

Zoning Plan Amendment Z17-003 Showing Proposed Changes

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ORDINANCE NO. SCC 2018- AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA AMENDING THE SHASTA COUNTY CODE TITLE 17 ZONING PLAN

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION 1

Article II Definitions, of Chapter 17.02 General Provisions, is amended as follows:

Amend section 17.02.055 "Agriculture" to read in its entirety as follows:

17.02.055 Agriculture. "Agriculture" means the cultivation of land and raising of plants and animals and shall include:

- A. The preparation and tilling of the soil conducive to horticulture, silviculture and viticulture activities including, but not limited to, the growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food, feed and fiber crops. Agriculture shall include row; field; tree and nursery crops; timber; cultivation of open fields or greenhouse crops of ornamental and nursery plant materials for wholesale or retail sales; but does not include retail nurseries.
- B. The raising and breeding of livestock, farming, dairying, beekeeping and other animal husbandry activities customarily incidental to these uses.
- C. Mushroom farming and aquaculture.
- D. Incidental cleaning, grading, packing, polishing, sizing and similar preparation of crops which are grown on the premises, but not including agricultural processing.
- E. Temporary or seasonal sales and promotion, incidental storage of crops which are grown, or animals which are raised on the property.
- F. Agriculture service uses such as and similar to fertilizing, spraying and harvesting which are designed to aid and directly support the primary agricultural uses on the property.
- G. Agriculture shall not include agricultural processing.

Add section 17.02.056 "Agricultural worker housing" to read in its entirety as follows:

17.02.056. Agricultural worker housing. (See "Employee housing").

Amend section 17.02.085 "Bed and breakfast guest facility" to read in its entirety as follows:

17.02.085 - Bed and breakfast guest facility. "Bed and breakfast facility" means an owner-occupied one-family residence that provides up to four guest rooms, without individual kitchen facilities, for short term sleeping accommodations for overnight guests. Such use may include meal service limited to the overnight guests (see section 17.88.225).

Add section 17.02.090 "Boarding house" to read in its entirety as follows:

17.02.090 Boarding house. "Boarding house" means a building where long term lodging and/or meals for four or more persons living independently from each other are provided for compensation. Boarding house does not include a "residential care facility."

Amend section 17.02.105 "Building, agricultural" to read in its entirety as follows:

17.02.105 - Building, agricultural accessory. "Agricultural accessory building" means a detached structure accessory to a full-time or part-time agricultural operation, designed and constructed to house farm implements or supplies, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, packaged or sold; nor shall it be a place frequented by the public. "Agricultural accessory building" does not include any structure which is used primarily for the storage of nonagricultural items.

Amend section 17.02.125 "Building, residential accessory" to read in its entirety as follows:

17.02.125 Building, residential accessory. "Residential accessory building" means a detached building subordinate to and located on the same building site as a residence, the use of which is incidental to that of the residential use including, but not limited to: private garages, carports, covered awnings, and private storage buildings. Residential accessory building includes the terms "residential accessory structure" and "accessory structure," but does not include a family care residence, guest house, or any other building permitted and approved for human occupancy, or to agricultural accessory buildings as defined in section 17.02.105 and as allowed in section 17.88.060.

Add section 17.02.153 "Convalescent hospital" to read in its entirety as follows:

17.02.153 Convalescent hospital. "Convalescent hospital" means any place, structure, or institution providing skilled nursing and allied professional health care, or for chronic or convalescent care for persons exclusive of relatives, in which nursing, dietary or other personal services are rendered to convalescents, disabled, or aged persons, who, by reason of advanced age, chronic illness, or physical infirmity are unable to properly care for themselves, but not including persons suffering from contagious or mental diseases, alcoholism, or drug addiction, and in which surgery is not performed and primary treatment, customarily given in medical hospitals or sanitariums, is not provided. Convalescent hospital includes "nursing home" but does not include "rest home," "hospital," or "residential care facility."

Delete sections 17.02.165 "Day care center," 17.02.170 "Day care home large," 17.02.175 "Day care home small," 17.02.290 "Large day care home," 17.02.560 "Small day care home" and replace with 17.02.165 "Day care facility" to read in its entirety as follows:

17.02.165 Day care facility. "Day care facility" means a facility that provides non-medical care and supervision of adults or minor children for periods of less than 24 hours. Day care facilities include the following, all of which are required to be licensed by the California State Department of Social Services:

- A. Day care center. "Day care center" means Commercial or non-profit day care facilities other than a large family day care home or small family day care home, designed and approved to accommodate 15 or more children or adults. Includes infant centers, preschools, sick-child centers, and school-age child, and adult day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.
- B. Large family day care home. "Large family day care home" has the meaning set forth in Health and Safety Code Section 1596.78 as it may be amended from time to time. At the time of adoption of this ordinance, Health and Safety Code Section 1596.78 provides that a "Large family day care home" is a home that regularly provides care, protection and supervision in the provider's own home, for periods of less than 24 hours per day, for seven to 14 children, inclusive, including children under the age of 10 years who reside in the home, while the parents or guardians are away. A "Large family day care home" may be a day care facility for adults rather than children.
- C. Small family day care home. A "Small family day care home" has the meaning set forth in Health and Safety Code Section 1596.78, as it may be amended from time to time. At the time of adoption of this ordinance, Health and Safety Code Section 1596.78 provides that a "Small family day care home" is a home that regularly provides care, protection and supervision in the provider's own home, for periods of less than 24 hours per day, for eight or fewer children, inclusive, including children under the age of 10 years who reside in the home, while the parents or guardians are away. A "Small family day care home" may be a day care facility for adults rather than children.

Amend section 17.02.178 "Density" to read in its entirety as follows:

17.02.178 Density. "Density" means the total number of dwelling units permitted per acre of land and shall include gross density and net density as further defined below.

- A. Gross density means the number of dwelling units permitted per acre of land, based on gross acreage. (See section 17.02.045)
- B. Net density means the number of dwelling units permitted per acre of land, based on net acreage. (See section 17.02.050)

Add section 17.02.179 "Density bonus" to read in its entirety as follows:

17.02.179 - Density bonus. "Density bonus" means a density increase over the otherwise maximum permitted gross residential density under the land use element of the general plan in accordance with Government Code Sections 65915 – 65918 as they may be amended from time to time.

Add sections 17.02.181 "Department" and 17.02.183 "Director" to read in their entirety as follows:

17.02.181 – Department. "Department" means the Shasta County Resource Management Department, unless otherwise indicated.

17.02.183 – Director. "Director" means the Director of the Shasta County Resource Management Department or designee, unless otherwise indicated

Renumber section 17.02.180 "Designated floodway – Regulatory floodway," and section 17.02.185 "Dog kennel" as follows:

17.02.185 Designated floodway – Regulatory floodway

17.02.188 Dog kennel

Amend and renumber section 17.02.183 "Development" to read in its entirety as follows:

17.02.186 Development. "Development," means any human-caused change to improved or unimproved real estate that requires a permit or approval from any federal, state or local agency, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Add section 17.02.192 "Dwelling, accessory" to read in its entirety as follows:

17.02.192 – Dwelling, accessory. "Accessory dwelling" means an attached or detached residential dwelling unit which provides independent living facilities for one or more persons on the same parcel on which the one-family residence is situated. An accessory dwelling shall include permanent living, sleeping, eating, cooking, and sanitation facilities. Accessory dwelling shall include the term "accessory dwelling unit" in accordance with Government Code Section 65852.2 as it may be amended from time to time. (See section 17.88.132).

Amend section 17.02.205 "Dwelling unit" to read in its entirety as follows:

17.02.205 Dwelling unit. "Dwelling unit" means one habitable room or group of internally connected habitable rooms, that have permanent sleeping, cooking, eating and sanitation facilities which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis. Dwelling unit includes a manufactured or mobile home whether or not installed on a permanent foundation.

Add section 17.02.211 "Emergency shelter" to read in its entirety as follows:

17.02.211 Emergency shelter. "Emergency shelter" has the meaning set forth in Health and Safety Code section 50801(e) as that section may be amended from time to time. At the time of adoption of this ordinance, Health and Safety Code section 50801(e) provides that Emergency shelter means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Renumber sections 17.02.212 "Encroachment" and 17.02.213 "Exploration work for minerals" as follows:

17.02.213 Encroachment.

17.02.214 Exploration work for minerals.

Replace section 17.02.212 "Encroachment" with section 17.02.212 "Employee housing" to read in its entirety as follows:

17.02.212 Employee housing. "Employee housing" has the meaning set forth in Health and Safety Code section 17008 as that section may be amended from time to time. Employee housing shall be subject to the provisions of Health and Safety Code section sections 17021.5 and 17021.6 as those sections may be amended from time to time.

Amend section 17.02.215 "Family" to read in its entirety as follows:

17.02.215 Family. "Family" means one or more persons occupying a dwelling and living together as a single housekeeping unit in which each resident has access to all parts of the dwelling and there is a sharing of household activities, expenses, experiences and responsibilities.

Delete section 17.02.220 "Farm labor quarters" in its entirety.

Replace section 17.02.290 "Large day care home" with 17.02.290 "Living space" to read in its entirety as follows:

17.02.290 Living space. "Living space" means the improved interior 'habitable' area within a dwelling unit utilized for living, sleeping, eating, cooking, bathing, washing and sanitation purposes.

Amend section 17.02.355 "Manufactured home" to read in its entirety as follows:

17.02.355 Manufactured home. "Manufactured home" has the meaning set forth in Health and Safety Code section 18007 as that section may be amended from time to time. At the time of adoption of this ordinance, Health and Safety Code section 18007 provides that "Manufactured home" means a structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. "Manufactured home" includes any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C.,

Sec. 5401, and following). , If not placed on a permanent foundation the manufactured home is defined as a mobile home as set forth in Section 17.02.365.

Amend section 17.02.365 "Mobile home" to read in its entirety as follows:

17.02.365 - Mobile home. "Mobile home" has the meaning set forth in Health and Safety Code section 18008 as that section may be amended from time to time. At the time of adoption of this ordinance, Health and Safety Code section 18008 provides that a "Mobile home" means a structure that was constructed prior to June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected onsite, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. "Mobile home" includes any structure that meets all the requirements of this paragraph and complies with the state standards for mobile homes in effect at the time of construction. "Mobile home" does not include a commercial modular, as defined in Section 18001.8, factory-built housing, as defined in Section 19971, a manufactured home, as defined in Section 18007, a multifamily manufactured home, as defined in Section 18008.7, or a recreational vehicle, as defined in Section 18010.

Delete section 17.02.370 "Mobile home, duplex" in its entirety:

Amend section 17.02.375 "Mobile home park" to read in its entirety as follows:

17.02.375 - Mobile or manufactured home park. "Mobile or manufactured home park" means any area or tract of land where three (3) or more mobile home or manufactured home lots are rented or leased or held out for rent or lease to accommodate mobile homes and/or manufactured homes used for human habitation. As used in this Title any reference to a mobile home park shall also include a manufactured home park.

Add section 17.02.377 "Multifamily manufactured home" to read in its entirety as follows:

17.02.377 Manufactured home, multifamily. "Multifamily manufactured home" has the meaning set forth in Health and Safety Code section 18008.7 as that section may be amended from time to time. At the time of adoption of this ordinance, Health and Safety code section 18008.7 provides that a "Multifamily manufactured home" means either: (1) A structure transportable under permit in one or more sections, designed and equipped to contain no more than two dwelling units, a dormitory, or an efficiency unit, to be used either with a support system pursuant to Section 18613 or a foundation system pursuant to subdivision (a) of Section 18551, or (2) A structure transportable under permit in one or more sections, designed to be used with a foundation system for three or more dwelling units, as defined by Section 18003.3.

Renumber section 17.02.441 "Regulatory floodway" and section 17.02.442 "Residence, family care" as follows:

17.02.442 Regulatory floodway.

17.02.443 Residence, family care.

Add section 17.02.441 "Regional Housing Needs Allocation" to read in its entirety as follows:

17.02.441 Regional Housing Needs Allocation. "Regional Housing Needs Allocation" means a state-mandated program that identifies the total number of housing units, by family income categories, that all local governments must accommodate during periodic General Plan Housing Element update cycles in accordance with Government Code section 65584 and following as may be amended from time to time.

Amend section 17.02.445 "Residence, multifamily" to read in its entirety as follows:

17.02.445 - Residence, multifamily. "Multifamily residence" means a building containing three or more independent dwelling units under one roof, including a multifamily manufactured home.

Amend section 17.02.450 "Residence, one-family" to read in its entirety as follows:

17.02.450 - Residence, one-family. "One-family residence" means a detached building containing a single dwelling unit, including a manufactured home or mobile home where a mobile home is allowed. One family residence also includes the term "single-family residence."

Delete section 17.02.455 "Residence, senior citizen" in its entirety.

Amend section 17.02.460 "Residence, two-family" to read in its entirety as follows:

17.02.460 - Residence, two-family. "Two-family residence" means a building containing two independent dwelling units under one roof (e.g., a duplex or two attached one-family residences), including a two-unit multifamily manufactured home.

Amend section 17.02.465 "Residential care facility" to read in its entirety as follows:

17.02.465 - Residential care facility. "Residential care facility" means a facility which is licensed by a federal, state or local health or welfare agency that provides resident services on a 24-hours per day basis, to unrelated persons in need of personal assistance essential for sustaining the activities of daily living, or for the protection of the individual, in a residential setting, excluding members of the resident family or persons employed as facility staff. Residential care facility differs from a "convalescent hospital" in that it is expected to provide comfort, safety, social participation, and the maintenance of health and activity, but does not provide skilled nursing care.

Amend section 17.02.470 "Residential facility for the elderly" to read in its entirety as follows:

17.02.470 - Residential care facility for the elderly. "Residential care facility for the elderly" has the meaning set forth in Health and Safety Code section 1569.2 as that section may be amended from time to time. At the time of adoption of this ordinance, Health and Safety Code section 1569.2 provides that "Residential care facility for the elderly" means a housing arrangement chosen voluntarily by persons 60 years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision, personal care, or health-related services are provided, based upon their varying needs, as determined in order to be admitted and to remain in the facility. Persons

under 60 years of age with compatible needs may be allowed to be admitted or retained in a residential care facility for the elderly as specified in Section 1569.316.

Delete section 17.02.495 "Roominghouse" in its entirety.

Replace section 17.02.510 "Servant's quarters" with 17.02.510 "Second residence" to read in its entirety as follows:

17.02.510 – Second residence. “Second residence” means a separate, detached one-family dwelling containing independent living, sleeping, kitchen, and sanitation facilities, located on the same lot as the main dwelling unit and with no specific limitation on size. A second residence, also referred to as second one-family dwelling, is differentiated from an accessory dwelling unit (Section 17.02.192) in that an accessory dwelling unit can be attached and is subject to different standards including size limitations.

Add section 17.02.518 "Short term rental" to read in its entirety as follows:

17.02.518 – Short term rental. “Short term rental” means the rental of any legally permitted dwelling unit or portion thereof for occupancy for dwelling, lodging or sleeping purposes for a period of less than 30 consecutive calendar days.

Delete section 17.02.560 "Small day care home" in its entirety.

Amend section 17.02.563 "Start of Construction" to read in its entirety as follows:

17.02.563 - Start of construction. "Start of construction," for floodplain management purposes, includes substantial improvement, and means the date that the building permit was issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within one hundred eighty days of the permit date. For all other purposes, the start of construction means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing for piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Renumber section 17.02.591 "Tasting room" as follows:

17.02.593 Tasting room.

Amend section 17.02.591 "Supportive housing" to read in its entirety as follows:

17.02.591- Supportive housing. “Supportive Housing” has the meaning set forth in Government Code section 65582(g) as that section may be amended from time to time. At the time of adoption of this ordinance, Government Code section 65582(g) provides that "Supportive housing" means housing with

no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing shall be subject to the same standards as a one-family residence.

