

**PART 15  
ZONING**

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**PART 15  
ZONING**

**CHAPTER 15.04 GENERAL PROVISIONS**

**15.04.010 Purpose**

This part is adopted pursuant to the Planning and Zoning law of the Government Code to promote the health, safety and general welfare and to achieve the following objectives:

- (a) To enhance and implement the General Plan.
- (b) To provide a guide for the growth and development of the County of Sierra in accordance with the General Plan.
- (c) To secure for the citizens of the County the social and economic advantages resulting from an orderly planned use of its land resources.
- (d) To encourage, classify, designate, regulate and segregate the uses of land, buildings and structures to serve the needs of agriculture, commerce, industry, residences and other purposes in appropriate places.
- (e) To establish conditions which will allow all of these land uses to exist in harmony within the community.
- (f) To prevent the overcrowding of land, to avoid undue concentration of population, and to maintain a suitable balance between the structures and open spaces.
- (g) To lessen congestion on streets and to promote a safe, efficient traffic circulation system.
- (h) To insure that adequate off-street parking and loading facilities will be installed and maintained.
- (i) To facilitate adequate provisions for community utilities, such as transportation, water, sewage, schools, parks and other public requirements.
- (j) To protect and enhance real property values.
- (k) To promote the stability of existing land uses and to protect them from incompatible and harmful intrusions.
- (l) To protect and preserve the stability of fish and wildlife populations for the enjoyment of present and future generations. (Ord. 409, eff. 7/5/73, prior Section 86100)

**15.04.020 Interpretation**

In interpreting and applying the provisions of this part, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity and general welfare. It is not intended by this part to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided however, that where this part imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger space than is imposed or required by other ordinances, rules or regulations, or by easements, covenants or agreements, the provisions of this part shall govern. (Ord. 409, eff. 7/5/73, prior Section 86102)

#### **15.04.030 Exceptions to Chapter**

The provisions of this part shall have no application to pipelines, regulators, meters and appurtenances, insofar as the State of California or the Public Utilities Commission has preempted the field or passed specific laws or binding regulations concerning the County, excluding buildings, directly or indirectly for service to the public or any portion thereof by persons, firms or corporations. Said persons, firms or corporations shall first obtain a franchise from the County. (Ord. 409, eff. 7/5/73, prior Section 86103)

#### **15.04.040 Inapplicable to Buildings in Construction**

Nothing contained in this part shall require any change in the plans, construction or designated use of a building for which a building permit has heretofore been issued and upon which actual construction has begun. "Actual construction" means the actual placing of construction materials in their permanent position fastened in a permanent manner, except that where a basement is being excavated such excavating shall be deemed to be actual construction or where demolishing or removal of an existing building or structure has been begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, providing in all cases that actual construction work be diligently carried on until the completion of the building or structure involved. In no case shall actual construction exceed the two (2) year time limit of the original building permit. (Ord. 409, eff. 7/5/73, prior Section 86104)

#### **15.04.050 Effect of Previous Zoning Regulation**

Any structure, use, variance, plan, use permit, building permit, etc., granted under provisions of Ordinance Numbers 369, 371, 378 or 401 shall be valid in accordance with the provisions and conditions under which it was originally approved. (Ord. 409, eff. 7/5/73, prior Section 86105)

## **CHAPTER 15.08 DEFINITIONS**

### **15.08.010 General Definitions**

The word "used" includes the words "arranged", "designed", or "intended to be used"; the word "construct" includes the words "erect", "reconstruct", "alter", "move in", and "move upon". "Zone" shall also mean "district" and "district" shall also mean "zone". (Ord. 409, eff. 7/5/73, prior Section 86101)

### **15.08.020 Agricultural Crop**

"Agricultural crop" means any annual field product grown and harvested for human consumption in its natural or processed condition. (Ord. 409, eff. 7/5/73, prior Section 86101)

### **15.08.030 Agriculture**

"Agriculture" means the art and science of large scale cultivation of the ground, including harvesting of crops and rearing and managing livestock; tillage; husbandry; farming; horticulture; and forestry; the art and science of the production of plants useful to man. (Ord. 423, eff. 7/7/74, prior Section 86101)

### **15.08.037 Airport**

"Airport" means an area maintained for the landing, takeoff, storage, repair, and/or shelter of aircraft and so designated by the State of California, Division of Aeronautics and Sierra County. (Ord. 496, eff. 4/14/77)

### **15.08.038 Airport Airspace**

"Airport airspace" means the space lying above and adjacent to an airport. (Ord. 496, eff. 4/14/77)

### **15.08.039 Airport Approach Zone**

"Airport approach zone" means a portion of the airspace, the lower limit being a fan-shaped inclined plane longitudinally centered on the extended runway centerline and located at each end of the primary surface. The slope and horizontal dimensions of the approach zone will vary based on the type of approach available and/or type planned for that runway. The inner end width is that of the primary surface. (Ord. 496, eff. 4/14/77)

### **15.08.040 Airport Clear Zone**

"Airport clear zone" means a rectangular horizontal area located at each end of the primary surface, longitudinally centered on the runway centerline and extending outward along centerline for a distance of 1,000'. The width of the clear zone is that required for the primary surface. (Ord. 409, 496, eff. 4/14/77)

### **15.08.050 Airport Conical Zone**

"Airport conical zone" means a portion of the airspace, the lower limit extending outward and upward from the periphery of the lower limit of the horizontal zone at a slope of 20:1 for a horizontal distance of 4,000 feet. (Ord. 409, eff. 4/14/77)

### **15.08.068 Airport Glideslope**

"Airport glideslope" means the path of flight followed by an aircraft when approaching a runway. This path is aligned above the extended runway centerline and varies in slope according to the type of approach available and/or planned for that runway. (Ord. 496, eff. 4/14/77)

### **15.08.069 Airport Hazard**

"Airport hazard" means any structure or natural feature or use of land which obstructs the required airspace for the flight of aircraft in landing or taking off at an airport. (Ord. 496, eff. 4/14/77)

**15.08.070 Airport Horizontal Zone**

"Airport horizontal zone" means a portion of the airspace, the lower limit being an oval-shaped horizontal plane 150 feet above the established airport elevation. The perimeter of the horizontal zone is determined by swinging arcs of a specified radii from the center of each end of the primary surface and connecting the adjacent arcs with lines tangent to the arcs. The radius of the arcs varies according to the type of approach available or planned for that runway. (Ord. 409, 496, eff. 4/14/77)

**15.08.080 Airport Noninstrument Approach Zone**

"Airport noninstrument approach zone" means an area having a width of 250 feet at a point 200 feet beyond each end of the runway, widening thereafter uniformly to a width of 2,250 feet at a distance of 10,200 feet beyond each end of the runway, its centerline being the continuation of the centerline of the runway. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.090 Airport Landing Area**

"Airport landing area" means the area in and adjacent the airport for the landing, taxiing, maneuvering, or take-off of aircraft. (Ord. 409, 496, eff. 4/14/77)

**15.08.095 Airport Primary Surface**

"Airport primary surface" means a rectangular surface longitudinally centered on and extending 200 feet beyond both ends of an airport runway. The elevation of the primary surface is the nearest point on the runway centerline. The width of the primary surface will vary according to the type of approach available and/or type planned for that runway. (Ord. 496, eff. 4/14/77)

**15.08.100 Airport Transitional Zone**

"Airport transitional zone" means a portion of the airspace, the lower limit being an inclined plane extending outward and upward from the primary surface and lower limits of the approach surface at right angles to the runway centerline. The transitional zone also includes that airspace from the runway centerline extended, at a slope of 7:1, until it intersects with the lower limit of the horizontal zone. (Ord. 409, 496, eff. 4/14/77)

**15.08.110 Apartment**

"Apartment" means a room, or suite of two or more rooms, which is designated for, intended for, or occupied by one family doing its cooking therein, and containing its own toilet and bathing facilities. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.120 Block**

"Block" means that property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets or nearest intersecting or intercepting streets and railroad right-of-way, unsubdivided acreage, water course, or body of water. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.130 Boarder**

"Boarder" means a person, other than a family member or guest, who pays for and eats his meals with a family other than his own. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08140 Building**

"Building" means any structure having a permanent foundation, a roof supported by columns or walls and used for the enclosure of persons, animals or chattels, but not including a trailer, mobilehome, or tent. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.150 Building, Accessory**

"Building , accessory" means a detached subordinate building, the use of which is customarily associated with, but subordinate and incidental to the primary use of the main building, or potential main building. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.160 Building, Accessory, Attached**

"Building, accessory, attached" means an accessory building attached to the main building by a breezeway and/or common wall. To be considered attached by a breezeway, the accessory building shall not be located more than 20 feet from the main building. The breezeway shall have a covering and be attached to a part of the accessory and main building. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.170 Building Site**

"Building site" means a parcel of land occupied or intended to be occupied by one main building, and buildings and uses customarily accessory or incidental thereto, including such open spaces as are provided or are intended to be used in connection therewith or are required by the regulations for the district wherein such parcel is located. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.180 Bulk Storage**

"Bulk storage" means storage in tanks or containers, each of which is larger than 200 gallons capacity. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.190 Business Supply**

"Business supply" means a wholesale or retail commercial enterprise whose primary activity is the stocking and supplying of materials, machines, and products which are essential to the operation of other business or service enterprises in the nearby area. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.200 Campground**

"Campground" means land or premises which are used or intended to be used, let or rented for occupancy by campers traveling by automobile or otherwise, or for occupancy by tents or similar quarters. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.210 Convalescent Home**

"Convalescent home" means a building used primarily for the rooming or boarding of any aged or convalescent persons, whether ambulatory or non-ambulatory, for which a license is required by a county, state or federal agency. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.220 Deleterious**

"Deleterious" means injurious or harmful to health or well being by virtue of being in excess of, or contrary to established statutes or legislated limits or customary regional norms. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.230 Distributorship**

"Distributorship" means a wholesale commercial enterprise whose primary activity is the distribution on a regular basis; by franchise or otherwise, of produce or products to retail outlets whose primary activity is the sale thereof. (Ord 409, eff. 7/5/73, prior Section 86101)

**15.08.240 Drive-In Restaurant, Store or Theater**

"Drive-in restaurant, store or theater" means any such activity or service which is (primarily) offered to customers or clients by their driving onto the premises and being serviced while remaining in their vehicle. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.250 Dwelling**

"Dwelling" means:

- (a) Any building or portion thereof, used exclusively for residential purposes but excluding hotels, motels, clubs, boarding or rooming houses, fraternity or sorority houses, institutions or mobilehomes.
- (b) Single family - a building designed and/or used to house not more than one family.
- (c) Two family - a building designed and/or used to house not more than two families, living independently of each other.
- (d) Multiple - a building designed and/or used to house three or more families, living independently of each other. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.260 Dwelling Unit**

"Dwelling unit" means a building or portion thereof designed and/or used to house not more than one family. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.270 Family**

"Family" means one person living alone, or two or more persons related by blood, marriage or legal adoption, or a group not exceeding four persons living as a single, non-profit housekeeping unit. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.280 Flood**

"Flood" means any temporary rise in stream flow or water surface level that is the direct or indirect result of the passage of storm waters in a watercourse, and in a volume that causes significant adverse effects on any improvements located in the flood plain. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.290 Flood, Design**

"Flood, design" means the flood of a certain volume which is determined to recur at a given interval of time, normally 100 years, and against which protection of all public and private improvements is deemed necessary for the public safety and general welfare. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.300 Flood Plain**

"Flood plain" means the flat or low-lying area adjacent to a stream or watercourse which is subject to flooding or overflow with the passage of a design flood. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.310 Forest Product**

"Forest product" means any perennial crop, natural or cultivated, which is grown or nurtured primarily for its fiber or for use for other than food. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.320 Garage**

"Garage" means an accessory building intended and used for the storage or parking of private motor vehicles. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.330 Golf Course**

"Golf course" means the area provided for the playing of golf, whether regulation, short, or practice fairway, together with related club houses, locker rooms, maintenance facilities and concessions for commercial sales and merchandise normally related to golfing. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.340 Grade**

"Grade" means the elevation on the finished ground located within five (5') feet of the exterior wall of a building, of the lowest point of entry to the building. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.345 Groundwater Transport Facility**

"Groundwater Transport Facility" means a pipeline, canal, or other man-made conduit that can be used to transport water from the immediate area of a natural groundwater basin. (Ord. 698, eff. 5/28/85)

#### **15.08.350 Guest House**

"Guest House" means detached living quarters of a permanent type of construction, clearly subordinate and incidental to the main building on the same building site, and not to be separately rented, let or leased whether compensation be direct or indirect. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.360 Height**

"Height" means the vertical distance from the main ground level or lowest floor of a structure to the highest point on any structure. (Ord. 409, 496, eff. 4/14/77)

#### **15.08.365 High Water Line**

The line found by examining the bed and banks and ascertaining where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed a character distinct from that of the banks evidenced by: a clear natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, or the presence of litter and debris. (Ord 1021, eff. 6/3/10)

#### **15.08.370 Hospital**

"Hospital" means a building used for the accommodation and treatment of sick, injured, or infirm persons, including clinics and sanitariums. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.380 Hotel**

"Hotel" means a building occupied as a temporary residence of individuals, lodged with or without meals, and where there are generally no provisions for cooking in any unit. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.390 Hotel, Resort**

"Hotel, resort" means an hotel with accessory recreational components as well as service uses designed primarily for the convenience and enjoyment of guests, and generally containing separated guest rooms. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.400 Junk Yard**

"Junk Yard" means the use of more than two hundred (200) square feet of the area of any parcel, lot, or contiguous lots, for storage, abandonment of or sale of junk, scrap material or similar waste, including the dismantling, demolition or abandonment of automobiles, other vehicles, machinery or parts. Junk yard does not include areas for the storage of machinery, materials and equipment which are accessory to a permitted primary use. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.410 Loading Space**

"Loading space" means an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of vehicles while handling merchandise or materials. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.420 Lot**

"Lot" means a parcel of land on record in the County under one ownership used or capable of being used under the regulations of this part and including both the building site and all required yards and other open spaces as defined herein, and having a frontage of not less than forty (40') feet. (Ord. 423, eff. 7/7/74, prior Section 86101)

#### **15.08.430 Lot, Panhandle**

"Lot, panhandle" means a lot, the main body of which is remote from the abutting access street with the sole access being by means of a driveway which is also a part of the lot. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.440 Mobilehome**

"Mobilehome" means a vehicle other than a motor vehicle which is designed and used for a human habitation, for carrying persons and property on its own structure, and which is equipped with running water, a kitchen and a toilet for sewage disposal. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.450 Mobilehome Park**

"Mobilehome park" means a parcel of land under one ownership which has been planned and improved for the placement of mobilehomes and trailers for non-transient use. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.460 Motel**

"Motel" means a group of two or more accommodations, guest rooms or apartments with automobile storage space serving accommodations provided in connection therewith, which group is designed and used primarily for the accommodation of transient auto travelers. (Ord. 409, eff. 7/5/73, prior Section 86101)

#### **15.08.465 Natural Groundwater Basin**

"Natural Groundwater Basin" means the geographic area underlain by an aquifer, including recharge and discharge areas. (Ord. 698, eff. 5/28/85)

#### **15.08.470 Non-Conforming Building**

"Non-conforming building" means a building structure, or portion thereof, which does not conform to the regulations of the part, for the district in which it is situated and which lawfully existed at the time of the adoption of this part. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.480 Non-Conforming Use**

"Non-conforming use" means a building or parcel occupied by a use that does not conform to the regulations as to use for the district in which it is situated. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.490 Obstruction**

"Obstruction" means any building or other structure, tree or other object of natural growth, fence or wall which projects within the limits of an area prescribed to be free of obstacles. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.500 Parking Space**

"Parking space" means a permanently maintained space on a lot or parcel, suitable for the parking of one automobile, including necessary maneuvering space. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.510 Pasture, Irrigated**

"Pasture, irrigated" means pastureland receiving eighteen (18) inches or more of irrigation water per growing season, at least twenty-five percent (25%) of which is received after July 15. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.520 Professional Office**

"Professional office" means an establishment for professional, executive and administrative offices, including those of accountants, lawyers, doctors, dentists, architects, engineers, drafting offices, insurance agents, real estate agents, and other occupations which are of similar character to those enumerated. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.530 Roomer**

"Roomer" means an individual who rents or otherwise occupies for pay a room in the dwelling of a family other than his own. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.540 School**

"School" means an institution of learning, private or public, which offers instruction in the several branches of learning required to be taught in the public school of the State of California. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.545 Second Dwelling Unit**

A "second dwelling unit" is either a detached or attached dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel or parcels as the primary unit is situated. (Ord. 781, eff. 1/18/92)

**15.08.550 Sign**

"Sign" means anything whatsoever placed, erected, constructed, posted, painted, printed, tacked, nailed, glued, stuck, carved or otherwise fastened, affixed or made visible for out-of-door informational or advertising purpose in any manner whatsoever, on the ground or on any tree, wall, bush, rock, post, fence, building structure, or thing whatsoever. For the purpose of this part, the gross surface area of both sides of a double faced sign shall be used in determining the advertising area. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.560 Sign, Advertising**

"Sign, advertising" means any sign other than a nameplate, directional or informational sign and being remotely located off the premises where the product or service is available. Such a sign shall not include any pennants, banners, whirligigs, flags, sparklers, horns, sirens, or other similar visual or noise-making attractors. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.570 Sign, Directional**

"Sign, directional" means any sign which gives directions to a community or public place. Such a sign shall not include any pennants, banners, visual or noise-making attractors. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.580 Signs, Illuminated**

"Signs, illuminated" means any sign which is lighted internally or by an outside light source for night-time visibility but not including any flashing, nervous, rotating, "traveler" or moving lights or messages. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.590 Signs, Informational**

"Signs, informational" means any sign located on the premises or within 100 feet therefrom, which is confined to identifying the operator and the name of the product, service, or facility, together with trademark or copyright, available on the premises. Such a sign shall not include any pennants, banners, whirligigs, flags, sparklers, horns, sirens, or other similar visual or noise-making attractors. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.600 Story**

"Story" means the portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.610 Street**

"Street" means a public thoroughfare 40 feet or more in width which affords a primary means of access to abutting property. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.620 Structure**

"Structure" means any object constructed, erected, or installed in any area including structures, buildings, travel trailers, mobilehomes, tents, fences, towers, smoke stacks, and utility lines. (Ord. 409, 496, eff. 4/14/77)

**15.08.630 Trailer**

"Trailer" means a vehicle other than a motor vehicle or mobilehome which is designed and used for human habitation and which may be moved upon a public highway without a special permit or chauffeur's license as provided in the state Vehicle Code. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.640 Use**

"Use" means the purpose for which land or premises or a building thereon is designed, arranged, or intended, or for which it is or may be occupied or maintained. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.650 Use, Accessory**

"Use, accessory" means a use customarily associated with, but subordinate and incidental to the principal use of a lot or a building located on the same lot. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.660 Utility Distribution Facility**

"Utility distribution facility" means any improvement used for the distribution or conveyance of utilities used by the public, such as water storage tanks and reservoirs, pumping and boosting stations, treatment plants; electrical substations, boosters, and conversion stations, gas storage tanks, communications equipment buildings; radio transmitter towers and stations; and microwave stations, but not including electrical distribution lines or pipes, valves, or transformers. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.670 Warehousing**

"Warehousing" means the activity of storing or holding wares, goods and supplies before being distributed to retailers or intermediaries between manufacture and sale to wholesale or retail outlets. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.680 Width, Required**

"Width, required" means the average width of lot, except that the minimum frontage shall not be less than thirty (30%) percent of the required width. (Ord. 409, eff. 7/5/73, prior Section 86101)

**15.08.690 Yard**

"Yard" means an open space on the same lot or parcel used with the building, extending from the building to the nearest lot line.

- (a) Front - a yard lying between the main building and the front line and extending across the full width of the lot or parcel; provided, that if any official plan line has been established for the street upon which the building site faces, then such measurement shall be taken from such official plan line to the nearest line of the building.
- (b) Side - a yard lying between the side lot line and the main building and extending from the front yard line to the rear yard line.
- (c) Rear - a yard lying between the main building and the rear line and extending across the full width of the lot or parcel.
  - 1. On a corner lot, yards abutting streets shall be considered as front yards.
  - 2. On through lots, either end lot line may be considered the front line, in which case the minimum rear yard shall not be less than the required front yard in the district in which such lot is located.

Where yards are required by this part, they shall be open and unobstructed from the ground to the sky (except as provided in this part). (Ord. 409, eff. 7/5/73, prior Section 86101)

## CHAPTER 15.10 SPECIFIC LAND USE REQUIREMENTS AND STANDARDS

### 15.10.010 (reserved)

### 15.10.020 (reserved)

### 15.10.030 Secondary Dwelling Units and Guest Houses

- (a) Purpose and Intent: The purpose of this section is to provide a variety of housing options that are subordinate to the primary allowable use on a parcel to provide rental housing; to provide affordable housing; to provide a means for the care of elderly or disabled family members; to meet the needs of renters in various income classifications; and to make better use of the existing inventory of residential lot stock and infrastructure by allowing the creation of secondary dwelling units and guest houses.
- (b) Definitions: The following definitions shall apply to secondary dwelling units and guest houses as used in this section:
1. Secondary Dwelling Units: A detached (no common walls) or attached (at least one common wall) dwelling unit which provides complete, independent living facilities for one or more persons. A secondary dwelling shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel upon which the primary residential unit is located.
  2. Guest House: A detached (no common wall) living quarter, clearly subordinate and incidental to the primary residential use, not separately rented, let, or leased whether any compensation be direct or indirect, containing sleeping and sanitation facilities but not including any cooking or kitchen facilities, including but not limited to a sink, dishwasher, a cooking stove, an oven, or any other appliance installed for the purpose of food preparation cooking or eating.
- (c) Applicable Zoning Districts: Secondary dwelling units shall be allowed in the single family residential (R-1), residential one and two family (R-2), rural residential (RR), and open space residential (OS) zoning districts. Guest houses shall be allowed in all zoning districts, subject to the requirements in this and other sections of the Zoning Code.
- (d) Parcel Size and Square Footage Limitations: The following legal parcel size qualifications and limitations to square footage allowed are as follows:
1. Legal parcels less than one (1) acre: An existing residential unit may be altered or expanded to include an attached secondary dwelling unit not to exceed 640 square feet of floor area in size. Detached secondary dwelling units and guest houses are not allowed on parcels of less than one (1) acre, excepting however that second dwelling units and guest houses up to 640 square feet are allowed on parcels of less than one acre if located above an existing or proposed garage, unless such garage is located within that zoning district's front yard setback.
  2. Legal parcels one (1) acre or greater: Attached or detached secondary dwelling units may be constructed. Secondary dwelling units are limited to 1200 square feet of floor area in size. Guest houses are allowed, not to exceed 640 square feet of floor area in size.
- (e) Standards and Requirements: The following listing of standards and requirements shall apply to secondary dwelling units and guest houses as noted.
1. Detached secondary dwelling units shall be situated, as measured from the primary residence, within a radius of 150 feet for parcels ranging from one (1) to 4.99 acres; 300 feet for parcels ranging in size from five (5) acres to twenty (20) acres; and, 500 feet for parcels in excess of twenty acres. Guest houses shall be within a distance not exceeding fifty (50) feet as measured from a primary residence.
  2. Secondary dwelling unit and guest houses shall conform to all required property line setbacks.
  3. Secondary dwelling units constructed on parcels in excess of one acre may employ a separate septic system for the unit, subject to review and approval of the County Health Department.

