

SECTION 1. Placer County Code Chapter 17, article 17.02, section 17.02.030 is hereby amended as follows:

17.02.030 Applicability of zoning chapter.

This chapter applies to all land uses and development within the unincorporated areas of Placer County as provided by this section, including land uses and development undertaken by units of government; except that uses and development located within the areas covered by the community plans listed below, in which case the regulatory provisions of such plans (or land use ordinances adopted pursuant to such plans) shall apply, unless such regulations conflict with Section 17.02.050(D) or defer to the provisions of this chapter, or unless such regulations are silent regarding land use matters otherwise governed by the provisions of this chapter:

1. Squaw Valley General Plan/Squaw Valley Land Use Ordinance, Appendix A to Chapter 17 of the Placer County Code;

2. ~~Placer County Tahoe Basin City Community Plan or the Tahoe City Area General Plan~~ **and Placer County Tahoe Basin Area Plan Implementing Regulations**, Appendix B to Chapter 17 of the Placer County Code;

3. ~~Bickford Ranch Development Standards~~ **North Tahoe Community Plan**, Appendix C to Chapter 17 of the Placer County Code.

~~4. West Shore Area General Plan, Appendix D to Chapter 17 of the Placer County Code.~~

4. Placer Vineyards Specific Plan Development Standards, Appendix D to Chapter 17 of the Placer County Code;

5. Regional University Specific Plan Development Standards and Design Guidelines, Appendix E to Chapter 17 of the Placer County Code;

6. Riolo Vineyards Specific Plan Development Standards, Appendix F to Chapter 17 of the Placer County Code;

7. Martis Valley West Parcel Specific Plan Development Standards, Appendix G to Chapter 17 of the Placer County Code;

8. Sunset Area Plan Implementing Zoning Regulations, Appendix H to Chapter 17 of the Placer County Code;

9. Placer Ranch Specific Plan Development Standards, Appendix I to Chapter 17 of the Placer County Code.

C. Issuance of Take Authorization. No take authorization shall be issued by the county pursuant to Chapter 19, Article 19.10, Section 19.10.120 of this code unless the proposed covered activity satisfies the provisions of this chapter.

D. Authorization to Impact Aquatic Resources of Placer County. No authorization to impact aquatic resources of Placer County shall be issued by the county pursuant to Chapter 19, Article 19.10, Section 19.10.120 unless the proposed covered activity satisfies the provisions of this chapter.

EC. Continuation of an Existing Use. It is unlawful and a violation of this code for any person to operate or maintain a land use established according to the requirements of the zoning ordinance in any manner that violates any provisions of this chapter. However, the requirements of this chapter are not retroactive in their effect on a use of land that was lawfully established before this chapter or any

applicable amendment became effective, except where an alteration, expansion or modification to an existing use is proposed, and except as provided by Sections 17.60.120, et seq. (Nonconforming Uses).

FD. Effect of Zoning Ordinance Changes on Projects in Progress. The enactment of this chapter or amendments to its requirements may have the effect of imposing different standards on development or new land uses than those that applied to existing development (e.g., this chapter or a future amendment could require more off-street parking spaces for a particular land use than former zoning ordinance provisions). This subsection determines how the requirements of this chapter apply to development project in progress at the time requirements are changed.

GE. Other Requirements May Still Apply. Nothing in this chapter shall eliminate the need for obtaining any other required permits, including but not limited to those required by Chapters 15 and 16 of this code, such as building permits, plumbing, electrical, or mechanical permits, grading permits, the approval of a parcel or final map, or any permit, approval or entitlement required by other chapters of this code or the regulations of any county department or other public agency, including but not limited to authority to construct or permit to operate from the Placer County air pollution control district, or **lake and** streambed alteration agreements from the California Department of Fish and ~~Game~~**Wildlife**. Where a California Land Conservation Act (Williamson Act) Agreement exists that includes a specific parcel of land, the provisions of that Agreement, as well as the provisions of **Article 17.64 of the Placer County Code** ~~Chapter 6, Placer County Administrative Rules~~ and Section 51200 et seq. of the California Government Code also apply.

SECTION 2. Placer County Code Chapter 17, article 17.02, section 17.02.050 is hereby amended as follows:

17.02.050 Interpretation.

The planning director is assigned the responsibility and authority to interpret the requirements of this chapter. Questions about the meaning of any part of this chapter shall be resolved as provided by this section.

