.150
Coastal Development Permits	22.56/22.156
Explosive Permits	22.164
Housing Permits	22.166
Los Angeles County Mills Act Program	22.168
Oak Tree Permits	22.174
Parking Deviations, Minor	22.176
Requests for Reasonable Accommodations	22.182
Special Events Permits	22.188
Urban Agriculture Incentive Zone Program	22.192

Chapter 22.226 Type I Review – Ministerial.

Sections:

22.226.010 Purpose.

22.226.020 Review Authority.

22.226.030 Application and Review Procedures.

22.226.040 Decision.

22.226.050 Notice of Action.

22.226.060 Documentation.
22.226.070 Effective Date of Decision.
22.226.080 Expiration Date and Extension for Unused Permits and Reviews.

22.226.010 Purpose.

The Type I Review is a ministerial process for reviewing applications. This process requires the Director to verify that a proposed use, structure, or development of land complies with all applicable provisions of this Title 22.

22.226.020 Review Authority.

The Director is the Review Authority for an application that requires a Type I Review. The Director may approve or deny the application.

22.226.030 Application and Review Procedures.

A. Multiple applications shall be in compliance with Section 22.222.060 (Multiple Applications).

B. Application filing and withdrawal shall be in compliance with Subsections A, B, and D of Section 22.222.070 (Application Filing and Withdrawal).

C. Fees and deposits shall be in compliance with Section 22.222.080 (Fees and Deposits).

D. Initial application review shall be in compliance with Section 22.222.090 (Initial Application Review).

22.226.040 Decision.

A. The Director shall approve or deny the application.

B. The decision on the application shall be based on an assessment of whether the use, structure, development of land, or application of development standards is in compliance with all applicable provisions of this Title 22.

C. The Director's decision is final and is not subject to Chapter 22.240 (Appeals).

22.226.050 Notice of Action.

After taking action on an application, the Director shall notify the applicant by mail of the decision.

22.226.060 Documentation.

The decision may be in the form of a letter or in the form of a stamp, signature, or other official notation or documentation on the site plan.

22.226.070 Effective Date of Decision.

The decision is effective the date the letter is signed or site plan is stamped, signed, or officially noted.

22.226.080 Expiration Date and Extension for Unused Permits and Reviews.

A. An approved application shall be used within two years after the grant of such approval. If the approved application is not used within the time limit, the approval becomes null and void.

B. Notwithstanding Subsection A, above, where an application requesting an extension is timely filed prior to such expiration date, the Director may extend the time limit in Subsection A, above, for a period of not to exceed one year.

Chapter 22.228 Type II Review – Discretionary.

Sections

22.228.010 Purpose.
22.228.020 Review Authority.
22.228.030 Application and Review Procedures.
22.228.040 Public Hearing.
22.228.050 Findings and Decision.

22.228.060 Notice of Action.
22.228.070 Effective Date of Decision and Appeals.
22.228.080 Post-Decision Actions and Regulations.

22.228.010 Purpose.

The Type II Review is a discretionary process for reviewing applications. This process requires a public hearing and may require public notification of the application by publication and mail.

22.228.020 Review Authority.

The Hearing Officer is the Review Authority for an application that requires a Type II Review. The Hearing Officer may approve, conditionally approve, or deny the application or may refer the application to the Commission for decision.

22.228.030 Application and Review Procedures.

A. Multiple applications shall be in compliance with Section 22.222.060 (Multiple Applications).

B. Application filing and withdrawal shall be in compliance with Section 22.222.070 (Application Filing and Withdrawal).

C. Fees and deposits shall be in compliance with Section 22.222.080 (Fees and Deposits).

D. Initial application review shall be in compliance with Section 22.222.090 (Initial Application Review).

E. Project evaluation and staff report shall be in compliance with Section 22.222.110 (Project Evaluation and Staff Report).

22.228.040 Public Hearing.

A. The application shall require a public hearing. The public hearing shall be held in compliance with Section 22.222.120 (Public Hearing Procedure).

B. Notwithstanding Section 22.222.120.B.2.c (Notification Radius), notice shall be mailed to all owners of property located within a 300-foot radius of the exterior

boundaries of the subject property noted on the application, as shown on the County's last equalized assessment roll, unless a more specific radius is required by this Title 22.

C. Section 22.222.120.B.2.d (Sign Posting) shall not apply.

22.228.050 Findings and Decision.

The Hearing Officer shall make findings and decisions for the application in compliance with Section 22.222.200 (Findings and Decisions).

22.228.060 Notice of Action.

The Director shall issue and mail a notice of action in compliance with Section 22.222.220 (Notice of Action).

22.228.070 Effective Date of Decision and Appeals.

A. The effective date of decision and appeals shall be in compliance with Section 22.222.230 (Effective Date of Decision and Appeals).

B. Notwithstanding Chapter 22.240 (Appeals), if the decision of the Hearing Officer is appealed to the Commission, the Commission's decision on an appeal shall be final and effective on the date of decision and shall not be subject to further administrative appeal.

22.228.080 Post-Decision Actions and Regulations.

A. Documentation, scope of approval, and Exhibit "A" shall be in compliance with Section 22.222.240 (Documentation, Scope of Approval, and Exhibit "A).

B. Use of property before final action shall be in compliance with Section 22.222.250 (Use of Property Before Final Action).

C. Performance guarantee and covenant shall be in compliance with Section 22.222.260 (Performance Guarantee and Covenant).

D. Expiration date and extension for unused permits and reviews shall be in compliance with Section 22.222.270 (Expiration Date and Extension for Unused Permits and Reviews).

E. Cessation of use shall be in compliance with Section 22.222.280 (Cessation of Use).

Chapter 22.230 Type III Review – Discretionary.

Sections:

22.230.010 Purpose.

22.230.020 Review Authority.

22.230.030 Application and Review Procedures.

22.230.040 Public Hearing.

22.230.050 Findings and Decision.

22.230.060 Decision after Public Hearing.

22.230.070 Notice of Action.

22.230.080 Effective Date of Decision and Appeals.

22.230.090 Post-Decision Actions and Regulations.

22.230.010 Purpose.

The Type III Review is a discretionary process for reviewing applications. This process requires a public hearing and may require public notification of the application by publication, mail, and a sign posted on the property.

22.230.020 Review Authority.

Unless specified by this Title 22, the Commission or Hearing Officer is the Review Authority for an application that requires a Type III Review. The Commission or Hearing Officer may approve, conditionally approve, or deny the application.

22.230.030 Application and Review Procedures.

A. Multiple applications shall be in compliance with Section 22.222.060 (Multiple Applications).

B. Application filing and withdrawal shall be in compliance with Section 22.222.070 (Application Filing and Withdrawal).

C. Fees and deposits shall be in compliance with Section 22.222.080 (Fees and Deposits).

D. Initial application review shall be in compliance with Section 22.222.090 (Initial Application Review).

E. Project evaluation and staff report shall be in compliance with Section 22.222.110 (Project Evaluation and Staff Report).

22.230.040 Public Hearing.

The application shall require a public hearing. The public hearing shall be held in compliance with Section 22.222.120 (Public Hearing Procedure).

22.230.050 Findings and Decision.

The Review Authority shall make findings and decisions for the application in compliance with Section 22.222.200 (Findings and Decisions).

22.230.060 Decision After Public Hearing.

The Review Authority's decision after the public hearing shall be held in compliance with Section 22.222.210 (Decision After Public Hearing).

22.230.070 Notice of Action.

The Director shall issue and mail a notice of action in compliance with Section 22.222.220 (Notice of Action).

22.230.080 Effective Date of Decision and Appeals.

The effective date of decision and appeals shall be in compliance with Section 22.222.230 (Effective Date of Decision and Appeals).

22.230.090 Post-Decision Actions and Regulations.

A. Documentation, scope of approval, and Exhibit "A" shall be in compliance with Section 22.222.240 (Documentation, Scope of Approval, and Exhibit "A").

B. Use of property before final action shall be in compliance with Section 22.222.250 (Use of Property Before Final Action).

C. Performance guarantee and covenant shall be in compliance with Section 22.222.260 (Performance Guarantee and Covenant).

D. Expiration date and extension for unused permits and reviews shall be in compliance with Section 22.222.270 (Expiration Date and Extension for Unused Permits and Reviews).

E. Cessation of use shall be in compliance with Section 22.222.280 (Cessation of Use).

Chapter 22.232 Type IV Review – Discretionary/Legislative.

Sections:

22.232.010 Purpose.
22.232.020 Review Authority.
22.232.030 Application and Review Procedures.
22.232.040 Commission and Board Actions.
22.232.050 Filing of Bonds.

22.232.010 Purpose.

The Type IV Review is a discretionary process for reviewing legislative applications that require Board approval. This process requires a public hearing and may include public notification of the application by publication, mail, and a sign posted on the property.

22.232.020 Review Authority.

The Board is the Review Authority for an application that requires a Type IV Review. The Commission shall review the application at a public hearing and make a

recommendation to the Board. If the Commission recommends approval, the Board shall review the application at a public hearing. If the Commission recommends denial, the Board shall not be required to take further action, but may review the application at a public hearing if the application is appealed.

22.232.030 Application and Review Procedures.

A. Multiple applications shall be in compliance with Section 22.222.060 (Multiple Applications).

B. Application filing and withdrawal shall be in compliance with Section 22.222.070 (Application Filing and Withdrawal).

C. Fees and deposits shall be in compliance with Section 22.222.080 (Fees and Deposits).

D. Initial application review shall be in compliance with Section 22.222.090 (Initial Application Review).

E. Project evaluation and staff report shall be in compliance with Section 22.222.110 (Project Evaluation and Staff Report).

22.232.040 Commission and Board Actions.

A. Commission Action.

1. Public Hearing. The Commission shall hold a public hearing in compliance with Sections 22.222.120.B (Public Hearing) and 22.222.120.C (Continued Public Hearing).

2. Findings.

a. The Commission shall make findings in compliance with Section 22.222.200.A (Findings).

b. The Commission may recommend approval or denial based on the findings required by Subsection A.2.a, above, and this Subsection A.2.b.

i. The Commission may:

(1) Recommend approval only after making all of the required findings;

(2) Recommend approval contingent upon compliance with applicable provisions of other ordinances; or

(3) Recommend conditions of use deemed reasonable and necessary to ensure that the approval will be in compliance with any findings made by the Commission.

ii. The Commission shall recommend denial of the application if one or more of the required findings are not made.

3. Commission Recommendation.

a. Recommendation of Approval. A recommendation of approval by the Commission shall be by resolution carried by the affirmative vote of not less than three of its members. Such recommendation is final and conclusive and may not be reconsidered by the Commission except upon a referral by the Board.

b. Recommendation of Denial. A recommendation of denial by the Commission shall not require further action by the Board. The action of the Commission shall become final in accordance with Section 22.222.230 (Effective Date of Decision and Appeals) unless an appeal is timely filed to the Board, in compliance with Chapter 22.240 (Appeals).

4. Notice of Action. The Director shall issue and mail a notice of action in compliance with Section 22.222.220 (Notice of Action).

B. Board Action.

1. Public Hearing. After receipt of the Commission's recommendation for approval, the Board shall hold a public hearing and shall give notice of public hearing pursuant to Section 22.222.120.B.2 (Notice of Public Hearing).

2. Board Action on Commission Recommendations. The Board may approve, modify, or reject the recommendation of the Commission, provided:

a. For a Zone Change, Ordinance Amendment, or Plan Amendment, any modification of the recommendation of the Commission by the Board that was not previously considered by the Commission during its hearing, shall first be referred to the Commission for report and recommendation. The Commission shall not

be required to hold a public hearing for consideration of said report and recommendation; and

b. Failure of the Commission to report within 40 days after the reference, or such longer period as may be designated by the Board, shall be deemed to be approval of the proposed modification.

3. Notice of Action. The Board shall issue and mail a notice of action in compliance with Section 22.222.220 (Notice of Action).

22.232.050 Filing of Bonds.

Filing of bonds shall be in compliance with Section 22.246.030.A (Filing of Bonds).

Chapter 22.234 Interpretations.

Sections:

22.234.010 Purpose.
22.234.020 Authority.
22.234.030 Record of Interpretation.

22.234.010 Purpose.

This Chapter establishes the authority of the Director to interpret this Title 22.

22.234.020 Authority.

When the Director determines that the meaning or applicability of any provision of this Title 22 is subject to interpretation, the Director may issue a written interpretation.