4. Secondary dwelling units and guest houses shall be consistent with the architectural style of the primary residence on the parcel.
5. Secondary dwelling units and guest houses may be constructed as a second floor over an existing or proposed garage serving the primary residential use on a parcel, subject to the requirements of Section (d)1 above.
6. Only one (1) secondary dwelling unit or guest house shall be allowed to be constructed on a legal parcel, regardless of parcel size.
7. Guest houses shall only be allowed if there exists a legal, primary single family residence on the parcel. A "legal" primary single family residence is one that meets County zoning, building, and health requirements in effect at the time of its construction.
8. Secondary dwelling units and guest houses shall be accessed by the primary driveway providing access to the primary residence in existence on the property. Separate driveways and access encroachments shall not be permitted to access these uses.
9. Floor area calculations to determine compliance with square footage requirements shall be measured from exterior walls. Square footage calculations shall not include outdoor decks, covered porches, stairways, landings, and other like features. Outdoor covered or uncovered areas including but not limited to decks, covered porches, stairs, landings, entry ways, and like architectural features shall be allowed on a secondary dwelling unit or guest house provided that such architectural features occupy no greater than twenty-five percent (25%) of the allowable floor area of the secondary dwelling unit, or guest house.
10. Off-street parking shall be identified and provided on a parcel proposed for a secondary dwelling unit or guest house and a minimum of one (1) space shall be required for each second dwelling unit and guest house including the primary residence.
11. If applicable, for property subject to valid deed restrictions, a proposed secondary dwelling unit or guest house shall be demonstrated to be in compliance with any recorded CCRs or deed restrictions.
12. Secondary dwelling units shall not be allowed on dead end roadways or cul-de-sacs that exceed California Department of Forestry and Fire Protection, Section 4290 requirements. Compliance for all fire clearances shall apply to permits issued for secondary dwelling units and guest houses.
13. Secondary dwelling units detached from the primary dwelling may have an attached garage or carport that does not exceed 480 square feet. Alternatively, a detached garage/carport shall be permitted provided that the structure is located within twenty (20) feet of the secondary dwelling unit and the carport or garage contains no additional living or habitable space. This section shall not be construed to limit or otherwise restrict a garage or carport that may be constructed to support the primary single family residence or a single carport/garage constructed to accommodate both the primary single family residence and the secondary dwelling unit on the property.
14. No construction shall be attached to a secondary dwelling unit or guest house in excess of the maximum square footage allowed except for outdoor areas as specified herein.
15. Potable water supply, disposal and treatment of sewage, and sanitation requirements shall conform to the requirements of the County Health Department.
16. Utility installations serving second dwelling units shall be separately metered for utilities and provided through underground service.
17. Secondary dwelling units and guest houses shall not be provided through the use of travel trailers, fifth wheels, mobile homes, campers, yurts, tents, or other non-conventional facilities. This section shall not be construed to restrict the use of manufactured or modular housing.

(f) Special Requirements:

1. Secondary dwelling units may be prohibited in site specific zoning that is associated with a planned development, master plan, or comprehensive subdivision review including but not limited to adoption of “Site Performance Combining” (SP) District overlay zoning ordinance as upon making findings required by Government Code Section 65852.2(c). (Ord. 1002, eff. 7/17/08, prior 997)

#### **15.10.040 Caretaker Residence**

- (a) Purpose and Intent: The purpose of this section is to provide residential housing for a caretaker within zoning districts of the County that are established for resource based, industrial, or recreational uses.
- (b) Definition: Caretaker Residence shall mean an attached or detached single family dwelling unit of permanent type construction which provides independent living facilities for on-site caretaking of property and improvements.
- (c) Applicable Zoning Districts: A caretaker residence shall be a permitted use within the agricultural (A-1), industrial (IN), general forest (GF), and forest recreation (FR) districts.
- (d) Development and Standards: The following development standards shall apply to a caretaker residence:
  1. All restrictions which are outlined in the underlying zoning district.
  2. Number of caretaker residences allowed.
    - A. One (1) caretaker residence shall be permitted per legal parcel in the industrial (IN), forest recreation (FR) zoning districts.
    - B. In the agriculture (A1) and general forest (GF) zoning districts multiple caretakers residences may be constructed and grouped together, as follows:
      - (i) one caretakers residence may be constructed for each contiguous legal parcel that is commonly owned by the same individual or individuals;
      - (ii) at the time of the application to build one or more caretakers residence, the property owner shall process an application for the merger of the parcel or parcels upon which the caretaker residence is being constructed and the legal parcel that provides the density or basis for the construction of the caretakers residence. The merger application must be approved and finalized as a condition to the approval of the construction of the caretakers residence;
      - (iii) In no case shall any legal parcel have more than five (5) total caretaker residences.
  3. A minimum of ten (10) acres shall be required for a caretaker residence to be permitted on any legal parcel in the agriculture (A1), forest recreation (FR), and general forest (GF) zoning districts and a minimum of five (5) acres shall be required for a caretaker residence to be permitted on any legal parcel in the industrial (IN) zoning district.
  4. A caretaker residence shall be situated upon a legal parcel in conformance with the following:
    - A. In such manner so that the caretaker residence is clearly subordinate to the primary residential or *main structure* located on the legal parcel.
    - B. So that no new road encroachments are necessary and that new road construction to the caretaker residence is minimized or deemed unnecessary and there is connectivity to any existing access serving the property.
    - C. Any detached caretaker residence is required to be located within a five hundred (500) foot radius of the primary residential or main structure located on the legal parcel.

- D. The County in approving a caretaker residence shall find that the caretaker residence is necessary and incidental for the management of the land consistent with the permitted uses of the underlying zone.
- 5. The size of the caretaker residence shall be clearly subordinate to the primary or main structure located on the legal parcel.
- 6. A caretaker residence shall not be permitted as a travel trailer, motor home, fifth wheel recreational vehicle, mobile home, camper, ten, yurt or other like facility.
- 7. Alternative location: A property owner may apply for a special use permit to exceed the siting of caretaker residence within the five hundred (500) foot radius of the primary or main structure located on the legal parcel. A special use permit shall only be issued pursuant to Section 15.28 and upon proper findings made by the Planning Commission as contained in Section 15.28.010.

(Ord. 997, eff. 6.5.08)

**CHAPTER 15.12 ZONING DISTRICTS**

**15.12.010 Districts Established**

In order to classify, regulate, restrict and segregate the uses of land, building and structures and to regulate and restrict the height and bulk of buildings and to regulate the area of yards, courts and other open spaces about buildings, the County is hereby divided into the following districts:

- |     |         |                                |
|-----|---------|--------------------------------|
| (a) | R1      | Residential One Family         |
| (b) | R2      | Residential One and Two Family |
| (c) | R3      | Residential Multiple Family    |
| (d) | CR      | Commercial Residential         |
| (e) | CN      | Neighborhood Commercial        |
| (f) | CC      | Community Commercial           |
| (g) | AV      | Airport                        |
| (h) | M1      | Industrial                     |
| (i) | A1      | Agricultural                   |
| (j) | GF      | General Forest                 |
| (k) | FR      | Forest Recreation              |
| (l) | RR-1    | Rural Residential              |
| (m) | RR-2    | Rural Residential              |
| (n) | RR-4    | Rural Residential              |
| (o) | RR-5    | Rural Residential              |
| (p) | OS-20   | Open Space Residential         |
| (q) | OS-40   | Open Space Residential         |
| (r) | OS-60   | Open Space Residential         |
| (s) | OS-80   | Open Space Residential         |
| (t) | OS-16 0 | Open Space Residential         |
| (u) | SC      | Scenic Highway Corridor        |
| (v) | SH      | Scenic Highway                 |
| (w) | PD      | Planned Development            |
| (x) | CE      | Community Expansion            |
| (y) | TPZ     | Timberland Preserve Zone       |

(Ord. 409, 423, 487, eff. 3/3/77, prior Section 86106)

**15.12.020 Land Use Plan Maps**

- (a) There is hereby created in the Planning Director's office a Countywide set of land use plan maps, which shall show the use districts, and specific use districts in which all of the property of Sierra County is classified. Any changes in the classifications shall be made pursuant to the provisions of Government Code Sections

65500 and following and 65853. No ordinance adopted for such use districts and specific use districts shall be required to be codified in the Sierra County Code.

- (b) Land use plan maps are hereby incorporated into this part together with all notations, references and dates and other information thereon, and all subsequent changes and amendments thereto, as if the matters and information were all fully described herein.
- (c) It is hereby declared that by the adoption of this part and inclusion of the land use plan maps, the Board of Supervisors has given due and careful consideration to the suitability of each district for the regulations applied thereto, the location and extent of each district, and the comprehensive grouping and arrangement of the various uses in accordance with a well-considered plan for the development of the County and the purposes outlined above. (Ord. 409, eff. 7/5/73, prior Section 86106 B,C,D)

#### **15.12.030 Interpretation of District Boundaries**

When uncertainty exists as to the boundary of any district as shown on the land use plan maps, the following shall apply:

- (a) Boundaries are intended to parallel street lines or to follow lot or property lines or geographical features or section lines or subdivisions of sections. As they exist at the time of passage of this part or amendments hereto, unless specifically shown otherwise.
- (b) The Board of Supervisors, upon written application or upon its own notion, shall determine the boundaries of such districts. (Ord. 409, eff. 7/5/73, prior Section 86106 E)

#### **15.12.040 Conformity with Regulations**

No building except as herein provided shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land, or building be used or designed to be used, for any purpose or in any manner, nor shall any yard, or other open space surrounding any building, be encroached upon or reduced, except as permitted by and in conformity with the regulations specified herein for the district in which such building, or yard, or other space is located. No building shall be erected, reconstructed, or structurally altered to exceed the height limits herein designated for the district in which such building is located. No yard or open space provided about any building for the purpose of complying with provisions of this part shall be considered as providing a yard or open space for any other building or any other lot. (Ord. 409, eff. 7/5/73, prior Section 86211 A)

#### **15.12.045 Notes on Subdivision Maps**

Notes that appear on additional information maps which are recorded, pursuant to the provisions of Section 23.07.007 after January 1, 2007, shall constitute supplemental zoning regulations affecting the property shown on the recorded subdivision map and no use of property shall be made in a manner that conflicts with any note on an additional information map. Any such notes shall, as supplemental zoning regulations, be subject to the administrative processes set forth in this Part, including but not limited to the grant of variance or use permit, and may be changed by an amendment to the zoning regulations affecting the property. (Ord. 983, eff. 12/21/06)

#### **15.12.050 Specified Uses**

The express enumeration in this part of a particular class of building or use in any district shall be determined a prohibition of such build or use in all other districts unless so specified.

- (a) Uses not specifically included in any land use district and not specifically excluded therefrom by this part, may be included in that district, as determined by the Planning Commission, if such uses are similar to and not more obnoxious to the uses specifically included or if such uses are accessory to uses which are specifically included.
- (b) The Planning Commission may reclassify a use when such reclassification does not violate the intent of this part and provided said Commission publish newspaper notification and hold at least one public hearing thereon. (Ord. 409, eff. 7/5/73, prior Section 86211 B)

### **15.12.060 Lake, Reservoir, and Stream Setback**

All districts enumerated and identified in this part shall require the area within a minimum of one hundred (100') feet of the high water line of any lake, reservoir, river, stream or spring to be maintained clear of any building, structures, and sewage facilities, except where the Planning Commission has required a greater setback distance. (Ord. 423, eff. 7/7/74, prior Section 86211.1)

### **15.12.065 Groundwater Transport**

A special use permit shall be required in all zoning districts enumerated and identified in this part wherein it is proposed by any person, firm, corporation, partnership, association or other entity that groundwater transport facilities be constructed or that groundwater is proposed to be transported from the overlying parcel of property from which groundwater is withdrawn to any other parcel or parcels of property except for agricultural purposes. This section shall not apply to property within the boundaries of the Sierra Valley Groundwater Basin Act (Statutes 1980, Chapters 449-986) and to individual residential-domestic water service of four (4) or fewer residences. (Ord. 698, eff. 5/28/85)

### **15.12.070 Buildings Under Construction**

Any building for which a lawful permit has been issued which is in conflict with this part, or any amendments hereto, and on which substantial work has been performed before the effective date of this part, or any amendments thereto, may be continued and completed in accordance with the plans and specifications upon which basis the permit was issued. (Ord. 409, eff. 7/5/73, prior Section 86211 C)

### **15.12.080 R1 Residential One Family District**

- (a) Purpose and Intent: To stabilize and protect the residential characteristics of the zone and to promote and encourage a suitable environment for family life.
- (b) Permitted Uses: One single family dwelling per lot or parcel.
- (c) Accessory Uses: Rooming and boarding of not more than two (2) persons. Household pets not to exceed two (2) in number. Private garage, garden houses, workshops and play houses customarily appurtenant to a permitted use subject to special requirements.
- (d) Conditional Uses: Public and quasi-public uses of a recreational, educational, religious, cultural or public service type, but not including corporation yards, storage or repair yards, warehouses, and similar uses. Communications equipment buildings. All uses subject to the issuance of a use permit.
- (e) Height Limitation: Two stories not to exceed 35 feet.
- (f) Minimum Area, Width and Open Space: 8,000 square feet when connected to an approved public water system and sewerage system; 10,000 square feet when connected to an approved public water system and individual sewerage disposal system; one acre when an individual private well and an individual sewerage disposal system is used. Lot or parcel width of sixty (60) feet. Sixty percent (60%) of lot or parcel shall be open and clear of structures.
- (g) Minimum Yards: Front yard, 20 feet; Side yard, 5 feet, 15 feet on street side of corner lot; Rear yard, 25 feet.
- (h) Parking: One off-street parking space for each dwelling or housing unit or guest house and adequate parking facilities for use requiring a use permit under special section. (Ord. 409, eff. 7/5/73, prior Section 86107-86115)

### **15.12.090 R2 Residential One and Two Family District**

- (a) Purpose and Intent: To stabilize and protect the residential characteristics where a compatible mingling of single family dwellings and two family dwellings is likely to occur and to promote and encourage a suitable environment for family life.
- (b) Permitted Uses: One single family dwelling or two one-family attached units (duplex) per lot or parcel.

- (c) Accessory Uses: Rooming and boarding of not more than two (2) persons. Household pets not to exceed two (2) in number. Private garage, garden houses, workshops and play houses customarily appurtenant to a permitted use subject to special requirements.
- (d) Conditional Uses: Public and quasi-public uses of a recreational, educational, religious, cultural or public service type, but not including corporation yards, storage or repair yards, warehouses, and similar uses. Communications equipment buildings. All uses subject to the issuance of a use permit.
- (e) Height Limitation: Two stories not to exceed 35 feet.
- (f) Minimum Area, Width and Open Space: 8,000 square feet when connected to an approved public water system and sewerage system; 10,000 square feet when connected to an approved public water system and individual sewerage disposal system; one acre when an individual private well and an individual sewerage disposal system is used.
- (g) Minimum Yards: Front yard, 20 feet; Side yard, 5 feet, 15 feet on street side of corner lot; Rear yard, 25 feet.
- (h) Parking: One off-street parking space for each dwelling or housing unit or guest house and adequate parking facilities for use requiring a use permit under special section. (Ord. 409, eff. 7/5/73, prior Section 86116-86124)

**15.12.100 R3 Residential Multiple Family District**

- (a) Purpose and Intent: To provide rental housing to meet the need of renters in various income groups and at various age levels, and to stabilize and protect the residential characteristics of the area.
- (b) Permitted Uses: One family or two family dwellings, or multiple family dwellings.
- (c) Accessory Uses: Rooming and boarding of not more than two (2) persons. Household pets not to exceed two (2) in number. Private garage, garden houses, workshops and play houses customarily appurtenant to a permitted use subject to special requirements.
- (d) Conditional Uses: A mobilehome used as a single family dwelling. All uses subject to the issuance of a use permit. Public and quasi-public uses of a recreational, educational, religious, cultural or public service type; but not including corporation yards, storage, or repair yards, warehouses and similar uses. Rooming and boarding houses for any number of guests. Licensed nursing homes. Social halls, lodges, fraternal organizations, and clubs, except those operated for a profit. Mobilehome parks, with a maximum density of ten (10) units per gross acre and subject to other requirements. Day nurseries and foster homes subject to the licensing requirements of the county and the state. Professional offices including offices of accountants, architects, attorneys, chiropodists, dentists, engineers, insurance agents, opticians, optometrists, osteopaths, physicians, real estate brokers. Home occupations, off street public parking areas on sites contiguous with non-residential zones.
- (e) Height Limitation: No main building shall exceed forty (40') feet in height, and no accessory building shall exceed twenty-five (25') feet in height.
- (f) Minimum Area, Width and Open Space: 8,000 square feet when connected to an approved public water system and sewerage system; 10,000 square feet when connected to an approved public water system and individual sewerage disposal system; one acre when an individual private well and an individual sewerage disposal system is used. Lot or parcel width of sixty (60) feet. Sixty percent (60%) of lot or parcel shall be open and clear of structures.
- (g) Minimum Yards: Front yard, 20 feet, Side yard, 5 feet, 15 feet on street side of corner lot; Rear yard, 20 feet.
- (h) Lot Area per Housing or Dwelling Unit: 2,000 square feet.

- (i) Distance Between Buildings on Same Lot or Parcel: Minimum distance of twenty (20') feet between buildings used for dwelling purposes. Minimum distance of ten (10') feet between a building used for dwelling purposes and an accessory building. Minimum distance of six (6') feet between accessory buildings.
- (j) Parking: One off-street parking space for each dwelling or housing unit or guest house and adequate parking facilities for use requiring a use permit under special section. (Ord. 409, 428, eff. 9/19/74, prior Section 86125-86135)

**15.12.110 CR Commercial Residential District**

- (a) Purpose and Intent: To provide for transient residential and retail commercial and amusement uses which are appropriate to highway location and dependent on highway travel.
- (b) Permitted Uses: Motels, hotels, lodges, campgrounds, restaurants, refreshment stands, cocktail lounges. Automobile service stations, auto laundries and garages for minor repair only. Commercial recreation facilities such as swimming pools, bowling alleys, skating rinks, dance halls. Retail shops for the sale of souvenirs, curios, and other products primarily to meet the needs of the traveling public. Public or quasi-public uses intended primarily to meet the needs of the traveling public.
- (c) Accessory uses: Accessory uses and buildings customarily appurtenant to a permitted use.
- (d) Conditional Uses: All uses subject to the issuance of a use permit. Animal hospitals and veterinarians, clinics, drive-in theatres, mobilehome parks with a maximum density of twelve (12) units per gross acre and subject to other requirements to be set forth. Signs appurtenant to any permitted use not to exceed forty (40) square feet in aggregate area, or one (1) square foot of aggregate area for each two (2) linear feet of frontage, whichever is greater.
- (e) Height Limitation: No main building shall exceed forty (40') feet in height, and no accessory building shall exceed twenty-five (25') feet in height.
- (f) Minimum Area, Width and Open Space; 12,000 square feet when connected to an approved public water system and sewerage system; 24,000 square feet when connected to an approved public water system and individual sewage disposal system; one acre when an individual private well and an individual sewage disposal system is used.
- (g) Minimum Yards: Front Yard, 15 feet; Side yards, 15 feet when abutting a residential zone; Rear yard, 20 feet when abutting a residential zone.
- (h) Parking and Loading: In accordance with residential zones, plus any additional as per a schedule to be developed pertinent to other uses. Parking and loading facilities shall not be located in the required front yard area. (Ord. 409, eff. 7/5/73, prior Section 86136-86144)

**15.12.120 CN Neighborhood Commercial District**

- (a) Purpose and Intent: To provide a center for convenient shopping and service in a residential area or to serve a large rural or recreation area. Zones shall have a minimum area of two (2) acres, in locations where analysis of residential population, rural population or recreation visitor demand demonstrates that such facilities are required.
- (b) Permitted Uses: Retail business or service such as grocery, fruit or vegetable stores, bakeries, drug stores, barber and beauty shops, florists, clothes cleaning and laundry pickup stations, laundromats, variety stores and the like. Business, professional and medical offices. Restaurants, cafes and cocktail lounges subject to obtaining a use permit for the sale of liquor, beer or other alcoholic beverages by the glass, or for consumption on the premises. Social halls, lodges, fraternal organizations, and clubs.
- (c) Accessory Uses: Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities. Living quarters when accessory to the principal permitted use.
- (d) Conditional Uses: Auto service stations, free standing signs, signs which pertain only to a permitted use on the premises which do not project above the highest point of the roofs, which are integral with the building or

attached flat against the buildings or suspend entirely beneath the canopy of the building. The aggregate area of said sign shall not exceed one (1) square foot for each one (1) linear foot of building frontage. Moving signs, flashing or oscillating lights are prohibited. Illumination of signs shall not be permitted when said uses are not open for business.