A. Language.

1. Construction. When used in this chapter, the word “shall,” is always mandatory and “may” is discretionary. The present tense includes the past and future tenses; and the future tense includes the present. The singular number includes the plural number, and the plural the singular, unless the natural construction of the word indicates otherwise.

2. Number of Days. Whenever a number of days is specified in this chapter, or in any permit, condition of approval or notice issued or given as provided in this chapter, such number of days shall be construed as calendar days, except that such time limits shall extend to the following working day where the last of the specified number of days falls on a weekend or holiday.

3. Minimum Requirements. When interpreting and applying the regulations of this chapter, all provisions shall be considered to be the minimum requirements, unless stated otherwise (e.g., height limits for buildings and structures, building coverage, and the numbers and size of signs allowed are maximums, not minimums).

B. Map Boundaries. If there is uncertainty about the location of any zoning boundary or other line on the official zoning maps, the following procedures shall be used in resolving the uncertainty:

1. Where a boundary is shown as approximately following a lot line, the lot line shall be deemed to be the boundary.
2. Where a zone district boundary is not shown to include an adjacent street or alley, the district boundary shall be deemed to extend to the centerline of the right-of-way.
3. Where a boundary is shown as approximately following a physical feature such as a stream, drainage channel, topographic contour line, power line, railroad right-of-way, street or alleyway, the boundary location shall be determined by the planning director, based upon the ~~character~~ **actual location of the physical feature as determined by a site survey, legal description and/or use of remote sensing equipment that can identify** of the particular feature **that is** used as a boundary.

SECTION 3. Placer County Code Chapter 17, article 17.04, section 17.04.030 is hereby amended as follows:

17.04.030 Definitions of land uses, specialized terms, and phrases.

“Aquatic resources” or “aquatic resources of Placer County” include waters of the United States, waters of the state, stream systems, and constituent habitats for aquatic/wetland complex(es), vernal pool complex(es) and riverine/riparian complex(es) within the stream system, and includes all definitions described in Chapter 3 of the HCP/NCCP (Physical and Biological Resources) and Chapter 3 of the western Placer County Aquatic Resources Program (CARP) (Placer County Aquatic Resources Protected by the CARP).

“Authorization to impact aquatic resources of Placer County” means an authorization by the County to impact aquatic resources of Placer County in accordance with the terms of the CARP pursuant to Chapter 19, Article 19.10, Section 19.10.120.

“Bank, Mitigation” means a publicly or privately owned and operated site on which wetlands have been or will be created to compensate for adverse impacts caused by removal or fill permit activities authorized pursuant to Section 404 of the federal Clean Water Act (33 U.S.C. Sec. 1344 et seq.).

“Bank, Conservation” means a publicly or privately owned and operated site that is to be conserved and managed in accordance with a written agreement that includes provisions for the issuance of credits, on which important habitat, including habitat for threatened, endangered, or other special status species, exists, has been, or will be created to do any of the following: 1) compensate for take or other adverse impacts of covered activities, or 2) reduce adverse impacts to fish or wildlife resources from covered activities.

“Construction permit” means any or all of the various entitlements established by this chapter and/or Chapters 12, 13, 15, 16, 18, **19** or Appendix E to Chapter 17 of the Placer County Code that authorize commencement of construction activities, including, but not limited to, building permits, grading permits, **land conversion authorizations**, electrical and plumbing permits, demolition permits and moving permits.

“County aquatic resources program” or “CARP” is a program that protects, streams, wetlands and other aquatic resources as defined in Section 19.10.040.

“Covered activity” means a covered activity as defined in Section 19.10.040.

“Covered species” means the species, listed and non-listed, whose conservation and management are provided for in the HCP/NCCP, as defined in section 19.10.040.

“Development project” means a proposed project requiring the approval of Placer County in order to proceed to completion. **Within the Placer County Conservation Plan (PCCP) plan area, a development project is any project or activity that requires a land conversion authorization.**

“Fisheries and game preserves” (land use) means the operation of fish hatcheries, fish and game preserves, and game propagation (SIC: Group 09). **Fisheries and game preserves are not PCCP reserve system properties although a fishery or game preserve may be an allowed use in a PCCP reserve system property.**

“Habitat conservation plan and natural community conservation plan” or “HCP/NCCP” mean the joint habitat conservation plan and natural community conservation plan as defined in Section 19.10.040.

