

GUIDE TO REVIEWING THE DRAFT DEVELOPMENT CODE

The proposed Development Code combines Title XI (Development Code) and Title XII (Zoning Ordinance) into one Title (Title XI, Development Code) to provide a more fluid land development document. The proposed Development Code contains six Divisions:

- I. Introductory Provisions
- II. Zoning and Overlay Districts
- III. Regulations Applying to Some or all Districts
- IV. Land Divisions
- V. Administration
- VI. General Terms

The following provides a brief summary of the key topics addressed in each division of the proposed Development Code.

DIVISION I: INTRODUCTORY PROVISIONS

- Authority and Purpose
- Relationship to other documents
- Rules of Measurement

Most of this section is standardized language.

DIVISION II: ZONING & OVERLAY DISTRICTS

- **Chapter 11.04 Zones & Districts.** Includes placetype language from 2030 General Plan and a table of existing and proposed zone districts (Table 11.04.020; attached).
- **Chapters 11.05 to 11.10.** These are the base zone districts such as Exclusive Agriculture (AE), Single Family Residential (RS) etc...The Board of Supervisors has already reviewed the purpose statement portion of each zone district. Therefore, focus should be placed on the land use and development regulations (the two tables within each zone category) and the supplemental regulations. Most of Chapter 11.09 pertains to the Sports and Entertainment district and therefore is the same as existing zoning ordinance and Measure R language.
- **Chapter 11.11: Planned Developments (PD).** This section is significantly different than current Planned Unit Development (PUD) section in current zoning ordinance. Current zoning ordinance focuses only on residential PUDs. The proposed Development Code allows for PDs that are residential, commercial, industrial or mixed use. In addition, a

PD is no longer treated as a use category but a zone district. As such it is subject to Board approval (current process is Planning Commission) and must be consistent with General Plan.

- **Chapters 11.12 to 11.15: Overlay Districts.** These chapters include the overlay districts such as Airport Environs, Floodplain, and NPDES which are based on state and federal requirements/mandates. As such, there is very little discretion on these Chapters.

DIVISION III: REGULATIONS APPLYING TO SOME OR ALL DISTRICTS

- **11.19 General Site Regulations.** This section addresses items such as fencing, lighting, and screening. It also provides setbacks or buffers from agricultural activities which was part of Action Item NR3.2 of the General Plan. The distances were provided by the Agricultural Commissioner (Table 11.19.080).
- **11.20 Consumer Disclosure – Farming and Mining.** Minor modifications to this chapter to address proposed zone district designations and General Plan.
- **Chapter 11.21 Clustered Developments.** This Chapter includes provisions for cluster development through approval of a Conditional Use Permit within rural communities consistent with the 2030 General Plan (GP Goal CD 9 and associated policies). The proposed ordinance would retain the maximum densities of the zone district, but would allow homes to be clustered closer together as a means of limiting the footprint of the developable area and preserving natural resources. Therefore a 100 acre project with a 20 acre minimum (1 unit per 20 ac density) would still be limited to a maximum of 5 residential units.
- **Chapters 11.22 & 23 Fire Safe Regulations and Grading Ordinances** have only minor changes from current text.
- **Chapter 11.24: Landscape.** This section has been updated to be consistent with the most recent state regulations on water efficient landscaping. Based on the current drought, this section could be superseded by an executive order from the Governor. It also provides a mechanism for individuals to meet the state requirements without having to hire a certified landscape architect to prepare the calculations by utilizing plants with low water requirements and limiting the amount of turf. The “Plant List” is still being developed and will be part of the Design Guidelines rather than adopted by Ordinance (provides more flexibility in choosing plant species if someone wants to use one not on the list).
- **Chapter 11.23 Parking.** Currently the zoning ordinance has a one size fits all parking approach that does not distinguish between our rural and urban areas. The proposed Chapter provides a different set of requirements for rural areas both in the number of spaces as well as the development standards to provide projects that are more

consistent with a rural character (less spaces and pavement). In addition, the number of parking spaces has been reduced for several types of uses in urban areas as well.