- (e) Height Limitations: No main building shall exceed forty (40') feet, and no accessory building fifteen (15') feet.
- (f) Minimum Area, Width and Open Space: 12,000 square feet when connected to an approved public water system and sewerage system; 24,000 square feet when connected to an approved public water system and individual sewage disposal system; one acre when an individual private well and an individual sewage disposal system is used.
- (g) Minimum Yards: Front yard, 10 feet; Side yards, none, except when abutting a residential zone, then not less than that required for the abutting residential zone; Rear yard, 10 feet, except when abutting a residential zone, then not less than twenty (20') feet.
- (h) Parking and Loading: In accordance with residential zones, plus any additional as per a schedule to be developed pertinent to other uses. Parking and loading facilities shall not be located in the required front yard area.
- (i) Other Required Conditions: All uses shall be conducted within a completely enclosed building, except for service stations, off-street parking and loading facilities in any part of a CN zone, directly across the street from any residential zone, no parking or loading facilities shall be located within the required front yard. Goods for sale shall consist primarily of new merchandise and shall be sold at retail on the premises. Not more than three (3) persons shall be engaged in the fabrication, repair, and other processing of goods in any establishment. (Ord. 409, eff. 7/5/73, prior Section 86145-86154)

#### **15.12.130 CC Community Commercial District**

- (a) Purpose and Intent: To stabilize, improve and protect the community business districts of the County. The CC designation shall only be applied in the general location of such centers either in urban areas or as designated in the General Plan.
- (b) Permitted Uses: Permitted uses are as follows: Stores, shops and offices supplying commodities and performing services, such as department stores, grocery stores, furniture stores, specialty shops, banks and other financial institutions, business offices, personal services, antique shops, artists' supply stores, restaurants, cocktail lounges, theatres, and similar enterprises, provided that such enterprises are conducted within a completely enclosed building, business and technical schools, schools and studios for art, music, dance and photography, commercial parking lots, hotels, motels, motor hotels, sales and service of new and used cars, mobilehomes and boats, automobile service stations, public and quasi-public uses appropriate to the community business district, including communication equipment buildings, bowling alleys, billiard parlors, garages for minor repairs, night clubs, dance halls, skating rinks, laundry, cleaning and dyeing establishments.
- (c) Accessory Uses: Accessory uses and buildings customarily appurtenant to permitted use. Living quarters when accessory to the principal permitted use.
- (d) Conditional Uses: Cabinet shops, electrical, plumbing, air conditioning, upholstery, printing and publishing shops, mortuaries, wholesale bakeries and creameries. Drive-in food and refreshment stands where the use is not confined to the enclosed area of the building.
- (e) Height Limitation: Two (2) stories or forty (40') feet.
- (f) Minimum Area, Width and Open Space: Lot or parcel of not less than 5,000 square feet when connected to an approved public water system and sewerage system; 10,000 square feet when connected to an approved public water system and an individual sewerage system, one acre when an individual private well and individual sewage system is used.

- (g) Minimum Yards: Front yard, none; Side yards, none, except when abutting a residential zone, then not less than that required for the abutting residential zone; Rear yard, none, except when abutting a residential zone, then not less than twenty (20') feet.
- (h) Parking and Loading: In accordance with residential zones, plus any additional as per a schedule to be developed pertinent to other uses. Parking and loading facilities shall not be located in the required front yard area.
- (i) Other Required Conditions: All uses shall be conducted within a completely enclosed building, except for service stations, off-street parking and loading facilities, and other recreational uses appropriate to the area. In any part of a CC zone directly across the street from any residential zone, the parking and loading facilities shall be at least ten (10') feet from said street, and the buildings and structures at least twenty (20') feet from said street. (Ord. 409, eff. 7/5/73, prior Section 86155-86164)

**15.12.135 SHC Stateline Highway Commercial**

- (a) This zoning district is intended to provide a limited range of commercial locations for highway related retail and tourist services within the Verdi Specific Plan area. Standards will require that locations and areas indicated as "Visitor-Stateline Highway Commercial District" on the Verdi Specific Plan shall conform with the provisions of this district.
- (b) Permitted Uses: One single family residence.
- (c) Conditional Uses: The following uses shall be subject to a special use permit and include restaurants, food and beverage sales, tourist and souvenir retail sales, visitor information centers, tourist specialty shops, parking areas, directional signs, and one (1) caretakers residence as an appurtenant and secondary use of property, animal and veterinary clinics, medical offices.
- (d) Site Development Standards:
  1. Maximum building height is one story not exceeding twenty five (25) feet. Maximum sign height is fifteen (15) feet.
  2. Setbacks shall be as follows: Front shall be twenty five (25) feet from property line as measured from the frontage access to the retail use; side shall be fifteen (5) feet from property line; rear shall be thirty (30) feet from property line; and if public roads exist adjacent to rear or side lines, setbacks for these areas shall be increased by ten (10) feet from property line.
  3. All sales, displays and storage shall be conducted within an enclosed building.
  4. Building areas or lot coverage shall be limited to 40% for lots of 10 acres or less and 20% for lots exceeding 10 acres.
  5. Maximum building coverage is 10,000 square feet.
  6. Signs are limited to identification of products, sales or service provided on the premises on which the sign is located. Signs shall be limited to a cumulative total of 80 square feet, with the maximum single sign square footage being 32 square feet.
  7. Off street park, loading, lighting, walls/fences, points of ingress and egress, internal circulation, site landscaping, residential and street screening, architectural design, and other conditions to use and occupancy shall be approved as part of a site plan which is required prior to commencement of any use and prior to issuance of any building permit. This site plan shall be submitted to the Planning Department for review and approval. (Ord. No. 855, eff. 9/04/97)

**15.12.140 AV Airport District**

- (a) Purpose: To implement regulations for the use of land and air spaces in airport zones by preventing the creation or establishment of airport hazards and by preventing the destruction and/or impairment of the utility of the airports of the County. This section shall be applied to properties used or planned to be used as airport or related uses and where the imposition of such regulations is necessary to promote the health, safety and general welfare of the users of airports and related uses and the inhabitants of the County and necessary to protect the public investment therein.
- (b) Permitted Uses: Include airports, heliports and accessory uses.
- (c) Accessory Uses: Include paved runways, taxiways, aprons, and landing strips.
- (d) Conditional Uses: All uses requiring the issuance of a special permit from the Planning Commission, including, but not limited to, aircraft storage, service, repair and fueling structures; passenger and/or freight loading and unloading structures; airport lighting, aircraft tiedowns; radio, radar and other communication related structures; aircraft or aircraft accessory sales; and residences required for the operation and/or maintenance of the airport.
- (e) Non-Permitted Uses: Include those uses which occur on land or in airspace, within any airport approach zone, in such a manner as to:
  1. Create electrical interference with radio communication between an airport and aircraft in the vicinity;
  2. Make it difficult for aircraft pilots to distinguish between airport lighting and any other lighting;
  3. Impair pilot and airport visibility in the vicinity of any airport;
  4. Otherwise endanger or interfere with the landing, maneuvering or take-off of aircraft.
- (f) Height Limitation: The following height limits are hereby established and no structure shall be altered, maintained, or erected in excess of the height limits herein provided:
  1. Horizontal Zone: One hundred fifty (150') feet.
  2. Conical Zone: One hundred fifty (150') feet at the inner perimeter and increasing in height at a ratio of twenty-to-one (20:1) glideslope and in no event to exceed one hundred fifty (150') feet.
  3. Transitional Zone: A ratio of seven-to-one (7:1) commencing at the boundary of the landing area(s) as determined by the Planning Commission.

In addition, residential structures shall be limited to a height of two stories, not exceeding thirty-five (35') feet. All other structures shall be limited to heights as determined by the Planning Commission in the issuance of a special use permit.
- (g) Required Conditions: Land use and design criteria including but not limited to minimum acreage, open space, property line setback, parking, loading, access, designation of building sites, signs, and architectural review shall be considered by the Planning Commission and shall appear as conditions to the issuance of any special use permit for any airport related use.

**15.12.150 IN Industrial District**

- (a) Purpose and Intent: The purpose of the “Industrial (IN) Zoning District” is to designate areas in the “Industrial Land Use District” of the General Plan that are appropriate for accommodating areas for the production, repairing, distribution and warehousing of goods and equipment that may involve the use or storage of hazardous materials or that may produce visible gases, particulates, steam heat, odor, dust or excessive noise. It is the intent of the IN zoning district to accommodate those uses that are found to be inappropriate in other locations based on the incompatibility with surrounding uses and the potential for greater impacts on the environment.

Also, it is appropriate for accommodating a limited group of business, professional, research and technical, light manufacturing, light industrial, and commercial uses whose operations are clean and quiet and provide an innovative, spacious, and creative design, in a planned setting, with extensive landscaping or open space.

(b) Allowable Land Uses and Permit Requirements

1. Permitted Uses Requiring Zoning Clearance: None
2. Permitted Uses Requiring an Administrative Special Use Permit: manufacturing clothing, furniture and fixtures, commercial bakeries, printing and publishing facilities, sheet metal shops and vehicle freight terminals, caretakers quarters.
3. Permitted Uses Requiring a Special Use Permit: animal sales yards, feed lots, stockyards, auto body and painting shops, auto wrecking yard, biomass fuel production, cement and asphalt batch plants, contractor equipment yards, canneries, bottling plants, dismantling yards/salvage enterprises, electric generating plants and utility distribution centers, utility storage yards, food processing, fertilizer plants, pellet and presto log manufacturing, hazardous waste management facilities, commercial laundries and dry cleaning, liquefied petroleum and pressurized gas products storage and wholesale, lumber yards, manufacturing chemicals, concrete, plaster, paper products, paving materials, plastics and rubbers, stone products, glass products, metal products, motor vehicles, electrical equipment and food products, sawmill and wood processing plants, secondary milling and processing uses of timber or sawmill products, outdoor assembly, processing, fabricating, treatment, manufacturing, repairing or packaging of goods, recycling facilities, slaughterhouses and rendering plants. Business parks including the following uses: mini storage facilities; indoor recycling collection; research and development; data processing centers; day care centers; fitness centers; emergency services; janitorial and restaurant supplies; veterinarian services; trade schools; printing and publishing facilities; support uses for primary light industrial – offices, services and retail sales associated with marketing products produced on-site not in excess of ten percent (10%) of the gross area; restaurants, day care centers, recreational facilities and services incidental to and directly supportive of the permitted uses, farm, timber, and mining supplies and services; wholesale lumber and hardware; meat cutting and packing (excluding slaughtering); clothing, electrical or electronic equipment, furniture or cabinet shops, wood or metal working products; light machine shops, laundries, in door warehousing, communications facilities, vehicle storage, nursery or garden supply and services, glass or sign shops. Similar and related uses as determined by the Planning Commission.

(c) Site Plan Requirements: A site plan shall be submitted for all development proposals with the IN zoning district. The site plan shall include location and identification of all structures, parking lots, loading areas, driveways, pathways and landscaped areas, design features of landscaping, lighting, signing and proposed fencing or screening. The site plan shall include grading requirements for site development preparation and a comprehensive drainage plan identifying collection and discharge systems.

(d) Architecture and site planning. Proposed buildings and structures shall be designed in accordance with the following provisions:

1. Loading bays and doors. Loading bays and roll-up doors shall not be located on any building face adjacent to a street frontage. Such bays and doors may be located on the side of a building away from a street frontage only where proposed on-site screening and fencing will be adequate to minimize the visibility from the view of any street.
2. Trash enclosures shall be designed to accommodate all trash receptacles needed on site and shall be surrounded with a solid wall six (6) feet in height and be provided with a solid gate at least five (5) feet in height. Trash enclosures shall not be located within a front setback.
3. Outdoor lighting of the site shall be restricted to directional lighting for security and safety purposes. This includes but is not limited to lighting of doorways, pathways and parking lots.

4. An architectural and design plan specifying, but not limited to, building materials, design, colors and other features shall be provided for each application for special use permit and shall be approved by the approving authority.

(e) Development Standards:

1. **Minimum lot size:** Two (2) acres.
2. **Minimum lot width:** Two hundred (200) feet
3. **Maximum building height:** Forty (40) feet. Maximum building height may be increased when project features required as environmental health or safety mitigation measures.
4. **Maximum lot coverage:** No more than seventy-five percent (75%) of the area of the site shall be covered by buildings, structures, or other impervious surfacing or materials. The remainder of the site shall be permanently maintained as naturally vegetated open space, landscaped areas, drainage retention/detention facilities, and/or wetland or wildlife preserve areas.
5. **Floor Area Ratio:** No more than fifty percent (50%) of lot area shall be covered by the buildings, structures or facilities.
6. **Minimum Yards:** Minimum yards shall be measured from the affected property line, right-of-way line, easement line or other recognized official boundary or line. Except for fencing for aesthetic or safety purposes, yards must remain open and clear of any structure from the ground level to sky. Minimum yard setbacks shall be sixty (60) feet for all yards.
7. **Landscaping:** Sites within the IN zone shall be provided with landscaping which shall be permanently maintained. The project application shall include a proposed landscaping plan illustrating a landscaping theme complementary to the surrounding landscape that shall emphasize native plant species. A minimum of twenty-five percent (25%) of the total area of each project site shall be maintained as open space with an approved landscaping plan.
8. **Parking and circulation:** On-site parking areas, and vehicular and pedestrian circulation systems shall be designed and provided as follows:
  - (A) Location of parking areas. No vehicle parking shall be located adjacent to a street frontage unless adequately screened through landscape design to minimize visual impact to passing traffic.
  - (B) Number of parking spaces required. Proposed uses in the IN zone shall be provided the following number of off-street parking spaces, provided that a proposed use that is not listed in this subsection shall be provided the number of spaces required for the use determined to be most similar:

Industrial uses: One (1) per 1,500 square feet of floor area or improvements

Business Park: One (1) per 400 square feet
9. **Caretakers quarters for security personnel.** Caretakers units shall not be used for employee housing, no separate water or sewer connections from the permitted uses are allowed, the size is limited to 1,200 square feet. The residence cannot be the first use or development on property and must be clearly subordinate and incidental to the permitted uses, in a location that does not detract from the permitted uses and may not provide ancillary retail or commercial uses to the development or public.
10. **Signs.** Signs shall be limited to one (1) detached sign introducing the business not to exceed forty (40) square feet in size and six (6) feet in size. Any attached sign must be located below the roof structure. No off-site signs are permitted.

Business Parks: Signs shall be limited to one (1) detached sign introducing the businesses located within the business park not to exceed forty (40) square feet in size and six (6) feet in height and one (1) attached sign for each business located within the park not to exceed twenty (20) square feet in size. An attached sign must be located below the roof structure and the location of the individual attached signs must be uniform throughout the development. No off-site signs are permitted.

11. **Hazardous waste business plan and fire protection plan.** Operations requiring the use or storage of hazardous or dangerous materials shall prepare a hazardous waste business plan as part of the use permit application. The hazardous waste business plan shall include information on the type(s) of materials, transport, storage, and use during operations of all hazardous materials on site involved in the operation of the business and shall be prepared on an annual basis. The fire protection plan must meet PRC 4290 guidelines and local serving fire agency requirements. If there is no local serving agency, the County shall impose requirements for the protection of life and property as deemed appropriate.

(f) Properties within Industrial Zone:

004-190-033-0	006-020-006-0	016-040-072-0
004-190-036-0	016-040-082-0	016-090-038-0
006-020-004-0	016-040-084-0	012-140-038-0
006-020-005-0	016-040-085-0	018-030-018-0

- 30 Acres within the NW Corner of 004-190-092;
- One Acre within 002-140-009-0 located South of 002-140-046-0 adjacent to Goodyears Creek Road;
- Four Acres within 004-100-035-0 adjacent to Goodyears Creek Road;
- 016-040-083-0 except the NW portion within the NE 1/2 of section 13;
- 30 Acres within 016-090-037-0 adjacent to Garbage Pit Road;
- 10 Acres within 018-030-026-0 South and adjacent to Deerwater Airport

(Ord. 917, eff. 1/18/01, prior 409, Section 86165-86172)

**15.12.155 BP Business Park Combining District**

- (a) Purpose and Intent: The “BP” combining district is designated to provide areas in the “Industrial” land use district of the County General Plan that are appropriate for accommodating a limited group of business, public, professional, research, light manufacturing, and commercial uses whose operations are clean and quiet, providing an innovative, spacious and creative design within a planned setting, with landscaping. The intent of the district is to provide employment oriented uses with performance standards precluding any uses which include outdoor manufacturing or storage or which create noise, fumes gasses, dust, particulates, heat, glare, or other obnoxious elements. Standards are to be customized to each individual development with consideration given to requiring minimal wastewater generation, minimal use of hazardous materials, and a minimum of disturbance to the natural setting. It is not the intent of the district to accommodate residential developments, housing of any nature, or single use developments which can be more appropriately located within other land use or zoning districts.
- (b) Permitted Uses: The following uses are permitted within the district; those uses where there is no storage or disposal of hazardous materials or the storage and disposal of hazardous materials occurs at an approved off site facility: professional offices, research and development facilities, warehousing including storage and distribution, small scale manufacturing and fabrication of wood or metal products, repair services, paper products, car wash, day care center , recreation and fitness centers, recycle stations, food service, laundries, business support services, hand craft industries, glass products, stone or concrete products, clothing services, commercial or retail services primarily for employees of the permitted use including coffee shops, cafeterias, administrative and sales offices, merchandise showrooms, tire shops, sign and electrical component assembly or service, bottling plants, farm or timber supplies, mining supplies, and other uses determined to be similar in character as provided in this chapter.
- (c) Conditional Uses: The following uses are permitted with the issuance of a special use permit; storage and disposal of hazardous materials on site through an approved treatment method: vehicle storage, card lock fuel

stations, printing and publishing, vehicle or transit terminal, mini storage, veterinary services, meat cutting or packing, fruit or vegetable packing and processing, public utility uses, communication towers or facilities, sawmill or similar processing plant, medical labs, dental labs, storage of oil or other petroleum products for commercial purposes, storage of explosives, and other uses determined to be similar in character as provided in this chapter.

- (d) Prohibited Uses: The following uses are prohibited from the district including those uses that use and/or storage of Extremely Hazardous Materials listed as part of Section 302 of the Emergency Planning and Community Right-to-Know Act: Animal raising and keeping, residential or caretaker uses, employee housing, junk yards, outdoor storage, salvage enterprises or auto wrecking yards, uses generating hazardous wastes, tanneries, refining of petroleum products, rendering plants, mobile structures, single purpose developments or solely retail uses that would be more appropriate in other land use or zoning districts and other uses determined to be similar in character as provided in this chapter.
- (e) Determination of Similar or Equivalent Uses: The Planning Director may identify uses that are similar in character to those uses identified as permitted, conditional, or prohibited if it is found that:
  - 1. the proposed use is consistent with the goals, objectives, and policies of the general plan; and
  - 2. the proposed use will meet the purpose and intent of the “BP” zoning district; and
  - 3. the proposed use will share characteristics common with those listed in the “BP” zoning district and will not be of greater intensity, density, or generate more environmental impact than the uses listed within the district as permitted, conditional, or prohibited.

The Planning Director may forward the question about equivalent use directly to the Planning Commission for determination at a public hearing.

- (f) Business Operation Plan Required: The improvement of property for a new business, a new business within an improved property or an expansion of an existing business as authorized in this chapter shall require the submittal of a business operation plan, which contains sufficient project information including owner and operator of business, description of business, a detailed site plan, Hazardous Waste Business Plan, evidence of meeting the Northern Sierra Air Quality Management District’s requirements for business operations and evidence of meeting the Regional Water Quality Control Board requirements. The business operation plan shall be updated to reflect any change in ownership or operator or operation of the established business.