“Land conversion authorization” means any permit or approval that authorizes a ground disturbing activity, including, but not limited to, specific plan, tentative map, parcel map, conditional use permit, minor use permit, administrative review permit, design/site agreement, variance, grading permit, grading plan, improvement plan, and building permit. Approvals for county-sponsored capital improvement projects and operations and maintenance activities are also land conversion authorizations.

“Placer County Conservation Program” or “PCCP” means the program described and implemented pursuant to Chapter 19, Article 19.10 (Placer County Conservation Program).

“Placer Conservation Authority” or “PCA” means the joint exercise of powers agency formed on March 25, 2020, by and among the county of Placer and the city of Lincoln pursuant to the Joint Powers Act, Gov. Code § 6500 et seq.

“Reserve system” means the reserve system that will be assembled through the HCP/NCCP and the CARP to provide for the conservation of covered species and aquatic resources. The reserve system will be a large system of interconnected land blocks located in the western and northern valley and northern foothills of Placer County, estimated to be between around 47,300 acres and will include existing and newly acquired lands that are part of the PCCP reserves, and that are adaptively managed consistent with the PCCP. The reserve system will be capable of protecting, managing, restoring and creating the natural and semi-natural communities and habitats that support the covered species.

Stream, Intermittent. “Intermittent stream” means a watercourse that is dry a large part of the year. **Intermittent streams have bed-and-bank morphology, but are distinct from perennial streams in that they are seasonal and cease to flow for some portion of the year. They have a broad range of flow duration: some cease flowing shortly after the end of the rainy season, whereas others flow until fall, but cease flowing briefly before the onset of the next rainy season. Groundwater is a significant source of water for intermittent streams, and they may also be influenced by leaky canals, irrigation, and urban runoff. Intermittent streams may support riparian vegetation similar to that found in association with perennial streams. Riparian vegetation can be patchy or continuous** is classified as a “wetland” using the U.S. Army Corps of Engineers jurisdictional three-parameter criteria, and requires a one hundred (100) year floodplain delineation (assuming full build-out of its watershed) to be necessary by the Placer County department of public works. Also, a stream that has a significant flow of water within a well-defined channel thirty (30) days after the last significant storm or is designated as an intermittent stream on any applicable general plan, **area plan** or community plan map.

Stream, Perennial. “Perennial stream” means a watercourse **that has bed-and-bank morphology and flows 12 months a year from either natural or man-made sources or a combination of the two. Perennial streams typically have a riparian zone comprised of hydrophytic woody plant species.** that has a flow of water within a well-defined channel almost all year long and/or is **Perennial streams include those** designated as a perennial or permanent stream on any applicable general plan, **area plan** or community plan map. Such streams are usually designated with solid blue lines on U.S.G.S. topographic maps and they often have names.

“Stream system” For all areas subject to the requirements of Article 19.10 (Placer County Conservation Program) the stream system is the stream channel itself (wet or dry) and the surrounding areas as follows:

1. Any area subject to flooding in a 100-year event as defined by the Federal Emergency Management Agency (FEMA) or as determined by a hydrologic analysis prepared by a licensed engineer (whichever is more accurate), or the area in #2 below, whichever is greater.
2. For areas within the Placer County Conservation Program Plan Area Boundary (Chapter 19, Section 19.10.050) the stream system includes the outermost limit of a variable-width boundary measured outward from the edge of the ordinary high water mark (OHWM) on streams mapped in the National Hydrography Dataset (NHD) (so-called blueline streams) as listed in Table 1. The OHWM corresponds to the waterline of the full channel and is defined in 33 Code of Federal Regulations (CFR) 328.3(e). When the criteria specified by 33 CFR 328.3(e) is not present in the field or does not provide a clear demarcation of the OHWM based upon determination of the community development resource agency direct, the location of the OHWM will be based upon the two-year event.
3. The stream system is limited to the PCCP Plan Area Boundary (Chapter 19, Section 19.10.050). The stream system includes the area within 50 feet of streams, as measured from the OHWM as described above, not named on Table 1, but which are shown as “blueline” streams on United States Geological Survey (USGS) Quad maps as specified in California Public Resources Code Section 4528 and as located on the NHD.
4. When a stream is not shown on the NHD but is present on a project site, the stream and stream system will be mapped based upon the following criteria:
 - a. To provide hydraulic continuity between mapped streams in the upper watershed and mapped streams in the lower watershed. This is necessary because land alteration may have erased original stream traces;
 - b. If the watercourse is artificial (such as canals, channels, and flood water conveyances) and the watercourse serves in lieu of a natural stream to maintain hydraulic continuity with the watershed above, and where the channel is in an unlined, earthen condition;
 - c. If the stream is determined to be perennial; or
 - d. If the stream is determined to provide habitat for salmonids.
5. Streams will be truncated at the point where the watershed falls below 40 acres in extent in order to avoid defining the Stream System around minor drainages.
6. The 50- foot boundary may be adjusted based on site survey.