Add section 17.02.592 "Target population" to read in its entirety as follows:

17.02.592 – Target Population. “Target population” has the meaning set forth in Government Code section 65582(i) as that section may be amended from time to time. At the time of adoption of this ordinance, Government Code section 65582(i) provides that "Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

Add section 17.02.603 "Transitional housing" to read in its entirety as follows:

17.02.603 - Transitional housing. “Transitional Housing” has the meaning set forth in Government Code section 65582(j) as that section may be amended from time to time. At the time of adoption of this ordinance, Government Code section 65582(j) provides that "Transitional housing" means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. Transitional housing shall be subject to the same standards as a one-family residence.

Amend section 17.02.630 "Watercourse" to read in its entirety as follows:

17.02.630 Watercourse. "Watercourse" means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature that carries a flow of water at least periodically. Watercourse includes a "waterway."

Amend section 17.02.635 "Wet bar" to read in its entirety as follows:

17.02.635 Wet bar. "Wet bar" means a single-basin sink and small refrigerator of not more than 8 cubic feet in volume.

SECTION 2

Chapter 17.04 Limited Agriculture (A-1) District, is amended as follows:

Amend section 17.04.020 "Permitted uses" to read in its entirety as follows:

17.04.020 - Permitted uses. The following uses are permitted outright in the A-1 district:

- A. One-family residence;

- B. Agricultural uses, provided that the lot contains one acre of gross area; and
 - 1. Animal husbandry does not exceed the following number and type of animals per one-half acre:
 - a. One horse, mule, steer or similar sized animal, or
 - b. Three goats, sheep, swine, llamas, alpacas or similar sized animals, or
 - c. Three adult emus, rheas, ostriches or similar sized birds, or
 - d. Twenty-five turkeys, chickens, ducks, geese, rabbits or similar sized animals, or
 - e. Unlimited fish, frogs, worms or similar sized animals;
 - 2. Animals shall be kept in a clean and sanitary condition (see Section 6.04.050) and in a manner that does not become a nuisance (see Section 6.04.060);
- C. Sale of agricultural products grown on the premises;
- D. Boutique or small winery in accordance with Section 17.88.300;
- E. Second one-family residence subject to the provisions of Section 17.88.135;
- F. Small family day care home;
- G. Supportive housing;
- H. Transitional housing;
- I. One Accessory dwelling unit when the lot has a primary dwelling unit (see Section 17.88.132);
- J. Employee housing associated with commercial agricultural operations;
- K. Residential care facility for six or fewer residents.

Amend section 17.04.025 "Uses requiring a zoning permit" to read in its entirety as follows:

17.04.025 - Uses requiring a zoning permit. The following uses are permitted in the A-1 district if a zoning permit is issued, and subject to the provisions of Section 17.88.170 through 17.88.196:

- A. Home occupation with no customer vehicle trips;
- B. Guest house;
- C. Large family day care home;
- C. Boutique winery or Small winery in accordance with Section 17.88.300.

Amend section 17.04.030 "Use requiring an administrative permit" to read in its entirety as follows:

17.04.030 - Uses requiring an administrative permit. The following uses are permitted in the A-1 district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Home occupation with customer vehicle trips;
- B. Day care center;
- C. Bed and breakfast guest facility;
- D. Boarding house;
- E. Medium winery (see Section 17.88.300).

SECTION 3

Chapter 17.06 Exclusive Agriculture (EA) District, is amended as follows:

Amend section 17.06.020 "Permitted uses" to read in its entirety as follows:

17.06.020 - Permitted uses. The following uses are permitted outright in the EA district:

- A. One-family residence, or a mobile home in lieu of a one-family residence;
- B. Agricultural uses, except those listed in Section 17.06.040;
- C. Sale of products grown on the premises, including a roadside stand for the sale of these products;
- D. Wholesale nursery or greenhouse;
- E. Forest management;
- F. Low-intensity recreational uses which require only minor improvements, such as a non-motorized fishing or hunting club that does not provide food service and/or lodging facilities;
- G. Boutique winery or Small winery (see Section 17.88.300);
- H. Small family day care home;
- I. Supportive housing;
- J. Transitional housing;
- K. One Accessory dwelling unit when the lot has a primary dwelling unit (see Section 17.88.132);
- L. Employee housing associated with commercial agricultural operations;
- N. Residential care facility for six or fewer residents.

Amend section 17.06.025 "Uses requiring a zoning permit" to read in its entirety as follows:

17.06.025 - Uses requiring zoning permit. The following uses are permitted in the EA district if a zoning permit is issued, and subject to the provisions of Sections 17.88.170 through 17.88.190:

- A. Nonagricultural-related home occupation with no customer vehicle trips;
- B. Boutique winery or Small winery (see Section 17.88.300).

Amend section 17.06.030 "Uses requiring an administrative permit" to read in its entirety as follows:

17.06.030 - Uses requiring administrative permit. The following uses are permitted in the EA district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Nonagricultural-related home occupation with customer vehicle trips;
- B. Large family day care home;
- C. Family care residence;
- D. Bed and breakfast guest facility;
- E. Additional one-family residences or mobile homes for family members, as long as the placement of the units meets the criteria established in Section 17.06.060A;
- F. Medium winery (see Section 17.88.300).

Amend subsection (A) "Minimum acreage" of section 17.06 060 "Site development standards" to read in its entirety as follows:

17.06.060 - Site development standards. The following site development standards apply in the EA district:

- A. Minimum Acreage.
 - 1. The minimum acreages set forth in Table 17.06.060 apply to land divisions, except as provided in subparagraph 2 of this subsection.
 - 2. The creation of building sites containing less than the minimum acreage indicated in subparagraph 1 of this subsection, but not larger than five acres, may be permitted for full-time agricultural property that meets the minimum parcel sizes identified in Table AG-7 of the general plan, subject to the following criteria:
 - a. It is demonstrated that the division will not infringe upon the viability of the agricultural operation; and
 - b. One of the following conditions exists:
 - i. The lot is to be created by the conveyance of a security instrument to finance a one-family residence or mobile home, or for improvements to the agricultural operation on the remaining acreage; that said lot, together with the remaining acreage, shall not be separately conveyed or divided without meeting the minimum-acreage requirement specified in subparagraph 1 of this subsection, except for the aforesaid purpose, unless such division occurs by judicial foreclosures, trustee's sales, or other legal proceedings which discharge the lien of the security instrument, or
 - ii. The lots to be created for the one-family residences are intended as a conveyance or device exclusively for the parents, children or grandchildren related to the owner by adoption, blood or marriage; and there is only one lot per related person or related couple, if married. Except as provided in subparagraph 3, said lot(s), together

with the remaining agricultural acreage, shall not be conveyed outside the familial relations described herein, or be further divided without meeting the minimum-acreage requirement in subparagraph 1 of this subsection. A restrictive covenant, setting forth these conditions shall be recorded with the final or parcel map that creates these family-member lots.

3. Family-member lots established pursuant to subparagraph 2(b)(ii) prior to adoption of this subparagraph, and the remaining agricultural acreage, may be conveyed separately and outside the familial relations specified in 2(b)(ii) if both of the following conditions are met:
 - a. There are no existing restrictions applying to the family-member lots or the remaining agricultural acreage that would prevent such conveyance or further division; and
 - b. An agreement is recorded pertaining to the remaining agricultural acreage, that is binding on all owners and successors in interest, that explicitly prevents further division of the family-member lot(s) and the remaining agricultural acreage, except where all resulting parcels meet the minimum-acreage requirement in subparagraph 1 of this subsection.
4. The maximum number of lots that can be created pursuant to this subsection, in conjunction with a full-time agricultural operation that conforms to the minimum parcel size as identified in Table 17.06.060, is as follows:
 - a. Lands used for field crops, orchards or nursery stock: one family-member parcel in addition to the main ranch/farm parcel;
 - b. Lands used for irrigated pasture: two family-member parcels in addition to the main ranch/farm parcel;
 - c. Lands used for grazing: four family-member parcels in addition to the main ranch/farm parcel.

SECTION 4

Chapter 17.10 Timberland (TL) District, is amended as follows:

Amend section 17.10.020 "Permitted uses" to read in its entirety as follows:

17.10.020 - Permitted uses. The following uses are permitted outright in the TL district:

- A. One-family residence;
- B. Mobile home, in lieu of a one-family residence, provided the lot is forty acres or larger in size; otherwise the T district must be combined;
- C. Forest management, Christmas tree farm;

- D. Agricultural uses;
- E. Sale of products grown on the premises;
- F. Low-intensity recreational uses which involve only minimal improvements, such as a non-motorized fishing or hunting club that does not provide food service and/or lodging facilities;
- G. Boutique or small winery in accordance with Section 17.88.300;
- H. Second one-family residence subject to the provisions of Section 17.88.135.
- I. Small family day care home;
- J. Supportive housing;
- I. Transitional housing;
- J. One Accessory dwelling unit when the lot has a primary dwelling unit (see Section 17.88.132);
- K. Employee housing associated with commercial timber operations;
- L. Residential care facility serving six or fewer residents.

Amend section 17.10.025 "Uses requiring a zoning permit" to read in its entirety as follows:

17.10.025 - Uses requiring a zoning permit. The following uses are permitted in the TL district if a zoning permit is issued, subject to the provisions of Sections 17.88.170 through 17.88.196:

- A. Home occupation without customer vehicle trips;
- B. Boutique winery or Small winery (see Section 17.88.300).

Amend section 17.10.030 "Uses requiring an administrative permit" to read in its entirety as follows:

17.10.030 - Uses requiring an administrative permit. The following uses are permitted in the TL district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Home occupation with customer vehicle trips;
- B. Large family day care home;
- C. Family care residence;
- D. Bed and breakfast guest facility;
- E. Guest house, if located in close proximity to the main dwelling to minimize conflicts with timber management activities on the remainder of the site, and subject to the provisions of Section 17.88.185;
- F. Medium winery (see Section 17.88.300).

Amend section 17.10.040 "Uses requiring a use permit" to read in its entirety as follows:

17.10.040 - Uses requiring a use permit. The following uses are permitted in the TL district if a use permit is issued:

- A. Dog kennel;
- B. Group home serving seven or more residents;
- C. Logging contractor's yard when located in a manner to minimize conflicts with timber management activities on the remainder of the site and subject to the provisions of Section 17.88.271;
- D. A fishing and/or hunting lodge providing meal service and/or lodging in addition to motorized transportation and guide services;
- E. Boutique, small or medium winery in accordance with Section 17.88.300.
- F. Boarding house;
- G. Day care center;

SECTION 5

Chapter 17.12 Mineral Resource (MR) District, is amended as follows:

Amend section 17.12.030 "Uses requiring a use permit" to read in its entirety as follows:

17.12.030 - Uses requiring use permit. The following uses are permitted in the MR district if a use permit is issued:

- A. Employee housing associated with commercial mining operations;
- B. Notwithstanding any provision of Section 17.12.020(A) to the contrary, any mining activity, either underground or open pit, as defined by the Surface Mining and Reclamation Act (Article 5, Chapter 9, Division 2 [Section 2770, et seq.] of the California Public Resources Code);
- C. Mills and other facilities, buildings, structures, equipment, and all other indoor and outdoor areas related to or used in connection with the extraction, storing, transportation, processing or refining of mined materials or products derived from such materials;
- D. Aggregate recycling facilities.

SECTION 6

Chapter 17.14 Habitat Protection (HP) District is amended as follows:

Amend section 17.14.020 "Permitted uses" to read in its entirety as follows:

17.14.020 - Permitted uses. The following uses are permitted outright in the HP district:

- A. One-family residence;
- B. A mobile home, in lieu of a one-family residence, provided the parcel is forty acres or larger in size; otherwise the T district must be combined;

- C. Forest management;
- D. Habitat enhancement or improvement projects, as approved by the Department of Fish and Game;
- E. Low-intensity recreational uses which require only minor improvements, such as a non-motorized fishing and/or hunting club that does not provide food service and/or lodging facilities;
- F. Agricultural uses;
- G. Sale of products grown on the premises;
- H. Boutique or small winery in accordance with Section 17.88.300;
- I. Small family day care home;
- J. Supportive housing;
- K. Transitional housing;
- L. One accessory dwelling when the lot has a primary dwelling unit (see Section 17.88.132);
- M. Employee housing directly associated with and necessary to the principal use of the property;
- N. Residential care facility serving six or fewer residents.

Amend section 17.14.025 "Uses requiring a zoning permit" to read in its entirety as follows:

17.14.025 - Uses requiring a zoning permit. The following uses are permitted in the HP district if a zoning permit is issued, and subject to the provisions of Sections 17.88.170 through 17.88.196:

- A. Home occupation with no customer vehicle trips;
- B. Boutique winery or Small winery (see Section 17.88.300).

Amend section 17.14.030 "Uses requiring an administrative permit" to read in its entirety as follows:

17.14.030 - Uses requiring an administrative permit. The following uses are permitted in the HP district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Home occupation with customer vehicle trips;
- B. Large family day care home;
- C. The following uses, if clustered as required for residential dwellings pursuant to Section 17.14.060A:
 - 1. Family care residence;
 - 2. Guest house, subject to the provisions of Section 17.88.185;
- D. Second one-family residence; provided, the site conforms to the applicable general plan land use densities and parcel size limitations of the district for two dwelling units;

- E. Medium winery (see Section 17.88.300);

SECTION 7

Chapter 17.16 Open Space (OS) District is amended as follows:

Amend section 17.16.025 "Uses requiring a zoning permit" to read in its entirety as follows:

17.16.025 - Uses requiring a zoning permit. The following uses are permitted in the OS district if a zoning permit is issued, and subject to the provisions of Sections 17.88.170 through 17.88.196:

- A. Home occupation with no customer service vehicle trips;

Amend section 17.16.030 "Uses requiring an administrative permit" to read in its entirety as follows:

17.16.030 - Uses requiring an administrative permit. The following uses are permitted in the OS district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. One-family residence, or mobile home, in lieu of a one-family residence, provided the parcel is forty acres or larger in size; otherwise the T district must be combined;
- B. Home occupation with customer vehicle trips;
- C. Small family day care home or Large family day care home;
- D. Family care residence;
- E. Second one-family residence; provided, the site conforms to the applicable general plan land use densities and parcel size limitations of the district for two dwelling units.
- F. Supportive housing;
- G. Transitional housing;
- H. One accessory dwelling when the lot has a primary dwelling unit (see Section 17.88.132);
- I. Employee housing directly associated with and necessary to the principal use of the property;

SECTION 8

Chapter 17.18 National Recreation Area, Shasta Unit (NRA-S) District is amended as follows:

Amend section 17.18.040 "Requirements – Residential development" to read in its entirety as follows:

17.18.040 - Requirements—Residential development. The following requirements apply to residential development in the NRA-S district:

- A. The following is permitted:
 - 1. A one-family residence;
 - 2. Supportive housing;
 - 3. Transitional housing;
 - 4. One Accessory dwelling unit when the lot has a primary dwelling unit (see Section 17.88.132);
 - 5. Small family day care home;
 - 6. Residential care facility serving six or fewer residents.
- B. The minimum building site is one-half acre, except that lots of less than one-half acre, which were divided for residential purposes on or before September 16, 1967 and were in separate ownership or were delineated in a county-approved plan that constitutes part of a duly recorded subdivision, may be used for residential purposes.
- C. Residential Development Standards. The following residential development standards apply:
 - 1. The maximum building height limit is as follows:
 - a. Main buildings, thirty-five feet;
 - b. Accessory buildings, twenty feet.
 - 2. Exterior Colors. The use of neutral exterior colors is required.
 - 3. Roofing Materials. The use of non-glare roofing materials is required.
 - 4. Buffers. Development will be buffered by distance, topography or forest cover from existing or planned public use areas, such as trailer parks, campgrounds or organizational sites. Separation will be sufficient to avoid conflicts resulting from intervisibility, noise and proximity that is conducive to private property trespass.
 - 5. Yards. Yard requirements are as follows:
 - a. Front, twenty feet;
 - b. Side, five feet on one side and twelve feet on the other side, except for lots created prior to June 7, 1978, it is five feet on either side;
 - c. Rear, ten feet.
- D. In other than an approved subdivision, the clearing required for structures or mobile homes and the access thereto shall be reviewed by the District Ranger, Shasta Lake district, Shasta-Trinity National Forest. In any case where the District Ranger does not approve of the amount and location of clearing intended and he communicates this fact to the county planning department, a use permit shall be required. In granting the use permit, consideration shall be given to the proposed location on the parcel of the structure or mobile home and the access road thereto which preserves the natural forest setting of the parcel to the greatest extent.