22.234.030 Record of Interpretation.

Any written interpretation made by the Director shall be kept on file with the Department and be made available to the public.

Chapter 22.236 Minor Modification or Elimination of Conditional Use Permit Conditions.

Sections:

22.236.010 Purpose.

22.236.020 Applicability.

22.236.030 Prohibited Modifications.

22.236.040 Application and Review Procedures.

22.236.050 Findings and Decision.

22.236.060 Conditions of Approval.

22.236.010 Purpose.

This Chapter establishes procedures for the modification or elimination of conditions of a previously approved Conditional Use Permit without filing a new Conditional Use Permit (Chapter 22.158) application. This process can be used where such modification or elimination of conditions of the previously approved Conditional Use Permit will not result in a substantial alteration or material deviation from the terms and conditions of the previously approved Conditional Use Permit and is necessary to allow the reasonable operation and use previously granted.

22.236.020 Applicability.

Any person desiring to modify or eliminate one or more conditions of a previously approved Conditional Use Permit may file an application, except that no application shall be filed or accepted within one year of final action on the same or substantially the same application or within one year of final action on the Conditional Use Permit.

22.236.030 Prohibited Modifications.

A. Any request to modify or eliminate the following shall be denied:

1. A change of an alcohol license previously approved for a site.

2. An increase of shelf space devoted to alcohol.

3. The modification would require additional environmental review in compliance with CEQA.

4. Substantial alteration or material deviation from the terms and conditions of the previous approval.

5. Modification or elimination of any condition specified as mandatory in this Title 22 or any condition which relates to a development standard that may only be modified through a Variance (Chapter 22.194).

6. Modification of the time limit for use, grant term, or expiration date.

B. To request a modification or elimination of conditions listed in Subsection A, above, the applicant may file a new Conditional Use Permit (Chapter 22.158) application.

22.236.040 Application and Review Procedures.

A. Application Checklist. An application submittal shall contain all materials required by the Modification or Elimination of Permit Conditions Checklist.

B. Type II Review. The application shall be filed and processed in compliance with Chapter 22.228 (Type II Review – Discretionary) and this Chapter. Notwithstanding Section 22.228.040.B, notice shall be mailed to the same notification radius that was required for the public hearing for the previously approved Conditional Use Permit.

22.236.050 Findings and Decision.

A. Common Procedures. Findings and decision shall be in compliance with Section 22.222.200 (Findings and Decision), and include the findings in Subsection B, below.

B. Findings.

1. The findings and decision in Section 22.158.050 (Findings and Decision) for the Conditional Use Permit as modified has been satisfied.

2. The modified Conditional Use Permit will not materially deviate from the terms and conditions imposed in the previously approved Conditional Use Permit.

3. Approval of the application is necessary to allow the reasonable operation and use granted in the Conditional Use Permit.

22.236.060 Conditions of Approval.

A. In approving the application, the Review Authority may impose additional conditions, if deemed necessary to ensure that the modification or elimination of any condition will be in accordance with Section 22.236.050 (Findings and Decision).

B. Notwithstanding Subsection A, above, the Review Authority shall not modify or eliminate any condition specified as mandatory in this Title 22 or any condition which relates to a development standard that may only be modified through a Variance (Chapter 22.194) application.

Chapter 22.238 Modifications and Revocations.

Sections:

22.238.010 Purpose.

22.238.020 County Action.

22.238.030 Initiation.

22.238.040 Grounds for Modifications or Revocations.

22.238.050 Nonconforming Uses and Structures – Additional Additional Grounds.

22.238.060 Commercial or Industrial Uses.

22.238.070 Public Hearing and Action.

22.238.080 Requirement or Condition Imposed by Final Action.

22.238.010 Purpose.

This Chapter establishes procedures for the County to modify or revoke any discretionary permit or review which was granted by the Board, Commission, or Hearing Officer. These actions, which supplement Chapter 22.242 (Enforcement Procedures), are intended not only to serve a corrective purpose, but also as a deterrent to violating this Title 22.

22.238.020 County Action.

A. Modifications. The County's action to modify a permit or review approval shall have the effect of modifying individual conditions while allowing the remaining privileges granted by the original approval.

B. Revocations. The County's action to revoke a permit or review approval shall have the effect of terminating the approval and denying the privileges granted by such approval.

22.238.030 Initiation.

A. A modification or revocation of a discretionary permit or review may be initiated:

1. If the Board instructs the Commission to set the matter for a public hearing and recommendation;

2. Upon the initiative of the Commission; or

3. Upon the initiative of the Director.

B. If, in the course of a modification or revocation proceeding, the applicant requests a revision to the approved Conditional Use Permit, the applicant shall file a Conditional Use Permit (Chapter 22.158) application.

22.238.040 Grounds for Modifications or Revocations.

A. After a public hearing is held in accordance with this Chapter, the Hearing Officer may modify or revoke any discretionary permit or review which has been granted by the Board, Commission, or Hearing Officer pursuant to this Title 22, on any one or more of the following grounds:

1. That such approval was obtained by fraud;

2. That the use for which such approval was granted is not being exercised;

3. a. That the use for which such approval was granted has ceased or has been suspended for one year or more;

b. Subsection A.3.a, above, does not apply to a surface mining operation for which a valid permit is in full force and effect, or for which a valid, unexpired zone exception was granted prior to November 23, 1970, or which was lawfully established in former Zone Q, provided such operation complies with the requirements of Chapter 22.190 (Surface Mining Permits) for intermittent mining operations and if from the cessation of use the outer boundaries of the premises have been continuously posted with signs as described Section 22.190.050.I (Boundary Markers);

4. Except in case of a dedicated cemetery, that any person making use of or relying upon the permit, variance, or other approval is violating or has violated any conditions of such permit, variance, or other approval, or that the use for which the permit, variance, or other approval was granted is being, or recently has been, exercised contrary to the terms of conditions of such approval, or in violation of any statuette, ordinance law, or regulation; or

5. Except in the case of a dedicated cemetery, that the use for which the approval was granted is so exercised as to be detrimental to the public health or safety, or so as to be as nuisance.

B. In all cases where the Director determines that it is in the public interest or where the Board, either individually or collectively, requests it, a public hearing shall be scheduled before the Commission. In such case, all procedures relative to notification, public hearing, and appeal shall be the same as for a Conditional Use Permit (Chapter 22.158). Following the public hearing, the Commission shall approve or deny the proposed modifications and/or revocation, based on the findings required by this Section.

22.238.050 Nonconforming Uses and Structures – Additional Grounds.

In addition to Section 22.238.040 (Grounds for Modifications or Revocations), a nonconforming use or structure may be modified or revoked after the public hearing if the Commission or Hearing Officer finds:

A. That the condition of the improvements, if any, on the property are such that to require the property to be used only for these uses permitted in the zone where it is located would not impair the constitutional rights of any person; or

B. That the nature of the improvements are such that they can be altered so as to be used in conformity with the uses permitted in the zone in which such property is located without impairing the constitutional rights of any person.

22.238.060 Commercial or Industrial Uses.

A. This Section provides a just and equitable method to be cumulative with any other remedy available for the abatement of certain nuisance activities. These include existing land uses which have become public nuisances or are being operated or maintained in violation of any other provision of law.

B. Notwithstanding any other provision of this Title 22 to the contrary, the Commission may recommend to the Board the modification, discontinuance, or removal of a commercial or industrial use if the Commission finds that as operated or maintained, such use:

1. Jeopardizes or endangers the public health or safety of persons residing or working on the premises or in the surrounding area;

2. Constitutes a public nuisance;

3. Has resulted in repeated nuisance activities including but not limited to, disturbances of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, loud noises in late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests; or

4. Violates any provision of any federal, State or County regulation, ordinance, or statute.

22.238.070 Public Hearing and Action.

A. Public Hearing Procedure.

1. Public Hearing.

a. A public hearing shall be held in compliance with Section 22.222.120.B (Public Hearing).

b. The Commission or Hearing Officer may continue the public hearing in compliance with Section 22.222.120.C.1 if, for any reason, the testimony of any case set for public hearing cannot be completed on the appointed day.

2. Notice Requirements. In addition to Section 22.222.120.B.2 (Notice of Public Hearing), the Director shall also serve notice upon every person, if any, in real or apparent charge and control of the premises involved, the record owner, the holder of any mortgage, trust deed, or other lien or encumbrance of record, the holder of any lease of record, the record holder of any other estate or interest in or to the premises or any part thereof, written notice of the time and place of such hearing, either in the manner required by law for the service of summons, or by registered mail, postage prepaid:

a. To appear at a public hearing at a time and place fixed by the Commission; and

b. At the public hearing, to show cause why the permit should not be revoked or revised, or why the use, building, or structure should not be modified, discontinued, or removed, as applicable.

B. Decision After Public Hearing.

1. After the public hearing, the Commission or Hearing Officer shall recommend approval or denial of the modification or revocation of the subject use or structure.

2. As part of any recommendation for modification, the Commission or Hearing Officer shall recommend conditions as deemed appropriate.

3. Recommendation shall be supported by written findings, in compliance with Section 22.222.200.A (Findings), including a finding that the action does not impair the constitutional rights of any person. However, the Commission or Hearing Officer may recommend that a use be discontinued or a building or structure removed only upon finding that:

a. Prior governmental efforts to cause the owner or lessee to eliminate the problems associated with the premises have failed (examples include formal action by law enforcement, building and safety, or zoning officials); and

b. That the owner or lessee has failed to demonstrate, to the satisfaction of the Commission, the willingness and ability to eliminate the problems associated with the premises.

C. Notice of Action.

1. The Commission shall issue and serve a notice of action in compliance with Section 22.222.220 (Notice of Action).

D. Board Action.

1. After receipt of the Commission's or Hearing Officer's recommendation, the Board shall hold a public hearing and shall give notice of public hearing in compliance with Section 22.222.120.B.2 (Notice of Public Hearing), provided, however, that if the Commission or Hearing Officer has recommended against the approval of a modification, the Board shall not be required to take further action and the action of the Commission shall become final unless an interested party requests a hearing by the Board by filing a written request with the Executive Officer-Clerk of the Board within 15 days after the Commission or Hearing Officer files its recommendation with the Board.

2. The Board may approve, modify, or reject the recommendation of the Commission or Hearing Officer, and its action to modify or revoke shall be supported by the written findings prescribed in this Chapter.

3. The Board shall issue and mail a notice of action in compliance with Section 22.222.220 (Notice of Action).

22.238.080 Requirement or Condition Imposed by Final Action.

It shall be unlawful to violate or fail to comply with any requirement or condition imposed by final action of the Board pursuant to this Section. Such violation or failure to comply shall constitute a violation of this Title 22 and shall be subject to the same penalties as any other violation of this Title 22.

Chapter 22.240 Appeals.

Sections:

22.240.010 Authorization.
22.240.020 Filing of Appeals.
22.240.030 Initiation of Appeals.
22.240.040 Initiation of Calls for Review.
22.240.050 Fee for Appeals.
22.240.060 Procedures for Appeals and Calls for Review.
22.240.070 Additional Procedures for Appeals to the Board.

22.240.010 Authorization.

A. Appeals. To avoid results inconsistent with the purposes of this Title 22, decisions of the Director, unless otherwise specified, may be appealed to the Commission, decisions of the Hearing Officer may be appealed to the Commission, and decisions of the Commission may be appealed to the Board, unless otherwise specified in the permit or review.

B. Calls for Review. To avoid results inconsistent with the purposes of this Title 22, decisions of the Hearing Officer or Director may be called for review by the

Commission; and decisions of the Commission may be called for review by the Board, unless otherwise specified in the permit or review.

22.240.020 Filing of Appeals.

A. Eligibility. Any person dissatisfied with the action of the Commission, Hearing Officer, or Director may file an appeal in compliance with this Chapter, unless otherwise specified or limited by this Title 22.

B. Time Limit. Appeals and calls for review shall be initiated prior to the effective date of decision, in compliance with Section 22.222.230 (Effective Date of Decision and Appeals).

22.240.030 Initiation of Appeals.

A. Filing. An appeal shall be filed with the secretary or clerk of the designated Appeal Body on the prescribed form, along with any accompanying appeal fee, and shall state specifically whether the basis of the appeal is that:

1. The determination or interpretation is not in accord with the purposes of this Title 22;
2. It is claimed that there was an error or abuse of discretion;
3. The record includes inaccurate information; or
4. The decision is not supported by the record.

B. Appeal Vacates Decision. The filing of an appeal vacates the decision from which the appeal is taken. Such decision is only reinstated if the Appeal Body fails to act or affirms the decision in its action.