Table 1
Basic Boundary Widths for Specified Stream Reaches

<u>Stream Name</u> <u>Listed from North to South and</u> <u>from West to East</u>	<u>Basic Boundary in feet</u> <u>Measured from OHWM*</u>
<u>Bear River downstream of Camp Far West Dam</u>	<u>600</u>
<u>Bear River upstream of Camp Far West Reservoir</u>	<u>400</u>

<u>Stream Name</u> <u>Listed from North to South and</u> <u>from West to East</u>	<u>Basic Boundary in feet</u> <u>Measured from OHWM*</u>
<u>Yankee Slough downstream of Sheridan Lincoln Blvd. crossing</u>	<u>200</u>
<u>Yankee Slough upstream of Sheridan Lincoln Blvd. crossing</u>	<u>100</u>
<u>Yankee Slough North Fork to Riosa Road</u>	<u>100</u>
<u>Raccoon Creek downstream of the Doty Ravine Confluence</u>	<u>600</u>
<u>Raccoon Creek between the Doty Ravine Confluence and McCourtney Road</u>	<u>300</u>
<u>Raccoon Creek between McCourtney Road and Garden Bar Road</u>	<u>200</u>
<u>Raccoon Creek upstream of Garden Bar Road</u>	<u>100</u>
<u>Orr Creek</u>	<u>100</u>
<u>Dry Creek tributary to Raccoon Creek</u>	<u>100</u>
<u>Rock Creek</u>	<u>100</u>
<u>Deadman Canyon</u>	<u>100</u>
<u>Doty Ravine downstream of Caps Ravine</u>	<u>300</u>
<u>Doty Ravine upstream of Caps Ravine</u>	<u>100</u>
<u>Caps Ravine</u>	<u>100</u>
<u>Sailors Ravine</u>	<u>100</u>
<u>Markham Ravine downstream of Dowd Road</u>	<u>200</u>
<u>Markham Ravine between Dowd Road and Sheridan-Lincoln Blvd</u>	<u>100</u>
<u>Markham Ravine North Fork</u>	<u>100</u>
<u>Auburn Ravine downstream of Moore Road crossing</u>	<u>600</u>
<u>Auburn Ravine between Moore Road and Lincoln Blvd</u>	<u>400</u>
<u>Auburn Ravine between Lincoln Blvd and Fowler Road</u>	<u>300</u>
<u>Auburn Ravine between Fowler Road and Auburn WWTP</u>	<u>200</u>
<u>Auburn Ravine upstream of Auburn WWTP</u>	<u>100</u>
<u>North Ravine</u>	<u>100</u>
<u>Dutch Ravine</u>	<u>100</u>

<u>Stream Name</u> <u>Listed from North to South and</u> <u>from West to East</u>	<u>Basic Boundary in feet</u> <u>Measured from OHWM*</u>
<u>Orchard Creek downstream of State Route 65</u>	<u>200</u>
<u>Orchard Creek upstream of State Route 65</u>	<u>100</u>
<u>Ingram Slough</u>	<u>100</u>
<u>King Slough</u>	<u>100</u>
<u>Pleasant Grove Creek – West of Reason Farms</u>	<u>400</u>
<u>Curry Creek downstream of Baseline Road</u>	<u>200</u>
<u>Curry Creek upstream of Baseline Road</u>	<u>100</u>
<u>Dry Creek downstream of Cook-Riolo Road</u>	<u>400</u>
<u>Dry Creek from Cook-Riolo to Roseville City Limits</u>	<u>300</u>
<u>Secret Ravine</u>	<u>200</u>
<u>Secret Ravine North Tributary</u>	<u>100</u>
<u>Secret Ravine South Tributary</u>	<u>100</u>
<u>Secret Ravine along Boardman Canal</u>	<u>100</u>
<u>Miners Ravine downstream of King Road</u>	<u>200</u>
<u>Miners Ravine upstream of King Road</u>	<u>100</u>
<u>Linda Creek downstream of Barton Road</u>	<u>200</u>
<u>Linda Creek upstream of Barton Road</u>	<u>100</u>
<u>Strap Ravine</u>	<u>100</u>
<u>Antelope Creek upstream of Loomis Town Limits</u>	<u>100</u>
<u>Mormon Ravine</u>	<u>100</u>
<u>Stream Reaches not Specified Above</u>	<u>50</u>