- (g) Parcel Minimum Standards:

- 1. Minimum parcel size is one half acre
- 2. Maximum building height allowed is 40 feet
- 3. Lot coverage shall be no more than 60% (includes structures, overhangs and canopies, impervious surfaces including but not limited to driveways, decks, walkways)
- 4. Minimum building size shall be 1500 square feet
- 5. Minimum parcel width is 60 feet
- 6. Minimum setbacks shall be as follows and shall be measured from the property line and any easement line, whichever is the greatest distance:
  - i. Front yard-30 feet from property line
  - ii. Side yard-20 feet from property line
  - iii. Rear yard-30 feet from property line

- (h) Site Development Standards: All uses within the “BP” zoning district shall conform to the following development standards:

1. All uses (excepting vehicle parking, loading zones, signs, and landscaping) including sales, displays, and storage shall be conducted within an enclosed building
2. Hours of operation are unrestricted except that uses which generate sound which is audible from off site shall be limited to the hours of 7:00am to 10:00pm and in all cases, uses and noise generation shall comply with the Noise Element of the General Plan
3. Off street parking shall be provided on the basis of three (3) spaces for every two (2) employees and handicap parking shall be provided as required by the Planning Director. Each use that depends upon deliveries shall have a loading space that is off-street and that is unobtrusive to surrounding uses. A parking layout shall be submitted as part of the required site plan/business plan for review and approval of the Planning Department.
4. All parking areas and access roads shall be paved. Landscaping shall be established and maintained by the property owner or assigned manager within the front and side yard areas. Landscaping may be live or inert, however any grading scars or other disturbed areas shall be adequately restored.
5. Site development shall be designed to accommodate truck delivery vehicles, and other like maneuvers of vehicles to avoid the need for backing maneuvers and to prohibit entering any road serving the business park.
6. Loading bays and doors shall not be located on any building face adjacent to any street frontage. Such bays may be located on the side of a building and away from a street frontage only where on-site screening and fencing will be adequate to minimize the visibility from the view of any street.
7. Trash and waste enclosures shall be designed and located to accommodate all trash receptacles needed on site and shall be within a solid enclosure with a solid gate or access point and in no case shall these enclosures be located within any front setback.
8. Lighting shall be directional in nature to provide safe access for employees and visitors and for security and safety. Open, non-directional site lighting is prohibited.
9. Signs shall be attached to a building and shall not extend above the eave of any building. Signs shall be limited to two signs containing no more than 80 square feet of aggregate area. Lighting of signs shall be directional only. A street location sign may also be erected at the point of entry to the property provided that the sign may also not be higher than six (6) feet and shall not exceed eight (8) square feet.
10. Utility services to any structure shall be provided by underground service except for surface mounted pedestals, fire hydrants, and street lighting.
11. Stacks, baghouses, and filter systems that are part of environmental mitigation are allowed but must be screened from view from any street.
12. Architectural features are intended to ensure attractive, well-designed structure while recognizing their basic industrial nature. Proper site screening promoted over architectural design themes and all construction shall be subject to an administrative design review and shall include but not be limited to construction materials being new and earth colors; fencing shall be solid and limited to six (6) feet in height; roof-mounted equipment shall be screened by architectural features from the view of abutting streets; a-grade equipment located on the ground and adjacent to a building shall be screened from the view of surrounding properties or street by a fence, solid wall or landscaping. The main elements of the business park site design should include emphasis on main building entry and landscaping; placement of buildings to provide plazas and courtyards; screening of work areas and equipment; prohibition of outdoor storage; convenient access, visitors parking and on-site circulation; service areas located at side or rear of buildings; and easily identifiable site access. Undesirable elements of design include large blank and unarticulated wall surfaces, exposed block walls, false front materials requiring high levels of maintenance, mirror window glazing, and reflective materials. (Ord. 950, eff. 1/1/04)

### **15.12.160 A1 Agricultural District**

- (a) Purpose and Intent: The A1-160 zone is established to protect and preserve land that is most suited to agricultural use and other uses compatible therewith. It is intended that this district be utilized in conjunction with appropriate state and federal legislation to preserve and protect agricultural pursuits from encroachment by industrial, commercial and residential use.
- (b) Permitted Uses: General farming including all types of crop and tree farming, commercial livestock, animal husbandry, and poultry farms. All animals shall be cared for in a manner that does not create a public health problem, a public nuisance or interfere with the public welfare of surrounding properties. Single family residences and accessory buildings. Public utility distribution facilities, but not including major transmission facilities.
- (c) Conditional Uses: A mobilehome used as a single family dwelling, airports and heliports, animal clinics and livestock hospitals, any type of non-agricultural enterprise, campgrounds, cemeteries, churches, kennels, packing plants for agricultural crops, community centers and grange halls, country clubs, golf courses, educational institutions, farm equipment sales and service, feed lot operations, mining, quarrying, extraction of rock, sand, gravel or similar material for the reclamation thereof, museums, public utility buildings and uses. Upon proper findings by the Planning Commission other uses similar to those enumerated and consistent with the purpose and intent of the open space and conservation element of the General Plan and compatible with the A1 zone.
- (d) Non-Permitted Uses: All uses which are not consistent with the open space and conservation element and purpose and intent of the A1 zone.
- (e) Property Development Standards: Lot area 160 acres.
- (f) Population Density: One residence per one hundred and sixty (160) acres except where cluster type development providing one hundred sixty (160) acres per unit is approved by the Planning Commission.
- (g) Height Limitation: No building may exceed two (2) stories or thirty-five (35') feet in height, whichever is less, excepting non-dwelling structures.
- (h) Minimum Yards: Front yard, sixty (60') feet as measured from the center line of abutting street; Side and rear yard, none, all set back must meet the County building code. (Ord. 409, 428, eff. 9/19/74, prior Section 86173-86181)

### **15.12.170 GF General Forest District**

- (a) Purpose and Intent: The GF zone is established to promote development in Sierra County which is compatible with and preserve the natural environment and will provide for the long run maintenance of natural resources.
- (b) Permitted Uses: Growing and harvesting of agricultural and forest products, grazing of livestock, single family residences and accessory buildings. Public utility distribution facilities but not including major transmission facilities.
- (c) Conditional Uses: A mobilehome used as a single family dwelling, public parks and recreation uses, reservoir for water storage, public utility buildings and uses, camping and picnic areas, private country clubs, golf courses, guest ranches, riding stables, mines, quarries, gravel pits, sawmills, summer home tracts, mobilehome parks, travel trailer parks, recreational trailer parks, airports and heliports. Upon proper findings by the Planning Commission other uses similar to those enumerated and consistent with the purpose and intent of the open space and conservation element of the General Plan and compatible with the purpose and intent of the GF zone.
- (d) Property Development Standards: Lot area, 640 acres.
- (e) Population Density: One residence per 640 acres except where cluster type development has been approved by the Planning Commission.

- (f) Height Limitation: No building may exceed two (2) stories or thirty-five (35') feet in height, whichever is less excepting non-dwelling structures.
- (g) Minimum Yards: Front, side and rear yard, 60 feet as measured from the center line of abutting streets.
- (h) Lake, Reservoir or Stream Setback: The area within 100 feet of the high water line of any lake, reservoir, river or stream shall be maintained clear of any buildings, structures, or sewerage facilities, except for boat docks and boathouses. (Ord. 409, 428, eff. 9/19/74, prior Section 86182-86190)

**15.12.180 FR Forest Recreation District**

- (a) Purpose and Intent: The Forest Recreation District is established to protect, enhance, and provide suitable low intensity commercial uses in the General Forest areas of the County. This district recognizes tourism as a major industry and preservation of our natural forests as a major resource to this industry. This district is intended to encourage attractive development compatible with adjacent land uses.
- (b) Conditional Uses: All uses subject to the issuance of a use permit and shall include resort hotels, motels, recreational cabins, picnic areas, riding stables, riding and hiking trails, private parks, required single family dwellings, public parks, public campgrounds, golf courses, restaurants, small stores, gift shops, organizational clubs and lodges, and upon proper findings by the Planning commission and Board of Supervisors, other uses similar to those enumerated and consistent with the purpose and intent of this section shall be permitted.
- (c) Height Limitation: Two story building, not to exceed thirty-five (35') feet.
- (d) Minimum Yards: Front yard, setback of fifty (50') feet from centerline of local street; Side yard, setback of ten (10') feet; Rear yard, setback of twenty (20') feet.
- (e) Parking: One off-street garage, carport, or parking space per dwelling unit.

(Ord. 423, eff. 7/7/74, prior Section 86190.1-86190.6)

**15.12.190 RR-1 Rural Residential District**

- (a) Purpose and Intent: to provide for and encourage low density intermediate lot sizes for single family homes in a semi-rural setting in an orderly fashion around existing communities within the County.
- (b) Permitted Uses: shall include one family dwelling, private automobile garage and/or carport, and accessory structures which are customarily appurtenant to the primary use of residential.
- (c) Conditional Uses: shall include one (1) single family dwelling consistent with the County "second unit ordinance".
- (d) Non-Permitted Uses: shall include all uses which are not consistent with the purpose and intent of the Rural Residential Zoning District, the Open Space and Conservation Element of the General Plan, and the Seismic Safety Element of the County General Plan and the keeping of raising of exotic, poisonous, or endangered species of animals.
- (e) Property Development Standards: One (1) single family residence per **parcel** and minimum parcel size shall be one (1) acre.
- (f) Height Limitations: Structures shall not exceed two (2) stories in height and shall not exceed thirty-five (35) feet.
- (g) Minimum Yard Areas Required: Minimum yard and setbacks from property lines for all structures shall be: front yard shall be sixty (60) feet as measured from the centerline of any front-abutting road or thirty five (35) feet from the front property line, whichever is greatest; side yard shall be fifteen (15) feet from property lines; rear yard shall be thirty (30) feet from property lines. Corner lots shall maintain property line setbacks of thirty (30) feet for all property lines.

- (h) Parking requirements: Each parcel shall maintain one garage, carport, or off street automobile parking space per single family dwelling unit
- (i) Household and Non-Household Animals: The keeping of household animals (dogs, cats, guinea pigs, hamsters, pot belly pigs, rabbits, birds, fish and similar types of animals) readily classifiable as being customarily incidental and accessory to the permitted residential use shall be permitted without restriction. Any and all structures appurtenant to the keeping of household or non-household animals shall meet yard setback requirements of this zone. The keeping of household and non-household animals shall not include any commercial or retail use associated with the keeping of said animals. The keeping of animals, household or non-household, associated with a school, 4-H Club, Future Farmers of America, or similar organization shall be permitted and shall not be considered a retail or commercial use. (Ord. 843, eff 11/1/96, 423, 428, prior Section 86190.10-86190.18)

See Ordinance No. 978 for additional properties included in the RR-1 zoning district.

**15.12.195 RR 1.5 Rural Residential District**

- (a) Purpose and Intent: To provide for and encourage low density intermediate lot sizes for single family homes in a semi-rural setting in an orderly fashion around existing communities within the County. It is intended that this zone be applicable to those areas zoned CE Community Expansion Districts at or near population centers.
- (b) Permitted Uses: Single family homes, accessory buildings and uses.
- (c) Conditional Uses: Schools, public service structures, libraries, temporary real estate offices, cemeteries, golf courses, stables, kennels for raising and/or boarding of animals.
- (d) Non Permitted Uses: All uses which are not consistent with any adopted general or specific plan.
- (e) Property Development Standards:
  1. Density - One single family residence per 1.5 gross acres
  2. Lot Size - 1.5 net acres
  3. Height - Two (2) story building not exceeding thirty-five (35') feet
  4. Yards - Front yard, thirty (30') feet; side yard, fifteen (15') feet; rear yard, thirty (30') feet; and for corner lots, all setbacks shall be thirty (30') feet. Setbacks shall be measured from property lines.
- (f) Parking: Two (2) off-street parking spaces per single family residence.
- (g) Special Requirements: Special requirements shall be as follows:
  1. Any vehicles and/or travel trailers, camp trailers or the like shall be stored within enclosed structures or in the rear yard area.
  2. Any raising and/or boarding of poultry, swine, hooved animals, domesticated birds or small mammals, or other animals not considered as household pets shall only be allowed upon issuance of a permit issued in accordance with a resolution of the Board of Supervisors. (Ord. 624, eff. 5/18/82)

### **15.12.200 RR-2 Rural Residential District**

- (a) Purpose and Intent: To provide for and encourage low density intermediate lot sizes for single family homes in a semi-rural setting in an orderly fashion around existing communities within the County. It is intended that this zone be applicable to those areas zoned CE Community Expansion Districts at or near population centers.
- (b) Conditional Uses: A mobilehome used as a single family dwelling. All uses are subject to the issuance of a use permit. Conditional uses include one single family dwelling and any accessory structures customarily appurtenant to the primary use and subject to special requirements.
- (c) Non-Permitted Uses: All uses which are not consistent with the purpose and intent of the RR and CE zones, the open space and conservation element, and the seismic safety element.
- (d) Property Development Standards: One residence per two (2) acres.
- (e) Population Density: One single family dwelling per two (2) acres except where cluster type development has been approved by the Planning Commission.
- (f) Height Limitation: Two (2) story building not to exceed thirty-five (35') feet.
- (g) Minimum Yards: Front yards, sixty (60') feet as measured from the center line of any abutting roads; Side and rear yards, thirty (30') feet; Corner lots front, side, and rear yards, sixty (60') feet.
- (h) Parking: One (1) garage, carport, or off street parking space per dwelling unit. (Ord.423, 428, eff. 9/19/74, prior Section 86190.20-86190.28)

### **15.12.205 RR 2.5 Rural Residential District**

- (a) Purpose and Intent: To provide for and encourage low density intermediate lot sizes for single family homes in a semi-rural setting in an orderly fashion around existing communities within the County. It is intended that this zone be applicable to those areas zone CE Community Expansion Districts at or near population centers.
- (b) Permitted Uses: Single family homes, accessory buildings and uses.
- (c) Conditional Uses: Schools, public service structures, libraries, temporary real estate offices, cemeteries, golf courses, stables, kennels for raising and/or boarding of animals.
- (d) Non Permitted Uses: All uses which are not consistent with any adopted general or specific plan.
- (e) Property Development Standards:
  - 1. Density - One single family residence per 2.5 gross acres
  - 2. Lot Size - 2.5 net acres
  - 3. Height - Two and one-half (2-1/2) story building not exceeding thirty-five (35') feet
  - 4. Yards: Front yard, thirty (30') feet; side yard, fifteen (15') feet; rear yard, thirty (30') feet; and for corner lots, all setbacks shall be thirty (30') feet. Setbacks shall be measured from property lines.
- (f) Parking: Two (2) off-street parking spaces per single family residence.
- (g) Special Requirements: Special requirements shall be as follows:
  - 1. Any vehicles and/or travel trailers, camp trailers or the like shall be stored within enclosed structures or in the rear yard area.

2. Any raising and boarding of poultry, swine, hoofed animals, domesticated birds or small animals, or other animals not considered as household pets shall only be allowed upon issuance of a permit issued in accordance with a resolution of the Board of Supervisors. (Ord. 624, eff. 5/18/82)

#### **15.12.210 RR-4 Rural Residential District**

- (a) Purpose and Intent: to provide for and encourage low density intermediate lot sizes for single family homes in a semi-rural setting in an orderly fashion around existing communities within the County. It is intended that this zone be applicable to those areas zoned CE Community Expansion Districts at or near population centers.
- (b) Conditional Uses: A mobilehome used as a single family dwelling. All uses are subject to the issuance of a use permit. Conditional uses include one single family dwelling and any accessory structures customarily appurtenant to the primary use and subject to special requirements.
- (c) Non-Permitted Uses: All uses which are not consistent with the purpose and intent of the RR and CE zones, the open space and conservation element, and the seismic safety element.
- (d) Property Development Standards: One residence per four (4) acres.
- (e) Population Density: One single family dwelling per four (4) acres except where cluster type development has been approved by the Planning Commission.
- (f) Height Limitation: Two (2) story building not to exceed thirty-five (35') feet.
- (g) Minimum Yards: Front yards, sixty (60') feet as measured from the center line of any abutting roads; Side and rear yards, thirty (30') feet; Corner lots front, side, and rear yards, sixty (60') feet.
- (h) Parking: One (1) garage, carport, or off street parking space per dwelling unit. (Ord. 423, 428, eff. 9/19/74, prior Section 86190.30-86190.38)

#### **15.12.220 RR-5 Rural Residential District**

- (a) Purpose and Intent: To provide for and encourage low density intermediate lot sizes for single family homes in semi-rural setting in an orderly fashion around existing communities within the County. It is intended that this zone be applicable to those areas zoned CE Community Expansion Districts at or near population centers.
- (b) Conditional Uses: A mobilehome used as a single family dwelling. All uses are subject to the issuance of a use permit. Conditional uses include one single family dwelling and any accessory structures customarily appurtenant to the primary use and subject to special requirements.
- (c) Non-Permitted Uses: All uses which are not consistent with the purpose and intent of the RR and CE zones, the open space and conservation element, and the seismic safety element.
- (d) Property Development Standards: One residence per five (5) acres.
- (e) Population Density: One single family dwelling per five (5) acres except where cluster type development has been approved by the Planning Commission.
- (f) Height Limitation: Two (2) story building not to exceed thirty-five (35') feet.
- (g) Minimum Yards: Front yards, sixty (60') feet as measured from the center line of any abutting roads; Side and rear yards, thirty (30') feet; Corner lots front, side, and rear yards, sixty (60') feet.
- (h) Parking: One (1) garage, carport, or off street parking space per dwelling unit. (Ord. 423, 428, eff. 9/19/74, prior Section 86190.40-86190.48)

See Ordinance 984 for further changes.

#### **15.12.225 RR-10 Rural Residential District**

- (a) Purpose and Intent: To provide for and encourage low density intermediate lot sizes for single family homes in a semi-rural setting in an orderly fashion around existing communities within the County. It is intended that this zone be applicable to those areas zoned CE Community Expansion District at or near population centers.
- (b) Permitted Uses: Single family homes, accessory buildings and uses, guest houses for non-commercial use, orchards, kennels for boarding and/or raising of household pets.
- (c) Conditional Uses: Schools, public service structures, libraries, temporary real estate offices, cemeteries, golf courses, stables.
- (d) Non-Permitted Uses: All uses which are not consistent with any adopted general or specific plan.
- (e) Property Development Standards:
  - 1. Density - One single family residence per 10 gross acres
  - 2. Lot Size - 10 net acres
  - 3. Height - Two and one-half (2-1/2) story building not exceeding thirty-five (35') feet.
  - 4. Yards - Yard setbacks shall be sixty (60') feet on all sides.
- (f) Parking: Two (2) off-street parking spaces per single family residence.
- (g) Special Requirements: Special requirements shall be as follows:
  - 1. Any vehicles and/or travel trailers, camp trailers or the like shall be stored within enclosed structures or in the rear yard area.
  - 2. Any raising and boarding of poultry, swine, hooved animals, domesticated birds or small mammals, or other animals not considered as household pets shall only be allowed upon issuance of a permit issued in accordance with a resolution of the Board of Supervisors. (Ord. 624, eff. 5/18/82)

**15.12.230 OS-20 Open Space Residential District**

- a) Purpose and Intent: to provide for and encourage low intensity large lot developments for single family homes in an orderly fashion in the applicable open areas of the County which are particularly suited to such uses. It is intended that this zone be applicable in the A1 Agricultural and GF General Forest Districts within the County. This district recognizes the need to protect and enhance our natural forests and agricultural lands.
- (b) Conditional Uses: A mobilehome uses as a single family dwelling. All uses are subject to the issuance of a use permit and include one single family dwelling and accessory structures customarily appurtenant to the primary use and subject to special requirements.
- (c) Non-Permitted Uses: All uses which are not consistent with the purpose and intent of the OS, A1, and GF districts, open space and conservation element and the seismic safety element.
- (d) Property Development Standards: One residence per twenty (20) acres.
- (e) Population Density: One single family residence per twenty (20) acres except where cluster type development has been approved by the Planning Commission.
- (f) Height Limitation: Two (2) story building not to exceed thirty-five (35') feet.
- (g) Minimum Yards: Front yard, one hundred (100') feet as measured from the center line of abutting roads; Side and rear yards, sixty (60') feet; Corner lots, front, rear and side yards, one hundred (100') feet.
- (h) Parking: One (1) garage, carport, or off street parking space per dwelling unit.

(Ord. 423, 428, eff. 9/19/74, prior Section 86190.50-86190-58)

See Ordinance 984 for further changes.

**15.12.240 OS-40 Open Space Residential District**

- (a) Purpose and Intent: To provide for and encourage low intensity large lot developments for single family homes in an orderly fashion in the applicable open areas of the County which are particularly suited to such uses. It is intended that this zone be applicable in the A1 Agricultural and GF General Forest Districts within the County. This district recognizes the need to protect and enhance our natural forests and agricultural lands.
- (b) Conditional Uses: A mobilehome used as a single family dwelling. All uses are subject to the issuance of a use permit and include one single family dwelling and accessory structures customarily appurtenant to the primary use and subject to special requirements.
- (c) Non-permitted Uses: All uses which are not consistent with the purpose and intent of the OS, A1 and Gf districts, open space and conservation element and the seismic safety element.
- (d) Property Development Standards: One residence per forty (40) acres.
- (e) Population Density: One single family residence per forty (40) acres except where cluster type development has been approved by the Planning Commission.
- (f) Height Limitation: Two (2) story building not to exceed thirty-five (35') feet.
- (g) Minimum Yards: Front yard, one hundred (100') feet as measured from the center line of abutting roads; Side and rear yards, sixty (60') feet; Corner lots, front, rear, and side yards, one hundred (100') feet.
- (h) Parking: one (1) garage, carport, or off street parking space per dwelling unit.

(Ord. 423, 428, eff. 9/19/74, prior Section 86190.60-86190.68)

**15.12.250 OS-60 Open Space Residential District**

- (a) Purpose and Intent: To provide for and encourage low intensity large lot developments for single family homes in an orderly fashion in the applicable open areas of the County which are particularly suited to such uses. It is intended that this zone be applicable in the A1 Agricultural and GF General Forest Districts within the County. This district recognizes the need to protect and enhance our natural forests and agricultural lands.
- (b) Conditional Uses: A mobilehome uses as a single family dwelling. All uses are subject to the issuance of a use permit and include one single family dwelling and accessory structures customarily appurtenant to the primary use and subject to special requirements.
- (c) Non-Permitted Uses: All uses which are not consistent with the purpose and intent of the OS, A1, and GF districts, open space and conservation element and the seismic safety element.
- (d) Property Development Standards: One residence per sixty (60) acres.
- (e) Population Density: One single family residence per sixty (60') acres except where cluster type development has been approved by the Planning Commission.
- (f) Height Limitation: Two (2) story building not to exceed thirty-five (35') feet.
- (g) Minimum Yards: Front yard, one hundred (100') feet as measured from the center line of abutting roads; Side and rear yards, sixty (60') feet; Corner lots, front, rear, and side yards, one hundred (100') feet.
- (h) Parking: One (1) garage, carport, or off street parking space per dwelling unit.

(Ord. 423, 428, eff. 9/19/74, prior Section 86190.70-86190.78)

**15.12.260 OS-80 Open Space Residential District**

- (a) Purpose and Intent: To provide for and encourage low intensity large lot developments for single family homes in an orderly fashion in the applicable open areas of the County which are particularly suited to such uses. It is intended that this zone be applicable in the A1 Agricultural and GF General Forest Districts within the County. This district recognizes the need to protect and enhance our natural forests and agricultural lands.
- (b) Conditional Uses: A mobilehome used as a single-family dwelling. All uses are subject to the issuance of a use permit and include one single-family dwelling and accessory structures customarily appurtenant to the primary use and subject to special requirements.
- (c) Non-Permitted Uses: All uses which are not consistent with the purpose and intent of the OS, A1 and GF districts, open space and conservation element and the seismic safety element.
- (d) Property Development Standards: One residence per eighty (80) acres.
- (e) Population Density: One single family residence per eighty (80) acres except where cluster type development has been approved by the Planning Commission.
- (f) Height Limitation: Two (2) story building not to exceed thirty-five (35') feet.
- (g) Minimum Yards: Front yard, one hundred (100') feet as measured from the center line of abutting roads; Side and rear yards, sixty (60') feet; Corner lots, front, side and rear yards, one hundred (100') feet.
- (h) Parking: One (1) garage, carport, or off street parking space per dwelling unit. (Ord. 423, 428, eff. 9/19/74, prior Section 86190.80-86190.88)

**15.12.270 OS-160 Open Space Residential District**

- (a) Purpose and Intent: To provide for and encourage low intensity large lot developments for single family homes in an orderly fashion in the applicable open areas of the County which are particularly suited to such uses. It is intended that this zone be applicable in the A1 Agricultural and GF General Forest Districts within the County. This district recognizes the need to protect and enhance our natural forests and agricultural lands.
- (b) Conditional Uses: A mobilehome used as a single-family dwelling. All uses are subject to the issuance of a use permit and include one single-family dwelling and accessory structures customarily appurtenant to the primary use and subject to special requirements.
- (c) Non-Permitted Uses: All uses which are not consistent with the purpose and intent of the OS, A1, and G1 districts, open space and conservation element and the seismic safety element.
- (d) Property Development Standards: One residence per one hundred sixty (160) acres.
- (e) Population Density: One single family residence per one hundred sixty (160) acres except where cluster type development has been approved by the Planning Commission.
- (f) Height Limitation: Two (2) story building not to exceed thirty-five (35') feet.
- (g) Minimum Yards: Front yard, one hundred (100') feet as measured from the center line of abutting roads; Side and rear yards, sixty (60') feet; Corner lots, front, side, and rear yards, one hundred (100') feet.
- (h) Parking: One (1) garage, carport, or off street parking space per dwelling unit.