22.240.040 Initiation of Calls for Review.

A. A call for review may be initiated by the affirmative vote of the majority of the members present of the designated Appeal Body per Section 22.240.010.B (Calls for Review). A call for review by a designated Appeal Body shall be made prior to the effective date of the decision being reviewed. No fee shall be required.

B. When the Commission makes a recommendation to the Board on any legislative action, any concurrent decision by the Commission on any discretionary,

non-legislative land use application concerning, in whole or in part, the same lot shall be deemed to be timely called for review by the Board.

22.240.050 Fee for Appeals.

A. Processing Fee for Appeals to the Board.

1. Applicant Appeal of Decision.

a. If the appellant is an applicant, the appellant shall pay a processing fee as listed in Chapter 22.250 (Applications, Petitions, and Fees) for an Appeal to the Board of Supervisors by an Applicant, to cover the cost incurred by the Department for processing the appeal.

b. Only one appeal fee shall be charged for the appeal of any related concurrently acted upon entitlements under this Title 22, which concerns, in whole or in part, the same project. Notwithstanding the provisions of Section 21.56.010.A of Title 21 (Subdivisions) of the County Code, when an appeal of a decision made under this Title 22 is timely filed with an appeal of any tentative map, parcel map, or request for waiver concurrently acted upon under Title 21 (Subdivisions) which concerns, in whole or in part, the same project, only the appeal set forth in Section 21.56.020 (Appeals) shall be paid for all such appeals.

2. Applicant Appeal of Conditions. If the appellant is the applicant or any representative thereof, and files an appeal of no more than a total of two conditions of the approved discretionary permit, tentative map, or parcel map or request for waiver or other entitlement concurrently acted upon under Title 21 (Subdivisions) which concerns, in whole or in part, the same approved map, in any combination, the appellant shall pay a processing fee in an amount determined by the Executive Officer-Clerk of the Board to be ample to cover the cost of a hearing to be held by the Board. The appellant shall also pay a processing fee as listed in Chapter 22.250 (Applications, Petitions, and Fees) for an Appeal to the Board of Supervisors, Applicant for One or Two Project Conditions. This fee shall be applied to the Department to cover the costs of processing the appeal.

3. Non-Applicant Appeal. If the appellant is not the applicant or any representative thereof, of an approved discretionary permit, map, or waiver or associated entitlement, the appellant shall pay a processing fee in an amount determined by the Executive Officer-Clerk of the Board to be ample to cover the cost of a hearing to be held by the Board. The appellant shall also pay a processing fee as listed Chapter 22.250 (Applications, Petitions, and Fees) for an Appeal to the Board of Supervisors, Non-Applicant. This fee shall be applied to the Department to cover the costs of processing the appeal.

B. Processing Fee for Appeals to the Commission.

1. Applicant Appeal of Decision. If the appellant is an applicant, the appellant shall pay a processing fee as listed in Chapter 22.250 (Applications, Petitions, and Fees) for an Appeal to the Regional Planning Commission, Applicant. The fee shall be applied in its entirety to the Department.

2. Applicant Appeal of Conditions. If the appellant is an applicant or any representative thereof, and the appellant files an appeal of no more than a total of two conditions on the approved discretionary permit, tentative map, parcel map, or request for waiver or other entitlement concurrently acted upon under Title 21 (Subdivisions) which concerns, in whole or in part, the same approved map, in any combination, the appellant shall pay a processing fee as listed in Chapter 22.250 (Applications, Petitions, and Fees) for an Appeal to the Regional Planning Commission, Applicant for One or Two Project Conditions. This fee shall be applied in its entirety to the Department.

3. Non-Applicant Appeal. If the appellant is not the applicant or any representative thereof, of an approved discretionary permit, map, or waiver or associated entitlement, the appellant shall pay a processing fee as listed in Chapter 22.250 (Applications, Petitions, and Fees) for an Appeal to the Regional Planning Commission, Non-Applicant. This fee shall be applied in its entirety to the Department.

22.240.060 Procedures for Appeals and Calls for Review.

A. Hearing Dates. The Appeal Body may delegate the setting of hearing dates to its secretary or clerk.

B. Public Hearing.

1. An appeal or review hearing shall be a public hearing if the decision being appealed or reviewed required a public hearing.

2. A public hearing on an appeal from an action of the Hearing Officer is not subject to Chapter 22.222.190 (Hearing Examiner Public Hearing).

3. The Appeal Body shall consider the matter directly at its public hearing. Notice of public hearings shall be given in the manner required for the decision being appealed or reviewed.

C. Plans and Materials. At an appeal or review hearing, the Appeal Body shall consider only the same application, plans, and materials that were the subject of the original decision. Compliance with this provision shall be verified prior to or during the hearing by a representative of the person or body that made the original decision. If new plans and materials which differ substantially from the original are submitted, the applicant shall file a new application. Changes to the original submittal made to meet objections by the staff, the Appeal Body, or the opposition below need not be the subject of a new application. As part of the decision, the Appeal Body may impose additional conditions on a project in granting approval to a modified project.

D. Hearing. At the hearing, the Appeal Body shall review the record of the decision and hear testimony of the appellant, the applicant, the party or body whose decision is being appealed or reviewed, and any other interested party.

E. Decision and Notice.

1. After the hearing, the Appeal Body shall affirm, modify, or reverse the original decision or refer the matter back for further review.

2. As part of the decision, the Appeal Body may impose additional conditions on a project in granting approval to a modified project.

3. When a decision is modified or reversed, the Appeal Body shall state the specific reasons for modification or reversal.

4. Decisions on appeals or reviews shall be rendered within 30 days of the close of the hearing.

5. The secretary or clerk of the Appeal Body shall mail the notice of decision in compliance with Section 22.222.220 (Notice of Action), within 10 days after the date of the decision.

F. Effective Date of Decision. Where the decision of the Appeal Body is final and the application is not subject to further administrative appeal, the date of decision by the Appeal Body on such appeal shall be deemed the date of grant in determining said expiration date.

G. Failure to Act. If the Appeal Body fails to act upon an appeal within the time limits prescribed in Subsection E.4, above, the decision from which the appeal was taken shall be deemed affirmed.

22.240.070 Additional Procedures for Appeals to the Board.

In addition to the foregoing procedures, upon receiving an appeal or initiating a call for review, the Board may take one of the following additional actions:

A. Affirm the action of the Commission;

B. Refer the matter back to the Commission for further proceedings with or without instructions; or

C. Require a transcript of the testimony and any other evidence relevant to the decision and take such action as in its opinion is indicated by the evidence. In such case, the Board's decision need not be limited to the points appealed, and may cover all phases of the matter, including the addition or deletion of any conditions.

Chapter 22.242 Enforcement Procedures.

Sections:

22.242.010 Purpose.
22.242.020 General Prohibitions.
22.242.030 Violations.
22.242.040 Public Nuisance.
22.242.050 Infractions.
22.242.060 Injunction.
22.242.070 Zoning Enforcement Order and Noncompliance Fee.

22.242.010 Purpose.

This Chapter establishes procedures for enforcement of the provisions of this Title 22. These enforcement procedures are intended to assure due process of law in the abatement or correction of nuisances and violations of this Title 22.

22.242.020 General Prohibitions.

A. No structure shall be moved into an area, erected, reconstructed, added to, enlarged, advertised on, structurally altered, or maintained and no structure or land shall be used for any purpose, except as specifically provided and allowed by this Title 22.

B. No person shall use or permit to be used any structure or land, nor shall any person erect, structurally alter, or enlarge any structure, or advertise on any structure, except in accordance with the provisions of this Title 22.

C. No permit or entitlement may be issued or renewed for any use, construction, improvement, or other purpose, unless specifically provided for or permitted by this Title 22.

22.242.030 Violations.

A. Every person violating any condition or provision either of this Title 22, permit, or approval thereto, is guilty of a misdemeanor, unless such violation is otherwise declared to be an infraction in Section 22.242.050 (Infractions). Each

violation is a separate offense for each and every day during any portion of which the violation is committed.

B. Each violation determined to be an infraction by this Title 22 shall be punishable by a fine of $100 for the first violation. Subsequent violations of the same provision of this Title 22 shall be punishable by a fine of $200 for the second violation and $500 for the third violation in a 12-month period as provided by applicable law. The fourth and any further violations of the same provision of this Title 22 which are committed at any time within a 12-month period from the date of the commission of the first violation shall be deemed misdemeanors. The three infraction violations which are the basis for the fourth and any further violations being misdemeanors may be brought and tried together. The increased penalties set forth in this Section for subsequent violations shall be applicable whether said subsequent violations are brought and tried together with the underlying previous violations or separately therefrom.

22.242.040 Public Nuisance.

Any use of property contrary to the provisions of this Title 22 shall be, and the same is hereby declared to be unlawful and a public nuisance, and the authorized legal representative of the County may commence actions and proceedings for the abatement thereof, in the manner provided by law, and may take such other steps and may apply to any court having jurisdiction to grant such relief as will abate or remove such use and restrain and enjoin any person from using any property contrary to the provisions of this Title 22.

22.242.050 Infractions.

Violations of the provisions contained in the following list are deemed infractions:

A. Automobile, truck, or other motor vehicle repair conducted outside of an enclosed building.

B. Inoperative vehicle parking or storage.

C. Keeping or parking of vehicles in violation of Section 22.112.040.C (Residential and Agricultural Zones).

D. Outside display and/or sales, except when authorized by and in accordance with a Special Event Permit (Chapter 22.188).

E. Signs prohibited by Section 22.114.040 (Prohibited Signs Designated).

22.242.060 Injunction.

The provisions of this Title 22 may also be enforced by injunction issued by any court having jurisdiction over the owner or occupant of any real property affected by such violation or prospective violation.

22.242.070 Zoning Enforcement Order and Noncompliance Fee.

A. Final Zoning Enforcement Order.

1. In the course of enforcing any provision of this Title 22, the Director shall have the authority to issue a Final Zoning Enforcement Order concerning any property not in compliance with the provisions of this Title 22. Such order shall state, in not less than 14-point type in substantially the following form, that "Failure of the owner or person in charge of the premises to comply with this order within 15 days after the compliance date specified herein, or any written extension thereof, shall subject the violator to a noncompliance fee in the amount indicated on the Filing Fee Schedule, unless an appeal from this order is received within 15 days after the compliance date. Such appeal shall comply with Section 22.242.070.C of the Los Angeles County Code." The Director's issuance of a Final Zoning Enforcement Order shall be final unless an appeal from the order has been received.

2. Service of a Final Zoning Enforcement Order shall be upon:

a. The person in real or apparent charge and control of the premises involved;

b. The record owner;

c. The owner or holder of any lease of record; or

d. The record owner of any interest in or to the land or any building or structure located thereon.

3. Service shall be by personal delivery or by registered or certified mail, return receipt requested, at the Director's election.

4. In the event the Director, after reasonable effort, is unable to serve the order as specified above, proper service shall be by posting a copy of the order on the premises. The date of service is deemed to be the date of mailing, personal delivery, or posting, as applicable.

B. Noncompliance Fee.

1. If a Final Zoning Enforcement Order has not been complied with within 15 days following the compliance date specified in the order, or any written extension thereof, and no appeal of such order has been timely received as provided in this Section, the Director shall have the authority to impose and collect a noncompliance fee in the amount indicated on the Filing Fee Schedule. The fee shall be subject to annual review and adjustment as provided in Section 22.250.010.D (Annual Fee Review).

2. The purpose of the noncompliance fee is to recover costs of zoning enforcement inspections and other efforts by the Director to secure substantial compliance with a zoning enforcement order. Not more than one such fee shall be collected for failure to comply with a zoning enforcement order. The noncompliance fee shall be in addition to any other fees required by the County Code.

3. The determination of the Director to impose and collect a noncompliance fee shall be final, and it shall not be subject to further administrative appeal.

C. Appeal of Final Zoning Enforcement Order.

1. Any person upon whom a Final Zoning Enforcement Order has been served may appeal the order to the Hearing Officer within the time specified in Subsection A, above. Such appeal shall contain any written evidence that the appellant wishes to be considered in connection with the appeal. If applicable, the appeal shall state that said person has applied for the appropriate permit or other administrative approval pursuant to this Title 22.

2. The Hearing Officer shall consider such appeal within 45 days from the date that the appeal is received and shall notify the appellant of the decision within a

reasonable period of time thereafter in the manner described in this Section for service of a Final Zoning Enforcement Order. The Hearing Officer may sustain, rescind, or modify the Final Zoning Enforcement Order. The decision of the Hearing Officer shall be final and effective on the date of decision, and it shall not be subject to further administrative appeal.