“Stream System Boundary” means the boundary described in the definition of stream system.

“Take” and “taking” have the same meaning provided by the ESA and its implementing regulations with regard to activities subject to the ESA, and also have the same meaning provided in section 86 of the California Fish and Game Code with regard to activities subject to the California Endangered Species Act (“CESA”) (Fish & Game Code § 2050 et seq.), and the NCCPA.

“Take authorization” means the county-issued authorization to allow for take of covered species within the boundaries of the Placer County Conservation Program HCP/NCCP (Article 19.10, Section 19.10.120).

“Wetland” means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Most wetlands are considered waters of the United States, but isolated wetlands are not regulated by the U.S. Army Corps of Engineers (USACE). The county of Placer regulates wetlands and isolated waters when a development project is a covered activity. In Placer County, wetlands are palustrine systems and generally include swamps, marshes, bogs, and similar areas.

SECTION 4. Placer County Code Chapter 17, article 17.06, section 17.06.030, subsection (D) is hereby amended as follows:

17.06.030 Allowable land uses and permit requirements.

D. Other Permits May Still be Required. An allowed land use that has obtained a required land use permit may still be required to obtain other permits, **or authorizations** before the use is constructed, or otherwise established and put into operation. Nothing in this article shall eliminate the need to obtain building, grading or other construction permits if they are required by Chapter 15 of this code, a business license if required by Chapter 5 of this code, subdivision approval if required by Chapter 16, **a take authorization or an authorization to impact aquatic resources if required by Article 19.10,** or any permit required by the county health department, air pollution control district, other county department, state or federal agency. All other necessary permits shall be obtained before starting construction, grading or vegetation removal, or establishing new uses in conjunction with any project. Where a California Land Conservation Act (Williamson Act) Agreement exists that includes a specific parcel of land, the provisions of that Agreement, as well as the provisions of Chapter 6, Placer County Administrative Rules and Section 51200 et seq., of the California Government Code also apply.

SECTION 5. Placer County Code Chapter 17, article 17.04, section 17.04.050, subsection (B) is hereby amended as follows:

17.06.050 Land use and permit tables.

B. Type of Permit Required. When the tables in subsection (D) of this section and the zone and combining district requirements of Sections 17.06.060 et seq., show a particular land use as being

allowable in a zone, the use is identified as being subject to one of the following land use permit requirements.

1. Zoning Compliance. These uses are allowed without land use permit approval subject to compliance with all applicable provisions of this chapter (“A” uses on the tables). No land use permit is required for “A” uses because they typically involve no or minimal construction activities, are accessory to some other land use that will be the primary use of a site (which will require a land use permit), or are otherwise entirely consistent with the purposes of the particular zone.

2. Zoning Clearance. These uses are allowable subject to zoning clearance (“C” uses on the tables) (see Section 17.06.040). Zoning clearance is a routine land use approval that involves planning department staff checking a proposed development to ensure that all applicable zoning requirements will be satisfied (e.g., setbacks, height limits, parking requirements, etc.). Zoning clearance is required by this ordinance for land uses that are consistent with the basic purposes of the particular zone (e.g., houses in residential zones), and are unlikely to create any problems that will not be adequately handled by the development standards of Article 17.54 of this ordinance (General Development Standards) and this subchapter.