(Ord. 423, 428, eff. 9/19/74, prior Section 86190.90-86190.98)

**15.12.280 SC Scenic Highway Corridor District or SH Scenic Highway District**

- (a) Purpose: To protect the scenic qualities of public highways designated a scenic highway by the State of California and/or the Board of Supervisors. To protect the recreational, social and economic values derived

from the protection and enhancement of the scenic qualities of the County for the benefit of residents and visitors. It is intended that this zone be an overlay zone, and that its provisions shall modify and supplement and provisions of the basic underlying zone to assure the inclusion of compatible uses and structures and perpetuation of scenic highway corridors. Further, it is intended that if any regulations specified in this zone are more restrictive than the regulations of the zone overlaid, the regulations of the SC or SH zone shall govern.

- (b) Permitted Uses: Any use permitted in the underlying zone, except offsite signs, subject to the same conditions and restrictions applicable in such underlying zone and to all requirements and regulations of this zone. All uses shall be conducted entirely within enclosed buildings except agriculture, off-street parking and loading, trailer courts and camps, camping and picnicking facilities, outdoor theatres, and similar uses which are of an open land use type.
- (c) Conditional Uses: Any use permitted in the underlying zone by any type of use permit, provided that the Planning Commission, or in the event of an appeal, the Board of Supervisors, determines that such use is consistent with the intent and purpose of the SC or SH zone. A directional panel, not to exceed 32 square feet in area, giving motorists directional information to three or more enterprises, and so located that it is not readable by a person of normal visual acuity from the right of way of any scenic highway.
- (d) Signs:
  - 1. For signs pertaining to uses conducted on the same premises the following restrictions shall be applied in addition to all conditions and restrictions contained in the regulations governing the underlying zone. If the restrictions of the underlying zone are greater they shall apply.
  - 2. The aggregate area of all signs on each lot or parcel shall not exceed 80 square feet, and no single sign shall exceed 40 square feet.
  - 3. One free standing sign may be erected on each lot or parcel and not to exceed a height of twenty-five (25') feet.
  - 4. Signs attached to buildings shall not project more than sixteen (16") inches from any wall, nor above the parapet or eaves of the building to which attached. No sign visible from the right-of-way of any scenic highway shall display any flashing or intermittent lights, or be animated or appear to be animated.
  - 5. Signs advertising the sale, lease or rental of the use on the lot or parcel or of the lot or parcel shall not exceed an aggregate area of 20 square feet.
- (e) Sign Defined:
  - 1. "Sign" means any metal, wood, paper, cloth, plastic, paint, material, structure or part thereof, device or other thing whatsoever which is located upon, placed, erected, constructed, posted, painted, tacked, nailed, glued, stuck, carved, fastened or affixed to any building or structure, on the outside or inside of a window or on any awning, canopy, marquee or similar appendage, or on the ground or on any tree, wall, bush, rock, post, fence or any other thing whatsoever in such manner as to be visible out-of-doors and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, symbol, device, light, illuminated device, trademark, or other representation used as, or in the nature of an announcement, advertisement, attention arrester, direction, warning, or designation of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise, or industry. Sign shall include any portable sign.
  - 2. Sign shall not mean any directional, warning or informational sign required or authorized by law which is erected by federal, state, county or municipal officials; nor any official notices, issued by a court or public body or office and posted in the performance of a public duty; nor danger signs, railroad crossing signs and signs of public service companies indicating danger and aids to service or safety; nor house number, no trespassing, no parking and similar warning signs.

3. The term off-site sign shall mean any sign as herein defined that does not refer to a use or uses conducted on the same premises, except that signs offering premises for sale, lease or rent shall not be considered off-site signs.
- (f) Grading: No grading, removal or deposit of natural materials for which a grading permit is required shall take place on any lot or parcel in the SC or SH zone except by a grading permit in connection with a building permit issued for construction which conforms to the provisions of this chapter; or by a grading permit not in connection with construction that is issued with the concurrence of the Planning Commission; or if no grading permit is required, by an application to do minor grading which has been approved by the Planning Commission. The following activities are exempt from the requirements of this section:
1. Tilling or preparation of land for agricultural purposes.
  2. Minor excavation or placement of natural materials, incidental to the planting of trees, shrubs, and other plant materials, and to the installation of minor structural features not requiring a grading permit such as fences, walls, walkways, patios and similar elements customarily accessory to permitted use, provided such excavation or placement of materials does not alter the general overall topographical configuration of the land.
- (g) Site Plans Required: Prior to the issuance of any building permit or commencement of any construction of any building or structure, except one and two family dwellings and structures appurtenant thereto which meet all requirements of this zone, a site plan of the proposed development shall be reviewed and approved by the Planning Commission. Applications for site plan approval shall be accompanied by such maps, plans, drawings, and sketches as necessary to show;
1. Boundaries and existing topography of the property and adjoining or nearby streets.
  2. Location and height of all existing buildings and structures, stands of trees and specimen trees, and the proposed disposition or use thereof.
  3. Location, heights, and proposed use of all proposed structures, including walls, fences, and free-standing signs, and location and extent of individual building sites.
  4. Location and dimensions of ingress and egress points, interior roads and driveways, parking areas, and pedestrian walkways.
  5. Location and proposed treatment of important drainageways.
  6. Proposed grading and removal or placement of natural materials, including finished topography of the site.
  7. Proposed landscaping plan.
- (h) Review of Site Plan by Planning Commission: The Planning Commission shall review applications for site plan approval and in carrying out such review, the Commission shall consider, but not be limited to, the following criteria:
1. All elements of the proposed development shall be consistent with the intent and all requirements of the SC or SH zone.
  2. Buildings and structures shall be so designed and located on the site as to create a generally attractive appearance and a harmonious relationship with surrounding development and the natural environment.
  3. Buildings, structures and plant materials shall not be so constructed, installed or planted so as not to unnecessarily obstruct scenic views visible from the scenic highway.
  4. Potentially unsightly features shall be located so as to be inconspicuous from the scenic highway or effectively screened from view by planting and/or fences, walls or grading.

5. Insofar as feasible, natural topography, vegetation and scenic features of the site shall be retained and incorporated into the proposed development.
  6. Any grading or earth-moving operation in connection with the proposed development shall be planned and executed so as to blend with the existing terrain both on and adjacent to the site, and vegetation cover shall be provided to hide scars on the land resulting from such operations.
  7. Upon completion of its review, the Planning Commission shall approve, conditionally approve or disapprove a site plan.
  8. No building permit shall be issued, except for a one and two family dwelling or structure appurtenant thereto, for the construction of any building or structure in the SC or SH zone except pursuant to a site plan which has been approved by the Planning Commission.
  9. The Planning Commission may waive the requirements of this section when it finds that the provisions of this zone have been or will be fulfilled by the conditions of a special use permit or by other means.
  10. Upon request of the applicant, modification of an approved site plan may be made by the Planning Commission if it finds that the modification is consistent with the intent and the requirements of the SC or SH zone.
  11. Any approval of a site plan shall expire within one year of such approval except where construction and/or use in reliance on such site plan has commenced prior to its expiration. If construction and/or use in reliance thereupon has not commenced within the one-year period, said period may be extended by the Planning Commission at any time prior to the original expiration date. (Ord. 409, eff. 7/5/73, prior Section 86192-86199)
- (i) The following uses shall not be permitted within any Scenic corridor or Scenic Highway zoning district shown on the official County zoning maps: Overnight occupancy by any person or persons in any campsite, tent, vehicle, or trailer except within those areas officially designated as federal campgrounds or areas designated by special use permit issued by Sierra County.

Any violation of this ordinance is punishable as an infraction pursuant to Section 1.16.030 of the Sierra County Code. (Ord. 572, eff. 2/19/80)

#### **15.12.290 PD Planned Development District**

- (a) Purpose: This zone classification is intended to be applied on parcels of not less than two acres and which, in the opinion of the Planning Commission, are suitable for the proposed development for which detailed development plans have been submitted and approved.
- (b) Procedure:
1. Application for the establishment of a PD zone shall be made by owners of all property to be contained therein, and shall include an application for a zone change and an application for a use permit for all proposed developments within the zone, the use permit application shall be considered concurrently with the zoning request, and must be approved concurrently with establishment of the zone.
  2. When such a zone has been established it shall be designated on the official zone map by the symbol "PD" and by an identifying serial number immediately following the letters "PD". Such identifying serial numbers shall refer to the precise plans for the particular PD zone.
  3. Minor revisions in any such use permit may be approved by the Planning Commission, provided that changes proposed in PD zone plans which are determined by the Planning Commission to be substantial changes, may only be processed as new rezoning applications.
- (c) Contents of Application: An application for a PD zone and use permit shall include the following:

1. Topography of the land and contour intervals as required by the Planning Commission.
  2. Proposed access, traffic and pedestrian ways, easements and lot design.
  3. Areas proposed to be dedicated or reserved for open space, parks, parkways, playgrounds, school sites, quasi-public or public buildings and other such uses.
  4. Areas proposed for commercial uses, off-street parking and loading, multiple and single-family dwellings, and all other uses proposed to be established within the zone.
  5. Proposed locations of buildings on the land, including all dimensions necessary to indicate size of structure, setbacks and yard areas.
  6. Proposed landscaping, fencing and screening.
  7. The Planning Commission may require detailed elevations, construction, improvements, utility and drainage plans, geologic, soil, slope, vegetative cover, water resource and water rights, sewerage analysis, impact analysis, schedule of development and occupation of development, and any other information it deems necessary to adequately consider the proposed development and to insure that environment and ecology of the area is protected.
- (d) Principal Permitted Uses: Any use or combination of uses which are so arranged and/or designed as to result in an overall development which is found to be in conformity with standards, intent and purposes of the General Plan.
- (e) Height, Area, Lot and Yard Requirements: All uses shall conform to the height, area, lot and yard requirements normally required for such uses except where the total development will be improved by a deviation from these standards. In all cases each structure and use must conform to the precise development plan which is a part of the approved use permit.
- (f) Other Required Conditions: The proposed planned development shall provide economic design and location of public and private utilities and community facilities and insure adequate standards of design, construction, and planning a safe and efficient system for pedestrian and vehicular traffic. The Planning Commission may apply additional conditions to the granting of the required use permit to insure compliance with the intent and purpose of the General Plan and purpose of this zone and this part. (Ord. 409, eff. 7/5/73, prior Section 86200-86206)
- (g) Designated Parcels: The following properties are zoned PD or PD-SP. Reference to the "Ordinance #" following the property identification is to the number of the ordinance as adopted by the Board of Supervisors providing for the zoning of the property.

Assessors Parcels 013-110-126-0; 013-110-127-0; 013-110-128-0; 013-110-129-0  
(Ordinance 932, eff. 4/25/2002)

**15.12.295 "X" Overlay District**

- (a) Definition: The "X" Overlay zoning district is established as a zoning designation that is combined with and modifies the base-zoning district for the property. The "X" Overlay is to be used in combination with a base zoning district and when so used, all of the provisions of the base zoning district will continue to apply, except as modified by the provisions of this section, providing for the "X" Overlay zone.
- (b) Purpose and Intent: The "X" Overlay zoning district shall be applied to property as necessary to implement the goals and policies of the County General Plan to assure that land areas outside the Community Core and Community Influence boundaries are protected and maintained for natural resource industry growth and enhancement; for the protection of the County's rural lifestyle; and to protect environmental quality and mitigate identified environmental impacts resulting from potential land divisions and other forms of development. The "X" Overlay zoning district designation may also be applied to property within Community Core and Community Influence areas of the County General Plan.

- (c) Permitted and Conditional Uses: All uses permitted and all uses which are conditional within the underlying or base zoning district and any development standards applying to the subject property shall remain in effect for property within the “X” Overlay zoning district except as otherwise provided in this section.
- (d) Special Conditions: The following special conditions shall apply to all property designated “X” Overlay zoning district:
  - 1. All property within the “X” Overlay zoning district shall not be further divided.
  - 2. Any requested rezoning from the “X” Overlay zoning district shall not be approved unless the following findings are made:
    - A. It is in the public interest; and
    - B. It is not inconsistent with the County General Plan; and
    - C. It will not result in growth inducement or cumulative impacts; and
    - D. It will not result in discontinuous patterns of community development; and
    - E. It will not conflict with the maintenance, operation or viability of natural resource-based industries including timber, agriculture, mining, and recreation.
  - 3. The uneconomic character of, or any financial hardship with, the existing parcel which is designated as “X” Overlay zoning district shall not by itself, be sufficient reason for a rezoning from the “X” Overlay zoning district. (Ord. 895, eff. 3/2/00)

**15.12.300 CE Community Expansion District**

- (a) Purpose and Intent: To provide for and encourage development in an orderly fashion around the existing communities. It is intended that this zone be an overlay zone, and that its provisions shall modify and supplement the provision of the basic underlying zone. Further, it is intended that this zone be reevaluated to establish an orderly community development pattern.
- (b) Uses: All those uses and development standards as described by the underlying zone. The provision of Sierra County Ordinance 401 shall remain in effect for those areas, described in section one and shall take precedence over the underlying zone for a period of one year.
- (c) Property Development Standards: Lot area, 10 acres.

(Ord. 409, eff. 7/5/73, prior Section 86207-86210)

**15.12.310 TPZ Timberland Production Zone District**

- (a) Purpose: The purpose for establishing the Timberland Production Zone (TPZ) District is to implement the Forest Taxation Reform Act of 1976 and the California Timberland Productivity Act of 1982 by administering the zone to maintain the optimum amount of the limited supply of timberland to ensure its current and continued availability for the growing and harvesting of timber and compatible uses; to discourage premature or unnecessary conversion of timberland to urban or other uses; to discourage expansion of urban services into timberland; and, to encourage investment in timberlands based upon reasonable expectation of harvest.
- (b) Definitions: For the purpose of the Timberland Production Zone the following words shall have the respective meaning ascribed to them:
  - 1. "Act" means the Forest Taxation Reform Act of 1976 and the California Timberland Productivity Act of 1982.
  - 2. "Anniversary date" means the date on which timberland was initially zoned by the County as a timberland production zone pursuant to Section 51112 or 51113 of the Act.
  - 3. "Board" means the Board of Supervisors.

4. "Commission" means the Planning Commission.
5. "Compatible use" is any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber.
6. "Contiguous" means two or more parcels of land that are adjoining or neighboring or are sufficiently near to each other as determined by the Board to be manageable forest unit.
7. "Mined lands" means the surface, subsurface and groundwater of an area where surface mining operations will be, are being or have been conducted including all accessory access roads, land excavations, workings, mining wastes, and areas where structures, facilities and surface mining equipment, machines, tools, or other materials or property are located.
8. "Nonconforming use" means any use within a timberland production zone which lawfully existed on the effective date of zoning established pursuant to Section 51112 and 51113 of the Act and continuing since that time which is not a compatible use.
9. "Permitted uses" are the uses which are allowed in the timberland production zone as of right without the necessity for issuance of a Special Use Permit.
10. "Reclamation" means the process of land treatment that minimizes and mitigates otherwise unavoidable or existing water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion and other adverse affects from surface or underground mining operations, including adverse surface effects incidental to underground mines so that mined lands are reclaimed and restored to a useable condition readily adaptable for alternate land uses and that will constitute no danger to public health or safety. The process may extend to affected lands surrounding mined lands and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization or other measures.
11. "Recreation" means the use of land by the public with or without charge for any of the following: environmental studies or educational uses, walking, hiking, skiing, picnicking, camping, swimming, snowmobiling, horseback riding, pack trains, shooting, boating, fishing, hunting, or other outdoor games or sports.
12. "Run of the river hydroelectric project" means all facilities appurtenant to its development and operation including generation facilities, power transmission system, access roads, conduits, diversions, penstocks and tailraces.
13. "Surface mining operation" means all or any part of the process involved in the mining of minerals or construction materials on mined lands by removing overburden and mining directly from the mineral deposits, open pit mining of minerals naturally exposed, mined by the auger method, dredging and quarrying, or surface work incidental to an underground mine. In addition, surface mining operations include but are not limited to: (a) in place distillation restoring or leaching, (b) the production and disposal of mining wastes, (c) prospecting and exploratory activities, (d) extractions of natural materials for building constructions and so forth.
14. "Timber" means trees of any species maintained for eventual harvest for forest products purposes, whether planted, stocked or of natural growth, standing or down, on privately or publicly owned land, including Christmas trees, but excluding nursery stock.
15. "Timberland" means land privately owned or land acquired for state forest purposes which is devoted to and used for growing and harvesting timber or for growing and harvesting timber and compatible uses and which is capable of growing an average annual volume of wood fiber of at least fifteen (15) cubic feet per acre.
16. "Timberland Production Zone" or "TPZ" means timberland as defined which has been zoned pursuant to Government Code Sections 51112 and 51113 and is devoted to and used for growing and harvesting of timber or for growing and harvesting of timber and compatible uses.

- (c) Compatible Uses: A compatible use is any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting of timber, and shall include, but not be limited to, any of the following, unless in a specific instance such a use would be contrary to the preceding definition of compatible use:
1. Management for watershed not involving the construction of facilities.
  2. Management for fish and wildlife habitat for hunting and fishing.
  3. A use integrally related to the growing, harvesting and processing of forest products including but not limited to roads, log landings, log storage areas, temporary portable wood processing equipment and fuel wood operations.
  4. The erection, construction, alteration or maintenance of gas, electric, water, or communication transmission facilities of public agencies.
  5. Grazing.
  6. A residence or other structure necessary for the management of land zoned as timberland production.
- (d) Permitted Uses: The following shall be permitted uses so long as such use or uses do not significantly detract from the use of the property for or inhibit growing and harvesting timber:
1. One single family dwelling necessary for the management of land zoned as timberland production, including an attached or detached garage, on a legally created parcel consisting of a minimum of 80 acres.
  2. Construction and use of non-habitable structures for storage of equipment necessary for the management of land zoned as timberland production.
  3. Management of land and forests primarily for the commercial production and harvest of forest products, including grazing, beekeeping, horticulture, tree crops, watershed management, fish and wildlife habitat, and any uses directly incidental to and wholly compatible with the primary uses.
  4. Management of land and forests in a manner designated to protect them from fire, insects, disease, or other potential or existing catastrophe.
  5. Timber removal, including necessary access roads, log landing and storage areas provided such are constructed and maintained in accordance with the forest practice rules adopted by the State Board of Forestry.
  6. Hunting, fishing, camping and other similar recreational uses as defined, not requiring any permanent structures.
  7. Temporary or mobile living quarters appurtenant to timber management, said uses only occurring during harvest operations.
  8. Minor maintenance, reconditioning, minor alterations and emergency activities, including the maintenance of existing vegetation clearances, of electric, water or communication facilities by public agencies under the jurisdiction of the California Public Utilities Commission.
  9. Reforestation projects, projects under the auspices of the California Forest Improvement Program (CFIP), or other like local, state, or federal reforestation project or environmental enhancement program.
  10. Conservation easements, wildlife preserves, wildlife management areas, and like uses and improvements.

11. Erosion control projects.
  12. Equestrian uses including horseback riding, trails, corrals, and temporary boarding, not involving permanent structures.
  13. Weather, stream, and other hydrological data collection stations.
  14. Excavations or grading for the exclusive purpose of obtaining materials for roadbed construction and maintenance conducted in connection with timber operation or forest management on land owned by the same person or entity, and transported no further than Counties bordering or immediately adjacent to Sierra County. Limited to excavation and grading that is conducted adjacent to timber operation or forest management roads and shall not apply to onsite excavation or grading that occurs within 100 feet of a Class One watercourse or 75 feet of a Class Two watercourse, or to excavation for materials that are, or have been, sold for commercial purposes. Permitted only if slope stability and erosion are controlled in accordance with subdivision (f) of Section 3704 and subdivision (d) of Section 3706 of Title 14 of the California Code of Regulations and, upon closure of the site, the person closing the site implements, where necessary, revegetation measures and postclosure uses in consultation with the Department of Forestry and Fire Protection. Subject to the issuance of a grading permit.
- (e) Conditional Uses: The following uses shall be allowed only after application and issuance of a Special Use Permit:
1. Erection, construction, relocation of gas, electric, water, geothermal, oil or other transmission facility including communication transmission facilities and minor utility buildings for private utility companies and excluding individual service drops to a parcel.
  2. Run-of-the-river hydroelectric projects including all facilities appurtenant to its development and operation including generation facilities, power transmission system, access roads, conduits, diversions, penstocks and tailraces. Special Use Permits for this category of project shall be valid for a term not to exceed three (3) years, with extensions of up to five year increments, and extensions may only be granted by the Commission after an inspection of the property by County staff has been conducted to evaluate the compliance of the project with project conditions and to assure that the findings required by subsection (g) continued to be made in the affirmative.
  3. Heliports and accessory uses not including any structures.
  4. Processing plants and packaging plants for forest products, including the necessary buildings and support facilities.
  5. Commercial gas, oil, geothermal, wind, solar, water and other well construction and related facilities.
  6. Surface mining operations except as provided in (d)14, including but not limited to management, development, and use of mineral resources such as sand, gravel, cinders, rock, ore, minerals and steam in limited areas within a timberland production zone when the areas proposed for use is: (1) not productive timberland; (2) deemed to have been used historically as mined lands as defined herein and due to this historical use, and land and/or area proposed for use is not productive timberland; or (3) a finding can be made that reclamation as defined herein shall ultimately enhance, reclaim and develop the property into productive timberland as defined herein. Special use permits for this category of project shall be valid for a term not to exceed three (3) years, with extensions of up to five (5) year increments and extensions may only be granted by the Commission after an inspection of the property by County staff has been conducted to evaluate the compliance of the project with project conditions and to assure that the findings required by subsection (g) continue to be made in the affirmative.
  7. Organized camps.