D. Imposition and Collection of the Noncompliance Fee.

1. The Director shall notify the person against whom a noncompliance fee is imposed in the manner described in this Section for service of a Final Zoning Enforcement Order. The Director may waive the imposition and collection of a noncompliance fee where the Director determines such waiver to be in the public interest.

2. The person against whom the noncompliance fee is imposed shall remit the fee to the Director within 15 days after the date of service of said notice.

E. Penalty After Second Notice of Noncompliance Fee. If the person against whom a noncompliance fee has been imposed fails to pay such fee within 15 days of notification as provided above, the Director may send a second notice of noncompliance fee in the manner described in this Section for service of a Final Zoning Enforcement Order. If the fee has not been paid within 15 days after the date of service of the second notice of noncompliance fee, the County shall withhold the issuance of a building permit or other approval to such person until the noncompliance fee has been paid in full. An administrative penalty assessment equal to two times the noncompliance fee and a collection fee equal to 50 percent of the noncompliance fee shall also be imposed if the fee is not paid within 15 days after the date of service of the second notice. The administrative penalty assessment and collection fee, after notice, shall become part of the debt immediately due and owing to the County. The County thereafter shall have the right to institute legal action in any court of competent jurisdiction to collect the amount of the noncompliance fee, administrative penalty assessment and collection fee. In any suit brought by the County to enforce and collect

the noncompliance fee, administrative penalty assessment and collection fee, the County shall be entitled to collect all costs and fees incurred in such proceedings.

Chapter 22.244 Ordinance Amendments.

Sections:

22.244.010 Purpose.
22.244.020 Applicability.
22.244.030 Review Procedures.
22.244.040 Findings.

22.244.010 Purpose.

An Ordinance Amendment may be initiated to alter the boundaries of districts, to impose regulations not previously imposed, or to remove or modify any regulation already imposed by this Title 22. An Ordinance Amendment may be approved whenever the Board finds that the public convenience, general welfare, or good zoning practice justifies such action, in compliance with this Chapter, this Title 22, and Title 7 (Planning and Land Use) of the California Government Code.

22.244.020 Applicability.

A. Initiation. A public hearing before the Commission or Hearing Officer may be initiated for an Ordinance Amendment:

1. If the Board of Supervisors instructs the Department to set the matter for a public hearing;
2. Upon the initiative of the Commission; or
3. Upon the initiative of the Director.

B. Urgency Ordinance. In the case of this Title 22, the Board may also adopt an urgency measure as an interim ordinance in compliance with Section 65858 of the California Government Code.

22.244.030 Review Procedures.

Ordinance Amendments shall be processed in compliance with Chapter 22.232 (Type IV Review – Discretionary/Legislative) and this Chapter.

22.244.040 Findings.

A. Common Procedures. Findings and decision shall be made in compliance with Section 22.222.200 (Findings and Decision), and include the findings in Subsection B, below.

B. Findings.

1. The amendment is consistent with the surrounding area, if applicable.

2. The amendment is consistent with the principles of the General Plan.

3. Approval of the amendment will be in the interest of public health, safety, and general welfare and in conformity with good zoning practice.

4. The amendment is consistent with other applicable provisions of this Title 22.

Chapter 22.246 Additional Regulations.

Sections:

22.246.010 Legislative Provisions.

22.246.020 Applicability of Zone Changes and Ordinance Amendments.

22.246.030 Bonds and Insurance.
22.246.040 Procedural Ordinance for Financing of Public Facilities.
22.246.050 Major Projects Review Trust Funds.
22.246.060 Library Facilities Mitigation Fee.
22.246.070 Law Enforcement Facilities Fee.
22.246.080 Temporary Housing in Disaster Areas.

22.246.010 Legislative Provisions.

A. Continuation of Existing Law. The provisions of this Title 22, as long as they are substantially the same as the provisions of any ordinance, or portions of any ordinance repealed by provisions codified in this Section, shall be construed as restatements and continuations of these ordinances, and not as new enactments.

B. Proceedings Pending as of November 5, 1971 — Procedure Generally. No hearing or other proceeding initiated or commenced prior to November 5, 1971, and no right accrued, is affected either by amendments to Ordinance 1494 effective on November 5, 1971, or by the provisions of this Title 22, but all proceedings taken after this date shall conform to the provisions of this Title 22 as far as possible. Where the Commission, prior to November 5, 1971, has recommended the granting, denial, revocation, or modification of any permit, exception, license, or other approval to the Board, the Board may act upon such recommendation either before or after November 5, 1971. In all other cases, the Commission shall grant, deny, revoke, or modify as now provided in this Title 22, even if the action was initiated prior to November 5, 1971.

C. Proceedings Pending as of November 5, 1971 — Applications for Exceptions. If, prior to November 5, 1971, an application for an exception has been heard by the Board, Commission, or Hearing Officer but has not been decided on by November 5, 1971, the Board, Commission, or Hearing Officer may, where applicable, consider the case as either an application for a variance or for a Conditional Use Permit,

and shall decide or recommend pursuant to the provisions of this Title 22 as they now exist.

D. Zone Exception.

1. Deemed Variance When. Where a Zone Exception granted by action of the Board or Commission prior to November 5, 1971, may be granted as a variance under the present provisions of this Title 22, it shall be deemed a variance.

2. Considered Nonconforming Use When. In all cases other than as provided in Subsection D.1, above, where a Zone Exception was granted by action of the Board or Commission prior to November 5, 1971, such use shall be considered a nonconforming use under the provisions of this Title 22, provided:

a. That such uses shall remain in compliance with and subject to all limitations and conditions imposed by such grant; and

b. That all provisions governing nonconforming uses not in conflict with the limitations and conditions of such grant shall apply.

3. Considered Conditional Use. Notwithstanding the provisions of Subsection D.2, above, where a Zone Exception, granted by action of the Board or Commission prior to November 5, 1971, may be granted as a Conditional Use Permit (Chapter 22.158) under the present provisions of this Title 22, it shall be deemed a Conditional Use Permit.

E. Rights Under Existing Approval Not Affected. No rights given by any permit, license, or other approval under any ordinance repealed by the provisions of this Section are affected by such repeal, but such rights shall hereafter be exercised according to the provisions of this Title 22.

F. Convictions for Crimes. Any conviction for a crime under any ordinance which is repealed by this Section, which crime is continued as a public offense by this Title 22, constitutes a conviction under this Title 22 for any purpose for which it constituted a conviction under such repealed ordinance.

G. Repeal Does Not Revive Any Ordinance. The repeal of any ordinance amending this Title 22 shall not revive any amendment adopted prior to the repealed ordinance amendment.

22.246.020 Applicability of Zone Changes and Ordinance Amendments.

A. Unless otherwise specified in this Title 22, if a complete application, as determined by the Director, was submitted to the Department prior to the effective date of a Zone Change (Chapter 22.198) or an Ordinance Amendment (Chapter 22.244):

1. The applicant may choose whether the application will be subject to the zoning and regulations that were applicable to the project prior to the effective date of such Zone Change or Ordinance Amendment; and

2. If the applicant chooses to have the application be subject to the zoning and regulations that were applicable to the project prior to the effective date of such Zone Change or Ordinance Amendment:

a. The application may be modified prior to consideration by the Commission, Hearing Officer, or Director, and still be subject to the previously applicable zoning and regulations so long as the requested modification does not:

i. Change the project's housing type (e.g., from single-family residential to two-family or multi-family residential);

ii. Increase the project's residential density;

iii. Increase the project's floor area or lot coverage for non-residential space;

iv. Increase the amount of grading for the project; or

v. Increase the area of ground disturbance resulting from the project.

b. Such a modification may necessitate submittal by the applicant of revised, updated, or additional materials, including, but not limited to, site plans, elevations, and Oak Tree Reports.

c. If the requested modification does not meet all of the criteria set forth in this Subsection A.2, the modified project shall be considered a new application subject to the Zone Change or Ordinance Amendment.

B. Modifications to Approved Permits Requested After Effective Date of Zone Changes and Ordinance Amendments.

1. If an application for a modification to an approved but not used permit that is valid on the effective date of a Zone Change or Ordinance Amendment, is filed, and the proposed modification is a minor change and will result in a project that substantially conforms with the project previously approved by the permit, as determined by the Director, the modification, at the election of the applicant, may be subject to the zoning and regulations applicable to the permitted use prior to the effective date of Zone Change or Ordinance Amendment. In all other cases, an application for a modification to such a permit shall be considered a new application and shall be subject to the Zone Change or Ordinance Amendment.

2. If an approved permit has been used prior to the effective date of such Zone Change or Ordinance Amendment and the permit contains a grant term, the permit may continue until the end of the grant term, and, at the end of the grant term, the permit shall cease and the property shall be subject to the provisions of this Title 22 in effect at that time. If, during the grant term, a request for a modification to the previously approved and used permit is made and the modification will result in a project that substantially conforms with the project previously approved by the permit, as determined by the Director, the modification shall be subject to the zoning and regulations applicable to the use prior to the effective date of such Zone Change or Ordinance Amendment. In all other cases, a request for a modification to the previously approved permit shall be subject to the provisions of Title 22 in effect at the time of filing the application for the modification.

3. If an approved permit has been used prior to the effective date of such Zone Change or Ordinance Amendment and the permit does not have a grant term, the use may continue indefinitely without regard to the amended zoning and

amended regulations resulting from such Zone Change or Ordinance Amendment. Notwithstanding the preceding sentence, all applicable provisions in Chapter 22.172 (Nonconforming Uses, Buildings and Structures) regarding nonconforming uses shall apply to the previously approved permit. If a request for a modification to the previously approved permit is made, and the modification will result in a use that substantially conforms with the project previously approved by the permit, as determined by the Director, the modification shall be subject to the zoning and regulations in effect prior to the effective date of such Zone Change or Ordinance Amendment. In all other cases, a request for a modification to the previously approved permit shall be subject to the provisions of this Title 22 in effect at the time of filing the application for the modification.

22.246.030 Bonds and Insurance.

A. Filing of Bonds.

1. Assignment of Savings and Loan Certificates Permitted When. If any provision of Chapter 22.162 (Development Agreements), Chapter 22.198 (Zone Changes), or Section 22.06.060 (Zoned Districts Established) requires the filing of any bond as a prerequisite to any particular use of any property, the person making or proposing to make such use may, in lieu of such bond, deposit with the Executive Officer-Clerk of the Board and assign to the County savings and loan certificates or shares equal in amount to the required amount of the bond. Such deposit and assignment shall comply with all of the provisions of Chapter 4.36 in Title 2 (Administrative Code) of the County Code.

2. Agreement on Satisfaction of Final Judgment. If any provision of Chapter 22.162 (Development Agreements), Chapter 22.198 (Zone Changes), or Section 22.06.060 requires the filing of any bond as a prerequisite to any particular use of any property, and either requires that such bond include as obligee a person other than and in addition to the County, or that a policy of insurance be filed and no policy of insurance is filed, or that such bond include as obligee a person other than and in addition to the County with no alternative, a person who deposits and assigns savings and loan certificates or shares in lieu of such bond also shall file a written agreement

with the Board of Supervisors that the County may satisfy, either in whole or in part, from such certificates or shares, any final judgment the payment of which would have been guaranteed by such bond or policy of insurance.

B. Bonds or Assignment of Savings and Loan Certificates or Shares and Insurance

1. Bond or Assignment of Savings and Loan Certificates or Shares Required When. When one or more conditions are attached to any grant, modification, or appeal of a zone change, permit, variance, or nonconforming use or structure review, the Board, Commission, or Hearing Officer may require the owners of the property to which such approval applies, to file a surety bond or corporate surety bond, or to deposit money, savings and loan certificates, or shares with the Board in a prescribed amount for the purpose of guaranteeing the faithful performance of conditions placed on the approval.

2. Procedure for Assignment of Savings and Loan Certificates or Shares. Where savings and loan certificates or shares are deposited, they shall be assigned to the County subject to all provisions of Chapter 4.36 in Title 2 (Administrative Code) of the County Code.