3. Administrative Review Permit (ARP). These uses are allowable subject to approval of an administrative review permit (see Section 17.58.100). Administrative review permit approval is required for certain land uses that are generally consistent with the purposes of the zone, but could create minor problems for adjoining properties if they are not designed with sensitivity to surrounding land uses. The purposes of an administrative review permit are to allow planning department staff and the zoning administrator to evaluate a proposed use to determine if problems may occur, to work with the project applicant to adjust the project through conditions of approval to solve any potential problems that are identified, or to disapprove a project if identified problems cannot be acceptably corrected.

4. Minor Use Permit (MUP). These uses are allowable subject to approval of a minor use permit (“MUP”) (Section 17.58.120). Minor use permit approval is required for certain land uses that are generally consistent with the purposes of the zone, but could create problems for adjoining properties, the surrounding area, and their populations if such uses are not designed to be compatible with surrounding land uses. The purpose of a minor use permit is to allow planning department staff and the zoning administrator to evaluate a proposed use to determine if problems may occur, to provide the public with an opportunity to review the proposed project and express their concerns in a public hearing, to work with the project applicant to adjust the project through conditions of approval to solve any potential problems that are identified, or to disapprove a project if identified problems cannot be acceptably corrected.

5. Conditional Use Permit (CUP). These uses are allowable subject to approval of a conditional use permit (“CUP”) (Section 17.58.130). Conditional use permit approval is required for certain land uses that may be appropriate in a zone, depending on the design of the individual project, and the characteristics of the proposed site and surroundings. Such uses can either raise major land use policy issues or could create serious problems for adjoining properties, the surrounding area, and their populations if such uses are not appropriately located and designed. The purpose of a conditional use permit is to allow planning department staff and the Placer County planning commission to evaluate a proposed use to determine if problems may occur, to provide the public with an opportunity to review the proposed project and express their concerns in a public hearing, to work with the project applicant to adjust the project through conditions of approval to solve any potential problems that are identified, or to disapprove a project if identified problems cannot be acceptably corrected.

All allowable land uses shall obtain any building permit, **take authorization, authorization to impact aquatic resources** or other permit required by this code (see Section 17.06.030(D)), in addition to the land use permit required by this section or Sections 17.06.060 et seq.

SECTION 6. Placer County Code Chapter 17, article 17.14, section 17.14.010 is hereby amended as follows:

17.14.010 Open space (O).

A. Purpose and Intent. The purpose of the open space (O) district is to protect important open space lands within Placer County by limiting allowable land uses to low intensity agricultural, **fish and wildlife habitat, and** public recreational uses, with structural development being restricted to accessory structures necessary to support the primary allowed uses, and critical public facilities.

SECTION 7. Placer County Code Chapter 17, article 17.18, section 17.18.010 is hereby amended as follows:

17.18.010 Water influence (W).

A. Purpose and Intent. The purpose of the water influence (W) district is to identify areas suitable for the development and operation of water-oriented, public and private recreational and commercial uses and facilities, **fish and wildlife habitat, and open space.**

SECTION 8. Placer County Code Chapter 17, article 17.52, section 17.52.090 is hereby amended as follows:

17.52.090 Flood hazard (-FH).

A. Purpose and Intent. The purpose of the flood hazard (-FH) combining district is to identify areas where hazards to life or property exist because of the potential for inundation by a one hundred (100) year frequency flood. The intent of this combining district is to:

1. Advise the public about areas subject to flooding during a one hundred (100) year storm.
2. Require the careful review of new development by the county, so as to ensure that such development is located and designed to both avoid being at risk from flooding, and to avoid increasing the hazard of such flooding on other properties by changing the characteristics of a watercourse.
3. **Identify areas where the stream system is coterminous with the 100-year floodplain.**

SECTION 9. Placer County Code Chapter 17, article 17.54, section 17.54.100 is hereby amended as follows:

17.54.100 Design and development standards.

Proposed planned residential developments shall be designed and developed consistent with the following standards:

A. Density, Open Space, Coverage. The maximum residential density, minimum open space area and maximum building coverage area allowed in a PD shall be governed by the base zoning and the maximum residential intensity factor that is applied to the property by the planned residential development (-PD) combining district (Section 17.52.120).

1. Determining Allowable Density. Density, or maximum residential intensity is expressed as the number of dwelling units permitted per acre of land within the development project site. The maximum number of dwelling units per acre permitted within a PD is determined by the maximum residential intensity number shown on the zoning map that applies to the site (e.g., 3.0 du/ac) multiplied by the net buildable area of the site. In single-family dwelling planned residential developments (Section 17.54.100(A)(2)), the maximum number of dwelling units is further limited by the base zoning of the site.