SECTION 9

Chapter 17.20 National Recreation Area – Whiskeytown Unit (NRA-WI and NRA-WII) District is amended as follows:

Amend section 17.20.030 "NRA-WI district" to read in its entirety as follows:

17.20.030 - NRA-WI district.

- A. Generally. The NRA-WI district is created solely for use within the Whiskeytown unit of the Whiskeytown-Shasta-Trinity National Recreation Area and is intended for application to those lands which are contiguous to Whiskeytown Lake and are concerned primarily with water recreation and related activities.
- B. Uses. The following uses are permitted with a use permit:
 - 1. One-family residence and one noncommercial guest house for each one-family residence. Each residence or guest house is subject to the following regulations:
 - a. Minimum building site area, three acres; but a lesser acreage may be utilized for this purpose if, on or before February 7, 1963, the site was in separate ownership or within a recorded subdivision,
 - b. Maximum height, thirty-five feet,
 - c. Minimum frontage, one hundred fifty feet,
 - d. Minimum front yard, seventy-five feet,
 - e. Minimum side yard, fifty feet,
 - f. Maximum rear yard, twenty-five feet,
 - g. Maximum percentage of lot coverage permitted, ten percent,
 - h. Neutral colors, non-glare roofing materials, and architecture and layout that harmonizes with forested settings shall be used;
 - 2. Moving, alteration or improvement of existing residences or accessory structures; provided, there is compliance with requirements prescribed for residential uses under subparagraph 1 of this subsection; provided further, that such moving, alteration or improvement does not alter the residential character of the premises;
 - 3. Tree farming under a timber management plan that conforms to the California Forest Practices Act;
 - 4. Riding stables;
 - 5. Campgrounds, organization camps and picnic areas;
 - 6. Limited agricultural uses, such as truck gardening, provided these uses do not require extensive cutting or clearing of wooded areas and are not otherwise destructive of natural or recreational values;
 - 7. Clearing and removal of trees, shrubbery and other vegetation to the extent necessary in order to permit the exercise of a use otherwise allowed within this district;
 - 8. Religious and educational uses;

9. Removal of gravel, sand and rock, or other alteration of the landscape, to the minimum extent necessary for the construction of an access road to the property on which a use is permitted. In all other circumstances, such removal or alteration shall be permitted only to the minimum extent necessary to make possible the exercise of a use otherwise permitted in this district;
 10. Signs as allowed by and subject to the provisions of Sections 17.84.060 through 17.84.069.
 11. Accessory uses and temporary removable structures appurtenant to any permitted use.
 12. Supportive housing;
 13. Transitional housing;
 14. One Accessory dwelling unit when the lot has a primary dwelling unit (see Section 17.88.132);
 15. Small family day care home or Large family day care home;
- C. Prohibited Uses. Any use not included above as a permitted use shall be deemed a prohibited use, and if property is put to a prohibited use, the authority of the Secretary of the Interior to acquire "improved property" may be reinstated.

SECTION 10

Chapter 17.24 Limited Residential (R-L) District is amended as follows:

Amend section 17.24.020 "Permitted uses" to read in its entirety as follows:

17.24.020 - Permitted uses. The following uses are permitted outright in the R-L district:

- A. One-family residence;
- B. Agricultural uses, provided that the lot contains 1 acre of gross area; and
 1. Animal husbandry does not exceed the following number and type of animals per one-half acre:
 - a. One horse, mule, steer or similar sized animal, or
 - b. Three goats, sheep, swine, llamas, alpacas or similar sized animals, or
 - c. Three adult emus, rheas, ostriches or similar sized birds, or
 - d. Twenty-five turkeys, chickens, ducks, geese, rabbits or similar sized animals.
 - e. Unlimited fish, frogs, worms or similar sized animals;
 2. Animals shall be kept in a clean and sanitary condition, as provided in Section 6.04.050, and in a manner that does not become a nuisance, as provided in Section 6.04.060;
 3. The keeping of beehives and the selling of bee products resulting from the keeping of bees in accordance with Chapter 6.08 and applicable state laws;
- C. Sale of products grown on the premises;
- D. Second one-family residence subject to the provisions of Section 17.88.135;
- E. Supportive housing;

- F. Transitional housing;
- G. One Accessory dwelling when the lot has a primary dwelling unit (see Section 17.88.132);
- H. Small family day care home;
- I. Residential care facility serving six or fewer residents.

Amend section 17.24.025 "Uses requiring a zoning permit" to read in its entirety as follows:

17.24.025 - Uses requiring a zoning permit. The following uses are permitted in the R-L district if a zoning permit is issued, and subject to the provisions of Sections 17.88.170 through 17.88.196:

- A. Home occupation with no customer vehicle trips;
- B. Guest house;

Amend section 17.24.030 "Uses requiring an administrative permit" to read in its entirety as follows:

17.24.030 - Uses requiring an administrative permit. The following uses are permitted in the R-L district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Home occupation with customer service trips;
- B. Large family day care home;
- C. Family care residence;
- D. Bed and breakfast guest facility;
- E. Boutique or small winery in accordance with Section 17.88.300;
- F. Boardinghouse;

Amend section 17.24.040 "Uses requiring a use permit" to read in its entirety as follows:

17.24.040 - Uses requiring a use permit. The following uses are permitted in the R-L district if a use permit is issued:

- A. Animals in numbers exceeding those permitted in Section 17.24.020(B)(1);
- B. Group home serving seven or more residents;
- C. Dog kennel;
- D. Large animal veterinarian;
- E. Golf course;
- F. Wholesale nursery or greenhouse;

- G. Commercial riding stable or riding academy;
- H. Processing plant for agricultural products grown on the premises; provided, the lot is five acres or larger in area;
- I. Church;
- J. Pet cemetery;
- K. Logging contractor's yard subject to the provisions of Section 17.88.271;
- L. Boutique, small or medium winery in accordance with Section 17.88.300;
- M. Day care center.
- N. Residential care facility serving more than six residents.

SECTION 11

Chapter 17.26 Rural Residential (RR) District is amended as follows:

Amend section 17.26.020 "Permitted uses" to read in its entirety as follows:

17.26.020 - Permitted uses. The following uses are permitted outright in the R-R district:

- A. One-family residence;
- B. Agricultural uses, provided that the lot contains 1 acre of gross area; and
 - 1. Animal husbandry does not exceed the following number and type of animals per one-half acre:
 - a. One horse, mule, steer or similar sized animal, or
 - b. Three goats, sheep, swine, llamas, alpacas or similar sized animals; or
 - c. Three adult emus, rheas, ostriches or similar sized birds; or
 - d. Twenty-five turkeys, chickens, ducks, geese, rabbits or similar sized animals.
 - e. Unlimited fish, frogs, worms or similar sized animals.
 - 2. Animals shall be kept in a clean and sanitary condition, as provided in Section 6.04.050, and in a manner that does not become a nuisance, as provided in Section 6.04.060,
 - 3. The keeping of beehives and the selling of bee products resulting from the keeping of bees in accordance with Chapter 6.08 and applicable state laws;
- C. Sale of agricultural products grown on the premises;
- D. Second one-family residence subject to the provisions of Section 17.88.135;
- E. Supportive housing;
- F. Transitional housing;
- G. One Accessory dwelling unit when the lot has a primary dwelling unit (see Section 17.88.132);
- H. Small family day care home;

- I. Residential care facility serving six or fewer residents.

Amend section 17.26.025 "Uses requiring a zoning permit" to read in its entirety as follows:

17.26.025 - Uses requiring a zoning permit. The following uses are permitted in the R-R district if a zoning permit is issued, and subject to the provisions of Sections 17.88.170 through 17.88.196:

- A. Home occupation with no customer vehicle trips;
- B. Guest house;

Amend section 17.26.030 "Uses requiring an administrative permit" to read in its entirety as follows:

17.26.030 - Uses requiring an administrative permit. The following uses are permitted in the R-R district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Home occupation with customer vehicle trips;
- B. Large family day care home;
- C. Family care residence;
- D. Bed and breakfast guest facility;
- E. Boutique or small winery in accordance with Section 17.88.300;
- F. Boardinghouse;

Amend section 17.26.040 "Uses requiring a use permit" to read in its entirety as follows:

17.26.040 - Uses requiring a use permit. The following uses are permitted in the R-R district if a use permit is issued:

- A. Animals in numbers exceeding those permitted in Section 17.26.020 (B)(1);
- B. Group home serving seven or more residents;
- C. Dog kennel;
- D. Large animal veterinarian;
- E. Golf course;
- F. Wholesale nursery or greenhouse;
- G. Commercial riding stable or riding academy;
- H. Church;
- I. Pet cemetery;

- J. Logging contractor's yard (see Section 17.88.271);
- K. Boutique, Small or Medium winery (see Section 17.88.300);
- L. Day care center.
- M. Residential care facility serving more than six residents.

SECTION 12

Chapter 17.28 Interim Rural Residential (IR) District is amended as follows:

Amend section 17.28.020 "Permitted uses" to read in its entirety as follows:

17.28.020 - Permitted uses. The following uses are permitted outright in the I-R district:

- A. One-family residence;
- B. Agricultural uses; provided that, the lot contains one acre of gross area, and
 1. Animal husbandry does not exceed the following number and type of animals per one-half acre:
 - a. One horse, mule, steer or similar sized animal, or
 - b. Three goats, sheep, swine, llamas, alpacas or similar sized animals, or
 - c. Three adult emus, rheas, ostriches or similar sized birds, or
 - d. Twenty-five turkeys, chickens, ducks, geese, rabbits or similar sized animals,
 - e. Unlimited fish, frogs, worms or similar sized animals.
 2. Animals shall be kept in a clean and sanitary condition, as provided in Section 6.04.050, and in a manner as to not become a nuisance, as provided in Section 6.04.060;
 3. The keeping of beehives and the selling of bee products resulting from the keeping of bees in accordance with Chapter 6.08 and applicable state laws;
- C. Sale of agricultural products grown on the premises;
- D. Second one-family residence subject to the provisions of Section 17.88.135;
- E. Supportive housing;
- F. Transitional housing;
- G. One Accessory dwelling unit when the lot has a primary dwelling unit (see Section 17.88.132);
- H. Small family day care home;
- I. Residential care facility serving six or fewer residents.

Amend section 17.28.025 "Uses requiring a zoning permit" to read in its entirety as follows:

17.28.025 Uses requiring a zoning permit. The following uses are permitted in the I-R district if a zoning permit is issued, and subject to the provisions of Sections 17.88.170 through 17.88.196:

- A. Home occupation with no customer vehicle trips;
- B. Guest house;

Amend section 17.28.030 "Uses requiring an administrative permit" to read in its entirety as follows:

17.28.030 - Uses requiring an administrative permit. The following uses are permitted in the I-R district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Home occupation with customer vehicle trips;
- B. Large family day care home;
- C. Family care residence;
- D. Bed and breakfast guest facility;
- E. Boardinghouse

Amend section 17.28.040 "Uses requiring a use permit" to read in its entirety as follows:

17.28.040 - Uses requiring a use permit. The following uses are permitted in the I-R district if a use permit is issued:

- A. Animals in numbers exceeding those permitted in Section 17.28.020 (B)(1);
- B. Dog kennel;
- C. Group home serving seven or more residents;
- D. Golf courses;
- E. Wholesale nursery or greenhouse;
- F. Commercial riding stable or riding academy;
- G. Church;
- H. Day care center.
- I. Residential care facility serving more than six residents.

SECTION 13

Chapter 17.30 One-family Residential (R1) District is amended as follows:

Amend section 17.30.020 "Permitted uses" to read in its entirety as follows:

17.30.020 - Permitted uses. The following uses are permitted outright in the R-1 district:

- A. One-family residence, except manufactured and mobile homes on foundation systems are subject to subsection B of this section;
- B. A mobile home certified under the National Mobile Home Construction and Safety Act of 1974 (42 U.S.C. Section 5401 et seq.) and installed on a foundation system and meeting other adopted development standards, in lieu of a frame-constructed dwelling;
- C. Second one-family residence subject to the provisions of Section 17.88.135;
- D. Supportive housing;
- E. Transitional housing;
- F. One Accessory dwelling unit when the lot has a primary dwelling unit (see Section 17.88.132);
- G. Small family day care home;
- H. Residential care facility serving six or fewer residents.

Amend section 17.30.025 "Uses permitted with a zoning permit" to read in its entirety as follows:

17.30.025 - Uses requiring a zoning permit. The following uses are permitted in the R-1 district if a zoning permit is issued, and subject to the provisions of Sections 17.88.170 through 17.88.196:

- A. Home occupation with no customer vehicle trips;
- B. Guest house;

Amend section 17.30.030 "Uses permitted with an administrative permit" to read in its entirety as follows:

17.30.030 - Uses requiring an administrative permit. The following uses are permitted in the R-1 district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Home occupation with customer vehicle trips;
- B. Large family day care home;
- C. Family care residence;
- D. Bed and breakfast guest facility.
- E. Boardinghouse;

Amend section 17.30.040 "Uses permitted with a use permit" to read in its entirety as follows:

17.30.040 - Uses requiring a use permit. The following uses are permitted in the R-1 district if a use permit is issued:

- A. Golf course;
- B. Church;
- C. Day care center.
- D. Residential care facility serving more than six residents.

Amend subsection (A) "Minimum lot area," of section 17.30.060 "Site development standards" to read in its entirety as follows:

17.30.060 - Site development standards. The following site development standards apply in the R-1 district:

- A. Density and minimum gross lot size. Residential density shall be as permitted by the general plan, including any permitted density bonus. Except as otherwise provided in Section 17.84.010, the following minimum gross lot size requirements apply:
 - 1. Interior lot, 5,445 square feet;
 - 2. Corner lot, six thousand square feet.

SECTION 14

Chapter 17.32 One-family Mobile Home (R-M) District is amended as follows:

Amend section 17.32.010 "Purpose" to read in its entirety as follows:

17.32.010 - Purpose. The purpose of the one-family mobile home (R-M) district is to provide fully serviced, urban-sized lots for manufactured and mobile homes, one-family residences and related uses. This district is consistent with the urban residential (UR), suburban residential (SR) and mixed use (MU) general plan designations.

Amend section 17.32.020 "Permitted uses" to read in its entirety as follows:

17.32.020 - Permitted uses. The following uses are permitted outright in the R-M district:

- A. Manufactured home, mobile home, or a one-family residence;
- B. Recreation facilities incidental to a planned residential development, including a community swimming pool, tennis courts, clubhouse, etc.
- C. Supportive housing;
- D. Transitional housing;
- E. One Accessory dwelling unit when the lot has a primary dwelling unit (see Section 17.88.132);
- F. Small family day care home;

- I. Residential care facility serving six or fewer residents.

Amend section 17.32.025 "Uses permitted with a zoning permit" to read in its entirety as follows:

17.32.025 - Uses requiring zoning permit. The following uses are permitted in the R-M district if a zoning permit is issued, and subject to the provisions of Sections 17.88.170 through 17.88.190:

- A. Home occupation with no customer vehicle trips;
- B. Second one-family residence subject to the provisions of Section 17.88.135.

Amend section 17.32.030 "Uses permitted with an administrative permit" to read in its entirety as follows:

17.32.030 - Uses requiring administrative permit. The following uses are permitted in the R-M district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Home occupation with customer vehicle trips;
- B. Large family day care home;

Amend section 17.32.040 "Uses permitted with a use permit" to read in its entirety as follows:

17.32.040 - Uses requiring use permit. The following uses are permitted in the R-M district if a use permit is issued:

- A. Golf course;
- B. Church;
- C. Day care center.

Amend subsection (A) "Minimum lot area," of section 17.32.060 "Site development standards" to read in its entirety as follows:

17.32.060 - Site development standards. The following site development standards apply in the R-M district:

- A. Density and minimum gross lot size. Residential density shall be as permitted by the general plan, including any permitted density bonus. Except as otherwise provided in Section 17.84.010, the following minimum gross lot size requirements apply:
 - 1. Interior lot, 4,356 square feet;
 - 2. Corner lot, five thousand square feet.