3. Insurance Required When — Exceptions. The Board, Commission, or Hearing Officer may also require the owner of the property to which such approval applies to file a policy of insurance equal in amount to the amount of the required bond or deposit, insuring all persons against any injury or annoyance arising from the breach of such conditions unless:

a. If the bond is filed, it includes as obligees all such persons; or

b. If money, savings and loan certificates, or shares are deposited, such owners also file an agreement in writing with the Executive Officer-Clerk of the Board that the County may satisfy in whole or in part from such deposit any final judgment, the payment of which would have been guaranteed by such bond or policy of insurance.

22.246.040 Procedural Ordinance for Financing of Public Facilities.

A. Purpose.

1. This Section implements, in part, the County General Plan, which provides guidelines for future development in areas depicted within urban expansion or nonurban categories on the General Development Policy Map.

2. The General Plan recommends a development qualification procedure, in part, to ensure that proposed new projects in areas designated in the General Plan as urban expansion or nonurban will not create substantial net costs on County government, special districts, and existing taxpayers.

3. This Section is intended to establish procedures for the implementation of the General Plan by providing for the designation of lands which will receive special benefits from the acquisition, construction, and improvement of certain public facilities set forth in this Section, and the imposition of special assessments on land related to benefits received.

B. Areas of Benefit Authorized. In order that the burden of the cost of constructing public facilities may be borne by all of the lands benefited thereby, areas of benefit may be designated and facilities benefits assessments, as defined in Subsection C, below, chargeable to and against such lands may be imposed in accordance with procedures set forth in this Section.

C. Definitions. Specific terms used in this Chapter are defined in Division 2 (Definitions), under "Procedural Ordinance for Financing of Public Facilities."

D. Initiation of Proceedings. Upon the receipt of an application by a landowner or his designated agent, or on its own motion, the Board may initiate proceedings for the designation of an area of benefit by adopting a resolution stating its intention to do so. The Board shall refer the proposed public facilities project to the Director of Public Works and shall instruct the Director of Public Works, with the assistance of the Director and, where appropriate, interested landowners to make and file with the Board a written report. The report shall contain:

1. One or both of the following:

a. An implementation program for future development; or

b. A financing plan with respect to the proposed public facilities project.

2. A general description of the proposed public facilities project.

3. An estimate of the total cost of the public facilities project based on the projected time for commencement and completion thereof in accordance with the capital improvement program.

4. A capital improvement program establishing a schedule for the timing of construction of the public facilities project and the estimated cost for the project.

5. A map showing the area of benefit to be designated and the boundaries and dimensions of the subdivision of land within the area of benefit.

6. Preliminary information concerning the method pursuant to which the costs are proposed to be apportioned among the lots within the area of benefit in proportion to the estimated benefits to be received by those lots and a preliminary estimate of the amount of the facilities benefit assessments which will be charged to each such lots.

7. The amount of the contribution or advance, if any, which the County or other public entity will make toward the total cost of the public facilities project.

E. Resolution of Intention. Upon receipt of the report described in Subsection D, above, the Board may declare its intention to designate an area of benefit by adopting a resolution of intention which shall include the following:

1. A definitive description of the specific public facilities project, the cost of which is proposed to be charged to the properties located within the area of benefit.

2. A capital improvement program with respect to the public facilities project.

3. The proposed boundaries of the area of benefit.

4. Information concerning the method by which the costs are proposed to be apportioned among the lots within the area of benefit and an estimate of the amount of the facilities benefit assessments which will be charged to each such lot.

5. The basis and methodology by which automatic annual increases in the facilities benefit assessment will be computed, assessed, and levied, without the necessity for further proceeding pursuant to Subsection M, below, if, in the discretion of the Board such automatic annual increases are determined to be necessary.

6. The amount of the contribution or advance, if any, which the County or other public entity will make toward the total cost.

7. The time and place at which the Board will hold a public hearing to consider designation of the area benefit.

F. Notice of Hearing. Notice of the public hearing shall be provided by publication of the resolution of intention in a newspaper of general circulation at least 14 days before the date set for the public hearing and by mailing copies of the resolution of intention to the owners of the affected properties located within the proposed area of benefit at the addresses shown on the latest equalized assessment roll, or as otherwise known to the Assessor, or by any other means which the Board finds reasonably calculated to appraise affected landowners of the public hearing.

G. Protests. At any time not later than the close of the public hearing, any owner of property within the proposed area of benefit may file a written protest against the public facilities project proposed to be undertaken, or against the extent of the area to be benefited by it, or against the facilities benefit assessments proposed to be levied within the area of benefit or against any or all of the foregoing. The protest shall be in writing, signed by the protester, and shall contain a description of the property in which the signer is interested. The description shall be sufficient to clearly identify the property. If the signer is not shown on the last equalized assessment roll as the owner of that property, the protest shall contain or be accompanied by written evidence that the signer is the owner of the property. All such protests shall be delivered to the Board and no other protests or objections shall be considered. Any protests may be

withdrawn by the owners requesting the same, in writing, at any time prior to the conclusion of the public hearing.

H. Hearing. At the time and place established in the resolution of intention, the Board shall hear and consider protests filed against the proposed public facilities project, the extent of the area of benefit, the amount of the facilities benefit assessments proposed to be levied within the area of benefit, or any or all of the foregoing. The public hearing may be continued from time to time. If within the time when protests may be filed, there is filed with the Board a written protest by the owners of more than one-half of the area of the property proposed to be included within the area of benefit, and if sufficient protests are not withdrawn so as to reduce the area represented to less than one-half, then the proposed proceedings shall be abandoned unless the protests are overruled by an affirmative vote of four-fifths of the members of the Board. The Board shall not overrule a majority protest unless it finds that the public health, safety, or general welfare require that provision be made for the installation of the proposed public facilities project. In the event a majority protest is not withdrawn or overruled, the Board shall not, for one year from the filing of that written protest, commence, or carry on any proceedings for the same public facilities project under the provisions of this Section. If any majority protest which is not withdrawn or overruled is directed against only a portion of the public facilities project, then all further proceedings under the provisions of this Section to construct that portion of the public facilities project so protested against shall be barred for a period of one year; but the Board shall not be barred from commencing new proceedings, not including any part of the public facilities project so protested against. Nothing in this Section shall prohibit the Board within a one-year period, from commencing and carrying on new proceedings for the construction of a portion of the public facilities project so protested against if it finds, by the affirmative vote of four-fifths of its members, that the owners of more than one-half of the area of the property to be benefited are in favor of going forward with such portion of the public facilities project.

I. Resolution of Designation. At the conclusion of the public hearing, and provided there is no majority protest or a majority protest is overruled, the Board may adopt a resolution ordering designation of the area of benefit and the establishment of the amount of the facilities benefit assessment against each lot within the area of benefit. The resolution shall include the following:

1. A definitive description of the public facilities project, the cost of which is to be charged to the properties located within the area of benefit.

2. A capital improvement program with respect to the public facilities project.

3. The boundaries of the area of benefit.

4. The method by which the costs are to be apportioned among the lots within the area of benefit and the amount of the facilities benefit assessments which will be charged to each such lot.

5. The basis and methodology by which automatic annual increases in the facilities benefit assessment will be computed, assessed, and levied, without the necessity for further proceeding pursuant to Subsection M, below, if, in discretion of the Board, such automatic annual increases are determined to be necessary.

6. The amount of the contribution or advance, if any, which the County or other public entity will make toward the total cost.

J. Filing of Map and Recording of Notice of Assessment as Lien.

1. After the adoption by the Board of a resolution of designation, the Director of Public Works shall prepare a map of the boundaries of the area of benefit based on said resolution and shall file same with the Board. The Director of Public Works shall also file a copy of the map referred to in this Subsection J with the Registrar-Recorder/County Clerk.

2. After recording the assessment and map, the Director of Public Works shall execute and record a notice of assessment with the Registrar-Recorder/County Clerk.

3. From the date of the recording of the notice of assessment in accordance with the provisions of Subsection J.2, above, all persons shall be deemed to have notice of the contents of such assessment. Immediately upon such recording with the Registrar-Recorder/County Clerk each of the assessments shall be a lien upon the property against which it is made.

4. In its discretion, and for good cause shown, the Board may, upon terms and conditions prescribed by the Board in its resolution or thereafter, allow the lien of the facilities benefit assessment to become subordinate to the lien of deeds of trust executed by landowners to secure loans to finance the construction of improvements on the property within the area of benefit.

5. The Director of Public Works shall file a copy of the map and notice of assessment referred to in this Subsection with the Assessor.

K. Payment of Benefit Assessments. After the adoption by the Board of its resolution, no building permits shall be issued for development on any land included within the area of benefit unless and until the facilities benefit assessments established by the resolution of designation for such lands have been paid. The facilities benefit assessment shall be paid by the landowner upon the issuance of building permits for development or at such time as the capital improvement program for the area of benefit in which the assessed land is located calls for the commencement of construction of the public facilities project. In the event that a landowner desires to proceed with development of a portion of the landowner's property, based on a phased development program, which is subject to a lien for the total amount of facilities benefit assessments as provided in this Section, the landowner may obtain building permits for the development phase after paying a portion of the facilities benefit assessments and making provision for payment of the remainder of the facilities benefit assessments to the satisfaction of the Director of Public Works. Money received by the County as payment of the facilities benefit assessments shall be deposited in a special fund established for the area of benefit and shall therefore be expended solely for the purposes for which it was assessed and levied. Upon payment of the facilities benefit

assessment as provided in this Section, the lien which attaches pursuant to Subsection J, above, shall be discharged. In the event the partial payment is made based on a phased construction program, the County shall release the portion of the property for which building permits have been issued from the lien of the facilities benefit assessment.

L. Recordation of Notice of Pendency of Sale or Foreclosure. Where there is a delinquency in payment of the facilities benefit assessments as required by Subsection K, above, the County may initiate foreclosure proceedings in accordance with the procedures set forth in this Section and in any and all applicable State and local laws. If a sale or foreclosure is commenced, notice of the pendency of such sale or foreclosure shall be recorded with the Registrar-Recorder/County Clerk not later than 10 days after commencing an action or proceeding in any court to foreclose the lien of such assessment. The notice of pendency shall state that the County has commenced a sale or foreclosure, as applicable, and shall refer to and identify such sale or foreclosure and shall describe the property affected thereby. The County shall be entitled to recover the cost of recordation of any such notice of pendency in any sale or foreclosure resulting from such delinquency, and provisions shall be made in any notice, order or judgment authorizing or providing for such sale or foreclosure.

M. Annual Adjustment of Facilities Benefit Assessment. The Board may, annually after the adoption of the resolution of designation and subject to the requirements set forth in Subsections D through J, above, cause an adjustment to be made in the facilities benefit assessments established by the resolution. The adjustments may reflect increases or decreases in the actual cost of the public facilities project or if the public facilities project has not yet been constructed then the estimated cost of the proposed capital improvements as reflected in changes in the scope of the public facilities project or any other indices as the Board may deem appropriate for this purpose. The modifications may also reflect changes in the improvements proposed to be constructed as well as the availability, or lack thereof of other funds with which to construct the capital improvements.

N. Consideration in Lieu of Assessment.

1. The provisions of Subsection J, above, to the contrary notwithstanding, upon application by the landowner or his authorized agent, the Board may accept consideration in lieu of the facilities benefit assessments required pursuant to this Section, provided the Board, upon recommendation of the Director of Public Works, finds that the substitute consideration proposed:

a. Has a value equal to or greater than such facilities benefit assessments;

b. Is in a form acceptable to the Board; and

c. Is within the scope of the public facilities project.

2. The Board may accept consideration in lieu of the facilities benefit assessments required pursuant to this Section where the Board finds that the substitute consideration proposed is less than the value of such facilities benefit assessment after payment of an amount equal to the difference between the value of the substitute consideration as determined by the Board and the amount of such facilities benefit assessments.

O. Termination of Area of Benefit. Upon the receipt of an application by a landowner or his designated agent, or on its own motion, the Board may initiate proceedings for the termination of an area of benefit by adopting a resolution stating its intention. The resolution of intention shall state the time and place at which the Board will hold a public hearing to consider such termination. If, at the conclusion of such hearing, the Board finds and determines that the public facilities project for which the area was originally formed will not be required in the reasonably foreseeable future, or that the installation of said public facilities project may be financed more effectively by another method, the Board may adopt a resolution declaring the area of benefit terminated.

P. Reimbursement and Refund.

1. In the event of an annual adjustment of assessment as provided by Subsection M, above, which reduces the facilities benefit assessment, amounts in the

special fund which are no longer required shall be refundable to the current owners of the property as shown on the last equalized assessment roll in proportion to the amount of the original payments.