The net buildable area is defined as the gross acreage of the site less existing public road rights-of-way, dedications for frontage improvements along such public road rights-of-way, major electrical transmission easements for facilities which carry 60kv or greater, and a portion of the site area within a one hundred (100) year floodplain (as defined in the PCGP) of any lake, waterway, or similar body of water, and a portion of the site which has a slope of thirty (30) percent or greater, as indicated in the following chart. Projects in the Dry Creek/West Placer community plan area, where the transfer of development rights out of the floodplain area is specifically authorized in the community plan, are not required to deduct any portion of the one hundred (100) year floodplain to determine the net buildable area.

NET BUILDABLE AREA

Base Zoning Lot Size	Required deduction of 100-year floodplain and area which has a slope of 30% or greater
1 acre or less	85%
1+ acre up to 5 acres	70%
5+ acres to 10 acres	55%
10+ acres up to 20	40%
20 acres or more	0

* No deduction required if slope and floodplain area is less than 10% of gross site area

a. Public Dedication of Land: Land donated in whole or in substantial part by the PD developer for the public's use benefit including but not limited to recreation, fire or police stations, public schools, habitat reserve areas for the PCCP or other environmental protection by a public agency or nonprofit

land trust organization may be included in the area to which the maximum residential density factor may be applied.

b. Privately Owned Recreation Facilities. PDs which propose to build public-use golf courses, or other types of recreation facilities, and provide sufficient guarantees that the facility will be available to the public, in perpetuity, without limitation during the same hours and for the same fees as the facility is available to any other person(s), and meet all of the PD requirements, may be permitted to transfer density off the golf course or recreation facility.

i. Guarantees of public ~~use~~-**benefit** may include irrevocable offers of dedication **to a public agency**, open space, **habitat or agricultural conservation easements**~~or similar easements~~, development agreements, or comparable methods.

ii. Projects which propose a PD and a private-use recreation facility, which is owned and operated by an entity other than the homeowners' association, or is operated for other than the sole benefit of the homeowners within the PD, shall not be permitted to transfer residential density off the private-use recreational facility, or private use portion, of the property.

c. Other Recreational Facilities. In PDs, which propose a golf course, or other recreation facility, and seek approval to transfer density off of the property (and don't fit into Items a. or b. above), the percentage of allowed density transfer shall be determined based on the following factors. It is recognized that significant county discretion will remain, given the varying circumstances possible.

i. The extent of public use to be allowed in conjunction with the facility.

ii. The amount of use reserved for homeowners within the project, hours per day, days per week, etc.

iii. The relative preference given to homeowners for membership/use of the facility (i.e., reduced membership fees, guaranteed availability of memberships, automatic use rights with lot purchase, etc.).

iv. The extent to which the proposed project protects open space and natural resources within a project and places the developed areas (including that portion of the golf course, or recreation facility, to be graded, planted with turf or similarly altered) on the less sensitive portions of a project site.

d. Note. Although a maximum residential density is identified by the numerical factor shown on the zoning map, the appropriate residential density for each parcel with such a designation must be established and justified by considering other factors such as: geologic, hydrologic, and topographic features; trees and other vegetation; natural, cultural, or historic resources; compatibility with surrounding land use districts and existing neighborhood uses; requirements of the applicable community plan and the county general plan; and the significance of the definitive benefit to the community.

2. Single-family Dwelling PDs. Where a PD proposes to subdivide the land into lots for detached single-family dwellings instead of subdividing air space or only the land under the footprint of each dwelling unit, the following standards apply:

a. Maximum Density. For single-family PDs, the allowed number of dwelling units shall not exceed the number permitted by the base zoning on the property, plus five percent if the minimum twenty (20) percent open space is provided, unless the following standards (Section 17.54.100(A)(2)(b)(-e)) are met. The maximum number of units that can be allowed, even with the increases described above and in Section 17.54.100(A)(2)(b)(-e), is governed by Section 17.54.100(A)(1).

The number of units permitted by the base zoning shall be calculated as follows:

i. Determine the net buildable area of the site as described in Section 17.54.100(A)(1);

- ii. Take any deductions required by Section 17.54.100(A)(1)(a), (b), or (c).
- iii. Subtract a standard deduction for future roads and area lost due to irregular lot design (see following chart).