8. Fire stations, information centers, ranger stations, forestry conservation camps, environmental education centers, field stations, and trailhead facilities, including trails.
  9. Shooting and target ranges and fishing ponds.
  10. Campgrounds, equestrian uses, hunting, fishing, or other forms of recreational use involving the construction of primitive/minor improvements to support the seasonal recreation use which are clearly secondary and incidental to the timberland production uses occurring on the property.
  11. Cultural events whether public or private.
  12. Ponds.
  13. Communication towers.
- (f) Special Requirements for a Single Family Residence: The following development standards shall be required for any single family residence:
1. Setbacks for any portion of a structure to all property lines shall be 100 feet.
  2. Height limitation for residential and residential accessory structures shall be thirty-five (35) feet and not exceeding two stories.
  3. Off street parking shall be provided for a minimum of two (2) vehicles.
  4. The applicant shall provide evidence satisfactory to the Planning Department of legal and physical access to the proposed building site.
  5. Accessory structures associated with a single family dwelling and attached or detached garage shall be allowed only for a generator, well, vehicles, and any required utility storage and/or protection, and a single equipment storage structure or other like structure deemed consistent with this section by the Sierra County Planning Department. The private garage, if detached, shall not be constructed in advance of the single family dwelling.
  6. A certification executed by the California Department of Forestry and Fire Protection shall accompany any application for a single family residence attesting to the compliance with any requirements in place for fire protection, clearances, water supply, and access.
- (g) Findings Required: The following findings shall be required to be made by the Planning Director, the Planning Commission, the Board of Supervisors, or other agency in the issuance of any grant, lease, permit, license or other form of entitlement involving a parcel of land in the timberland production zone:
1. Such issuance or grant of entitlement shall not significantly detract from the use of the property for or inhibit growing and harvesting of timber.
  2. Such issuance or grant of entitlement shall not preclude forest management within the timberland production zone.
  3. The issuance or grant of entitlement involves an area which is located and designed to minimize interference with timber harvesting operations and which does not render significant amounts of timber or forest products as inaccessible or unharvestable by virtue of physical impediment or increased costs.
  4. The issuance of grant of entitlement involves a use of the parcel which has been located and designed to minimize negative impacts to the removal of timber; has been located and uses existing cleared or open-space areas incidental to forest production.

(h) Minimum Parcel Size and Area:

1. Parcels in the Timberland Production Zone shall have a minimum acreage of 80 acres.
2. Parcels zoned as Timberland Production Zone may not be subdivided into parcels of less than 640 acres. Any such action to divide or otherwise modify a parcel zoned Timberland Production Zone shall be in strict conformance with the County General Plan.

(i) Parcel Qualifications:

The following standards are required to be met by parcels being considered for inclusion in the Timberland Production Zone. Persons wishing inclusion of their parcels in the Timberland Production Zone shall demonstrate conformance of their parcels with such standards:

1. The land shall be site quality Class III or higher according to the rating classification of the State Board of Forestry.
2. The land shall meet or exceed minimum parcel size specified by this part.
3. The existing uses shall be compatible, permitted, or conditional uses as set forth in this chapter.
4. The parcel shall meet the timber stocking standards as set forth in Public Resources Code Section 4561 and the forest practice rules adopted by the State Board of Forestry for the district in which the parcel is located, or the owner must sign an agreement with the Board to meet such stocking standards and forest practice rules by the fifth anniversary of the signing of such agreement. If the parcel, upon the fifth anniversary of the signing of the agreement, has been determined by the Board not to meet the sticking standards in effect on the date that the agreement was signed, the Board shall immediately rezone the parcel and specify a new zone for the parcel, which is in conformance with the County General Plan and whose primary uses are other than timberland.
5. A plan for forest management of the parcel shall be prepared or approved as to content by a Registered Professional Forester. Such plan shall provide for the eventual harvest of timberland within a reasonable period of time as determined by the Registered Professional Forester.
6. The owner of the parcel shall accomplish or be in the process of accomplishing any three (3) of the following:
  - A. Conducted commercial harvesting operations on the property.
  - B. Provide legal and physical access to the property so commercial operations can be carried out.
  - C. Located the boundaries of the property.
  - D. Conducted disease or insect control work on the property.
  - E. Performed thinnings, slash disposal, pruning and other appropriate silvicultural work on the property.
  - F. Developed a fire protection system on the property or has a functioning fire protection plan.
  - G. Provided for erosion control on existing roads and skid trails, and has maintained existing roads.
  - H. Planted a significant portion of the unstocked areas of the parcel.

(j) Application, Application Contents and Hearings:

Application forms for inclusion in the Timberland Production Zone shall be provided by the County Planning Department and the following information shall be provided:

1. List of all owners of record interest in the parcel.
2. Copies of all deeds and leases affecting the parcel considered for inclusion in the Timberland Production Zone.

3. Map identifying the boundaries of the property showing topography, vegetative types, site classification, timberland areas and non-timberland areas.
4. Legal description or assessor's parcel number of the parcel.
5. A plan for forest management and all information as outlined in subsection (i) of this chapter.
6. Any fees required by resolution or ordinance of the Board.

The Planning Department shall process all applications for inclusion of property in the Timberland Production Zone in compliance with Section 51113 of the Act.

(k) Effect of Zoning and Removal from Zone:

1. Parcels included in Timberland Production Zone shall be zoned for an initial term of ten (10) years. On the first and each subsequent anniversary date of the initial zoning, one (1) year shall be added to the initial term of ten (10) years, unless a notice of rezoning is provided in conformance of the Act.
2. Parcels zoned as Timberland Production Zone shall be restricted as to their use of growing and harvesting of timber and compatible uses. This zoning shall give rise to the presumption that timber operations may reasonably be expected to and will occur on the parcel(s). If it is determined by the County that such property is not being managed consistent with this part and/or the Act, the County may initiate proceedings to rezone the property out of Timberland Production Zone.
3. Any rezoning of a parcel from Timberland Production Zone to another zoning district shall be in strict conformance with the County General Plan and Act.
4. The Board or a landowner may petition for a rezone of property in a Timberland Production Zone which shall become effective ten (10) years from the date of approval as provided in Sections 51120 and 51121 of the Act.
5. The landowner of property within a Timberland Production Zone may petition for an immediate rezoning of the property as provided in Section 51130 of the Act.
6. Pursuant to Section 51142 of the Act, in the case of approval of an immediate rezoning, the landowner may submit a written application, requesting the waiver of tax recoupment fees and explaining the reasons therefore, to the Board as authorized in County resolution 95-120. The Board upon receiving an application may, if it determines that it is in the public interest, waive all or any portion of the fees.

(l) Records:

A notice of Timberland Production Zone status, together with all information required by the Act, shall be filed for record with the County Recorder as provided in Section 51117 of the Act when land is zoned as Timberland Production or subsequently rezoned from Timberland Production Zone.

(m) Designated Parcels: The following assessor parcels (APN's), or portions thereof, are zoned as Timberland Production Zone:

001-010-002	001-100-005	002-020-005
001-020-001	001-110-004	002-020-008
001-020-003	001-120-001	002-020-011
001-030-007	001-130-002	002-020-013
001-070-003	002-020-002	002-020-015

002-020-018	006-010-008	008-070-002
002-040-002	006-010-024	008-070-007
002-040-004	006-010-026	008-070-008
002-040-005	006-010-029	008-070-022
002-040-011	006-010-043	008-070-024
002-050-008	006-010-044	008-070-027
002-080-004	006-010-047	008-090-027
002-110-017	006-020-001	008-110-007
002-140-028	006-020-002	008-110-011
002-150-004	006-020-003	008-120-013
004-060-018	006-020-005	008-120-015
004-060-020	006-020-009	008-120-017
004-060-021	006-020-012	008-130-010
004-070-005	006-020-014	008-130-012
004-070-008	006-030-001	009-150-028
004-070-009	006-030-011	009-150-029
004-070-013	006-030-114	010-010-003
004-070-014	006-040-001	010-010-007
004-070-015	006-040-005	010-010-009
004-080-002	006-080-017	010-010-010
004-080-009	006-080-028	010-010-013
004-080-010	006-080-029	010-010-015
004-080-014	006-100-002	010-010-016
004-080-016	006-100-015	010-010-017
004-080-017	007-050-007	010-020-001
004-090-004	007-050-009	010-020-003
004-090-007	007-050-010	010-020-004
004-090-008	007-080-009	010-020-005
004-100-008	007-100-003	010-020-008
004-100-009	007-100-004	010-030-004
004-100-013	007-100-005	010-030-008
004-150-008	007-110-001	010-030-012
004-150-009	007-110-008	010-030-013
004-150-011	008-010-005	010-030-015
004-150-017	008-030-006	010-040-001
004-150-029	008-030-010	010-040-002
004-150-032	008-040-002	010-040-004
004-150-033	008-040-003	010-040-006
004-160-006	008-040-007	010-040-008
004-160-008	008-040-012	010-040-010
004-170-002	008-040-013	010-050-005
004-170-003	008-040-017	010-050-007
004-170-007	008-040-018	010-050-009
004-170-009	008-050-005	010-050-012
004-180-006	008-050-006	010-050-013
004-180-007	008-050-007	010-050-015
004-180-008	008-050-010	010-060-001
004-180-011	008-050-022	010-070-004
004-190-006	008-050-023	010-070-008
006-010-006	008-060-027	010-070-009
006-010-007	008-060-034	010-070-016

010-070-017	013-060-005	014-120-002
010-080-001	013-060-007	014-120-010
010-080-006	013-070-003	014-140-001
010-110-002	013-070-004	014-140-003
010-110-006	013-070-005	014-140-006
010-110-010	013-070-011	014-150-002
012-010-003	013-070-014	014-150-004
012-010-008	013-070-015	014-150-006
012-010-012	013-070-016	014-160-004
012-010-013	013-100-001	016-040-001
012-020-002	013-100-002	016-040-091
012-020-005	013-100-004	016-040-092
012-020-006	013-110-001	016-060-013
012-020-009	013-110-152	016-090-054
012-020-010	013-120-001	016-120-007
012-030-004	013-130-001	016-120-008
012-040-001	014-010-002	016-240-001
012-060-005	014-010-004	018-010-005
012-060-009	014-010-006	018-010-008
012-060-009	014-020-001	018-010-013
012-070-007	014-020-003	018-030-009
012-070-008	014-020-006	018-050-028
012-070-009	014-030-008	018-050-037
012-070-012	014-030-009	018-080-004
012-070-018	014-040-001	019-030-014
012-070-019	014-040-003	019-030-015
012-090-107	014-040-005	019-050-001
012-090-107	014-040-006	019-110-005
012-090-112	014-050-005	019-110-007
012-090-113	014-050-006	019-120-014
012-140-008	014-050-007	019-130-008
012-140-008	014-060-001	019-130-012
012-140-032	014-060-003	019-130-013
012-140-054	014-060-005	019-140-001
013-010-005	014-060-006	019-140-002
013-010-008	014-070-002	019-140-003
013-020-005	014-070-004	019-140-004
013-020-007	014-070-006	019-140-005
013-020-009	014-090-002	019-140-006
013-030-002	014-090-004	019-140-007
013-030-004	014-090-007	021-030-007
013-030-006	014-090-008	021-040-001
013-040-001	014-100-001	021-040-016
013-040-003	014-100-005	021-040-017
013-040-007	014-110-002	021-050-004
013-040-008	014-110-003	021-060-001
013-050-002	014-110-006	021-100-004
013-050-004	014-110-010	023-040-004
013-050-006	014-110-011	023-040-007
013-060-001	014-110-012	023-110-010
013-060-004	014-110-013	023-110-012

and, a 400 foot corridor described as follows:

Beginning at a point lying on the east line of said Section 22, bearing North 00°17' West, approximately 1886 feet from the southeast corner of said Section 22, said POINT OF BEGINNING being further described as lying on the southerly line of a four hundred foot wide access corridor as described below;

Thence along said southerly line the following courses:

South 74°32'45" West 69.45 feet;  
North 85°49'33" West 245.04 feet;  
North 77°23'28" West 244.55 feet;  
North 89°07'10" West 252.14 feet;  
South 86°52'29" West 544.51 feet;  
South 76°37'46" West 220.79 feet;  
North 81°33'32" West 295.19 feet;  
South 89°15'05" West 235.21 feet;  
North 62°12'47" West 256.37 feet;  
South 69°31'25" West 236.24 feet;  
South 71°44'43" West 276.56 feet;  
South 86°33'54" West 243.99 feet;  
North 86°46'05" West 243.47 feet;  
North 72°24'59" West 130.15 feet;  
North 60°11'28" West 114.17 feet;  
South 51°33'08" West 174.54 feet;  
South 50°50'54" West 207.63 feet;  
South 57°23'30" West 253.04 feet;  
South 73°52'54" West 215.45 feet;  
South 83°02'10" West 308.64 feet;  
South 88°27'28" West 130.13 feet;  
North 52°43'36" West 150.88 feet;  
North 32°04'30" West 253.31 feet;  
North 70°12'41" West 609.55 feet;  
North 49°37'45" West 96.82 feet;  
North 68°18'02" West 112.56 feet;  
North 77°40'47" West 84.50 feet;  
South 56°54'09" West 349.64 feet;  
South 79°02'59" West 220.20 feet;  
South 59°49'29" West 581.49 feet;  
South 72°06'54" West 259.73 feet;  
South 68°44'10" West 175.86 feet;  
South 83°37'57" West 280.25 feet;  
North 74°16'38" West 867.55 feet;  
North 74°07'19" West 289.54 feet;  
North 64°41'29" West 221.42 feet;  
North 81°40'38" West 331.48 feet;  
North 72°14'43" West 55.17 feet;  
North 86°36'59" West 160.36 feet;  
North 75°32'25" West 251.04 feet;  
North 44°40'42" West 118.86 feet;  
North 47°10'11" West 133.49 feet;  
North 66°31'54" West 151.47 feet;  
North 87°01'57" West 81.73 feet;

South 79°13'07" West 337.38 feet to the west line of said Section 21:

Thence North 01°20'23" East along said west line 409.12 feet to the northerly line of said 400 foot wide access corridor;

Thence along said northerly line in the following courses:

North 79°13'07" East 299.69 feet;  
South 87°01'57" East 202.29 feet;  
South 66°31'54" East 292.04 feet;  
South 47°10'11" East 210.43 feet;  
South 75°32'25" East 101.84 feet;  
South 86°36'59" East 172.01 feet;  
South 72°14'43" East 72.60 feet;  
South 81°40'38" East 358.21 feet;  
South 64°41'29" East 248.16 feet;  
South 74°27'43" East 244.62 feet;  
North 83°37'57" East 150.55 feet;  
North 68°44'10" East 135.36 feet;  
North 72°06'54" East 228.46 feet;  
North 59°49'29" East 606.17 feet;  
North 79°02'59" East 209.66 feet;  
North 56°54'09" East 438.75 feet;  
South 77°40'47" East 284.71 feet;  
South 68°18'02" East 211.13 feet;  
South 66°20'01" East 788.87 feet;  
South 32°04'30" East 231.93 feet;  
South 83°02'10" West 204.86 feet;  
North 73°52'24" East 125.46 feet;  
North 57°23'30" East 172.24 feet;  
North 50°50'54" East 187.22 feet;  
North 51°33'08" East 448.11 feet;  
South 60°11'28" East 343.04 feet;  
South 72°24'59" East 36.95 feet;  
South 86°46'05" East 169.81 feet;  
North 86°33'54" East 168.67 feet;  
North 71°44'43" East 216.79 feet;  
North 69°31'25" East 407.77 feet;  
South 62°12'47" East 333.85 feet;  
North 89°12'05" East 165.64 feet;  
South 81°33'32" East 250.27 feet;  
North 76°37'46" East 179.60 feet;  
North 86°52'59" East 394.36 feet;  
South 89°07'10" East 307.19 feet;  
South 77°23'28" East 256.14 feet;  
South 85°49'33" East 146.35 feet;  
North 74°32'45" East 96.01 feet;

North 66°00'04" East 13.39 feet to said east line of Section 22;

Thence South 00°17" West along said east line, 416.51 feet to said POINT OF BEGINNING.

The basis of bearings for this description is an assumed bearing of North 00°17" West for said east line of Section 22, as digitized from the U.S.G.S. Quadrangle map of this area.

(Ord. 1032, eff. 3/11; prior 1031, 1030, 981, 974, 959, 933, 919, 914, 874, 873, 782, 640, 603, 586, 522, 518, 500, 488, 487, Section 15.12.310)

**15.12.320 Zone Amendments**

**15.12.320.10 Amendment to Community Commercial (CC) Zoning District**

- (a) The following County Assessor Parcel(s) shall be zoned Community Commercial District (CC) in compliance with Sierra County Code Section 15.12.130:

012-122-003-0

As said parcel is shown on the "Official Land Use Maps of the County of Sierra".

- (b) Subsection 10 of the Sierra County Code is hereby amended to add the following parcel to the properties zoned Community Commercial (CC):

Property Description: Assessor's Parcel No. 015-010-012-0

(Ord. 897, eff. 3/2/00)

- (c) Subsection 10 of the Sierra County Code is hereby amended to add the following parcel to the properties zoned Community Commercial (CC):

Property Description: Assessor's Parcel No. 015-010-012-0

(Ord. 921), eff. 10/5/01)

**15.12.320.20 Amendment to Agricultural (A 1) Zoning District**

- (a) The following County Assessor Parcels shall be zoned Agricultural District (A1), in compliance with Sierra County Code Section 15.12.160:

Portion of 21-100-02      Portion of 21-100-07      016-070-003-0

As said parcels are shown on the "Official Land Use Maps of the County of Sierra". (Ord. No. 832, eff. 10/5/95)

- (b) The following described parcel, being 240 acres and a portion of County Assessors Parcel 016-030-004-0, is zoned "A-1 Agricultural District" in compliance with Sierra County Code Section 15.12.160:

Parcel Description

A 240 acre parcel of land south of State Route 49 and west of the City of Loyalton, more particularly described as the southeast one quarter of Section 16 and the south one half of the northeast one quarter of Section 16, T. 21 N., R. 15E., MDB&M. (Ord. 841, eff. 9/19/96)

**15.12.320.30 Amendment to General Forest (GF) Zoning District**

- (a) The following County Assessor Parcels shall be zoned General Forest District (GF), in compliance with Sierra County Code Section 15.12.170:

21-100-06

As said parcels are shown on the "Official Land Use Maps of the County of Sierra".

- (b) The following described parcels and property being real property situated in the unincorporated areas of Sierra County with T. 21 N., R. 17 E. MDB&M. And more particularly described as follows:

Property Description

021-030-002	021-030-003	021-030-005
021-030-006	021-050-001	021-051-003
021-050-009	021-050-011	021-050-013
021-050-014	021-060-010	

and, a 400 foot corridor described as follows:

Beginning at a point lying on the east line of said Section 22, bearing North 00°17' West, approximately 1886 feet from the southeast corner of said Section 22, said POINT OF BEGINNING being further described as lying on the southerly line of a four hundred foot wide access corridor as described below;

Thence along said southerly line in the following courses:

South 74°32'45" West 69.45 feet;  
North 85°49'33" West 245.04 feet;  
North 77°23'28" West 244.55 feet;  
North 89°07'10" West 252.14 feet;  
South 86°52'29" West 544.51 feet;  
South 76°37'46" West 220.79 feet;  
North 81°33'32" West 295.19 feet;  
South 89°15'05" West 235.21 feet;  
North 62°12'47" West 256.37 feet;  
South 69°31'25" West 236.24 feet;  
South 71°44'43" West 276.56 feet;  
South 86°33'54" West 243.99 feet;  
North 86°46'05" West 243.47 feet;  
North 72°24'59" West 130.15 feet;  
North 60°11'28" West 114.17 feet;  
South 51°33'08" West 174.54 feet;  
South 50°50'54" West 207.63 feet;  
South 57°23'30" West 253.04 feet;  
South 73°52'54" West 215.45 feet;  
South 83°02'10" West 308.64 feet;  
South 88°27'28" West 130.13 feet;  
North 52°43'36" West 150.88 feet;  
North 32°04'30" West 253.31 feet;  
North 70°12'41" West 609.55 feet;  
North 49°37'45" West 96.82 feet;  
North 68°18'02" West 112.56 feet;  
North 77°40'47" West 84.50 feet;  
South 56°54'09" West 349.64 feet;  
South 79°02'59" West 220.20 feet;  
South 59°49'29" West 581.49 feet;  
South 72°06'54" West 259.73 feet;  
South 68°44'10" West 175.86 feet;  
South 83°37'57" West 280.25 feet;  
North 74°16'38" West 867.55 feet;  
North 74°07'19" West 289.54 feet;  
North 64°41'29" West 221.42 feet;  
North 81°40'38" West 331.48 feet;  
North 72°14'43" West 55.17 feet;  
North 86°36'59" West 160.36 feet;  
North 75°32'25" West 251.04 feet;

North 44°40'42" West 118.86 feet;  
North 47°10'11" West 133.49 feet;  
North 66°31'54" West 151.47 feet;  
North 87°01'57" West 81.73 feet;  
South 79°13'07" West 337.38 feet to the west line of said Section 21:

Thence North 01°20'23" East along said west line 409.12 feet to the northerly line of said 400 foot wide access corridor;

Thence along said northerly line in the following courses:

North 79°13'07" East 299.69 feet;  
South 87°01'57" East 202.29 feet;  
South 66°31'54" East 292.04 feet;  
South 47°10'11" East 210.43 feet;  
South 75°32'25" East 101.84 feet;  
South 86°36'59" East 172.01 feet;  
South 72°14'43" East 72.60 feet;  
South 81°40'38" East 358.21 feet;  
South 64°41'29" East 248.16 feet;  
South 74°27'43" East 244.62 feet;  
North 83°37'57" East 150.55 feet;  
North 68°44'10" East 135.36 feet;  
North 72°06'54" East 228.46 feet;  
North 59°49'29" East 606.17 feet;  
North 79°02'59" East 209.66 feet;  
North 56°54'09" East 438.75 feet;  
South 77°40'47" East 284.71 feet;  
South 68°18'02" East 211.13 feet;  
South 66°20'01" East 788.87 feet;  
South 32°04'30" East 231.93 feet;  
South 83°02'10" West 204.86 feet;  
North 73°52'24" East 125.46 feet;  
North 57°23'30" East 172.24 feet;  
North 50°50'54" East 187.22 feet;  
North 51°33'08" East 448.11 feet;  
South 60°11'28" East 343.04 feet;  
South 72°24'59" East 36.95 feet;  
South 86°46'05" East 169.81 feet;  
North 86°33'54" East 168.67 feet;  
North 71°44'43" East 216.79 feet;  
North 69°31'25" East 407.77 feet;  
South 62°12'47" East 333.85 feet;  
North 89°12'05" East 165.64 feet;  
South 81°33'32" East 250.27 feet;  
North 76°37'46" East 179.60 feet;  
North 86°52'59" East 394.36 feet;  
South 89°07'10" East 307.19 feet;  
South 77°23'28" East 256.14 feet;  
South 85°49'33" East 146.35 feet;  
North 74°32'45" East 96.01 feet;  
North 66°00'04" East 13.39 feet to said east line of Section 22;

Thence South 00°17" West along said east line, 416.51 feet to said POINT OF BEGINNING.