2. In the event the Board agrees to accept consideration in lieu of facilities benefit assessments as provided by Subsection N, above, the value of which the Board finds is greater than the amount of the otherwise applicable facilities benefit assessments, the Board may enter into an agreement with a developer pursuant to which said developer may be reimbursed for the amount of the otherwise applicable facilities benefit assessments. The agreement shall set forth the amount to be reimbursed, and the time and manner in which payments shall be made only from revenues paid into the special fund created for the area of benefit.

3. Upon termination of an area of benefit as provided by Subsection O, above, any money remaining in the special fund established in connection therewith shall be refunded to the current owners of the property as shown on the last equalized assessment roll in proportion to the amount of the original payments.

Q. Alternative Method. This Section is intended to establish an alternative method for spreading the costs of certain public improvements against the lands which will be benefited thereby; and the provisions of this Section shall not be construed to limit the power of the Board to utilize any other method for accomplishing this purpose but shall be in addition to any other requirements which the Board is authorized to impose as a condition to approving new development pursuant to State and local laws.

22.246.050 Major Projects Review Trust Funds.

A. Definitions. Specific terms used in this Chapter are defined in Division 2 (Definitions), under "Major Project Review Trust Funds."

B. Creation of the Funds.

1. There are hereby authorized within the treasury of the County special trust funds to be known as the "Major Projects Review Trust Funds."

2. Each fund shall be used to provide additional human and physical resources to the County solely to process discretionary land use actions and to prepare

and review associated environmental documents for major projects proposed in the County.

C. Administration of the Funds.

1. Each fund shall be administered by the Department to provide for necessary staffing, expense, and equipment for the aforesaid purposes only, and in accordance with established County practices.

2. Each fund shall be interest bearing, and a separate fund shall be established for each major project.

3. All amounts received from a project applicant under a supplemental service agreement, as defined in Subsection D, below, shall be placed in the fund established for that major project. Notwithstanding any other ordinances to the contrary, when a project applicant enters into a supplemental service agreement with the County, any fees paid by that applicant related to processing the discretionary land use actions shall be placed within the fund and not in the general fund. Funds from any appropriation to the fund approved by the Board shall be placed in the fund.

4. The Department shall be responsible for maintaining the accounting records relating to each fund.

5. The Board declares its intention to authorize positions necessary to carry out the work programs provided for in each supplemental service agreement for the fiscal year, which positions and related expenses will be funded from the fund. The Chief Executive Officer may authorize interim staffing during the fiscal year when needed to provide for necessary adjustments in personnel during any quarterly period.

6. The County services authorized by this Section shall be paid for at rates sufficient to provide for the full recovery of the costs to the County of providing the services, and the rates shall be reviewed and approved by the Auditor-Controller.

D. Supplemental Fee Agreement.

1. Any supplemental service agreement entered into pursuant to this Section shall be negotiated by the Department and executed by the Chief Executive Officer.

2. The agreement shall include, but need not be limited to, substantially the following provisions:

a. The County and the applicant, hereinafter referred to as the "parties," shall agree upon the processing services which will be required to process the discretionary land use actions, including environmental reviews, and the personnel, estimated time, and physical resources which the County will need to accomplish those processing services.

b. The parties shall agree on the number and type of employees that the County shall assign to perform the processing services with the understanding that one or more employees may be utilized to perform any designated tasks and that the County may replace any employee that is assigned to perform a processing service at any time.

c. The costs which are to be funded shall consist of the actual costs to the County which include, but are not limited to: wages, other benefits, and overhead, which are incurred in connection with the employees assigned to perform the processing services for the major project, the direct costs of material and equipment required to furnish the processing services, the reasonable out-of-pocket expenses incurred by any employee assigned to furnish the processing services, and the costs of hiring outside consultants necessary to provide the County with special expertise.

d. The applicant shall deposit funds into a fund for that major project on a quarterly basis in an amount estimated to pay for the costs of providing the processing services for the following quarterly period.

e. The parties shall meet quarterly during the term of the agreement to review the amount of funds remaining in the fund and to review, reevaluate and negotiate in good faith the number and type of employees necessary to accomplish the processing services for the next quarterly period and the estimated costs for the services.

f. The Department shall promptly advise the applicant if, at any time during the quarterly period, the Department believes that the costs of

accomplishing the processing services for the quarterly period will exceed the previous estimate.

g. The parties shall agree to a procedure for deposit of additional funds if the existing funds are not adequate to pay for the agreed upon services for the quarterly period.

h. The involved County departments shall maintain appropriate records of their actual costs of the processing services.

i. Entering into the agreement is voluntary.

j. The agreement shall not control, limit, or influence any County approval, disapproval, or condition of any discretionary land use action or associated environmental document. The County has the sole discretion to direct the work of any County employee or consultant retained to evaluate, or to assist with the preparation of, any discretionary land use action or associated environmental document. The cooperation of any such employee or consultant shall be exclusively determined by the County and shall not be dependent upon the approval by the County of any discretionary land use action. The agreement is not contingent upon the hiring of any specific employee or the retention of any specific consultant.

22.246.060 Library Facilities Mitigation Fee.

A. Purpose. The purpose of this Section is to:

1. Implement goals and policies of the General Plan, which:

a. Promote an equitable distribution of the costs and benefits of governmental actions;

b. Promote a distribution of population consistent with service system capacity and resource availability;

c. Seek to maintain a balance between increased intensity of development and the capacity of needed public facilities; and

d. Give priority to upgrading existing public facilities in areas lacking adequate facilities;

2. Mitigate any significant adverse impacts of increased residential development upon public library facilities as required by the CEQA; and

3. Implement the Mitigation Fee Act (Section 66000 et seq. of the California Government Code).

B. Definitions. Specific terms used in this Chapter are defined in Section 22.14.120 of Division 2 (Definitions), under "Library Facilities Mitigation Fee."

C. Applicability.

1. The provisions of this Section shall apply only to residential development projects which, as of the effective date of the ordinance codified in this Section*, are yet to receive final discretionary approval and the issuance of a building permit or other development right and to any new residential use of existing buildings which has not yet commenced as of said effective date.

2. No tract map, parcel map, Conditional Use Permit, other land use permit, or other entitlement shall be approved unless payment of the library facilities mitigation fee is made a condition of approval for any such entitlement.

*Editor's note: Ordinance 98-0068, which enacts Section 22.246.060 (Ch. 22.72 at that time), is effective December 26, 1998.

D. Exemptions from Fee. The following shall be exempt from the provisions of this Section:

1. Individual single-family residences where not more than one such residence is proposed to be built by the same person or entity on contiguous lots; or

2. Additions or modifications to existing residential units, provided that such additions or modifications do not increase the number of families that can be housed in such residential units.

E. Establishment of Library Facilities Mitigation Fee.*

1. There is hereby established a library facilities mitigation fee. The amount of the fee to be imposed on a residential development project is based upon the findings and conclusions of the County Librarian, as set forth in the "Report on Proposed Developer Fee Program for Library Facilities – Prepared by the County of

Los Angeles Public Library, October 1998," and shall not exceed the estimated reasonable cost of providing library facilities for such residential development project.

2. The library facilities mitigation fee shall be a uniform fee within each library planning area based on the estimated cost of providing the projected library facility needs in each library planning area, as identified in Table 22.246.060-A, below:

TABLE 22.246.060-A: LIBRARY FACILITIES MITIGATION FEE PER DWELLING UNIT	
Planning Area 1: Santa Clarita Valley	$909.00
Planning Area 2: Antelope Valley	$881.00
Planning Area 3: West San Gabriel Valley	$919.00
Planning Area 4: East San Gabriel Valley	$907.00
Planning Area 5: Southeast	$910.00
Planning Area 6: Southwest	$916.00
Planning Area 7: Santa Monica Mountains	$912.00

*Editor's note: Fee changes in this Section include changes made by the County Librarian due to increases in the Consumer Price Index and are effective July 1, 2012.

F. Annual Review of Fee.

1. The amount of the fee established by Subsection E, above, shall be reviewed annually by the County Librarian, in consultation with the Auditor-Controller. On July 1st of each year, the fee in each library planning area shall be adjusted as follows: calculate the percentage movement between April 1st of the previous year and March 31st of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles, Anaheim, and Riverside areas, as published by the United States Government Bureau of Labor Statistics, adjust the fee in each library planning area by said percentage amount and round to the nearest dollar. No adjustment shall increase or decrease the fee to an amount more or less than the amount necessary to recover the cost of providing the applicable library facilities.

2. If it is determined that the reasonable amount necessary to recover the cost of providing the library facilities exceeds the fee as adjusted by Subsection F.1, above, the County Librarian shall present an alternative fee proposal to the Board for consideration. Such proposal may reflect increases or decreases in the actual cost of library facilities projects or, if such projects have not been completed, then the

estimated cost of the proposed library facilities. The proposal may also reflect changes in the library facilities proposed as well as the availability or lack of other funds with which to provide such facilities.

3. The County Librarian shall also present an alternative fee proposal to the Board for approval as may be necessary to ensure that the library facilities mitigation fee is a fair and equitable method of distributing the costs of the library facilities necessary to accommodate the library needs generated by the development of land in the unincorporated areas of the County among the developments which will generate the increased library needs and usage.

G. Time of Payment of Fee.

1. No building or similar permit for residential use shall be issued and no new residential use of an existing building shall occur until the applicant has paid the applicable library facilities mitigation fee to the County Librarian. In the event that an applicant desires to proceed with development of a portion of the residential development project, the applicant may obtain building permits for that portion of the project after paying a proportional share of the total library facilities mitigation fee for the project to the satisfaction of the County Librarian.

2. The provisions of Subsection G.1, above, shall apply to payment of the library facilities mitigation fee for a residential development project if the fee will reimburse the County for expenditures already made, or if the County has previously adopted a capital improvement plan or proposed construction schedule and has established an account and appropriated funds for the library facilities to be financed by the fee. In all other cases, notwithstanding the provisions of Subsection G.1, above, payment of the fee for a residential development project shall not be required prior to the date of the final inspection or the date the certificate of occupancy is issued for the first dwelling in the development, whichever occurs first. In such cases, execution of an agreement to pay the required fee or applicable portion thereof within the time specified herein shall be a condition of issuance of the applicable building or similar permit. Such

agreement shall constitute a lien for the payment of the fee and shall be enforceable as provided in Section 66007 of the California Government Code.

H. Deposit and Use of Fees Collected. All library facilities mitigation fees received by the County shall be deposited in a special library capital facilities fund and expended solely for the purposes for which the fee was collected. A separate library capital facilities fund account shall be established for each of the seven library planning areas. All interest income earned shall be credited to each account and shall be used solely for the purposes for which the fee was collected.

I. Consideration in Lieu of Fee.

1. The County Librarian may accept substitute consideration in lieu of the library facilities mitigation fee required pursuant to this Section, provided the County Librarian finds that the proposed substitute consideration:

a. Has a value equal to or greater than the applicable library facilities mitigation fee otherwise due;

b. Is in a form acceptable to the County Librarian; and

c. Is within the scope of the applicable library facilities project.

2. The County Librarian may accept substitute consideration in lieu of a portion of the library facilities mitigation fee required pursuant to this Section where the County Librarian finds that the substitute consideration proposed is less than the value of the required fee but is in a form acceptable to the County Librarian and is within the scope of the applicable library facilities project. Such substitute consideration may be accepted by the County Librarian only after payment of an amount equal to the difference between the value of the substitute consideration, as solely determined by the County Librarian, and the amount of the otherwise required fee.

J. Reimbursement. The provisions of Subsection I, above, shall not prevent the execution of a reimbursement agreement between the County and a developer for that portion of the cost of library facilities paid by the developer which exceeds the need for the library facilities attributable to and reasonably related to the development.

K. Alternative Method. This Section is intended to establish an alternative method for the financing of public library facilities, the need for which is generated directly or indirectly by a residential development project or projects. The provisions of this Section shall not be construed to limit the power of the County to utilize any other method for accomplishing this purpose but shall be in addition to any other fees or requirements which the Board is authorized to impose as a condition to approving new development pursuant to State and local laws.

22.246.070 Law Enforcement Facilities Fee.

A. Purpose. The purpose of this Section is to:

1. Implement goals and policies of the General Plan with respect to the unincorporated urban expansion areas of Santa Clarita, Newhall, and Gorman, which:

a. Promote an equitable distribution of the costs and benefits of governmental actions;

b. Promote a distribution of population consistent with service system capacity and resource availability;

c. Seek to maintain a balance between increased intensity of development and the capacity of needed public facilities; and

d. Give priority to upgrading existing public facilities in areas lacking adequate facilities;

2. Mitigate adverse impacts due to the inadequacy of law enforcement facilities that might otherwise occur due to new development; and

3. Comply with the procedures for adoption of developer fees contained in the Mitigation Fee Act in Section 66000 et seq. of the California Government Code.