SECTION 15

Chapter 17.34 Two-family Residential (R2) District is amended as follows:

Amend section 17.34.010 "Purpose" to read in its entirety as follows:

17.34.010 - Purpose. The purpose of the two-family residential (R-2) district is to provide fully serviced urban-sized lots for either one-family or two-family (duplex) residences and related uses. This district is consistent with the urban residential (UR), suburban (SR) and mixed use (MU) general plan designations.

Amend section 17.34.020 "Permitted uses" to read in its entirety as follows:

17.34.020 - Permitted uses. The following uses are permitted outright in the R-2 district:

- A. One-family residence;
- B. Two-family residence;
- C. Townhouses and attached one-family residences;
- D. Recreational facilities incidental to a planned residential development, including a swimming pool, tennis courts, clubhouse, etc;
- E. Supportive housing;
- F. Transitional housing;
- G. Small family day care home;
- H. Residential care facility serving six or fewer residents.

Amend section 17.34.030 "Uses permitted with an administrative permit" to read in its entirety as follows:

17.34.030 - Uses requiring administrative permit. The following uses are permitted in the R-2 district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Home occupation with customer vehicle trips;
- B. Large family day care home;

Amend section 17.34.040 "Uses permitted with a use permit" to read in its entirety as follows:

17.34.040 - Uses requiring use permit. The following uses are permitted in the R-2 district if a use permit is issued:

- A. Group home serving seven or more residents;
- B. Golf course;
- C. Church;
- D. Residential care facility for the elderly serving no more than fifteen people;

Amend subsection (A) "Minimum lot area," of section 17.34.060 "Site development standards" to read in its entirety as follows:

17.34.060 - Site development standards. The following site development standards apply in the R-2 district:

- A. Density and minimum gross lot size. Residential density shall be as permitted by the general plan, including any permitted density bonus. Except as otherwise provided in Section 17.84.010, the following minimum gross lot size requirements apply:
 - 1. Interior lot, 5,445 square feet;
 - 2. Corner lot, six thousand square feet.

SECTION 16

Chapter 17.36 Multifamily Residential (R3) District is amended as follows:

Amend section 17.36.010 "Purpose" to read in its entirety as follows:

17.36.010 - Purpose. The purpose of the multifamily residential (R-3) district is to provide for higher density residential development in areas which have the services and facilities necessary for higher density residential uses, and where appropriate to establish residential densities high enough to meet the County's regional housing needs allocation obligations under state housing law. This district is consistent with the urban residential (UR), suburban residential (SR) and mixed use (MU) general plan designations.

Amend section 17.36.020 "Permitted uses" to read in its entirety as follows:

17.36.020 - Permitted uses. The following uses are permitted outright in the R-3 district:

- A. Multifamily residences;
- B. One- and two- -family residences, attached one-family residences and townhouses when part of a mix of residential uses that meet the required minimum density for the site;
- C. Condominiums;
- D. Accessory buildings and uses commonly found in multifamily or condominium developments, including garages, carports, laundry facilities and rental and administrative offices;

- E. Recreational facilities incidental to a planned residential development, including a swimming pool, tennis courts, clubhouse, etc.
- F. Supportive housing;
- G. Transitional housing;
- H. Small family day care home;
- J. Residential care facility serving six or fewer residents.

Amend section 17.36.040 "Uses requiring a use permit" to read in its entirety as follows:

17.36.040 - Uses requiring use permit. The following uses are permitted in the R-3 district if a use permit is issued:

- A. Residential care facility for the elderly;
- B. Group home serving seven or more residents;
- C. Boardinghouse;
- D. Private club, fraternity, sorority or lodge, except those for which the chief activity is a service customarily carried on by a business;
- E. Golf course;
- F. Church;
- G. Day care center;
- H. Customer parking for commercial uses, if abutting or opposite an alley from a commercial district;
- I. Convalescent hospital;
- J. Large family day care home;
- K. Residential care facility serving more than six residents.

Amend subsections (A) "Minimum Building Site," (B) "Maximum Residential Density," (G) "Maximum structure height," and (M) "Development Plan" of section 17.36.060 "Site development standards" to read in their entirety as follows:

17.36.060 - Site development standards. The following site development standards apply in the R-3 district:

- A. Minimum gross lot size. The minimum gross lot size requirement is eight thousand square feet, except as otherwise provided in Section 17.84.010.
- B. Maximum and Minimum residential density. Residential density is measured in residential units per gross acre. The maximum residential density is provided by a number following the general plan designation or the zoning district and the minimum density in the urban general plan designation is eighty (80) percent of the maximum density, and in the suburban general plan designation the minimum density is 4 units per acre. Density may be increased beyond the

identified maximum density through density bonus provisions, if a use permit is first approved, or as part of an approved Planned Development.

Maximum Structural Height. The following structural height restrictions apply, except as otherwise provided in Section 17.84.030:

1. Main buildings, forty-five feet;
 2. Accessory buildings, not to exceed twenty feet.
- M. **Development Plan.** An applicant for either a building permit or a use permit shall submit a site development plan which indicates how all required health and safety standards will be met including, but not limited to, water, sanitation, fire, and circulation; how any applicable conditions of approval or mitigation measures will be addressed; and how all applicable standards including, but not limited to, those listed in this section will be met. This submittal shall be made on a form prescribed by the director of resource management. If only a building permit is required for the use, then the director's approval shall be obtained prior to issuance of the building permit. If a use permit is required, then the director's approval shall occur as set forth by the terms and conditions of the use permit.

Add subsection (O) "Design performance standards" to section 17.36.060 "Site development standards" to read in its entirety as follows:

17.36.060 - Site development standards. The following site development standards apply in the R-3 district:

- O. **Design performance standards.** For any development of five or more multifamily residential units the following additional design performance standards shall apply:
- a. Except for approved pick-up and drop-off areas, resident and visitor parking shall be located behind the buildings, in the rear of the site, accessed from alleys where available and screened from view of the public street.
 - b. Walkways, driveways or other impervious surfaces shall not exceed 25 percent of front building setback area.
 - c. The following architectural features (or a similar level of design enhancements shown to be equal or superior in effect as approved by the Director) shall be incorporated into the project design as follows:
 - I. Balconies (when two stories or greater)
 - II. Porches
 - III. Pitched roofs
 - IV. Overhanging roofs with gabled ends
 - V. Dormers
 - VI. Change in wall plane (pop-outs, projections, etc.) for buildings that exceed 24 feet in length.

- d. Alternative standards may be applied through an approved administrative permit, which may be referred to the Planning Commission in accordance with section 17.92.050(D)(3), use permit, or Planned Development as applicable, provided that the approving body finds that with the alternative standards the proposed development will be of equal or greater excellence in arrangement, design, attractiveness, safety and compatibility with its surroundings than would result if the routine development standards of this section were applied.

SECTION 17

Chapter 17.38 Mobile Home Park (MHP) District is amended as follows:

Amend section 17.38.010 "Purpose" to read in its entirety as follows:

17.38.010 - Purpose. The purpose of the mobile home park (MHP) district is to provide for the coordinated development and maintenance of mobile and manufactured home parks. This district is consistent with all residential general plan designations, provided the residential densities of the applicable general plan designation are met.

Amend section 17.38.020 "Permitted uses" to read in its entirety as follows:

17.38.020 - Permitted uses. The following uses are permitted outright in the MHP district:

- A. Mobile and manufactured home parks meeting the development standards of Section 17.38.060;
- B. Residential mobile and manufactured homes placed in an approved mobile or manufactured home park;
- C. Accessory uses commonly found in mobile and manufactured home parks, including a car garage or carport space, storage facilities, laundry facilities, recreational vehicle parking, maintenance equipment storage areas, space rental and administrative office and other accessory uses.;
- D. Common recreation areas and facilities, including a swimming pool, tennis courts, clubhouse, etc.

Amend section 17.38.040 "Uses requiring a use permit" to read in its entirety as follows:

17.38.040 - Uses requiring use permit. The following uses are permitted in the MHP district if a use permit is issued:

- A. Mobile or manufactured home park or expansion of a mobile or manufactured home park not meeting the development standards of Section 17.38.060;
- B. Accessory structures or uses other than those identified in Section 17.38.020;
- C. Convenience store;
- D. Golf course;
- E. Day care center

Amend subsections (A), (B), (C) and (M) of section 17.38.060 "Site development standards" to read in their entirety as follows:

17.38.060 - Site development standards. The following site development standards apply in the MHP district:

- A. New Mobile or Manufactured Home Parks or Expansions. All new mobile and manufactured home parks or expansions to existing mobile or manufactured home parks shall be developed to the standards set forth in this section, unless a use permit is issued which provides an exception to the standards.
- B. Minimum Lot Size. Each mobile or manufactured home park shall be at least one acre in size.
- C. Minimum Mobile or Manufactured Home Space Size. The minimum space size for each mobile or manufactured home shall be three thousand square feet.
- M. Open Space and Recreation.
 - 1. Common landscaped open space and recreation land shall be provided in the park as follows:
 - a. Common open space shall comprise sixteen percent of the gross mobile home park acreage, if the park provides a common recreation center which possesses a total floor area of not less than twenty-five square feet per lot for the first one hundred fifty lots and fifteen square feet per lot thereafter, but in no case less than two thousand square feet; or, if the park does not provide a common recreation center as described in (a) above;
 - b. Common open space shall be twenty percent of the gross mobile home park acreage, if the park does not provide a common recreation center as described in subparagraph (a) of subsection (M)(1).
 - 2. Park walkways, at least eight feet wide and leading to open space and recreation facilities, may count as part of the recreation area.
 - 3. Recreation areas shall be provided at locations convenient to park residents and the park service centers.
 - 4. Recreation areas may include space for common buildings and common use facilities, such as indoor recreation areas, swimming pools, outdoor courts for games and similar recreation facilities.

SECTION 18

Chapter 17.39 Mobile Home Park Conversions is added as follows:

Add Chapter 17.39 "Mobile Home Park Conversions" to read in its entirety as follows:

Chapter 17.39
MOBILE HOME PARK CONVERSIONS

Sections:

17.39.010 Purpose.

- 17.39.020 Definitions.
- 17.39.030 Applications for mobile home park conversions.
- 17.39.040 Procedures for review.
- 17.39.050 Findings.
- 17.39.060 Conditions.

17.39.010 Purpose. The unrestricted conversion of mobile home parks to other uses diminishes the mobile home stock and spaces available within the County. The purpose of this chapter is to provide certain regulatory safeguards for the protection of residents and potential purchasers of mobile homes, and to implement the County's general plan policies to provide varied housing choices and opportunities.

17.39.020 Definitions. For purposes of this chapter, the following words are defined as follows:

- (A) "Park" means a mobile home park which rents spaces for mobile home dwelling units.
- (B) "Owner" means the owner, lessor, or designated agent of the park.
- (C) "Tenant" means the owner(s) of a mobile home dwelling unit who is renting space from the owner of a park.

17.39.030 Applications for mobile home park conversions.

- (A) The use of property as a mobile home park shall not be terminated for the purpose of conversion to another land use until application for a mobile home park conversion has been made to the Director and approval has been received from the Planning Commission or the Board of Supervisors on appeal.
- (B) No building permit shall be issued on property occupied by a mobile home park for uses other than those associated with the mobile home park use until approval for mobile home park conversion has been obtained pursuant to this chapter.
- (C) Applications for a mobile home park conversion shall be made to the Director with the filing fee prescribed by the Board of Supervisors. The application shall contain the following information:
 - (1) Plans indicating the proposed use for the site for which an application for conversion is made.
 - (2) The timetable for conversion of the park.
 - (3) If the proposed conversion is to a use not consistent with the underlying zone district or general plan land use designation, or requires any approval of a tentative map, use permit, or other entitlement, the applicant shall file concurrently an application for rezoning, general plan amendment and any additional entitlement, as applicable.
 - (4) The total number of spaces within the park; the number of spaces occupied; the length of time each space has been occupied by the present tenant; and the monthly rent currently charged.

(D) An application for a mobile home park conversion shall be subject to environmental review in accordance with the County's environmental review guidelines.

17.39.040 Procedures for review.

(A) Following the submittal of all required information in connection with an application for a mobile home park conversion and completion of the environmental review, the application shall be set for public hearing before the Planning Commission in the same manner as a use permit and in accordance with section 17.92.020.

(B) The Planning Commission shall, after the close of the public hearing, render a decision whether the conversion should be approved based upon the findings set forth in section 17.39.050.

(C) Any applicant, or any other interested person may appeal the planning Commission's determination to the Board of Supervisors in the same manner as a use permit appeal and in accordance with section 17.92.030.

17.39.050 Findings. An application for a mobile home park conversion may be approved if the following findings are made:

(A) There exists sufficient mobile home space availability within the unincorporated area of the County of Shasta to accommodate the mobile homes to be displaced by reason of the conversion.

(B) The conversion will not result in the displacement of low income individuals or households who cannot afford rents charged in other parks.

(C) That the age, type, and style of mobile homes within the park proposed for conversion can be accepted into other parks within the County of Shasta.

(D) If the conversion is to another residential use, that the tenants of the mobile home park will have first opportunity to occupy the units and the construction schedule will not result in long-term displacements.

(E) The proposed conversion is consistent with the County General Plan.

(F) The proposed conversion is pursuant to the public health, safety and welfare.

(G) The conversion will not result in a shortage of housing opportunities and choices within the County of Shasta.

17.39.060 Conditions. In the approval of a mobile home park conversion, the County may attach conditions deemed reasonable in order to mitigate the impacts associated with the conversion. Such conditions may include, but are not limited to, the following:

(A) Full or partial payment by the owner for relocation of mobile homes to another park.

(B) If the land occupied by the park is to be sold, the tenants be given the first right of refusal accepting the offer of the seller for the purchase of the park including all improvements.

(C) The tenants be given the option of a long-term lease of the land and purchase of the improvements.

(D) An effective date of the approval of the conversion of not less than one year after approval of the conversion so as to provide sufficient time for the relocation of the mobile homes to other parks.

(E) If the mobile homes cannot be relocated to parks in the area, the applicant may be required to purchase said mobile homes at fair market value, determined by an independent appraiser with mobile home expertise.

SECTION 19

Chapter 17.40 Existing Residential (ER) District is amended as follows:

Amend section 17.40.020 "Permitted uses" to read in its entirety as follows:

17.40.020 - Permitted uses. The following uses are permitted outright in the ER district:

- A. Those uses that existed on July 16, 1985;
- B. One-family residence, or mobile home in lieu of a one-family residence, if placed on an undeveloped, legally separate lot.
- C. Small family day care home;
- D. Supportive housing;
- E. Transitional housing.

Amend section 17.40.030 "Uses requiring an administrative permit" to read in its entirety as follows:

17.40.030 - Uses requiring administrative permit. The following uses are permitted in the ER district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Home occupation with customer vehicle trips;
- B. Large family day care home.

Amend subsection (C) of section 17.40.060 "Site development standards" to read in its entirety as follows:

17.40.060 - Site development standards. The following site development standards apply in the ER district:

- C. Maximum Structural Height. The following structural height restrictions apply, except as otherwise provided in Section 17.84.030:
 - 1. Main building, thirty feet;
 - 2. Accessory building, one story not to exceed twenty feet.

SECTION 20

Chapter 17.42 local Convenience Center (C1) District is amended as follows:

Amend section 17.42.025 "Uses requiring an administrative permit" to read in its entirety as follows:

17.42.025 - Uses requiring an administrative permit. The following uses are permitted in the C-1 district if an administrative permit is issued:

- A. A one-family residence, when the residence is occupied by the owner or operator of the commercial use, or a paid caretaker or night watchman. The residence may be attached to the main building in which the commercial use exists, or detached;
- B. Small family day care home.