The basis of bearings for this description is an assumed bearing of North 00°17" West for said east line of Section 22, as digitized from the U.S.G.S. Quadrangle map of this area.

The property identified above is hereby zoned as general forest. It is the intent of the Board that the general forest zoning for the above-described property shall serve as an interim zoning district unless and until a proposal in the form of a specific plan for the development of the property is approved for a destination resort consistent with the county general plan. For the purpose of this ordinance the term "interim zoning district" is intended to recognize that the uses and restrictions in the general forest zone are not intended as the ultimate use of the property and that the ultimate use is intended as a destination resort consistent with the general plan. (Ord. 873, eff. 1/1/99)

- (c) The following described parcel, being 520 acres and identified as County Assessor Parcel Number 008-060-034 shall be zoned General Forest District (GF), in compliance with Sierra County Code Section 15.12.170:

Parcel Description

The North one-half, the North one-half of the South one-half,  
and the Southwest one-quarter of the Southwest one-quarter of  
Section 25, Township 20 North, Range 11 East, M.D.M.

(Ord. 989, eff. 5/3/07)

- (d) The following described parcels, being approximately 7083 acres and identified as County Assessor Parcel Numbers 014-030-009, 014-030-008, 014-040-003, 014-110-006, 014-040-005, 014-060-001, 014-090-002, 014-100-005, 014-120-001, 014-100-001, 014-090-004, 014-110-002, 014-090-007, located in the Jackson Meadow area are hereby added to Section 15.12.320.30 and designated as within the General Forest zoning district as described in Section 15.12.170 of the Sierra County Code.

(The above-described action is a long term 10 year rezone from TPZ to GF zoning district designation.) (Ord 999, eff. 5/20/08)

- (e) The following described parcel, being 114 acres and identified as County Assessor Parcel Number 012-140-008, located approximately 3 miles west of the Community of Sattley, is hereby added to Section 15.12.320.30 of the Sierra County Code, and designated General Forest zoning district as described in Section 15.12.170 of the Sierra County Code, effective June 17, 2018. (Ord. 1000, eff. 6/18/08)

**15.12.320.40 Amendment to Rural Residential 1 Acre (RR 1) Minimum Zoning District**

- (a) The following County Assessor Parcels shall be zoned Rural Residential 1 Acre (RR1) in compliance with the Sierra County Code Section 15.12.190:

12-140-021

12-190-01

As said parcel is shown on the "Official Land Use Maps of the County of Sierra".

- (b) The following described parcel, being a 1.04 acre portion of the northeast corner of County Assessor's Parcel 016-040-077-0, is zoned "RR-1 Rural Residential District" in compliance with Sierra County Code Section 15.12.190:

Parcel Description

A 1.04 acre parcel of land south of State Route 49 and contiguous to the west boundary of the City of Loyaltan described as part of the North West one quarter of Section 13, T21N, R15E Mount Diablo Base and Meridian, more particularly described as:

Beginning at a point monumented with a found iron pipe as described on the subdivision map for Smithneck Village recorded in Sierra County at Book 6, Page 77 of Maps and Surveys, as a 1 1/4 inch iron pipe in concrete with no tag and proceeding S 89°52'52"W, 230.0 feet; thence S 0°40'42"W, 194.45 feet; thence N 89°52'52"E, 230.0 feet +/- to the west line of the adjoining parcel described in the Official Records of Sierra County, Number 0116198; thence N 0°40'42"E, 194.45 feet to the point of beginning, which parcel is 1.03 +/- acres. (Ord. No. 832, eff. 10/5/95)

- (c) All residential parcels shown on the Subdivision Map for Sierra Brooks Unit No. 1 recorded in Book 3, Pages 76-80, Record of Surveys, Sierra County, California, excepting therefrom Parcel "A" (public facility/common area property). (Ord. No. 847, eff. 12/05/96)
- (d) All residential parcels shown on the Subdivision Map for Sierra Brooks Unit No. 2-A recorded in Book 3, Pages 90-95, Record of Surveys, Sierra County, California, excepting therefrom Parcel "A", "B" and "C" (public facility/common area property). (Ord. No. 847, eff. 12/05/96)
- (d) A single parcel of land located in the unincorporated area of Sierra County and within the community of Sierraville, consisting of 5.22 acres, in Section 13, T 20 N, R 14 E, MDB and M and more particularly described as County Assessor Parcel 015-023-001-0. (Ord. No. 970, eff. 12/15/05)
- (e) The real property identified as Assessor's Parcel Number 015-101-021 and 015-010-022, legally described as parcels 3 and 4 as shown in the official map recorded in Book 4 of Maps and Surveys, at page 60. (Ord. 978, eff. 9/14/06)
- (f) All that portion of Parcel 1, as shown on the Parcel Map for Lauren Johnson, filed August 23, 1977, in Book 5 of Maps and Surveys, Page 51, Sierra County Records, lying west of Sierraville Creek. (Ord. 1023, eff. 9/16/10)

**15.12.320.50 Amendment to Rural Residential 1.5 Acre (RR 1.5) Minimum Zoning District**

- (a) The following County Assessor Parcels shall be zoned Rural Residential 1.5 Acre Minimum (RR 1.5) in compliance with Sierra County Code Section 15.12.195:

23-07-07	23-09-21	23-10-12
23-07-08	23-09-22	23-10-16
23-08-14	23-09-24	23-13-04
23-09-02	23-09-25	23-13-05
23-09-03	23-09-26	23-13-08
23-09-04	23-09-27	23-13-11
23-09-05	23-10-01	23-13-12
23-09-10	23-10-04	23-13-15
23-09-11	23-10-05	23-13-16
23-09-12	23-10-07	23-13-20
23-09-16	23-10-09	23-13-23
23-09-18	23-10-10	23-13-24
23-09-20	23-10-11	23-13-25

23-13-26	23-14-04	23-15-08
23-13-27	23-14-05	23-15-17
23-13-28	23-14-06	23-15-18
23-13-29	23-14-07	23-15-19
23-13-32	23-14-08	23-15-20
23-13-33	23-14-09	23-15-21
23-13-34	23-14-10	23-15-22
23-13-35	23-14-11	23-15-23
23-13-36	23-14-12	23-15-24
23-13-37	23-14-13	Portion of 23-08-03
23-13-38	23-14-14	Portion of 23-08-11
23-13-39	23-14-15	Portion of 23-15-16
23-13-40	23-15-01	Portion of 23-08-20
23-13-41	23-15-02	Portion of 23-08-10
23-14-01	23-15-04	
23-14-02	23-15-05	
23-14-03	23-15-07	

As said parcels are shown on the "Official Land Use Maps of the County of Sierra".

**15.12.320.60 Amendment to Rural Residential 2.5 Acre Minimum (RR 2.5) Zoning District**

- (a) The following County Assessor Parcels shall be zoned Rural Residential 2.5 Acre Minimum (RR 2.5) in compliance with Sierra County Code Section 15.12.205:

16-220-16	Portion of 23-080-19
23-080-08	Portion of 23-080-06
23-080-13	Portion of 23-080-03
Portion of 23-080-20	Portion of 23-080-05
Portion of 23-080-11	Portion of 23-080-10

As said parcels are shown on the "Official Land Use Maps of the County of Sierra".

- (b) The following described parcels being real property situated in the unincorporated area of Sierra County located immediately north of the Township of Downieville in Section 26, Township 20 North, Range 10 East, MDB & M and more particularly described as follows:

Parcel Description

Portions of County Assessor Parcels 002-130-016-0, 002-130-023-0 and 002-160-007-0 consisting of 10.09 acres comprised of Parcel 1 of +/- 3.18 acres and Parcel of 3 +/- 2.56 acres of that tentative parcel map approved by Resolution 97-206 of the Sierra County Board of Supervisors dated November 18, 1997. (Ord. 860, 01/01/98)

- (c) The following described parcels being real property situated in the unincorporated area of Sierra County located immediately south of the Township of Calpine in Section 20, Township 21 North, Range 14 East, MDB&M and more particularly described as follows:

Parcel Description

County Assessor Parcel 012-180-014-0 consisting of +/- 5.00 acres.  
(Ord. 866, 05/21/98)

**15.12.320.70 Amendment to Rural Residential 4 Acre Minimum (RR 4) Zoning District**

- (a) The following County Assessor Parcel shall be zoned Rural Residential - 4 Acre Minimum (RR-4) in compliance with Sierra County Code Section 15.12.210:

As said parcel is shown on the "Official Land Use Maps of the County of Sierra".

**15.12.320.80 Amendment to Rural Residential 5 Acre Minimum (RR 5) Zoning Districtd**

- (a) The following County Assessor Parcels shall be zoned RR-5 Rural Residential 5 Acre Minimum in compliance with Sierra County Code Section 15.12.220:

12-190-001	23-07-50	23-07-64
13-110-076	23-07-51	23-07-65
13-110-082	23-07-52	23-08-22
13-110-090	23-07-56	23-15-12
13-110-091	23-07-57	23-15-13
13-110-096	23-07-58	23-15-14
13-110-130	23-07-61	23-15-25
13-110-131	23-07-62	23-15-26
15-023-001	23-07-63	23-15-27
18-060-007		Portion of 23-15-16
18-060-008		
23-07-47		
23-07-48		

As said parcels are shown on the "Official Land Use Maps of the County of Sierra".  
(Ord.984, eff. 12/21/06, prior, 980, 955, 944, 922, 898)

- (b) Sierra County Code, Section 15.12.320.80 is hereby amended by adding the following described parcel, being approximately 23.51 acres an identified as Sierra County Assessor Parcel Number 013-110-132 to the Rural Residential-5 (RR-5) Zoning District:

Real property located in the unincorporated area of Sierra County, State of California, as described as follows: Lot 7, as shown upon the Amodei Ranch Subdivision map, recorded August 14, 2000, in Book 11 of Maps and Surveys, Pages 18, 19 and 20 of Official Records, and situated in Section 23, T20N, R. 14E, M.D.B. & M. (Ord. 1014, eff. 6/18/09)

**15.12.320.85 Amendment to Rural Residential - 10 Acres (RR-10)d**

- (a) The following described parcel, being 10.39 acres and a portion of County Assessors Parcel 016-090-052-0, is zoned Rural Residential-10 Acres (RR-10) in compliance with Sierra County Code Section 15.12.225:

Parcel Description

A 10.39 acre parcel of land southwest of Smithneck Road and Southeast of the City of Loyalton, more particularly described as the N 2 of NE 1/4 of NE 1/4, T. 21N., 16E., MBD & M. (Ord. No. 857, eff. 9/04/97)

Sierra County Assessor’s Parcel No. 012-180-003-0

(Ord. 896, eff. 3/2/00)

- (b) The following parcel to the properties zoned RR-10: Assessors Parcel Number 012-180-064. (Ord. 954, eff. 4/15/04)

- (c) The following described parcel, being 27.71 acres and identified as County Assessor Parcel Number 002-130-028, more fully described as : “Designated Remainder Parcel as per Parcel Map for Ed and Jane Carrier, filed on March 16, 2001, in Book 11 of Maps and Surveys, Page 29, Sierra County Records”, is hereby added to Section 15.12.320.85 and is designated within the RR-10 zoning district as described in Section 15.12.225 of the Sierra County Code.

(The above-described property is hereby removed from the GF zoning district designation.)  
(Ord. 998, eff. 6/5/08)

**15.12.320.90 Amendment to Open Space 20 Acre Minimum (OS 20) Zoning District**

- (d) The following County Assessor Parcels shall be zoned Open Space 20 Acre Minimum (OS 20) in compliance with Sierra County Code Section 15.12.230:

13-090-020	23-07-69
21-100-05	Portion of 23-08-06
23-07-19	Portion of 21-100-02
23-07-21	Portion of 23-08-19
23-07-67	Portion of 21-100-07
23-07-68	

As said parcels are shown on the "Official Land Use Maps of the County of Sierra".

- (e) The following County Assessor Parcel being real property situated in the unincorporated area of Sierra County located in eastern Sierra County within T. 20 N., R. 14 E. MDB&M and more particularly described as follows:

Property Description

013-110-121-0

(Ord. 882, eff. 4/1/99)

**15.12.320.100 Amendment to Open Space 160 Acre Minimum (OS 160) Zoning District**

- (a) The following County Assessor Parcels shall be zoned Open Space 160 Acre Minimum (OS 160) in compliance with Sierra County Code Section 15.12.270:

23-07-11	Portion of 23-08-03
23-07-12	Portion of 23-08-05

As said parcels are shown on the "Official Land Use Maps of the County of Sierra".

**15.12.320.110 Amendment to Planned Development (PD) Zoning District**

- (a) The following County Assessor Parcel shall be zoned Planned Development (PD) District, in compliance with Sierra County Code Section 15.12.290:

19-02-0-17

As said parcel is shown on the "Official Land Use Maps of the County of Sierra".  
(Ord. 798, eff. 11/28/92, prior Ord. 638)

- (b) Repealed. (Ord 1003, eff. 7/31/08, prior 996)

**15.12.320.120 Amendment to Stateline Highway Commercial Zoning District**

- (a) The following County Assessor's Parcel 023-100-006 is zoned "SHC Stateline Highway Commercial" in compliance with Sierra County Code Section 15.12.135:

Parcel Description

The 0.65 acre portion situated within California of a 2.0 acre parcel divided by the California/Nevada State border located within the northeast quarter of Section 19, T. 19 N., R. 18 E., MDB&M. (Ord. No. 856, eff. 9/4/97)

**15.12.320.130 Amendment to Residential Multiple Family (R3) Zoning District**

- (a) The western portion of Sierra County Assessors Parcel 012-180-007-0 zoned “R3 Residential Multiple Family” in compliance with Sierra County Code Section 15.12.100.

As said parcel is shown on the "Official Land Use Maps of the County of Sierra." (Ord. 862, eff. 03/05/98)

**15.12.320.140 Amendment to Commercial Residential (CR) Zoning District**

- (a) The following County Assessor Parcel Commercial Residential (CR), in compliance with Sierra County Code Section 15.12.110:

Parcel Description

Sierra County Assessor’s Parcel Number 021-080-015-0 consisting of 4.58 acres and a one Acre portion of Sierra County Assessor’s Parcel Number 021-080-008, both properties lying within Section 19, Township 21N, Range 18 E., MDB&M east of the Union Pacific Rail Road Co. right-of-way and west of United States Highway 395. (Ord. 885, eff. 06/17/99)

**15.12.320.150 Amendment to R1 Residential One Family Zoning District**

- (a) The following County Assessor’s Parcel 008-250-002-0 is zoned Residential One Family District in compliance with Sierra County Code Section 15.12.080.

As said parcel is shown on the “Official Land Use Maps of the County of Sierra”.

(Ord. 888, eff. 8/19/99)

The following County Assessor’s Parcels are added to parcels zoned as Residential One Family:

008-210-002-0	008-210-028-0	008-210-051-0
008-210-003-0	088-210-029-0	008-210-052-0
008-210-004-0	008-210-030-0	008-210-053-0
008-210-005-0	008-210-031-0	008-210-054-0
008-210-006-0	008-210-032-0	008-210-055-0
008-210-007-0	008-210-033-0	008-210-056-0
008-210-008-0	008-210-034-0	008-210-057-0
008-210-009-0	008-210-035-0	008-210-058-0
008-210-010-0	008-210-036-0	008-210-059-0
008-210-072-0	008-210-037-0	008-210-060-0
008-210-015-0	008-210-038-0	008-210-061-0
008-210-016-0	008-210-039-0	008-210-062-0
008-210-017-0	008-210-040-0	008-210-063-0
008-210-018-0	008-210-041-0	008-210-064-0
008-210-019-0	008-210-042-0	008-210-065-0
008-210-020-0	008-210-043-0	008-210-066-0
008-210-021-0	008-210-044-0	008-210-067-0
008-210-022-0	008-210-045-0	008-210-068-0
008-210-023-0	008-210-046-0	008-210-069-0

008-210-024-0	008-210-047-0	008-210-070-0
008-210-025-0	008-210-048-0	008-210-071-0
008-210-026-0	008-210-049-0	013-080-012-0
008-210-027-0	008-210-050-0	

(Ord. 948, eff. 9/18/03; prior 928)

- (b) The following described parcel, being 0.883 acres and identified as County Assessor Parcel Number 003-050-038, more fully described as Parcel “B” of the Parcel Map for Cornelia Johnson, filed August 7, 1973 in Book 4 of Maps and Surveys, Page 40, located at 37 Johnson Way in Downieville, Sierra County, is hereby added to Section 15.12.320.150 and designated as within the Residential One Family (R-1) District zoning district as described in Section 15.12.080 of the Sierra County Code. (The above-described property is hereby removed from the GF zoning district designation.) (Ord. 1004, eff. 7/31/08)
- (c) The following described parcel, being approximately 0.6597 acres and identified as County Assessor Parcel Number 002-190-001 to the Residential-One Family (R-1) Zoning District. (Ord. 1013, ef. 6/4/09)

**15.12.320.160 Amendment to X-Overlay Zoning District**

- (a) The following described County Assessor Parcel being real property situated in the unincorporated area of Sierra County shall be zoned X-Overlay in compliance with Sierra County Code Section 15.12.295:

012-180-003-0  
001-030-024

(Ord. 951 eff. 12/18/03, prior 896)

- (b) Property Removed from X-Overlay Zoning District:

All that real property shown as the remainder parcel of Parcel Map Book 11 page 23, 24, and 25 of the Maps and Surveys as recorded in the Official Records of the Sierra County Clerk-Recorder’s Office. (Said property remains zoned RR-10 Rural Residential 10 acre minimum.)

(Ordinance 964, eff. 3/16/05)

**15.12.320.170 Amendment to Business Park (BP) Combining District**

- (a) The following described real property situated in the unincorporated area of Sierra County shall be zoned BP-Business Park Combining District in compliance with Sierra County Code Section 15.12.155:

Property Description

An area of land situated in the East ½ of Section 13, Township 21, North, Range 15 East, M.D.M., Sierra County California, said area being more particularly described as follows:

Commencing at the East ¼ of Section 13, Township 21 North, Range 15 East, M.D.M., Sierra County, California as shown on a Record of Survey for Sierra Pacific Industries recorded in Volume 8 of Maps and Surveys page 117, Official Records, Sierra County, California, and

considering the Basis of Bearing of this description to be identical with the Basis of Bearing shown on said Record of Survey, Volume 8 Maps and Surveys Page 8:

Thence North 89°04'23" East 60.00 feet to the East Right of Way line of Railroad Avenue and the POINT OF BEGINNING:

Thence North 00°55'23" West 614.85 feet along the East Right of Way line of Railroad Avenue to an angle point;

Thence South 89°04'10" West 110.00 feet to the Northeast corner of Sierra Pacific Industries-Industrial Park Phase 1a;

Thence continuing South 89°04'10" West 625.35 feet to an angle point;

Thence South 89°04'02" West 20.76 feet to an angle point;

Thence South 00°55'58" East 17.68 feet to an angle point;

Thence South 37°17'13" West 313.39 feet to an angle point;

Thence South 13°58'15" East 780.00 feet to an angle point;

Thence South 36°04'25" East 216.08 feet to an angle point;

Thence South 53°32'55" West 100.04 feet to an angle point;

Thence North 88°39'39" East 569.87 feet to an angle point;

Thence North 00°54'39" West 642.30 feet to the POINT OF BEGINNING.

Said area contains 1,039,963 square feet more or less, or 23.87 acres more or less.

(Ord. 990, eff. 7/19/07)

**15.12.320.180 Amendment to Forest Recreation (FR) District**

- (a) The following described real property situated in the unincorporated area of Sierra County shall be zoned FR-Forest Recreation District in compliance with Sierra County Code Section 15.12.180: (Ord. 1018, eff. 12/31/09)

Property Description

Those portions of Assessor's Parcel Numbers 004-060-020 and 004-060-021 within the General Plan Community Core Boundary of Indian Valley, Sierra County; being more particularly described as:

The West ½ of the Northwest ¼ of Section 16,

Together with that portion of the Southeast ¼ of the Northeast ¼ lying Northeasterly of the North Yuba River, in Section 17,

Together with that portion of the Southwest ¼ of the Northeast ¼ lying northerly of the North Yuba River, in Section 17,

All in Township 19 North, Range 9 East, M.D.B. & M. (Ord. eff. 12/1/2019)

### **15.12.330 SP – Site Performance Combining District**

- (a) Purpose: The “SP” - Site Performance Combining District is established to provide specialized consideration of unique or sensitive areas and/or to allow the refinement and tailoring of specific use standards and regulations for property when the County determines that general provisions and regulations do not address all of the issues that may arise affecting the development and use of the property. When added to a base zoning district, the standards established in the “SP” combining district may require more or less restrictive regulations than those contained elsewhere in this Chapter. Except as noted, allowed uses within the base district are also allowed within each applicable combining district subject to approval of the same land use permit and level of review.
- (b) Establishment of “SP” Regulations
1. The "SP" District shall provide for the use of land and/or structures and establish all other conditions in accordance with the specific ordinance establishing the “SP” zone district for the affected property or land area. The ordinance shall have the ability to establish the permitted uses of the land, provided that the land use under the “SP” District is not less restrictive than the base zoning district. The ordinance may also establish site development standards, public service and utility requirements, and size and height limitations. Establishment of the “SP” combining district for any property shall be by adoption of a zoning ordinance for property which shows by the inclusion on the zoning district map of the “SP” designation following the designation of the base zoning district; for example “CC-SP” would reflect the establishment of the community commercial – site performance zoning for property.
  2. Refinements or limitations to uses or standards established by the ordinance enacting the “SP” District shall be reflected by either stating the more restrictive types of uses(s), site development standards, such as set back, open space restrictions and/or other requirements, etc., as part of the adopting ordinance or, by appending to the ordinance a copy of the specific site development plan reflecting the applicable refinements or limitations.
  3. The “SP” District shall be designated on the Zoning District Map following the underlying base zoning district by the symbol “-SP”, and the adopting ordinance number in parenthesis. Example: A rezoning from the “AG” District to include the “SP” District would be “AG-SP (#99-99)”.
  4. Notwithstanding any other provision of this Chapter, when a “SP” combining district is applied to property that is within the “PD” Planned Development base zoning district, a use permit shall not be required for property zoned “PD”, as the planned use of the property, and/or special considerations and restrictions for the use of the property may be developed and applied through use of the “SP” combining district.
- (c) Amendments: The use of any land covered by the ordinance which establishes the "SP" District shall run with the land until changed or eliminated by the adoption of a new zoning ordinance for said land. Any amendment to the provisions of the ordinance covered by land zoned with the "SP" District will require a rezoning petition. (Ordinance 931, eff. 4/25/2002)

### **15.12.340 PS – Public Service District**

- (a) Purpose. The Public Services District applies to property used for public and quasi-public community facilities including institutional, public service, and auxiliary uses that are established in response to the civic, cultural, recreational, safety, service and welfare needs of a particular community or of the County. This district is typically applied to property occupied by Federal, State and local government uses but may include uses that are operated by non-profit, public utilities and quasi-public entities. The district implements the County General Plan by providing regulations which apply to the use of land for public and community facilities with regard to their location, design, service areas, and range of use so that they will be compatible with adjacent development and uses; will maintain community

character; and, will be compatible with and will protect the natural resources and environmental quality of the County.