B. Definitions. Specific terms used in this Chapter are defined in Section 22.14.120 of Division 2 (Definitions), under "Law Enforcement Facilities Fee."

C. Applicability.

1. The provisions of this Section shall apply to new development projects which, as of August 23, 2008, the effective date of the ordinance establishing this Section, are yet to receive final discretionary approval and/or the issuance of a building permit or other development right. The fees provided in this Section shall also be imposed upon a previously improved lot when a building permit is issued to add 1,000 square feet, or more, to an existing building unit upon such lot.

2. No tract map, parcel map, discretionary permit, building permit, other land use permit, or other entitlement for a new development project as defined in this Section shall be approved unless payment of the law enforcement facilities mitigation fee is made a condition of approval for any such entitlement.

3. Additionally, the fees provided for in this Section shall be imposed upon a lot which has been previously improved with a building unit whenever a building permit is issued for a new building unit on an adjoining lot under common ownership and which new unit constitutes, in effect, an addition of 1,000 square feet, or more, when constructed, or an expansion of use of the previously improved lot. Such fee shall be calculated upon the total square footage of new construction and paid by every person or entity for which a building permit is issued.

D. Exemptions from Fee. The following shall be exempt from the provisions of this Section:

1. Notwithstanding the provisions of Subsection C.1, above, additions to residential structures that are less than 2,000 square feet in size shall not be subject to the fees otherwise required by this Section.

2. No fee imposed by this Section shall be imposed upon the issuance of building permit for the restoration of existing buildings, or buildings damaged by fire, or natural disasters such as earthquake, wind, or flood, where the replaced building, or portion thereof, does not exceed the original gross floor area. For purposes of this Subsection, "gross floor area" shall be determined by the Director of Public Works, or his designee and excludes accessory structures such as decks, patios, barns, sheds, and kiosks.

E. Establishment of Law Enforcement Facilities Mitigation Fee.

1. This Section establishes a law enforcement facilities mitigation fee. The amount of the fee to be imposed on a new residential, commercial, office, and/or industrial development project is based upon the findings and conclusions set forth in the "Santa Clarita–North Los Angeles County Law Enforcement Facilities Fee Study, October 29, 2007," and shall not exceed the estimated reasonable cost of providing law enforcement facilities for such residential, commercial, office, and/or industrial development projects.

2. The law enforcement facilities mitigation fee shall be a uniform fee within each law enforcement facilities fee zone based on the estimated cost of providing the projected law enforcement facility needs in each such zone, as identified in Table 22.246.070-C, below:

TABLE 22.246.070-C: LAW ENFORCEMENT FACILITIES MITIGATION FEE	
Zone 1: Santa Clarita Zone	
Per single-family dwelling unit	$467.00
Per multi-family dwelling unit	$337.00
Per 1,000-square-foot commercial unit or, per square-foot of commercial space	$69.00 $0.07
Per 1,000-square-foot office unit or, per square-foot of office space	$87.00 $0.09
Per 1,000-square-foot industrial unit or, per square-foot of industrial space	$35.00 $0.03
Zone 2: Newhall Zone	
Per single-family dwelling unit	$863.00
Per multi-family dwelling unit	$652.00
Per 1,000-square-foot commercial unit or, per square-foot of commercial space	$129.00 $0.13
Per 1,000-square-foot office unit or, per square-foot of office space	$161.00 $0.16
Per 1,000-square-foot industrial unit or, per square-foot of industrial space	$64.00 $0.06
Zone 3: Gorman Zone	
Per single-family dwelling unit	$1,285.00
Per multi-family dwelling unit	$971.00
Per 1,000-square-foot commercial unit or, per square-foot of commercial space	$192.00 $0.19
Per 1,000-square-foot office unit or, per square-foot of office space	$240.00 $0.24
Per 1,000-square-foot industrial unit or, per square-foot of industrial space	$96.00 $0.10

F. Annual Review of Fee.

1. The amount of the fees established by Subsection E, above, shall be reviewed annually by the Sheriff, in consultation with the Auditor-Controller. On July 1st of each year, the fee in each law enforcement facilities fee zone shall be adjusted as follows: Calculate the percentage movement between April 1st of the previous year and March 31st of the current year in the Engineering Record–News Building Construction Cost Index–Los Angeles (ENR-BCCI), adjust the fee in each law enforcement facilities fee zone by said percentage amount and round to the nearest dollar. No adjustment shall result in a fee that is greater than the amount necessary to recover the cost of providing the applicable law enforcement facilities.

2. If it is determined that the reasonable amount necessary to recover the cost of providing the law enforcement facilities exceeds the fee as adjusted by Subsection F.1, above, the Sheriff shall present an alternative fee proposal to the Board for consideration. Such alternative fee proposal may reflect changes in the actual cost of completed law enforcement facilities projects or, if such projects have not been completed, then the estimated cost of the proposed law enforcement facilities. The proposal may also reflect changes in the law enforcement facilities proposed as well as the availability or lack of other funds with which to provide such facilities.

3. The Sheriff may also present an alternative fee proposal to the Board for approval as may be necessary to ensure that the law enforcement facilities mitigation fee is a fair and equitable method of distributing the costs of the law enforcement facilities necessary to accommodate the law enforcement needs generated by the development of land in the unincorporated areas of north Los Angeles County.

G. Time of Payment of Fee.

1. No building or similar permit for any new development project as defined in this Section shall be issued until the applicant has paid the applicable law enforcement facilities mitigation fee to the Sheriff. In the event that an applicant desires to proceed only with development of a portion of the development project, the applicant may obtain building permits for that portion of the project after paying a proportional

share of the total law enforcement facilities mitigation fee for the project to the satisfaction of the Sheriff.

2. Notwithstanding the provisions of Subsection G.1, above, payment of the law enforcement facilities mitigation fee for a single-family or multi-family development project shall not be required prior to the date of the final inspection or the date the certificate of occupancy is issued for the first unit in the development, whichever occurs first, unless the County has previously adopted a capital improvement plan or proposed construction schedule and has established an account and appropriated funds for the law enforcement facilities to be financed by the fee, or unless the fee is intended to reimburse the County for expenditures already made. Additionally, notwithstanding the provisions of Subsection G.1, above, payment of the law enforcement facilities mitigation fee for projects for occupancy by lower income households meeting the criteria set forth in Section 66007(b)(2)(A) of the California Government Code shall not be required prior to the date of the final inspection or the date the certificate of occupancy is issued for the first unit in the development, whichever occurs first. Where payment of the fees may only be collected on the date of final inspection or the date the certificate of occupancy is issued as provided in this Subsection, execution of an agreement to pay the required fee or applicable portion thereof within the time specified herein shall be a condition of issuance of the applicable building or similar permit. Such agreement shall constitute a lien for the payment of the fee and shall be enforceable as provided in Section 66007 of the California Government Code.

H. Deposit and Use of Fees Collected. All law enforcement facilities mitigation fees received by the County shall be deposited in a special law enforcement capital facilities fund and expended solely for the purposes for which the fee was collected. A separate law enforcement capital facilities fund account shall be established for each of the three law enforcement facilities fee zones. All funds from the imposition of fees provided herein shall be deposited into such accounts to be used exclusively for the purpose of land acquisition, engineering, construction, installation,

purchasing, or any other direct cost of providing law enforcement facilities as defined in Subsection B, above, and for no other purpose. All interest income earned shall be credited to each account, and shall be used solely for the purposes for which the fee was collected.

I. Consideration in Lieu of Fee.

1. The Sheriff may accept substitute consideration in lieu of the law enforcement facilities mitigation fee required pursuant to this Section, provided the Sheriff finds that the proposed substitute consideration:

a. Has a value equal to or greater than the applicable law enforcement facilities mitigation fee otherwise due;

b. Is in a form acceptable to the Sheriff; and

c. Is within the scope of the applicable law enforcement facilities project.

2. The Sheriff may accept substitute consideration in lieu of a portion of the law enforcement facilities mitigation fee required pursuant to this Section where he finds that the substitute consideration proposed is less than the value of the required fee but is in a form acceptable to the Sheriff and is within the scope of the applicable law enforcement facilities project. Such substitute consideration may be accepted by the Sheriff only after payment of an amount equal to the difference between the value of the substitute consideration, as solely determined by the Sheriff, and the amount of the otherwise required fee.

J. Reimbursement. The provisions of Subsection I, above, shall not prevent the execution of a reimbursement agreement between the County and a developer for that portion of the cost of law enforcement facilities paid by the developer which exceeds the need for the law enforcement facilities attributable to and reasonably related to the development.

K. Alternative Method. This Section is intended to establish an alternative method for the financing of public law enforcement facilities, the need for which is generated directly, or indirectly by new development projects. The provisions of this

Section shall not be construed to limit the power of the County to utilize any other method for accomplishing this purpose, but shall be in addition to any other fees, or requirements which the Board is authorized to impose as a condition to approving new development pursuant to State and local laws.

22.246.080 Temporary Housing in Disaster Areas.

Notwithstanding any other provision of this Title 22, where an existing residence is damaged or destroyed by a major disaster, such as fire, flood or earthquake, so declared by the Governor of the state of California during the previous six months, a mobilehome may be used as a residence on the same lot or parcel of land by the owner and his family for a period not to exceed one year. This Section authorizes only the temporary replacement of a damaged or destroyed residence and not an increase in the number of living quarters permitted on the property.

Chapter 22.248 Review of County Real Estate Activities.

Sections:

22.248.010 Purpose.
22.248.020 Applicability.
22.248.030 Review Process.
22.248.040 Determination.

22.248.010 Purpose.

The purpose of this Chapter 22.248 is to ensure review of whether certain County real estate activities conform with the General Plan, consistent with Section 65402(a) of the California Government Code.

22.248.020 Applicability.

A. This Chapter 22.248 shall apply to the following County real estate activities:

1. Acquisition of real property for street, square, park, or other public purposes by dedication or other means;

2. Disposition of real property; and

3. Vacation or abandonment of a street.

B. Notwithstanding Subsection A, above, this Chapter 22.248 shall not apply to the following County real estate activities:

1. Disposition of the remainder of a larger parcel which was acquired and used in part for street purposes, if such disposition is of a minor nature, as determined by the Director;

2. Acquisitions, dispositions, or abandonments for the purposes of street widening, if such acquisitions, dispositions, or abandonments are of a minor nature, as determined by the Director; and

3. Alignment projects, if such projects are of a minor nature, as determined by the Director.

The County shall be exempt from this requirement unless such an application is required by a specific plan adopted by the Board.

22.248.030 Review Process.

A. If a County real estate activity is subject to this Chapter 22.248, the lead County department shall identify the location, purpose, and extent of the real estate activity and submit this information to the Director for review.

B. The Director shall review the information required by Subsection A, above, and determine whether the County real estate activity conforms to the General Plan, the development standards of this Title 22, and good planning practices. The Director shall provide this determination to the lead County department within 40 days of submittal unless the review is referred to the Commission pursuant to Section C, below.

C. The Director may refer the review of any County real estate activity to the Commission. The Commission shall determine whether the County real estate activity conforms to the General Plan, the development standards of this Title 22, and good planning practices and shall provide this determination to the lead County department within 40 days of the submittal of the request to the Director.

22.248.040 Determination.

The Director or Commission shall provide a report to the requesting entity as to whether the County real estate activity conforms to the General Plan.

Chapter 22.250 Applications, Petitions, and Fees.

Sections:

22.250.010 Filing Fees and Deposits.

22.250.020 Fee Waivers and Exemptions.

22.250.010 Filing Fees and Deposits.

A. For the purpose of defraying the expense involved in connection with any application or petition required or authorized by this Title 22, the following fees, as provided in Table 22.250.010-A, below, shall accompany the application or petition. Table 22.250.010-A may be referred to as the Filing Fee Schedule.