Amend section 17.42.030 "Uses requiring a use permit" to read in its entirety as follows:

17.42.030 - Uses requiring a use permit. The following uses are permitted in the C-1 district if a use permit is issued:

- A. Auto service station;
- B. Day care center;
- C. Commercial condominiums;
- D. Church;

SECTION 21

Chapter 17.44 Community Commercial (C2) District is amended as follows:

Amend section 17.44.020 "Permitted uses" to read in its entirety as follows:

17.44.020 - Uses permitted within buildings. The following uses are permitted in a C-2 district if conducted within a building:

- A. Retail sales;
- B. Services, including:

1. Bank or other financial institution that provides a direct service to the public; insurance or real estate sales,
 2. Repair shop for shoes, radios, televisions or other domestic appliances,
 3. Laundry or cleaning establishment; laundromat,
 4. Barber or beauty shop,
 5. Standard restaurant,
 6. Travel or ticket agency,
 7. Photo studio,
 8. Business, professional or medical office; medical, dental or optical laboratory; blueprinting; photocopying,
 9. Health club;
- C. Print shop;
- D. Veterinary clinic, provided any kennels are located entirely within a building;
- E. Retail nursery or garden supply.

Amend section 17.44.025 "Uses requiring an administrative permit" to read in its entirety as follows:

17.44.025 - Uses requiring a use permit. The following uses are permitted in the C-2 district if a use permit is issued:

- A. A one-family residence, when the residence is occupied by the owner or operator of the commercial use, or a paid caretaker or night watchman. The residence may be attached to the main building in which the commercial use exists, or detached;
- B. Church, provided there is no school and no outdoor activities;
- C. Outdoor storage or sales associated with any of the uses permitted in Section 17.44.020;

Amend section 17.44.030 "Uses requiring a use permit" to read in its entirety as follows:

17.44.030 - Uses requiring a use permit. The following uses are permitted in the C-2 district if a use permit is issued:

- A. Auto service station, self-serve and non-self-serve auto wash, auto repair services, excluding auto body and painting businesses, equipment rental;
- B. Bar, nightclub or cardroom;
- C. Motion picture theater, bowling alley, skating rink, video game center, lodge, club, fraternal organization, billiard parlor;
- D. Fast food restaurant;
- E. Sales of new or used autos, boats, motorcycles or mobile homes;

- F. Miniature golf course;
- G. Motel or hotel;
- H. Bus terminal;
- I. Day care center;
- J. Commercial condominiums;
- K. Church with school and/or outdoor activities;
- L. Convalescent hospital.

SECTION 22

Chapter 17.52 Commercial-Light Industrial (CM) District is amended as follows:

Amend section 17.52.020 "Uses permitted within buildings" to read in its entirety as follows:

17.52.020 - Uses permitted within buildings. The following uses are permitted in the C-M district if conducted within a building:

- A. Wholesale and retail sales and service uses, including:
 - 1. Building, electrical and plumbing materials, and furniture,
 - 2. Farm or ranch feed and related supplies sales,
 - 3. Janitorial or restaurant supplies,
 - 4. Nursery or garden supply,
 - 5. Auto or truck parts and supplies,
 - 6. Household appliance or furniture repair or service, including radio or television repair or furniture upholstery shops,
 - 7. Auction house,
 - 8. Building maintenance services, such as pest extermination, janitorial or grounds maintenance,
 - 9. Communication services, such as telegraph, telephone and radio telephone businesses, or radio or television stations,
 - 10. Printing, engraving, lithographing or publishing,
 - 11. Equipment rental,
 - 12. Taxidermist,
 - 13. Veterinarian clinic, provided any kennels are located within a building,
 - 14. Trade school, vocational or sports training center,

15. Warehouse, ministorage or other storage buildings or wholesale distribution facilities, except those storing flammable or explosive material,
16. Food storage lockers and ice-making facilities;
- B. Light manufacturing activities, including:
 1. Combining, assembly or packaging of products, including:
 - a. Pharmaceuticals, drugs, toiletries or cosmetics,
 - b. Small equipment, instruments or appliances, such as medical, dental or optical equipment; drafting instruments, watches, clocks, musical instruments, cameras, photographic equipment (except film); hair-curling machines or electric razors,
 - c. Electronic and light electrical equipment, including radios, televisions and computers,
 - d. Food products, excluding those that may create obnoxious odors or smoke,
 2. Light manufacturing activities, including manufacturing of ceramic products such as pottery, figurines, or small glazed tile, using only previously pulverized clay; hand tools, cutlery, and kitchen utensils, electronic and light electrical equipment, including radios, televisions and computers; jewelry manufacturing; manufacturing of neon signs;
 3. Boutique, small or medium winery in accordance with Section 17.88.300.
- C. Uses accessory to the primary use and contained within the same building site, including offices, print shops, cafeteria, etc. This does not include businesses open to the public;
- D. Outdoor storage or sales in conjunction with a permitted use, provided:
 1. Storage is located on the rear portion of the lot,
 2. Storage is completely enclosed by a solid wall or fence (with necessary solid gates) not less than six feet in height, unless the storage area abuts a residential district, in which case the screening shall meet the criteria established in subsection I of Section 17.52.050,
 3. No material shall be stored to a height greater than that of the wall or fence enclosing the storage area;
- E. Agricultural uses;
- F. Caretaker's or night watchman's quarters;
- G. Emergency shelters (see Section 17.88.065).

Amend section 17.52.025 "Uses requiring an administrative permit" to read in its entirety as follows:

17.52.025 - Uses requiring an administrative permit. The following uses are permitted in the C-M district if an administrative permit is issued:

- A. A one-family residence, when the residence is occupied by the owner or operator of the commercial use, or a paid caretaker or night watchman. The residence may be attached to the main building in which the commercial-light industrial use exists, or detached;
- B. Boutique, small or medium winery (see Section 17.88.300).

Add subsection (M) to section 17.52.030 "Uses requiring a use permit" to read in its entirety as follows:

17.52.030 - Uses requiring a use permit. The following uses are permitted in the C-M district if a use permit is issued:

- M. Convalescent hospital.

SECTION 23

Chapter 17.54 Mixed Use (MU) District is amended as follows:

Amend section 17.54.010 "Purpose" to read in its entirety as follows:

17.54.010 - Purpose. The purpose of the mixed use (MU) district is to provide for a variety of residential, commercial and light industrial uses that will not cause odors, noise, visual or other adverse impacts. Conflicts that may result from the intermixing of land uses should be addressed by site-specific performance standards. This district is consistent with the commercial (C) and mixed use (MU) general plan land use designations.

Amend section 17.54.025 "Uses requiring a zoning permit" to read in its entirety as follows:

17.54.025 - Uses requiring a zoning permit. The following uses are permitted in the M-U district if accessory to a residence, if a zoning permit is issued, and subject to the provisions of Sections 17.88.170 through 17.88.196:

- A. A one- or two-family residence, provided, that for parcels created after January 10, 1984, the lot size must meet the building site requirement established in Section 17.54.060A;
- B. Home occupation with no customer vehicle trips;
- C. Guest house;
- D. Seasonal sales of pumpkins and Christmas trees when conducted separately from a legally established commercial use on the lot;

Amend section 17.54.030 "Uses requiring an administrative permit" to read in its entirety as follows:

17.54.030 - Uses requiring an administrative permit. The following uses are permitted in the M-U district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.235:

- A. Home occupation with customer vehicle trips;
- B. Family care residence;

- C. Small family day care home or Large family day care home;
- D. Bed and breakfast guest facility;
- E. Boarding house;
- F. Second residence; provided, the site conforms to the applicable general plan land use densities and parcel size limitations of the district for two dwelling units;
- G. If conducted within a commercial building:
 - 1. Retail sales,
 - 2. Personal services,
 - 3. Professional, business, administrative and medical offices;
- H. Boutique or small winery (see Section 17.88.300);
- I. Residential care facility serving more than six residents.

Amend section 17.54.040 "Uses requiring a use permit" to read in its entirety as follows:

17.54.040 - Uses requiring a use permit. The following uses are permitted in the M-U district if a use permit is issued:

- A. Day care center;
- B. Multifamily residence;
- C. Hotel, motel, recreational vehicle park, campground;
- D. Auto or truck service station, auto or boat repair service, self-serve and non-self-serve auto wash; auto or truck parts or supplies;
- E. Wholesale and retail sales of building, electrical or plumbing materials; furniture sales; farm or ranch supplies;
- F. Sales of autos, boats, motorcycles, mobile homes, agricultural equipment; nursery or garden supplies and other outdoor sales and storage uses;
- G. Bowling alley, theater, video game center, billiard parlor, fraternal organization;
- H. Large and small animal veterinary hospital, provided kennels are located within a building;
- I. Contractor's yard, truck terminal, truck yard, truck repair and wash;
- J. Warehouse and mini-storage;
- K. Church;
- L. Light manufacturing activities that are at a scale commensurate with the size of the community; and do not cause odors, noise, visual or other adverse impacts;
- M. Commercial and light industrial condominiums;
- N. Boutique, small, or medium winery in accordance with Section 17.88.300;

- O. Convalescent hospital.

Amend the narrative first paragraph and subsection (J) of section 17.54.060 "Site development standards" to read in their entirety as follows:

17.54.060 - Site development standards. The development standards established by this section apply to all development in the MU district. However, due to the diversity of areas within which the mixed use district may be applied, alternative standards may be applied through an approved use permit, provided that the approving body finds that with the alternative standards the proposed development will be of equal or greater excellence in arrangement, design, attractiveness, safety and compatibility with its surroundings than would result if the routine development standards of this section were applied.

- J. Development Plan. For multifamily residential projects and all nonresidential uses, an applicant for either a building permit or use permit shall submit a plan which indicates how the required health and safety standards will be met including, but not limited to, water, sanitation, circulation and fire, how any applicable conditions of approval or mitigation measures will be addressed, and how all applicable standards including, but not limited to, those standards listed in this section will be met. This submittal shall be made on a form prescribed by the planning director. If only a building permit is required for the use, then the director's approval shall be obtained prior to issuance of the permit and the approved plan shall become part of the permit. If a use permit is required, then the director's approval shall occur as set forth by the terms and conditions of the use permit.

SECTION 24

Chapter 17.62 Planned Development (PD) District is amended as follows:

Amend section 17.62.010 "Purpose" to read in its entirety as follows:

17.62.010 - Purpose. The purpose of the planned development (PD) district is to provide flexibility in the application of zoning standards to proposed developments that incorporate an innovative mix of building types, land uses, open space or residential densities. The County expects each planned development to be of significantly higher design quality, including more effective and attractive pedestrian orientation, environmental sensitivity, energy efficiency, and the more efficient use of resources, than would be achieved through conventional design practices and standards. Planned developments are under unified control and comprehensively planned. This district is consistent with all residential, commercial, mixed use and industrial general plan land use designations, provided the proposed primary uses are consistent with the general plan or applicable specific plan designation(s) within which the project is located, and are reasonably compatible with surrounding land use.

Amend section 17.62.020 "Permitted uses" to read in its entirety as follows:

17.62.020 - Permitted uses. Any use or combination of uses which are arranged and designed in such a manner as to result in a development which is internally compatible, compatible with surrounding uses and consistent with the general plan are permitted outright in the PD district. In cases involving areas

designated by the general plan as suburban residential (SR), multifamily residential uses may be permitted as a part of a mix of housing types.

Delete section 17.62.030 "Density bonus" and replace with 17.62.030 "Development standards, modification" to read in its entirety as follows:

17.62.030 - Development standards, modification. Development and land uses within the PD district shall comply with all applicable development standards except as specifically modified, waived, or augmented by the PD district. A PD district may include the adjustment or modification, where necessary and justifiable, of applicable development standards of the zoning plan or subdivision regulations.

Amend section 17.62.040 "Mandatory project features" to read in its entirety as follows:

17.62.040 – Mandatory project features. Each planned development shall incorporate one of the following mandatory project features and at least one additional feature or amenity proposed by the developer, which may include a second feature from the list below. The approving authority may require additional features, amenities or improvements through a development agreement or other agreement with the developer, or may approve alternative features and amenities that will provide equal or superior project design.

1. The project will include a minimum of 20 percent of the residential units that are affordable to households of very low, low or moderate income, and will remain affordable for a period of time consistent with California housing law through an acceptable binding mechanism;
2. The project will achieve greater energy efficiency than standard developments through the incorporation of green building techniques achieving a minimum of 15 percent greater energy efficiency than the minimum required by California Code of Regulations Title 24;
3. The project will preserve and protect a significant natural feature or open space in addition to those areas already required to be protected in accordance with applicable laws, and those areas with limited development potential due to slopes, flood hazard, etc.;
4. The project will provide a substantial amenity available to the public, for example, a significant public plaza, a public park, separated improved pedestrian and bike trails through the development and connecting to regional trails systems, or a similar improved feature with provisions for guaranteed long-term maintenance of those portions within the development not at County expense.

Amend section 17.62.050 "Preliminary development plan" to read in its entirety as follows:

17.62.050 – Preliminary development plan. Application for a planned development shall be made to the planning department and shall consist of a preliminary development plan, to include:

- A. A legal description of the total site involved;
- B. A statement of the objectives to be achieved by the planned development through the particular approach to be used by the applicant;
- C. A tentative phasing schedule indicating the approximate timeline and order of project build out;
- D. A description of the total number and type of dwelling units, parcel sizes, area coverage, modified and natural open space, grading, residential densities, and areas devoted to non-residential uses;
- E. Identification of portions of the development which would otherwise require a variance, and all proposed modifications to applicable development standards and an explanation of the reasons for the proposed variance and modifications;
- F. A site plan and supporting maps, drawn to a suitable scale and clearly labeled, showing, if applicable:
 - 1. Existing site conditions, including contours, vegetation and water courses;
 - 2. Proposed lot designs;
 - 3. Approximate location and floor area of existing and proposed buildings or outlines of areas within which buildings may be located;
 - 4. Location and size of all areas to be conveyed or reserved as common or open spaces or for public uses;
 - 5. Existing and proposed circulation system of arterial, collector, and local streets; off-street parking, loading, and emergency access areas, points of access to public rights-of-way, and proposed ownership and maintenance of circulation routes;
 - 6. Existing and proposed sidewalks, walking and bike paths;
 - 7. Existing and proposed utility systems, including sanitary sewer, storm drainage, water, electricity, gas and telephone;
 - 8. A general landscape plan.
 - 9. A general grading plan;
- G. Information on land area adjacent to the proposed development, indicating important relationships between the proposal and surrounding land uses, circulation systems, public facilities and natural features;

- H. Any additional information which may be required by the Director to evaluate the character and impact of the planned development.

Amend section 17.62.060 "Required findings" to read in its entirety as follows:

17.62.060 - Required findings. The approving body may approve a Planned Development rezone only after first making all of the following findings:

1. The project is consistent with the General Plan and any applicable specific plan;
2. The project complies with all applicable development standards including those modified by the PD rezoning;
3. The modifications to the development standards are necessary and appropriate to accommodate the superior design of the proposed project, its compatibility with adjacent land uses, and its successful mitigation of environmental impacts;
4. All affected public facilities, services, and utilities are or will be adequate to serve the proposed project;
5. The location, size, site planning, building design features, and operating characteristics of the project are suited to and compatible with the site and surrounding area;
6. The site has or will have adequate access to public streets and emergency ingress and egress points with adequate capacity to accommodate the quantity and type of traffic expected to be generated by the use; and
7. The establishment, maintenance, or operation of the proposed project will not, in the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

Amend section 17.62.070 "final development plan" to read in its entirety as follows:

17.62.070 – Final development plan.

- A. Within two years of approval or conditional approval of the Planned Development district, and prior to construction of improvements and structures, the applicant shall file with the director a final development plan. At his/her discretion and for good cause, the director may extend the time for filing the final development plan for a period or periods not exceeding a total of three additional years.
- B. The final development plan shall be based upon those items from Section 17.62.050 (Preliminary development plan) and shall provide detailed plans and descriptions addressing proposed division of land, the type, size, location and use of all buildings and improvements, preliminary elevations of structures, including residential buildings, grading and drainage improvement plans, and so on.