- **Chapter 11.27 Signs:** This Chapter is simplified from the current version. In addition, it allows more types of uses to have electronic signs, and adds the ability for offsite directional signs for rural areas. Currently all off site signs in foothill areas are illegal.
- **Chapters 11.28 to 11.29 Frontage Improvements and Underground Utility Districts.** Minor updates to these sections for compliance with General Plan and proposed zoning designations.
- **11.30 Density Bonuses.** Density Bonuses are required by state law. Most of this section comes directly from legislation.
- **11.31 Non-Conforming Uses.** The biggest change to this section is that non-conforming uses shall be deemed abandoned after 6 months. Current Code is 12 months. Both the Development Code Advisory Committee and Olivehurst Revitalization Plan Advisory Committee wanted the time period to be reduced. This item was brought before the Board in February of 2014 with a concurrence to reduce the time period to 6 months. The proposed Development Code does include a provision for an abandoned use to be reinstated by the Planning Commission upon making specific findings.
- **11.32 Standards for Specific Uses.** This Chapter provides development regulations for specific types of uses (i.e. animal keeping, employee housing, home occupations, outdoor uses, and ranch marketing to name a few).

This section also greatly expands what can be done as a home occupation compared to current code. The proposed Development Code allows for farmers markets (right now most are operating illegally since code does not allow), ranch marketing (agritourism), wineries, and bed & breakfasts. The solar section has also been expanded to make it easier to obtain over the counter permits for those facilities intended for on-site energy demands. The proposed telecommunications section also makes it easier for co-locations and additions to existing towers (currently requires a CUP) as well as camouflage facilities. Standards or screening as requested by the Planning Commission have also been included.

Division IV: Land Divisions

The majority of this division comes from the Subdivision Map Act and is very similar to the County's existing provisions in Title 11 of the County Code. Section 11.44: Subdivision Design contains the most changes from current code. The proposed changes are based on the types of issues frequently encountered in the Valley Growth Boundary and rural parts of the County when processing maps. The proposed design requirements will allow the public to know earlier in the process the types of information they will need to provide to minimize processing time

and costs. This also assists the owner in evaluating the feasibility of their project before submitting an official application.

Division V: Administration

- **Chapter 11.52 Land Use Authorities.** This section defines the roles and responsibilities of various hearing bodies (Board, Planning Commission, and Development Review Committee) and various County staff as it relates to land use. Currently Code only defines for a few entities.
- **Chapter 11.53 Common Procedures.** This section mostly contains language currently found in Titles 11 and 12 of County Code.
- **Chapter 11.54 Environmental Review.** This section lays out the County's requirements under CEQA. Therefore it is mostly state statute.
- **Chapters 11.55 to 11.66.** These chapters layout the process for applying for various land use entitlements such as use permits. Most of these sections are similar to language in current code. However the Administrative Use Permit process (from Interim Ordinance) is included along with an even lower level approval for deviations called a Waiver (Chapter 11.60). Chapter 11.63 discusses Community Plans consistent with the 2030 General Plan policies.
- **Chapter 11.67: Enforcement & Abatement Procedures.** Currently enforcement and abatement procedures are provided throughout the various chapters of Title 11 and Title 12. The proposed Development Code places these regulations all in one section for ease of use and to ensure consistency across all land use disciplines.

Division VI: General Terms

This division includes definitions and use classifications. Most of the definitions are from the current Title 11 and Title 12. The Use Classifications were vetted by the Advisory Committee and Planning Commission and presented to the Board in December 2013. Changes and recommendations from those meetings have been incorporated into the Draft Development Code.

- **Chapter 11.74: Land Use Regulation Table.** This table will need to be updated to match the use regulation tables for each of the zone districts provided in Division II. In addition, due to the addition and deletion of zone districts the Correspondence table included in Appendix A of the General Plan will need to be updated (was previously contemplated as part of the General Plan). This update will occur as part of the final adoption of the Development Code by the Board.