TABLE 22.250.010-A: FILING FEE SCHEDULE		
ABC Referral		$230
Adult Business Permit		$9,473
Animal Permit	Permit	$1,621
	Referral	$230

TABLE 22.250.010-A: FILING FEE SCHEDULE		
Appeal	Appeal to Board of Supervisors, Applicant	$7,844
	Appeal to Board of Supervisors, Applicant for one or two permit conditions	$915
	Appeal to Board of Supervisors, Non-applicant	$915
	Appeal to Landmarks Commission, Applicant	$798
	Appeal to Landmarks Commission, Non-applicant	$798
	Appeal to Regional Planning Commission, Applicant	$6,434
	Appeal to Regional Planning Commission, Applicant for a Large Family Child Care Home	$393
	Appeal to Regional Planning Commission, Applicant on one or two permit conditions	$798
	Appeal to Regional Planning Commission, Non-applicant	$798
Aviation Case, Minor	Case	$1,621
	Appeal to Airport Land Use Commission	$9,317
Business License Referral		$396
Cemetery Permit		$9,473
Certificate of Appropriateness	Administrative Certificate	$450
	Certificate	$961
Certificate of Economic Hardship		$961
Clean Hands Waiver	Waiver	$671
	Fire Department referral	See Section 328 in Title 32 (Fire)
Coastal Development Permit (Marina del Rey and Santa Catalina Island Coastal Zones)	Permit	$1,692
	Permit, with public hearing	$10,982
	Concurrent filing, with public hearing	$8,548
	Amendment to Permit	$1,179
	Amendment to Permit, with public hearing	$9,473
Conditional Use Permit	Permit (except as otherwise specified)	$9,473
	Concurrent filing (except SEA CUPs)	$8,951
	Child Care Facilities	$3,277
	Child Care Facilities, for a nonprofit organization with annual operating budget of under $500,000.00	$1,639
	Fire Department referral	See Section 328 in Title 32 (Fire)
	Land Reclamation Projects, new or expanded	$9,473
	Land Reclamation Projects, concurrent filing	$8,951
	Land Reclamation Projects, for each additional 20 million cubic yard capacity in excess of the first 20 million cubic yards	$9,473
	Landfill Waste Management	$5,000 minimum initial deposit
	Modification or Elimination of Conditions	$7,631
	Modification or Elimination of Conditions, for a nonprofit organization with annual operating budget of under $500,000.00	$1,017
	Parks and Recreation referral, review	$541
	Parks and Recreation referral, each revision	$307
	Public Health referral, noise review	$1,053
	Public Health referral, project includes either a private sewage system or private water system	$643

TABLE 22.250.010-A: FILING FEE SCHEDULE		
	Public Health referral, public water and public sewers available to the project	$191
	Significant Ecological Areas	$20,717
	Significant Ecological Areas, construction projects up to 3,500 square feet of total new building areas and no land division	$10,018
	Subdivision Directional Signs, for each sign, provided however that where two or more message faces on the same sign structure relate to the same subdivision development, only one fee shall apply	$9,473
	Time extension, for one filing or with concurrent filings for the same property	$1,252
Development Agreement		$3,000 minimum initial deposit
DMV Verification Referral		$396
Environmental Review Board	Single-family residence	$3,860
	Concurrent case other than a single-family residence, in addition to any other concurrent filing fees	$8,735
	Development other than single-family residence	$5,546
Explosive Storage Permit		$9,473
Highway Realignment, Review and Recordation		$5,662
Historic District Nomination		$9,215
Housing Permit, Administrative	Permit	$1,114
	Permit, with Off-Menu Incentives	$1,609
Housing Permit, Discretionary		$3,856
Interim Management Plan for Surface Mines		$1,621
Landmark Nomination	With owner's consent	$1,211
	Without owner's consent	$4,034
Mills Act Program	Application Fee	$1,079
	Contract Execution	$596
Minor Conditional Use Permit	Permit	$1,621
	Residential Infill	$1,326
Minor Parking Deviation		$1,441
Mobilehome Park Impact Report	For each impact report filed pursuant to Section 8.57.300 in Title 8 (Consumer Protection, Business and Wage Regulations) of the County Code	$6,737
Modification of Development Standards in Community Standards District		$1,621
Nonconforming Use and Structure Review		$9,473
Oak Tree Permit	Without public hearing	$1,179
	With public hearing	$9,473
One-Stop Counseling	Fee will be applied to projects filed within one year of the one-stop counseling	$361
Parking Permit		$9,473
Plan Amendment Request		$3,000 minimum initial deposit
Rebuild Letter – Small Additions		$108

TABLE 22.250.010-A: FILING FEE SCHEDULE		
Rehearing fee	Fee may be charged when a case is rescheduled for public hearing after being taken off the agenda as a result of the applicant's request or non-compliance with applicable requirements. However, if said rehearing is scheduled concurrently with the rehearing of any other application or petition required by this Title 22, for the same or substantially the same property, only one rehearing fee shall apply	$1,088
Revised Exhibit "A"	Residential, maximum 10 lots per application	$1,580
	Commercial or industrial	$1,580
	Fire Department referral	See Section 328 in Title 32 (Fire)
Shared Water Well		$1,585
Site Plan Review, Ministerial	Fire Department referral	See Section 328 in Title 32 (Fire)
	Parks and Recreation referral	$238
	Time extension	$286
	Amendment	$546
	Coastal Areas, Approval in Concept	$1,326
	Coastal Areas, Approval in Concept Amendment	$546
	Child care facility	$422
	Child care facility, for a nonprofit organization with annual operating budget under $500,000.00	$220
	Existing commercial or industrial site, less than 5,000 square feet of gross floor area or 3 or fewer units	$850
	Existing commercial or industrial site, at least 5,000 square feet of gross floor area or more than 3 units	$1,095
	Large family child care home	$220
	New commercial or industrial site, less than 5,000 square feet of gross floor area	$850
	New commercial or industrial site, at least 5,000 square feet of gross floor area	$1,498
	On-site business sign plan	$923
	On-site business sign plan, for a nonprofit organization with annual operating budget under $500,000.00	$597
	Residential	$850
	Residential, hillside areas	$1,095
	Special Districts, including CSD, ESHA, SERA, etc.	$1,037
Special Events Permit	Without public hearing	$220
	With public hearing	$2,874
Specific Plan		$3,000 minimum initial deposit
Specific Plan Substantial Conformance Review		$3,319
Surface Mining Permit and/or Reclamation Plan		$5,000 minimum initial deposit
Variance	Application	$9,473
	Time extension	$1,252
Yard Modification		$1,441

TABLE 22.250.010-A: FILING FEE SCHEDULE		
Zone Change	Application	$14,110
	Fire Department referral	See Section 328 in Title 32 (Fire)
Zoning Conformance Review, Ministerial		$518
Zoning Verification Letter		$160

B. Additional Fees.

1. Fire Department. In addition to the required filing fees in Subsection A, above, the applicant shall pay to the Fire Department the fees and deposits for oak tree inspections and report reviews as required in Section 328 in Title 32 (Fire Code) of the County Code.

2. Conditional Use Permits for Land Reclamation Projects. In addition to the required filing fee in Subsection A, above, where the land reclamation project involves a new or expanded Class III landfill, the applicant shall pay an additional deposit fee equal to the amount of the initial fee for each additional 20,000,000 cubic yards of capacity, or fraction thereof, in excess of the first 20,000,000 cubic yards of capacity.

3. Housing Permit Evaluation Fee.

a. The applicant shall pay directly to the CDC a minimum initial deposit of $750 from which actual costs shall be billed and deducted.

i. If during the evaluation process, actual costs incurred reach 80 percent of the amount on deposit, the applicant shall be notified by the CDC and be required to submit a minimum supplemental deposit in the amount of $500 directly to the CDC. There is no limit to the number of supplemental deposits that may be required to be submitted to the CDC prior to the completion or withdrawal of the housing permit.

ii. If an initial or supplemental deposit is not received by the CDC within 30 days of notification that such deposit is due and payable, all work shall be discontinued until such deposit is received.

iii. At the sole discretion of the applicant, the amount of an initial or supplemental deposit may exceed the minimum amount defined herein, except that at no time shall such initial or supplemental deposit be less than the minimum requirement.

iv. The final housing permit evaluation fee shall be based on actual costs incurred by the CDC.

v. Costs shall be computed on a monthly basis and deducted from the amount on deposit. The housing permit evaluation fee shall be considered final upon completion of the review process, including any appeal process. If final costs do not exceed the amount on deposit, the unused portion of the amount on deposit shall be refunded to the applicant.

vi. Costs shall be computed using actual hours expended by the CDC staff multiplied by the most current applicable hourly rates, approved by the Auditor-Controller, that are available at the time that costs are assessed.

vii. Cost data used to determine the housing permit evaluation fee shall be maintained by the CDC and made available for public review while work is in progress, and for three years following final action or withdrawal of the application.

4. In addition to any fees or deposits required by this Title 22, the applicant shall be responsible for any fees or deposits that would be required by any other statute or ordinance.

C. Deposit Requirements for Selected Planning and Zoning Permits.

1. The applicant shall pay the minimum initial deposit as set forth in Subsection A, above, from which actual costs shall be billed and deducted, for the purpose of defraying the expense involved in the review of the following planning and zoning permits:

— Development agreements;

— Plan amendment requests; and

— Specific plans.

2. Supplemental Deposit Requirements. The applicant shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted, when actual costs exceed the amount of the initial deposit:

a. If during the planning and zoning permit review process, actual costs incurred reach 80 percent of the amount on deposit, the applicant shall be notified and required to submit a minimum supplemental deposit up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion or withdrawal of the planning and zoning permit review.

b. If the initial or supplemental deposit is not received by the Department, within 30 days of notification that such deposit is due and payable, all work shall be discontinued until such deposit is received.

c. At the sole discretion of the applicant, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein, except that at no time shall such initial or supplemental deposit be less than the minimum requirement.

3. Final Fee Determination. The final fee for the zoning permits listed in this Subsection C shall be based on actual costs incurred by the Department to review and process all required zoning permit documentation.

a. Planning costs shall be computed on a monthly basis and deducted from the amount on deposit. The planning and zoning permit fee shall be finalized upon completion of the review process. If final planning costs do not exceed the amount on deposit, the unused portion shall be refunded to the applicant.

b. Should the application be withdrawn, costs to date shall be computed and the unused portion of the amount on deposit shall be refunded to the applicant.

c. Costs shall be computed using actual hours expended by planning staff multiplied by the most current applicable hourly rates, approved by the Auditor-Controller, that are available at the time that costs are assessed.

d. Cost data used to determine planning and zoning permit fees shall be maintained, by the planning business office, and made available for public review while work is in progress and for three years following final action or withdrawal of the application.

D. Annual Fee Review. The fees in this Section shall be reviewed annually by the Auditor-Controller. Beginning on January 1, 1992, and thereafter on each succeeding January 1, the amount of each fee in this Section shall be adjusted as follows: Calculate the percentage movement in the Consumer Price Index for Los Angeles during the preceding January through December period, adjust each fee by said percentage amount and round off to the nearest dollar. However, no adjustment shall decrease any fee and no fee shall exceed the reasonable cost of providing services.

Editor's note – Fee changes in this Chapter include changes made by the Director due to increases in the Consumer Price Index and are effective March 1, 2018.

22.250.020 Fee Waivers and Exemptions.

A. Waiver Authorized by the Board. When the Board, by adopted resolution, determines that it is in the public interest to accept applications or petitions without a filing fee, the Director shall accept such applications or petitions subject to the requirements specified in said resolution.

B. Fee Exemption for Affordable Housing.

1. Nonprofit Organization.

a. Any nonprofit organization, as defined in Division 2 (Definitions), shall be exempt from the payment of planning and zoning fees or deposits for dwelling units it constructs which are for lower income and/or very-low income households; and

b. To be eligible for this exemption, the nonprofit organization shall present a certificate issued by the CDC that such dwelling units qualify as housing for lower income or very-low income households and that the nonprofit organization is receiving a subsidy from Community Development Block Grant Funds or other public

funding sources. This exemption shall not be granted when the subject dwelling units for lower and/or very-low income households are being constructed as a condition of approval by any other agency.

2. For-Profit Developer. A for-profit developer that requests a density bonus, as described in Chapter 22.120 (Density Bonuses and Affordable Housing Incentives), shall be exempt from the payment of planning and zoning fees or deposits for dwelling units, if it constructs 100 percent of the project's dwelling units for lower income and/or very-low income households, and requests the exemption as an on-menu incentive, as described in Section 22.120.050.B (Menu of Incentives). The exemption shall not include CDC evaluation and monitoring fees or deposits required by Section 22.166.040 (Housing Permit Evaluation Fee).

3. As used in this Subsection C.2, "planning and zoning fee or deposit" shall include planning and zoning permit fees and deposits required by this Chapter.