- C. The director shall review the final development plan for substantial conformity to the approved preliminary development plan, and shall approve, conditionally approve or deny the final development plan. The Director shall notify the applicant of his/her decision within 60 days of filing. The decision of the Director
- D. No land division may be undertaken and no construction begun within an area with an approved Planned Development district until a final development plan has been approved.

Amend section 17.62.080 "Planned development district, operational date" to read in its entirety as follows:

17.62.080 – Planned development district, operational date. The terms of an approved Planned Development district shall become operational only upon recordation of a final or parcel map implementing the planned development, or, where a final or parcel map is not part of the planned development, when the final use permit is approved or final development plan is approved by the Director, Planning Commission or Board of Supervisors as applicable.

Amend section 17.62.090 "Modification of approved development plans" to read in its entirety as follows:

17.62.090 - Modification of approved development plans.

- A. Minor differences between approved development plans and construction plans may be allowed by the director.
- B. Modifications to approved development plans (preliminary or final) such as changes in the size and position of buildings, the number, area or configuration of lots, landscape treatment, phasing, and the like, may be permitted if a use permit is issued in accordance with section 17.92.020.
- C. Modifications such as substantial changes in proposed land uses, substantial increase or decrease in overall residential density, changes in the approved mandatory project features without a similar, equivalent feature, and similar changes may only be accomplished by amendment to the approved PD district through reapplication and submittal of a new preliminary development plan in conformance with section 17.92.080 and this chapter.

Amend section 17.62.100 "Revocation of PD district zoning" to read in its entirety as follows:

17.62.100 - Revocation of PD district zoning.

If a final development plan is not filed with the Director in the time specified in this chapter including any approved extension period, the Planning Commission and Board of Supervisors may remove the PD district zoning according to the procedure for county-initiated zone amendments in section 17.92.080.

SECTION 25

Chapter 17.64 Unclassified (U) District is amended as follows:

Amend section 17.64.020 "Permitted uses" to read in its entirety as follows:

17.64.020 - Permitted uses. The following uses are permitted outright in the unclassified (U) district:

- A. One-family residence, except that in areas designated by the general plan as commercial (C), industrial (I) or mineral resource (M) residential uses shall be subject to the provisions of the zoning district most appropriate for the site as determined by the Director;
- B. All agricultural and timber management uses permitted without a use permit in the A-1, TL and TP districts, if the property is ten acres or smaller. If the parcel is larger than ten acres, the agricultural and timber uses permitted are those agricultural and timber uses permitted without a use permit in the EA, TL and TP districts;
- C. Any parcel designated for open space (N-O) in the general plan shall comply with the standards of the open space (OS) district as defined in Chapter 17.16;
- D. Any parcel designated as mixed use (MU) in the general plan shall comply with the standards of the mixed use (MU) district as defined in Chapter 17.54;
- E. Notwithstanding the provisions of Chapter 17.90 and Section 17.64.040, any mobile home lawfully installed without a foundation system prior to July 1, 1982, may be replaced within six months of its removal with another mobile home without a foundation system if all other requirements of law relating to the installation of mobile homes without a foundation system have been met.
- F. In areas where a one-family residence is allowed outright, the following related uses shall also be permitted:
 - 1. Supportive housing;
 - 2. Transitional housing;
 - 3. Small family day care home;
 - 4. One Accessory dwelling unit when the lot has a primary dwelling unit (see Section 17.88.132);

Amend section 17.64.025 "Uses requiring a zoning permit" to read in its entirety as follows:

17.64.025 - Uses requiring a zoning permit. The following uses are permitted in the U district if they are accessory to a permitted one-family residence if a zoning permit is issued, and subject to the provisions of Sections 17.88.170 through 17.88.196:

- A. Home occupation with no customer vehicle trips;
- B. Guest house;
- C. Use of an existing residential structure that temporarily exceeds density limitations while constructing a replacement structure;

- D. Outdoor auction of heavy equipment and trucks if the site is in a commercial (C) or industrial (I) general plan land use classification;
- E. Seasonal sales of pumpkins and Christmas trees when conducted separately from a legally established use in a commercial (C) or mixed use (MU) general plan land use classification.
- F. Second one-family residence subject to the provisions of Section 17.88.135.

Amend section 17.64.030 "Uses requiring an administrative permit" to read in its entirety as follows:

17.64.030 - Uses requiring an administrative permit. The following uses are permitted in the U district if an administrative permit is issued, and subject to the provisions of Sections 17.88.200 through 17.88.325:

- A. A mobile home, in lieu of a permitted one-family residence;
- B. The following uses, if they are accessory to a permitted one-family residence or mobile home
 - 1. Family care residence,
 - 2. Home occupation with customer vehicle trips,
 - 3. Small family day care home or Large family day care home,
 - 4. Bed and breakfast guest facility,

SECTION 26

Chapter 17.78 Design Review (DR) District is amended as follows:

Amend section 17.78.010 "Purpose" to read in its entirety as follows:

17.78.010 - Purpose.

- A. The design review (DR) district is intended to be combined with any principal district for one or more of the following purposes:
 - 1. To protect areas having unique environmental, physical, historical or scenic features;
 - 2. To promote design and architectural features that are consistent with adopted community design guidelines for the area or general design review standards, as applicable;
 - 3. To encourage integrated approaches to the use of land and related physical development;
 - 4. To ensure compatibility with surrounding land uses;
 - 5. To protect the public's health and safety.
- B. The regulations of this district prevail over any conflicting regulation of any principal district with which this district is combined.

Amend section 17.78.015 "Uses requiring an administrative permit" to read in its entirety as follows:

17.78.015 - Uses requiring administrative permit. If a commercial use is conducted within a commercial building, and the use is permitted outright or with an administrative permit in the principal district, the use is permitted in the DR district if an administrative permit is issued.

Amend section 17.78.020 "Uses requiring a use permit" to read in its entirety as follows:

17.78.020 - Uses requiring use permit. The uses permitted with a use permit in the principal district are permitted in the DR district if a use permit is issued.

Amend section 17.78.030 "Site development standards" to read in its entirety as follows:

17.78.030 - Site development standards.

- A. Site development standards in the design review (DR) district shall, in the aggregate, meet or exceed the standards prescribed by the regulations for the principal district.
- B. Each DR district shall be provided design review guidelines which direct the implementation of objectives for the district. In cases where there are no adopted community design guidelines for an area, the following general design review standards shall be met:
 - 1. A design theme is prepared and established which takes into account the relationship of the project to the surrounding area, including, but not limited to the proposed project's visual appeal and character, scale of development and sense of proportionality, building size and dimension, mix and pattern of color and architectural variation, lighting, signing and other physical relationships affecting appearance between various architectural styles found in and around the development;
 - 2. Landscaping, consistent with the design theme, is provided which meets or exceeds the minimum standards in section 17.84.040 and provides shading over thirty percent, or more, of parking and pedestrian areas within the project within ten years after completion of the project.

SECTION 27

Chapter 17.83 Density Bonus is amended as follows:

Amend section 17.83.010 "Purpose" to read in its entirety as follows:

17.83.010 - Purpose. This chapter is intended to establish policies that implement state housing law under California Government Code sections 65915 through 65918, as may be amended from time to time, to facilitate the development of affordable housing to serve families of moderate and less-than-moderate incomes within the county through density bonus and other incentives. The regulations set forth in this chapter shall apply countywide.

Delete section 17.83.020 "Definitions" in its entirety.

Amend section 17.83.030 "Implementation" to read in its entirety as follows:

17.83.030 - Implementation.

- A. Pursuant to Government Code Section 65915 and following, as may be amended from time to time, the County shall grant an applicant for a qualifying housing development who seeks a density bonus either (1) a density bonus, the amount of which shall be as specified in subdivision (f) of Government Code section 65915, or (2) a density bonus with one or more additional incentive(s) as described in subdivision (d) of Government Code section 65915, waivers or reductions in development standards, and/or reductions of parking ratios as described in subdivisions (e) and (p) of Government Code section 65915.
- B. As part of the approval process, a binding density bonus agreement between the County and the property owner, must be recorded with the County recorder, which agreement sets forth the conditions and terms to be met in the implementation of the density bonus law requirements and the requirements of this chapter. The agreement will also establish compliance standards and remedies available to the county should the developer/property owner fail to make or maintain the identified residential units accessible to the intended households for the term specified in the agreement. Unless otherwise provided, the agreement shall be recorded as a covenant on the property on which the designated affordable dwelling units will be constructed, which covenant shall run with the land.
- C. To be eligible for a density bonus in accordance with this chapter, an applicant must agree to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this chapter, that will contain at five or more dwelling units and any one of the following:
 - 1. A minimum of Ten percent of the total units of a housing development for lower income households, as defined in Section 50079.5 of the Health and Safety Code, as may be amended from time to time;
 - 2. A minimum of Five percent of the total units of a housing development for very low income households, as defined in Section 50105 of the Health and Safety Code, as may be amended from time to time;
 - 3. A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, as may be amended from time to time; or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code as may be amended from time to time;
 - 4. Ten percent of the total dwelling units in a common interest development, as defined in Section 4100 of the Civil Code, as may be amended from time to time, for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, as may be amended from time to time, provided that all units in the development are offered to the public for purchase;
 - 5. Ten percent of the total units of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, as may be amended from time to time,

disabled veterans, as defined in Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.) as may be amended from time to time. The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low income units.

Amend section 17.83.040 "Application" to read in its entirety as follows:

17.83.040 - Application.

- A. To apply for a density bonus, the developer/property owner shall submit to the county a written proposal for a project pursuant to this chapter. If appropriate, the application shall be submitted in conjunction with a subdivision application or use permit application. Otherwise, the application shall stand alone. The proposal shall include at least the following information:
1. Identification of the qualifying category and amount of density bonus requested in accordance with this chapter and Government Code section 65915 and following, and the total number of units proposed for the housing development, including the number of designated affordable units.
 2. A description of the household income or special needs group to be accommodated by the housing development, and the standards and methodology for determining the corresponding affordable rent or affordable sales price and housing costs consistent with U.S. Department of Housing and Urban Development ("HUD") Guidelines.
 3. Adequate information to determine the project cost per unit of the proposed development, including but not be limited to, capital costs, equity investment, debt service, projected revenues, operating expenses, or other information requested by the County.
 4. The projected sales price or rental rates, and marketing plan for the affordable units.
 5. The location, unit sizes (square feet), and number of bedrooms of the designated affordable dwelling units.
 6. Proposed tenure of the use restrictions for designated affordable dwelling units as required by this section and Government Code Section 65915.
 7. A schedule for completion and occupancy of the designated affordable dwelling units, which must be phased in in proportion to the rest of the development.
 8. A description of the additional incentives or concessions, if any, being requested, with information supporting the premise that additional incentives or concessions are necessary to make the units affordable and the overall project viable.
 9. Other provisions to ensure successful implementation and compliance with this section and Government Code Section 65915.

Add section 17.83.045 "Processing a density bonus request" to read in its entirety as follows:

17.83.045 -Processing a density bonus request. Once a complete proposal is received by the County, the following procedures shall be followed:

A. Permit requirement.

1. Where a density bonus request is part of a project that includes an application for a use permit or tentative or parcel map, the density bonus proposal along with the density bonus agreement shall be processed and considered by the Planning Commission concurrently with the use permit or map application in the manner prescribed for the use permit or map application. However, (1) the planning commission shall render its decision in the form of a written resolution, which shall include a recommendation to the board of supervisors for action on the application with the density bonus, the reasons for the recommendation, the relationship of the application to the general plan and any applicable specific plan, and findings as required by this section; (2) the Director of Resource Management shall cause a report of the Planning Commission's action to be filed with the Clerk of the Board within ten working days after the Planning Commission's decision; (3) upon receipt of the report of the Planning Commission's action, the board of supervisors shall set the matter for public hearing before it and shall consider the use permit or tentative or parcel map application along with the proposed density bonus in accordance with section 17.92.020(G) or 15.08.085 as applicable; (4) the board of supervisors may continue any hearing to a specific time, date, and place without further public notice; (5) The board of supervisors shall conduct a "de novo" review of the Planning Commission's decision and shall review the report of the Planning Commission's action and any additional relevant information that may have been received at the hearing before the board of supervisors; (6) the board of supervisors may, in its discretion, refer any application back to the Planning Commission for further review and report. The Board may also, in its discretion, approve, disapprove, or modify, wholly or partly, any recommendation of the Planning Commission. The board of supervisors may also impose additional conditions; (7) following approval by the Board, the density bonus agreement shall be recorded with the County Recorder concurrently with the final or parcel map, or at the time the use permit is issued.
2. Where a request for a density bonus is a stand-alone request, the proposal shall be submitted to the Director, with all required fees. Once accepted as complete, the Director shall present the proposal to the Planning Commission whose decision shall be rendered in the form of a written resolution, which shall include findings as required by this section and a recommendation to the board of supervisors for action on the request. Upon receipt of the report of the Planning Commission's action, the board of supervisors shall set the matter for consideration before it. A noticed public hearing shall not be required for either the Planning Commission or the Board of Supervisors. The board of supervisors may, in its discretion, refer any request back to the Planning Commission for further review and report. The Board may also, in its discretion, approve, disapprove, or modify, wholly or partly, any recommendation of the Planning Commission. Following approval by the Board, the density bonus agreement shall be recorded with the County Recorder.

B. Findings for approval. The approval of a density bonus and other incentives and concessions shall require that the review authority first make all the following findings:

1. The residential development will be consistent with the General Plan,

2. The approved number of dwellings can be accommodated by existing and planned infrastructure capacities.
3. Adequate evidence exists to indicate that the project will provide affordable housing in a manner consistent with the purpose and intent of this chapter and state housing law.
4. Remain affordable for the required time period.

Amend section 17.83.050 "Additional incentives" to read in its entirety as follows:

17.83.050 - Additional incentives or concessions.

An applicant for a density bonus may submit a request for specific incentives or concessions as listed, and may request a meeting with the County staff prior to submitting the development application. The Director shall grant an incentive or concession request that complies with the requirements of this section and state law, unless the Board of Supervisors states in writing, based on substantial evidence, the findings established in Government Code Section 65915(d)(1)(A), 65195(d)(1)(B), or 65915 (d)(1)(C), as may be amended from time to time. The following are allowed incentives or concessions that can be made for projects qualifying under this section:

- A. Number of Incentives. The applicant shall receive other concessions or incentives, as listed in subsection B of this section, which significantly contribute to the economic feasibility of the qualifying development project. The number of concessions or incentives will be determined by Government Code Section 65915(d)(2), as may be amended from time to time.
- B. Types of Incentives. Additional concessions or incentives which the County may provide include, but are not limited to any of the following, as established in Government Code Section 65915(k).
 1. A reduction in site development standards or a modification of architectural design requirements that exceed the minimum State of California Building Standard pursuant to California Government Code Section 65915(k);
 2. A modification of zoning ordinance or design standards requirements that result in identifiable cost reductions that exceed the minimum State of California Building Standards pursuant to California Government Code Section 65915(k), including but not limited to a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required;
 3. Approval of mixed-use zoning in conjunction with the housing project, if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project; and
 4. Any other incentive or concession proposed by the Developer or the County that results in an identifiable, financially sufficient, and actual cost reductions.

Amend and rename section 17.83.060 "Requirements for participation" to read in its entirety as follows:

17.83.060 - Density Bonus Agreement.