(b) Permitted Uses. The following uses are permitted:

1. Public recreational use that is passive in nature, including but not limited to swimming, fishing, boating, hiking, and like uses.
2. Timber management, grazing, and open spaces.
3. Minor utility uses including telephone, electrical and gas distribution lines and appurtenant facilities not including radio, telephone, and other commercial transmission towers and antennas.
4. Minor water system facilities including distribution lines, wells, and appurtenant facilities not including storage tanks, filtration and/or treatment facilities.

(c) Conditional Uses.

The following uses shall be permitted only upon issuance of a special use permit:

1. Community recreation facilities including parks, playgrounds, sports facilities, nature centers, fairgrounds, community halls, and recreation centers.
2. Campgrounds, recreation concessions, marinas
3. Cultural and library facilities
4. Governmental administrative facilities, government centers and offices
5. Cemeteries including columbarium's, crematoriums, mausoleums, and mortuaries
6. Educational facilities including schools, offices, field stations, research centers, and experimental stations, and related storage
7. Essential services including fire and police services, dispatch centers
8. Radio, telephone, wireless communication and other commercial communication towers, transmission facilities, and antennas
9. Recycling centers and solid waste facilities and related storage
10. Wastewater treatment and disposal facilities and related storage
11. Water systems facilities including water storage tanks, filtration facilities, treatment facilities
12. Temporary public events
13. Power transmission facilities, power, and general facilities
14. Corporation yards
15. Correctional facilities
16. Airport, heliport, bus station, parking lot, and other transportation related facilities
17. Caretaker facilities that are subordinate to the public service use
18. Site lighting adjacent to any residential zone

(d) Prohibited Uses.

The following uses shall be prohibited:

1. Billboards, window signs, and commercial advertising
2. Manufacturing uses
3. Retail uses

(e) Development Standards.

Property within the Public Service District shall adhere to the following property development standards:

1. Front, side and rear yard setbacks shall be twenty (20) feet from all property lines;
2. Height limitation shall not exceed thirty-five (35) feet;
3. Minimum parcel frontage shall be sixty (60) feet;
4. Access to any property shall be by public highway, offer of dedication, or grant of right-of-way or easement assuring public access to the property;
5. One sign may be erected with an aggregate area not exceeding twenty-four (24) square feet and one pedestrian oriented sign may be erected not exceeding fifteen (15) square feet per site. Directional signs for off-street parking, loading, or handicap facilities may also be erected so long as not to exceed an aggregate total of twelve (12) square feet. Sign lighting may only be provided as directional in nature and shall not be flashing nor be non-directional;
6. Off street parking and loading shall be required in proportion to the need for such facilities and shall be based upon employee numbers and potential user numbers and shall be laid out to protect public safety and to insulate surrounding uses from its impact;
7. Building design, site landscaping and screening, and physical site improvements (buildings, lighting plan, signs, parking) shall be submitted as a site plan to the County Planning Department for review and approval to assure that the property development is consistent with and not detrimental to surrounding uses.
8. Property under this district designation, where the public service use of property is between parties or permit from the underlying landowner who may be a public or local agency, must be under the control of the party proposing the public service use and the lease and/or permit or entitlement from the underlying owner must provide sufficient property control and term that commits the property to public service uses during the term of any special use permit issued hereunder. (Ord. 957, eff. 5/20/04)

## **CHAPTER 15.16 APPLICATION FEES**

### **15.16.010 Fees Required**

Fees in an amount determined by Board Resolution shall be collected by the Planning Department for all applications required by this part.

No application shall be accepted for filing by the Planning Department unless and until the required fee has been collected by the Planning Department.

No fee shall be charged any governmental agency for applications required by this part. (Ord 535, eff. 10/17/78. prior 409, Section 86214)

### **15.16.020 Fee Exemptions**

No fee shall be charged any governmental agency for application for variance, special use permit or change of land use district. (Ord. 409, eff. 7/5/73, prior Section 86214)

## **CHAPTER 15.20 BUILDING PERMIT**

### **15.20.010 Compliance with Zoning Regulations**

No building permit shall be issued for the erection or use of any structure or part thereof or for the use of any land which is not in accordance with the provisions of this part, except where a variance or a special use permit has been allowed by the Planning Commission, in which case the Building Inspector may issue a permit, sufficient to allow such work as so authorized by said variance or special use permit in accordance with whatever conditions as may be attached, providing such permit shall not be issued until all time limits for appeal have been exhausted and no appeal has been filed. Any permit issued contrary to the provisions of this part shall be void. (Ord. 409, eff. 7/5/73, prior Section 86212(A))

### **15.20.020 Investigation by Building Inspector**

It shall be the duty of the Building Inspector, before issuing a building permit, to ascertain the exact location of the property on which the building is to be located.

The Building Inspector shall obtain the assessor parcel number before issuing a building permit. It shall then be the duty of the Building Inspector to contact the Planning Department to obtain a ruling as to whether or not the proposed building complies with this part or the terms of variance or special use permit, if such has been granted. (Ord. 409, eff. 7/5/73, prior Section 86212(B))

## **CHAPTER 15.24 VARIANCES**

### **15.24.010 Purpose**

Variations may be granted to vary, or modify the strict application of any of the provisions of this part in cases in which there are practical difficulties and unnecessary hardships, so long as the variance does not have the effect of changing the land use district of the subject parcel. (Ord. 409, eff. 7/5/73, prior Section 86216(A))

### **15.24.020 Application Information**

Any person requesting a variance shall file an application with the Planning Department. Such application shall include:

- (a) Provisions of this part from which the property or building is sought to be excepted.
- (b) A legal description of the property involved.
- (c) Ground plans showing the location of all existing and proposed buildings on the premises and within 50 feet thereof.
- (d) Elevations of all proposed buildings, alterations, or improvements in sufficient detail to meet all requirements.
- (e) Statement of the intent of the applicant to proceed with actual construction within nine (9) months of filing of the application. (Ord. 409, eff. 7/5/73, prior Section 86216B(1))

### **15.24.030 Application Accompanied by Evidence**

The applicant shall present adequate evidence showing:

- (a) That there are special circumstances or conditions applying to the subject property which make compliance with this part difficult and a cause of hardship to and abridgement of a property right of the owner of said property.
- (b) That such circumstances or conditions do not apply generally to other properties in the same land use district.
- (c) That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant.
- (d) That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety and general welfare. (Ord. 409, eff. 7/5/73, prior Section 86216B(2))

### **15.24.040 Review by Planning Director**

The Planning Director shall investigate each application to assure that the proposal in each application is consistent with the intent and purpose of this part. (Ord. 409, eff. 7/5/73, prior Section 86216C(1))

### **15.24.050 Findings**

The Planning Director, at his discretion, or the Planning Commission, at its discretion, may grant or deny minor modification in lot area, lot width, yard, sign and parking requirements, if undue hardship is shown. Such modification shall be limited to deviations not to exceed 10% of lot area, 20% of lot width, 20% of required yard area, the front yard setback for a private garage, 20% of sign face area, or 10% of off-street parking requirements. All such decisions of the Planning Director shall be in writing and filed in his office with copies submitted to the Building Inspector, the Planning Commission and the applicant. Such decisions of the

Planning Director or the Planning Commission may be granted without public hearing. (Ord. 409, eff. 7/5/73, prior Section 86216C(2))

**15.24.060 Notification**

The Planning Director shall:

- (a) Schedule a Planning Commission hearing.
- (b) Provide notice of the time, place and purpose of the hearing as required by state law. (Ord. 979, eff. 10/19/06, prior Ord. 409, Section 86216C(3))

**15.24.070 Hearing**

The Planning Commission may hear facts from any person appearing and may consider written communications relative to the application. The Planning Commission shall, within forty (40) days from the close of hearing, return its decision unless an extension is granted by the Planning Commission for good cause or with the mutual consent of the applicant. The Planning Commission findings in granting a variance shall include the following determinations:

- (a) There are exceptional or extraordinary circumstances or conditions applying to the land, building, or use referred to in application, which circumstances or conditions do not apply generally to land, buildings, and/or uses in the same district.
- (b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.
- (c) The granting of such application will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. (Ord. 409, eff. 7/5/73, prior Section 86216D)

**15.24.080 Conditions**

All variances shall carry the following conditions:

- (a) Commencement of work within nine (9) months and completion within eighteen (18) months.
- (b) Subject to review by the Planning Commission in two years. (Ord. 409, eff. 7/5/73, prior Section 86216D)

**15.24.090 Board Review - (Repealed)**

(Repealed Ord. 628, eff. 8/3/82)

## **CHAPTER 15.28 SPECIAL USE PERMITS**

### **15.28.010 Request to Planning Department**

Any person seeking issuance of a special use permit shall file a request with the Planning Department and shall appear before the Planning Commission presenting evidence of the following:

- (a) That the use is not detrimental to the public health, convenience, safety, and welfare, and is necessary for the promotion of the general good of the community.
- (b) That the use of the property for such purposes will not result in material damage or prejudice to other property in the vicinity. (Ord. 409, eff. 7/3/73, prior Section 86127A(1))

### **15.28.020 Findings**

The Planning Director shall investigate each application to assure that the proposal in each application is consistent with the intent and purpose of this part. (Ord. 409, eff. 7/5/73, prior Section 86217A(2))

### **15.28.030 Notification**

The applicant shall be notified of such findings not later than five (5) days after their issuance. (Ord. 409, eff. 7/5/73, prior Section 86217A(3))

### **15.28.040 Condition**

- (a) The Planning Commission, or the Board of Supervisors, in approving the permit, may require certain conditions under which the proposed use may be allowed which will prevent material damage to adjacent properties, and provide suitable safeguards to the public health, safety and general welfare. Such conditions may include time limitations, architectural considerations, access provisions, off-street parking, posting of bond to insure work, green belt, planting requirements, sign size and message, or other controls.
- (b) Any period of time specified in subdivision (a) shall not include the period of time during which a lawsuit involving the approval of the special use permit is or was pending in a court of competent jurisdiction. Any extension of time pursuant to this subparagraph shall not exceed two (2) years. (Ord. 409, 730, eff. 9/15/87, prior Section 86217A(4))

### **15.28.050 Revocation of Special Use Permits**

- (a) Failure to comply with any conditions imposed in the issuance of special use permits shall result in the institution of revocation procedures by the Planning Commission.
- (b) The Planning commission may hold a public hearing upon the revocation of a special use permit.
- (c) The Planning Commission shall submit findings and recommendations on revocation to the Board of Supervisors. The person to whom the special use permit has been issued shall be notified of such recommendations not later than five (5) days after submission of the report to the Clerk of the Board of Supervisors.
- (d) The Board of Supervisors upon receipt of recommendations for revocation of a special use permit may revoke such permit for failure to comply with any of the conditions imposed in the issuance of the special use permit. Abatement and removal of facilities as required by a revocation shall be at the permittee's expense. (Ord. 409, eff. 7/5/73, prior Section 86217B)

**CHAPTER 15.29 SIERRA BUTTES - LAKES BASIN SPECIAL TREATMENT AREA  
COMBINING DISTRICT (EXPIRED 5/20/2000)**

(Ord. 867, 06/18/98)

## **CHAPTER 15.32 ZONING AMENDMENT**

### **15.32.010 Purpose**

This part may be amended by changing the boundaries of the districts, or by changing any other provision hereof, whenever public necessity and convenience and the general welfare require such amendment, by following the procedures in this chapter. (Ord. 409, eff. 7/5/73, prior Section 86218)

### **15.32.020 Method of Initiating Amendment**

Amendments may be initiated by any one of the following methods:

- (a) The verified petition of one or more owners of property affected by the proposed amendment, which petition shall be filed with the Planning Commission.
- (b) Resolution of intention by the Board of Supervisors.
- (c) Resolution of intention by the Planning Commission. (Ord. 409, eff. 7/5/73, prior Section 86218)

### **15.32.030 Hearing**

The Planning Commission, not later than at its next succeeding meeting following the filing of the verified petition or following the adoption of the resolution of intention, shall set the time and place for at least one public hearing thereon, and shall give notice of such hearing as required by state law. (Ord. 979, eff. 10/16/06, prior Ord. 409, Section 86218B)

### **15.32.040 Findings and Recommendations**

Following the hearings, the Planning Commission shall make a report of its findings and recommendations with respect to the proposed amendment, and shall file with the Board of Supervisors an attested copy of such report within ninety (90) days after the notice of the first of said hearings; provided that such time limit may be extended upon the mutual agreement of the parties having an interest in the proceedings. Failure of the Planning Commission to so report within ninety (90) days without the aforesaid agreement shall be deemed to be approval of the proposed amendment by the Planning Commission. (Ord. 409, eff. 7/5/73, prior Section 86218C)

### **15.32.050 Board Review**

Following Planning Commission action to recommend approval or upon expiration of the ninety (90) days as aforesaid, the Board of Supervisors shall hold a public hearing, with notice thereof as required by state law. The Board, in adopting a resolution of intention to reclassify all or a portion of the property included in the proposed change or amendment may, as a prerequisite to final action, include any conditions, stipulations or limitations which the Board may feel are necessary in the public interest. The fulfillment of all conditions, stipulations and limitations contained in said resolution, on the part of the applicant shall make this resolution a binding commitment on the Board of Supervisors. The failure of the applicant to meet any or all conditions, stipulations or limitations contained in said resolution, including the time limit placed in the resolution shall render said resolution of intention to reclassify null and void unless an extension is granted by the Board of Supervisors upon recommendation of the Planning Commission. (Ord. 979, eff. 10/19/06, prior 409, Section 86218D)

### **15.32.060 Determination**

After the conclusion of such hearing, the Board of Supervisors may adopt the amendment, or any part thereof, in such form as the Board of Supervisors may deem advisable, or disapprove it. (Ord. 409, eff. 7/5/73, prior Section 86218E)

**CHAPTER 15.34 URGENCY LAND USE STUDY (REPEALED)**

(Repealed by Ordinance 822, eff. 08/04/94)

## **CHAPTER 15.36 APPEAL OF PLANNING COMMISSION DECISION**

### **15.36.010 Appeal Within 15 Days**

The decision of the Planning Commission granting, denying, or recommending a change of land use, variance or special use permit, or recommending revocation of a special use permit, may be appealed in writing to the Board of Supervisors within fifteen (15) days after the Planning Commission has notified the Board of Supervisors of its decision. (Ord. 409, eff. 7/5/73, prior Section 86219A)

### **15.36.020 Appellant Defined**

The applicant or any real property owner within 300 feet of the exterior boundaries of the property involved who was present at the original hearing or who presented written testimony, if any, before the Planning Commission, shall have the right of appeal to the Board of Supervisors. (Ord. 409, eff. 7/5/73, prior Section 86219B)

### **15.36.030 Written Notice of Appeal**

Appeals shall be initiated by filing a written notice of appeal with the Clerk of the Board of Supervisors, paying the fee therefore, stating therein the reasons why the decision of the Planning Commission should be amended, modified, or reversed. Such reasons shall be based upon the evidence presented to the Planning Commission at the original hearing. Failure of appellant to present such reasons shall be deemed cause for denial of appeal. (Ord. 409, eff. 7/5/73, prior Section 86219C)

### **15.36.040 Publication of Hearing Notice**

Notice of hearing on appeals from decisions of the Planning Commission, shall be given by the Clerk of the Board of Supervisors by mailing a notice of hearing as required by state law to the appellant, the applicant and to property owners who are otherwise entitled to notice under the provisions of state law. (Ord. 979, eff. 7/5/73, prior 409, Section 86219D)

## **CHAPTER 15.40 NON-CONFORMANCE**

### **15.40.010 Non-Conforming Uses**

- (a) The lawful use of land or buildings existing at the effective date of the original Sierra County Zoning Ordinances 370, 371, 378, 401, this part, or any amendments hereto, although such does not conform with the provisions hereof may be continued, unless otherwise restricted but if the non-conforming use is discontinued for a period of one year, any future use shall be in conformity with the provisions of this part, unless and until a special use permit shall first have been secured.
- (b) The non-conforming use of any land or building shall not be expanded or extended in any way, and shall not be changed except to bring said use of land or building into conformity with this part or other County ordinances.
- (c) Where automobile parking space in connection with a non-conforming building or use does not meet the requirements of this part, said building or use may be altered to provide such additional required automobile parking space.
- (d) No building in existence at the effective date of this part which is not conforming with the regulations herein and which is damaged or partially destroyed by fire, explosion or similar cause to an extent greater than fifty (50%) percent of its value shall be repaired, reconstructed, moved or altered except in conformity with the provisions of this part; provided, however, that the building may be rebuilt to a total floor area not exceeding the building destroyed, provided a special use permit shall first have been secured.
- (e) The non-conforming use of a portion of a parcel of land or a group of buildings for rent may be extended to cover the entire parcel, provided a special use permit shall first have been secured.
- (f) The provisions of this section shall apply to uses of property or to buildings, which may become non-conforming by reason of amendment or supplement to this part or the land use plan maps. (Ord. 409, eff. 7/5/73, prior Section 86215)

## **CHAPTER 15.44 ADMINISTRATION AND ENFORCEMENT**

### **15.44.010 Authority**

It shall be the duty of the Planning Commission to administer the provisions of this part. It shall be the duty of the Sheriff, and of the officers of the County charged by law with the enforcement of County ordinances to enforce this part and all the provisions thereof. (Ord. 409, eff. 7/5/73, prior Section 86213A)

### **15.44.020 Violation a Misdemeanor**

It is unlawful and punishable as a misdemeanor for any person to violate any provision of this part. Any building or structure set up, erected, constructed, altered, enlarged, converted, moved, or maintained and/or any use of any land, building or premises conducted, operated, or maintained contrary to the provisions of this part is unlawful and a public nuisance, and the appropriate legal officer of the County shall, upon order of the Board of Supervisors, immediately commence action or proceedings for the abatement and removal and enjoinder thereof in the manner provided by law, and shall take such other steps, and shall apply to such court or courts as may have such building or structure, and restrain and enjoin any person from setting up, erecting, building, maintaining, or using any such building or structure, or using any property contrary to the provision of this part. (Ord. 409, eff. 7/5/73, prior Section 86213B,C)

### **15.44.030 Remedies**

The remedies provided for herein shall be cumulative and not exclusive. (Ord. 409, eff. 7/5/73, prior Section 86213D)

**15.44.040 Zoning Variances**

- (a) Assessor's Parcel 03-091-01 zoned as "CR - Commercial Residential District". (Ord. 544, eff. 4/17/79)
- (b) Assessor's Parcel 23-150-15 zoned as "RR-5" - Rural Residential - Five Acre District. (Ord. 555, eff. 6/19/79)
- (c) Assessor's Parcel APN: 12-09-86 zoned "RR-2 District". (Ord. 574, eff. 2/19/80)
- (d) Assessor Parcel 8-200-06 is hereby zoned as "Open Space - Twenty Acre District" in compliance with Sierra County Code Section 15.12.230. (Ord. 583, eff. 6/17/80)
- (e) Sierra County Assessor Parcel 9-032-10 shall be zoned "CC - Community Commercial District". (Ord. 587, eff. 8/19/80)
- (f) Sierra County Assessor Parcel 8-05-17 shall be zoned as follows:
  - 1. Parcel One as described on Exhibit A attached hereto shall be zoned "OS-20 District" and "SC District"; and
  - 2. Parcel Two as described on Exhibit A attached hereto shall be zoned "OS-80 District", "FR District" and "SC District". (Ord. 588 eff. 9/2/80)

**EXHIBIT A**

All that portion of Section 33, Township 20 North, Range 11 East, M.D.B. & M. in the unincorporated territory of Sierra County, more particularly described as follows:

**PARCEL ONE**

Commencing at the Northeast corner of the parcel to be described, from which the Northwest corner of said Section, Township and Range bears North 20 degrees 14' 41" West 1505.53 feet. Thence from the true point of beginning South 05 degrees 39' 20" East 712.96 feet. Thence South 681.63 feet to the East-West centerline of said Section. Thence South 88 degrees 02' 01" West along the East-West centerline 846.38 feet to the West quarter corner of said Section. Thence North 05 degrees 08' 14" East along the West line of said Section 1422.05 feet to a point from which the point of beginning bears easterly 648.30 feet. Thence North 89 degrees 39' 45" East 648.30 feet to the true point of beginning; containing 24.61 acres more or less.

**PARCEL TWO**

Commencing at a point from which the Northwest corner of said Section bears North 20 degrees 14' 41" West 1505.53 feet. Thence from the true point of beginning North 05 degrees 06' 51" East 701.70 feet. Thence South 89 degrees 31' 07" East 1941.60 feet to the North-South centerline of said Section. Thence South 05 02' 29" West along the North-South centerline 2021.23 feet to the East-West centerline of said Section. Thence South 88 degrees 02' 01" West along the East-West centerline 1757.24 feet. Thence North 681.63 feet to a point from which the point of beginning bears northerly 712.96 feet. Thence North 05 degrees 39' 20" East 712.96 feet to the true point of beginning; containing 88.05 acres more or less.