- A. Agreement Required. An applicant requesting a density bonus shall enter into a recordable density bonus agreement ("agreement") with the County in a form approved by the County Counsel. The executed agreement shall be recorded on the property designated for the construction of the designated affordable units. The agreement shall be recorded prior to final or parcel map approval, or prior to use permit issuance, or where neither a map nor a use permit are required, prior to issuance of building permits for such properties.
- B. Project Information: The agreement shall include at least the following information about the project:
 - 1. Identification of the qualifying category and amount of density bonus requested in accordance with this chapter and Government Code section 65915 and following, and the total number of units proposed for the housing development, including the number of designated affordable units.
 - 2. A description of the household income or special needs group to be accommodated by the housing development, and the standards and methodology for determining the corresponding affordable rent or affordable sales price and housing costs consistent with U.S. Department of Housing and Urban Development ("HUD") Guidelines.
 - 3. Adequate information to determine the project cost per unit of the proposed development, including but not be limited to, capital costs, equity investment, debt service, projected revenues, operating expenses, or other information requested by the County.
 - 4. The projected sales price or rental rates, and marketing plan for the affordable units.
 - 5. The location, unit sizes (square feet), and number of bedrooms of the designated affordable dwelling units.
 - 6. Proposed tenure of the use restrictions for designated affordable dwelling units as required by this section and Government Code Section 65915, as may be amended from time to time.
 - 7. A schedule for completion and occupancy of the designated affordable dwelling units, which must be phased in in proportion to the rest of the development.
 - 8. A description of the additional incentives or concessions, if any, being requested, with information supporting the premise that additional incentives or concessions are necessary to make the units affordable and the overall project viable.
 - 9. Other provisions to ensure successful implementation and compliance with this section and Government Code Section 65915, as may be amended from time to time.
 - 10. A description of the additional incentives and concessions being provided by the County, if any.

11. A description of the compliance standards and remedies available to the county should the developer/property owner fail to make or maintain the identified residential units accessible to the intended households for the term specified in the agreement.
12. Other provisions to ensure successful implementation and compliance with this Section and Government Code Section 65915, as may be amended from time to time.
 - a. Minimum Requirements. The agreement shall provide, at a minimum, that:
 - 1) The Developer shall give the County the continuing right-of-first-refusal to lease or purchase any or all the designated low income or affordable dwelling units at the appraised value.
 - 2) The deeds to the designated affordable dwelling units shall contain a covenant stating that the developer or successors-in-interest shall not assign, lease, rent, sell, sublet, or otherwise transfer any interest for designated low income or affordable dwelling units without the written approval of the County.
 - 3) When providing the written approval, the County shall confirm that the price (rent or sale) of the designated low income or affordable dwelling unit is consistent with the limits established for low and very low income households, as published by HUD.
 - 4) The County shall have the authority to enter into other agreements with the developer, or purchasers of the designated low income or affordable dwelling units, to ensure that the required dwelling units are continuously occupied by eligible households.
 - 5) Applicable deed restrictions, in the form satisfactory to the County Counsel, shall contain provisions for the enforcement of owner or developer compliance. Any default or failure to comply may result in the County seeking any and all remedies available by law.
 - 6) In any action taken to enforce compliance with deed restrictions, the County Counsel shall, if compliance is ordered by a court of law, take all action that may be allowed by law to recover all of the County's costs of action including legal services.
 - 7) Compliance with the agreement will be monitored and enforced in compliance with the measures included in the agreement.
 - 8) The designated low income or affordable dwelling units that qualified the housing development for a density bonus and other incentives and concessions shall continue to be available as affordable units in compliance with the requirements of Government Code Section 65915(c).

- b. For-sale housing conditions: In the case of for-sale housing developments, the agreement shall provide for the following conditions governing the initial sale and use of designated low income or affordable dwelling units during the applicable restriction period:
 - 1) A requirement that designated affordable dwelling units shall be owner-occupied by eligible households, or by qualified residents in the case of senior housing.
 - 2) Provisions as the County may require ensuring continued compliance with maintaining low income or affordable dwelling units in compliance with this section and State law.
 - 3) Terms for future sales and recapture of any equity to ensure continued affordability of dwelling units for the requisite time period, as prescribed by Government Code Section 65915(c).
- c. Rental Housing Conditions: In the case of rental housing development, the agreement shall provide for the following conditions governing the use of designated low income or affordable dwelling units during the restriction period:
 - 1) The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies, and maintaining the designated affordable dwelling units for qualified tenants.
 - 2) Provisions requiring owners to annually verify to the County tenant incomes and maintain books and record to demonstrate compliance with this section.
 - 3) Provisions requiring owners to submit an annual report to the County, which includes the name, address, and income of each person occupying the designated affordable dwelling units, and which identifies the number bedrooms in each dwelling and monthly rent or cost of each unit.
 - 4) The applicable use restriction shall comply with the time limits for continued availability in compliance with this section and Government Code Section 65915(c), as may be amended from time to time.
- d. Execution of agreement: Following Board of Supervisors approval of the agreement and execution of the agreement by all parties, the completed agreement shall be recorded on the parcels designated for the low income or affordable dwelling units, at the County Recorder's Office.
- e. The agreement shall be recorded prior to final or parcel map approval, or prior to use permit issuance, or where neither a map nor a use permit are required, prior to issuance of building permits for such properties.
- f. The agreement shall be binding on all future owners, developer and/or successors-in-interest.

SECTION 28

Chapter 17.86 Off-street Parking and Loading Regulations is amended as follows:

Amend section 17.86.030 "When required" to read in its entirety as follows:

17.86.030 - When required. Every building or manufactured or mobile home hereafter installed, constructed, or enlarged, and every use of property hereafter inaugurated or expanded, shall be required to provide off-street parking and loading facilities, as specified by this chapter. The spaces shall be improved and installed prior to final building inspection or occupancy. When justified, a deferral of the required parking improvements may be approved, as set forth in the county development standards. All required off-street parking and loading spaces shall be maintained in good condition for the duration of the use that they are intended to serve.

Amend section 17.86.060 "Compact car parking" to read in its entirety as follows:

Compact vehicle parking may be provided at the following rate:

Total Parking Stalls	Maximum Compact Stalls
1 to 10 stalls	None
11 to 30 spaces	15 percent of all spaces
31 to 100 spaces	35 percent of all spaces
101 or more spaces	30 spaces plus 40 percent of all spaces in excess of 100

Amend subsection (A) "Parking requirements" of section 17.86.140 "Off-street parking standards" to read in its entirety as follows:

17.86.140 - Off-street parking standards.

The following parking schedule applies in all zone districts. The required parking spaces are in addition to company operated vehicles. When computing the required number of off-street parking or loading spaces, a remaining fraction of one-half or more shall be deemed a whole unit of measurement; a remaining fraction of less than one-half will be disregarded.

A. Parking requirements:

Use	Off-street Parking Space Requirements
Accessory dwelling unit	Refer to section 17.88.132
Animal care facility	5 parking spaces per doctor.
Automobile service, including repair, body shop or service station	5 parking spaces exclusive of service bays, pumping areas, or auto storage areas.

Bowling alley	5 parking spaces for each bowling lane, plus 1 parking space for each 200 square feet of gross floor area devoted to accessory uses.
Business or trade school	1 parking space per 3 students, plus 1 space per employee.
Card room	1 parking space for each 2 seats in the play area, plus restaurant and bar parking.
Church, social hall, club, lodge, community center, theater, or other place of public assembly	1 parking space for each 4 seats in the principal seating area, or 1 parking space for every 40 square feet in the principal seating area, whichever is the greater, plus 1 passenger loading space.
Condominiums or townhouses	See "multifamily residences."
Convalescent hospital	1 parking space for each 3 beds.
Day care center	1 parking space for each 10 children, plus 2 other parking spaces, plus 1 passenger loading space.
Large family day care home	In addition to the required residential parking, 1 parking space, plus 1 passenger loading space.
Emergency Shelters, Supportive and Transitional Housing serving seven or more residents	In addition to the required residential parking, one half (0.5) space for each bedroom housing a recipient of support services, rounded to the next highest whole number.
Flea market	1 parking space for each 500 square feet of sales or display area, plus 1 per sales booth.
Golf course	4 parking spaces per hole, plus required parking for accessory uses.
Guest house	1 space in addition to that required for the main residence.
Hotel, motel, boardinghouse, or bed and breakfast guest facility	1 parking space per guest room, plus 1 space per two employees, plus required parking for accessory uses.
Industry	1 parking space for each 1,000 square feet of manufacturing or warehousing area, or per employee, whichever is greater, plus 1 parking space for each 300 square feet of office area, plus 1 parking space for each 250 square feet of retail floor area, if retail sales are allowed.
Medical offices and clinic	1 parking space for each 250 square feet of gross floor area.
Mobile or manufactured home park	2 parking spaces per unit (tandem parking permitted), plus 1 guest parking space for each 4 units, plus 1 recreational vehicle parking space for each 5 units. For mobile or manufactured home parks restricted to seniors only, 1 parking space per unit.
Mortuary	1 parking space for each 4 seats in the principal seating area, plus 3 parking spaces; or 1 parking space for each 45 square feet in the principal seating area, whichever is the greater.
Motel	See "hotel."

Multifamily or group residence, condominiums or townhouses	1.5 parking spaces per unit; plus 1 guest parking space for each 5 units, plus 1 recreational vehicle parking space for each 10 units.* Where such units are restricted to seniors only, or are developed at 20 or more units per acre and at least 20 percent of the units are restricted for affordable housing, 1 space per unit, plus guest and RV parking* as indicated above. *Note: On-site RV parking spaces may be waived by the Director where there is an enforceable, binding prohibition against parking RVs on site.
One-family or two-family residence	2 parking spaces per dwelling unit.
Personal services	1 parking space for each 200 square feet of gross floor area.
Professional office, including bank and other financial institution	1 parking space for each 300 square feet of gross floor area.
Research and development	1 parking space per 2 employees.
Residential facility for the elderly	½ parking space per unit, in addition to parking for other types of residences.
Restaurant (standard) or bar	1 parking space for each 250 square feet of gross floor area or 1 space for every 4 seats based upon the capacity of the fixed or movable seating area, whichever is greater.
Restaurant (fast food)	1 parking space for each 50 square feet of gross floor area.
Retail:	
a. Enclosed — general retail	1 parking space for each 200 square feet of gross floor area.
b. Shopping center	1 parking space for each 275 square feet of gross floor area.
c. Enclosed — furniture, large appliance, carpet, piano, auto showroom or similar uses	1 parking space for each 500 square feet of retail floor area.
d. Open lot, including auto, boat, recreation vehicle and mobile home (does not include flea market or similar uses)	1 parking space for each 5000 square feet, not to exceed 5 spaces, plus 1 space for each 2 employees.
School:	
a. Grades K — 8	1 parking space per employee, plus 10 spaces.
b. Grades 9 — 12	1 parking space per 5 students, plus 1 space per 2 employees.
Convalescent hospital	1 parking space for each 3 beds.

SECTION 29

Chapter 17.88 Special Uses is amended as follows:

Amend Article I Uses Permitted in All Districts as follows:

Amend section 17.88.060 "Agricultural accessory building" to read in its entirety as follows:

17.88.060 - Agricultural accessory building. Agricultural accessory buildings, as defined in 17.02.105, are permitted when accessory to a full-time or part-time agricultural use, provided the property on which the building is to be located is within a zone district that allows agricultural use by right, and the parcel meets the minimum acreage requirements for the zone district.

Amend section 17.88.070 "Assemblage of people" to read in its entirety as follows:

17.88.070 - Assemblage of people. Except in R-1, R-2, R-3, RM and MHP districts, circuses, carnivals, open air theaters, race tracks, boat races or similar uses involving temporary or intermittent assemblages of people, automobiles or boats, and that do not involve permanent structural improvements, may be permitted if an administrative permit is issued in each case and it is determined that the proposal will not adversely impact surrounding properties.

Amend Article II Uses Permitted with a Residence or in Selected Residential Districts as follows:

Amend section 17.88.120 "Generally" to read in its entirety as follows:

17.88.120 - Generally. There are certain land uses which, because of their characteristics, are permitted in residential areas, provided they meet appropriate standards. The uses described in this article may be permitted in conjunction with residential uses, subject to the criteria and limitations specified herein.

Delete subsection (B) Definitions and renumber subsections (C), (D), (E), and (F) of section 17.88.132 "Accessory dwelling units."

Renumber and amend subsection (C) "Applicability" of section 17.88.132 "Accessory dwelling units" to read in its entirety as follows:

- B. Applicability. Subject to all applicable provisions of this section, an Accessory dwelling unit may be established in any zone district which permits a one-family residence by right, and in the Mixed Use (MU) district provided that all required permits have been secured for the one-family residence.

Renumber subsection (D) "General Provisions" and amend subsection 1(a) of section 17.88.132 "Accessory dwelling units" to read in its entirety as follows:

- C. General Provisions. If the provisions of this section conflict with other provisions of the County Code, the provisions of this section shall govern. The following general provisions shall apply to Accessory Dwelling Units:

1. Number of Units. There shall be no more than one accessory dwelling unit per legal lot.

- a) An accessory dwelling unit shall not be permitted on lots which have a guest house or a family care residence .

Amend subsection (A) of section 17.88.140 "Residential accessory buildings" to read in its entirety as follows:

17.88.140 - Residential accessory buildings.

- A. Residential accessory buildings are buildings which are subordinate to and commonly associated with a residence, including, but not limited to: private garages, carports, covered awnings, greenhouses, and private storage buildings. As used in this section, residential accessory buildings include the terms "residential accessory structure" and "accessory structure." This section does not apply to family care residences, accessory dwelling units, senior citizen residences, guest houses, servant's quarters, or any other buildings permitted and approved for human occupancy, or to agricultural buildings as defined in Section 17.02.105 and as permitted by section 17.88.060.

Delete section 17.88.180 "Senior citizen residence" in its entirety.

Delete section 17.88.190 "Servant's quarters" in its entirety.

Amend section 17.88.205 "Home occupation with customer vehicle trips" to read in its entirety as follows:

17.88.205 - Home occupation with customer vehicle trips. A home occupation with customer vehicle trips may be established on a lot, in addition to a permitted residential use, provided the home occupation meets all criteria of subsections A through E of Section 17.88.175, and customer vehicle trips do not exceed the following:

- A. If the lot is one acre or less in size, up to six customer vehicle trips may be permitted daily;
- B. If the lot is larger than one acre in size, up to ten customer vehicle trips may be permitted daily.

Amend section 17.88.215 "Large family day care home" to read in its entirety as follows:

17.88.215 - Large family day care home. A large family day care home may be established on a lot, in addition to a permitted residential use if an administrative permit is issued, and provided:

- A. The maximum number of children or adults at any time shall be fourteen (14). This includes the licensee's children and assistant's children under the age of ten and all other children under the age of eighteen;
- B. It may be located in a one-family residence;

- C. It shall not be located within five hundred feet driving distance of another large family day care home;
- D. No signs are permitted;
- E. All fire safety requirements shall be met, including a fire safety clearance by the State Fire Marshal;
- F. A parking and loading area shall be provided, as specified in Chapter 17.86, except the loading area may be located in a front or side yard that typically is used as a driveway that leads to a garage or parking area. The parking and loading area shall be improved with at least four inches of gravel or cinders;
- G. It shall have frontage on, and access off of, a road that meets all applicable standards. Roads that are constructed for this project shall meet adopted county standards. Existing paved roads, including public roads, shall meet all safety and capacity criteria. If determined to be deficient, improvements to the road may be required.

Delete section 17.88.220 "Mobile homes in an unclassified district" in its entirety.

Delete section 17.88.235 "Farm labor quarters" in its entirety.

Amend Article III Other Special Uses as follows:

Add section 17.88.275 "Emergency shelters" to read in its entirety as follows:

17.88.275 Emergency shelters. Emergency shelters are permitted outright in the Commercial-Light Industrial (CM) district and shall comply with all objective standards identified in Government Code Section 65583 (a) ((4), and the Shasta County Code, that include the following:

1. Off-street parking as provided under Section 17.86 of this Code.
2. Shall not be located closer than three hundred (300) feet of any other emergency shelter, unless such other emergency shelter is located within the same building or on the same lot.
3. There shall be adequate receiving and reception space inside the structure such that prospective and current residents are not required to wait on sidewalks or any other public rights-of-way.
4. Any outdoor area provided for the residents of the emergency shelter shall be gated and fenced.
5. Lighting shall be provided for appropriate security subject to approval of the Sherriff and the Director, and provided that such light does not cause light or glare on adjacent properties and uses.
6. A management plan is required for all emergency shelters to address management experience, good neighbor issues, transportation, client supervision, client services, and food services. Such plan shall be submitted to and approved by the Director prior to establishing the emergency shelter. Minimum standards and practices addressed in the plan shall be as follows:

- a. The Emergency Shelter shall be operated by or in association with an agency or organization, with prior experience in managing or providing social services.
- b. The Emergency Shelter shall have an identified administrator and representative to address community concerns.
- c. The Emergency Shelter shall provide at least one responsible onsite supervisor at all times for every ten residents.
- d. Residents shall be regularly evaluated by a case manager or other person(s) experienced in emergency shelter placement and/or management.
- e. The plan shall identify how the shelter will assist its residents with gaining access to social services, employment opportunities and other services.
- f. First aid and CPR assistance, life skills training, counseling, and personal services essential to enable homeless persons to make the transition to permanent housing shall be provided. Services may also include providing meals, as incidental to the operation of an Emergency Shelter.
- g. Referral services shall be provided to assist residents in obtaining permanent housing and income. Such services shall be available at no cost to residents of a shelter.
- h. Emergency Shelters shall be maintained in a safe and clean manner and free from refuse or discarded goods.

Amend section 17.88.280 "Storage of mobile homes, recreational vehicles, sea vans, cargo containers or truck trailers" as follows:

17.88.280 - Storage of mobile and manufactured homes, recreational vehicles, sea vans, cargo containers or truck trailers.

- A. A mobile or manufactured home shall not be placed on a lot until a mobile or manufactured home installation permit is issued. A mobile or manufactured home shall not be stored on a lot, unless the lot is a legally established commercial storage yard or a mobile or manufactured home sales lot.

SECTION 30

Chapter 17.92 Applications and Procedures is amended as follows:

Amend subsection (F) of section 17.92.020 "Use permits" to read in its entirety as follows:

17.92.020 - Use permits.

- F. Except as provided in subsection (G) of this section, the planning commission may approve, conditionally approve or deny approval of the application by resolution. A resolution approving a use permit application shall clearly describe the uses permitted, set forth all conditions of approval, and identify which conditions, if any, must be met prior to use of the use permit. No use permit shall be granted unless findings of fact are made that the establishment, maintenance or operation of the use, building or facilities applied for will not, under the circumstances of the particular use, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county; provided, if any proposed use, building or facility is necessary for the public health, safety or general welfare, the findings shall so state. The planning commission may require security it deems reasonably necessary to ensure compliance with any conditions imposed.

Add subsection (G) of section 17.92.020 "Use permits" to read in its entirety as follows:

- G. Where a use permit approval requires or is accompanied by an application to amend the zoning plan or the general plan, (1) the planning commission shall render its decision in the form of a written resolution, which shall include a recommendation to the board of supervisors for action on the application, the reasons for the recommendation, and the relationship of the application to the general plan and any applicable specific plan. A recommendation to approve a use permit application shall clearly describe the uses permitted, set forth all conditions of approval, and identify which conditions, if any, must be met prior to use of the use permit; (2) The Director of Resource Management shall cause a report of the Planning Commission's action to be filed with the Clerk of the Board within ten working days after the Planning Commission's decision; (3) Upon receipt of the report of the Planning Commission's action, the board of supervisors shall set the matter for public hearing before it and shall consider the use permit application along with the proposed amendment(s) to the zoning plan or the general plan in accordance with section 17.92.080. The board of supervisors may continue any hearing to a specific time, date, and place without further public notice; (4) The board of supervisors shall conduct a "de novo" review of the Planning Commission's decision and shall review the report of the Planning Commission's action and any additional relevant information that may have been received at the hearing before the board of supervisors; (5) The board of supervisors may, in its discretion, refer any application back to the Planning Commission for further review and report. The Board may also, in its discretion, approve, disapprove, or modify, wholly or partly, any recommendation of the Planning Commission. The board of supervisors may also impose additional conditions.

Renumber subsections (G), (H), (I), and (J) of section 17.92.020 "Use permits" as follows:

- H. The granting of any use permit may be conditioned upon the dedication of land or the posting of a bond to guarantee the installation of public improvements, provided the dedication or public improvements are reasonably related to the use for which the use permit is granted. Every use permit granted under this section is revocable. Any use permit granted under this section may be limited by the B.A.R. or planning commission to a term set when the use permit is granted. The establishment, maintenance or operation of any use under this section shall

cease at the end of the term, if any, of the use permit. No use permit granted under this section may be renewed, but a new use permit may be granted upon terms and conditions appropriate at the time of such grant.

- I. After the time for filing an appeal has expired, or if an appeal is timely filed, after the decision on the appeal, the director of resource management shall mail or deliver to the applicant or his agent a copy of the executed resolution on the decision. A resolution approving or affirming the approval of or reversing the disapproval of a use permit application shall constitute the use permit and shall permit the applicant to engage in the use or undertake the activity described, provided any precedent conditions imposed under subsection E of this section or on appeal have first been met.
- J. No building permit or mobile home installation permit for which a use permit is required shall be issued until the time to appeal approval of the use permit has expired, or in case of appeal, until the approval has been affirmed or the disapproval has been reversed by the board of supervisors.
- K. Any use permit, including the term of the permit and conditions of approval, may be amended upon a showing of good cause by any interested party or by the planning commission on its own motion. The provisions of subsections A through F of this section shall apply to any amendments proposed by an interested person. The provisions of subsections C through F of this section shall apply to any amendment initiated by the planning commission. (Ord. 95-3 § 97, 1995; prior code § 5.05.020)

Add section 17.92.025 "Use permits - modification" to read in its entirety as follows:

17.92.025 Use permits – modification. As provided in this section, upon application by the permit holder, an approved use permit or its conditions of approval, may be modified if the approving agency finds there are changes in circumstances that justify the modifications.

- A. Minor modification. A minor modification to an approved use permit may be approved by the Director if the proposed modification meets all of the following criteria:
 - 1. The modification complies with all existing conditions of approval and does not trigger the need for any new or amended conditions of approval.
 - 2. Any separate approvals or permits, such as a building permit, grading permit or encroachment permit are obtained.
 - 3. The modification is compatible with existing approved uses and reasonably fits within the scope and scale of the approved use(s).
 - 4. The modification does not introduce new, unanalyzed environmental effects (dust, noise, light, traffic, etc.) or would be of greater land use intensity than the approved use(s).
 - 5. The modification does not add to the existing overall floor area of approved structures, through additions or new structures, by more than fifteen (15) percent.

6. Any added new uses to an existing Use Permit are allowed by right in the zone district, and the new uses are compatible with the existing approved uses and can be accommodated on the site in accordance with section 17.94.040.

Exceptions to the listed criteria may be approved by the Director with a recommendation from the staff planner and the planning manager. Any decision of the Director may be appealed to the Planning Commission in accordance with section 17.92.050(G).

- B. Amendment. An amendment to an approved use permit shall be required and referred to the approving agency (Planning Commission or Board of Supervisors, as applicable) if any of the following apply:

1. The proposed changes would not comply with one or more of the existing conditions of approval, or triggers the need for new or revised conditions of approval.
2. The proposed changes would introduce new, unanalyzed environmental effects (dust, noise, light, traffic, etc.) or would be of greater land use intensity than the approved use(s).
3. The proposed changes would add new uses that otherwise require a zone permit, administrative permit or use permit in the particular zone district.

A use permit amendment shall be processed in the same manner as a use permit in accordance with sections 17.92.020 through 17.92.040 inclusive, but the hearing before the approving agency shall be confined to consideration of and action on the proposed modifications or amendment and related conditions of approval as may be appropriate.

SECTION 31

Chapter 17.94 Administration and Enforcement is amended as follows:

Amend section 17.94.030 "Zone district land use interpretation" to read in its entirety as follows:

17.94.030 – Determination of similar use; Zoning plan interpretation; Land use verification.

- A. Determination of similar use. Any land owner may submit an application for a determination of similar use on his/her property, along with all applicable fees. Where a proposed land use is not specifically listed by the applicable zone district within which the property proposed for the use is located, the director of resource management may determine that the proposed use may be permitted if the following findings are made:

1. The proposed unlisted use is similar in character and impact to a listed use; and
2. The proposed use will be treated in the same manner as the listed use including determining where it is allowed, what permits are required, and what standards affect its establishment.

The Director shall reply, in writing, within 30-days of receiving the request, or at such other time as agreed to by the parties.

- B. Zoning plan interpretation. Any member of the public may submit a written request for interpretation of the zoning plan. The request shall be submitted to the Director in the form of a letter, or on a form prescribed by the Director, and shall include reference to the sections of the zoning plan that are the subject of the request, along with an explanation of the circumstances leading to the request, and any other relevant information the applicant would like to be considered, along with all applicable fees. The Director shall reply, in writing, within 30-days of receiving the request, or at such other time as agreed to by the parties.
- C. Land use verification. Any land owner may submit a written request for verification of the status of an existing land use, or the land uses that would be permitted on his/her property, or any similar verification. The request shall be submitted to the Director in the form of a letter, or on a form prescribed by the Director, and shall include a description of the particular land use of concern, the circumstances related to the land use, such as any permit or other entitlement approved for the subject land use or the property, and any other relevant information the applicant would like to be considered, along with all applicable fees. The Director shall reply, in writing, within 30-days of receiving the request, or at such other time as agreed to by the parties.
- D. Appeal. Any Determination, interpretation, or verification made in writing by the director of resource management may be appealed to the planning commission in accordance with subsection C of Section 17.94.060.

Amend section 17.94.040 "Combining uses" to read in its entirety as follows:

17.94.040 - Combining uses.

- A. More than one permitted use may be permitted on one lot in any zone district, provided there is no conflict between the uses, and further provided that any applicable permits, including permits for a change of occupancy, are secured and all zone requirements and county development standards are met.
- B. On lots for which a use permit has been approved, additional uses permitted outright in the particular zone district may be allowed outright provided the criteria in subsection (A) are met. Additional uses requiring a zoning permit, administrative permit or use permit may be added through minor modification or amendment to the existing use permit in accordance with section 17.92.025.

Amend subsection (C) "Enforcement authority" of section 17.94.060 "Administrative enforcement" to read in its entirety as follows:

17.94.060 - Administrative enforcement.

- C. Enforcement Authority.
 - 1. The Director (or designee) is the enforcing officer for the provisions of this title. The Shasta County Sheriff (or designee) may also serve concurrently as an enforcing officer for the

provisions of this title with the approval of the Shasta County Sheriff and the Director. Nothing in this provision shall be construed to limit the authority provided to the Shasta County Sheriff by state or federal law.

2. Any administrative decision of the Director regarding the interpretation of the provisions of this title or any condition of approval imposed pursuant to this division shall be made in writing whenever requested by any person, in writing, interested in the interpretation. The written interpretation shall be delivered personally or by mail to that person.
3. The director's decision may be appealed to the planning commission within ten days of the date of hand delivery or mailing of the decision by filing a written appeal with the planning department. The appeal shall specifically set forth the grounds upon which it is based. The commission shall hear the appeal and the appellant shall be given a reasonable opportunity to be heard and to present evidence at the hearing. The commission shall render its decision in writing to the Director and shall concurrently mail a copy of its decision to the appellant. A public hearing is not required for any appeal heard under this subsection. Pendency of an appeal under this subsection shall not affect the filing of any legal action or pursuit of any other remedy to enforce the provisions of this title or any condition imposed pursuant to this title.

SECTION 32

Chapter 17.100 Reasonable Accommodation is added as follows:

Add Chapter 17.100 "Reasonable Accommodation" to read in its entirety as follows:

17.100 REASONABLE ACCOMMODATION

Sections:

17.100.010	Purpose
17.100.020	Applicability
17.100.030	Application
17.100.040	Approval authority
17.100.050	Grounds for approving accommodation
17.100.060	Appeals

17.100 010 Purpose. The purpose of this chapter is to establish reasonable and necessary standards and procedures, pursuant to the Federal Fair Housing Amendments Act of 1988 and California Fair Employment and Housing Act, Gov. Code Section 12901 (the Acts) and following, as they may be amended from time to time, for the County of Shasta to provide people with disabilities reasonable accommodation from the various land use, zoning and building laws, rules, policies, practices and procedures of the County that may be necessary to ensure equal access to housing.

17.100.020 Applicability. In order to make specific housing available to an individual with a disability, a disabled person or their authorized representative may request reasonable accommodation relating to the various land use, zoning, and building laws, rules, policies, practices and procedures of the County. A request may be filed at any time that the accommodation may be necessary to ensure equal access to housing. If the project for which the request is being made also requires some other planning or building

permit or approval, then the applicant shall file the request together with the application for such permit or approval.

17.100.030 Application. All requests for reasonable accommodation shall include the following information:

1. Assessor's Parcel Number and physical address of the property for which the request is being made;
2. The current actual use of the property;
3. The code provision, regulation or policy from which accommodation is being requested;
4. The basis for the claim (including documentation) that the individual is considered disabled under the state and federal fair housing acts and why the accommodation is necessary to make the specific housing available to the individual;
5. Plans showing the details of the proposed use to be made of the land or building, and any other pertinent supporting documentation as required by the Planning Department.

17.100.040 Approval authority. The Director, or his/her designee, shall have the authority to consider and act on a request for reasonable accommodation. When a request for reasonable accommodation is filed with the County, it will be referred to the Director for review and consideration. The Director shall issue a written decision within thirty (30) days of the date of receipt of a completed application and may (1) approve the accommodation request, (2) approve the accommodation request subject to specified nondiscriminatory conditions, or (3) deny the request. All written decisions shall give notice of the right to appeal and the right to request reasonable accommodation on the appeals process, if necessary. The notice of decision shall be sent to the applicant or any other person requesting notice by certified mail, return receipt requested.

If necessary to reach a determination on the request for reasonable accommodation, the Director or designee may request further information from the applicant consistent with this chapter, specifying what additional information is required. In the event a request for further information is made, the thirty (30) day period to issue a written determination shall be stayed until the applicant responds to the request. Additional information shall not be requested solely as a means to postpone the timeline for a decision. Accommodation approval shall not have any force and effect until the applicant acknowledges receipt thereof and agrees in writing to each and every term and condition thereof.

17.100.050 Grounds for approving accommodation. In making a determination regarding the reasonableness of a requested accommodation, the following factors shall be considered:

1. Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual protected under the Acts.
2. Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.

3. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the County.
4. Whether the requested accommodation will require a fundamental alteration to the zoning or building laws, policies or procedures of the County.
5. Physical attributes of the property and structures.
6. Alternative reasonable accommodations which may provide an equivalent level of benefit.

17.100.060 Appeals. Within thirty (30) days of the date the Director issues a written decision, the applicant requesting the accommodation may appeal an adverse determination or any conditions or limitations imposed in the written determination. Any other interested person not satisfied with the decision of the Director, may file an appeal within seven (7) calendar days of the date on which the decision being appealed was rendered. All appeals shall contain a statement of the grounds for the appeal. Appeals shall be to the Board of Supervisors who shall consider the matter and render a determination as soon as reasonably practicable, but in no event later than sixty (60) days after an appeal has been filed. Following the filing of an appeal, the Board of Supervisors shall hold a public hearing on the matter. All determinations on an appeal shall address and be based upon the same findings required to be made in the original determination from which the appeal is taken.

SECTION 33

The County finds that Z17-003 consists of updates and amendments to the County Zoning Plan including, but not limited to, compliance with the requirements for accessory dwelling units, provisions for emergency housing, provisions for transitional and supportive housing where and in the same manner as single-family housing is allowed by right, compliance with reasonable accommodation laws, and provisions to allow multifamily residential development at the County's assigned default density in areas where multifamily residential development is currently allowed by right and where services are or may become available. These updates and amendments do not in themselves result in direct or indirect physical changes to the environment or in a significant effect on the environment. Therefore, Z17-003 is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2) (the adoption of the ordinance as proposed will not result in a direct or indirect physical change in the environment). In addition, Z17-003 is exempt from CEQA in accordance with CEQA Guidelines section 15061(b)(3) (there is no possibility the adoption of the ordinance as proposed may have a significant effect on the environment). Each exemption stands as a separate and independent basis for determining that this Zoning Plan Amendment is not subject to CEQA.

SECTION 34

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 35

This ordinance shall take effect and be in full force and effect 30 days after its passage. The Clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this____ day of _____, 2018, by the Board of Supervisors, County of Shasta, State of California, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES

Clerk of the Board of Supervisors

By: _____
Deputy