**BASE ZONING
STANDARD DEDUCTION**

Minimum Lot Size - Base Zoning	%Deduction
20,000 sq. ft. or less	20%
20,001 sq. ft. up to 43,560 sq. ft.	12%
43,561 sq. ft. to 100,000 sq. ft.	6%
100,001 sq. ft. to 217,799 sq. ft.	5%
Five acres or larger	0%

* Deduction is taken from net area

iv. Divide the area established by subsections (A)(2)(a)(i), (ii) and (iii) of this section by the minimum lot size established by the base zoning. This is the number of units permitted by the base zoning. Where the base zoning includes a minimum lot size which is larger than the range indicated by the applicable general plan or community plan land use designation, the number of units permitted by the base zoning shall be calculated by using the lot size equivalent of the PD designation (i.e., F-B-X- 20 ac. min., -PD 0.44, use 2.3 acre minimum to determine number of units permitted by the base zoning).

b. Additional Density/Units. The planning commission may grant additional density/units, beyond that permitted by the base zoning, not to exceed a fifty (50) percent increase over the number of units permitted by the base zoning, only when PDs include one or more of the following public benefits. Under no circumstances can the density/units exceed the number permitted by the -PD designation.

i. Open space, beyond the minimum required by subsection (A)(2)(d) of this section, that protects significant ecological resources, **aquatic resources, habitat for species covered by the HCP/NCCP**, or agricultural land, as defined in the Placer County general plan. The increase in density for additional open space may not exceed thirty (30) percent (i.e. ten (10) percent for ten (10) percent more than the minimum required open space, twenty (20) percent for twenty (20) percent more than the minimum, etc.) and may result in up to a one percent increase in density for each one percent increase in open space (plus a five percent increase in density for the minimum twenty (20) percent open space required (See Section 17.54.100(A)(2)(a)).

ii. Additional public recreation land and/or facilities, beyond the minimum required by Section 17.54.100(D), that meets a county recognized and documented need, in the area proposed. A maximum increase of thirty (30) percent may be granted for such additional facilities (i.e. ten (10) percent for twice the required recreational land or facilities, twenty (20) percent for triple, thirty (30) percent for quadruple).

iii. At the planning commission's discretion additional density/units may be permitted, not to exceed a twenty (20) percent increase over the base zoning, where a project includes one or more of the following:

(A) Construction of major arterial or collector roads with a capacity greater than required to serve the proposed project seeking the increase in density when no reimbursement nor fee waiver is connected to the additional improvements and the need for the roadway capacity has been recognized and documented by the county.

(B) Storm drainage retention or detention beyond that required for the proposed project when the new facility assists in solving an existing county recognized and documented problem and no reimbursement nor fee waiver is connected to the additional improvements.

(C) Additional construction of facilities or payment of fees for public facilities necessary to provide a public service, beyond the minimum required to accommodate the proposed project (i.e., fire station, library, sheriff's substation, etc.) where the county has documented the need for such facilities.

(D) A larger number of low or very low income housing units than the number of affordable housing units required by other county provisions.

(E) All public improvements/amenities/fees are paid or constructed for the entire project with the first phase in a multi-phased PD.

(F) Additional habitat for covered species or aquatic resources.

iv. Increases in density that are permitted, as described in this section, will be supported unless such an increase results in a negative finding as described in Section 17.54.090(B) or Section 17.58.130 (Findings for CUPs).

c. Minimum Lot Area. In order to maintain a reasonable compatibility with the adjacent properties and the land use district, the minimum lot size permitted in a planned residential development shall be no less than the minimum lot size permitted by the general plan/community plan land use designation for the property in question, or a smaller minimum lot size that the planning commission determines is appropriate on a specific site for one of the following reasons:

i. A significant buffer of common area open space is provided between the project lots and neighboring properties of larger lot sizes;

ii. Proposed lots, adjoining neighboring properties, are at least as large as the minimum lot size permitted by the general/community plan land use designation on the adjoining property; or

iii. An amount of additional open space, over that amount credited to the project under Section 17.54.100(A)(2)(b)(i), is provided which protects a significant ecological resource as identified in the Placer County general plan, **aquatic resources, and/or habitat for species covered by the HCP/NCCP.**

SECTION 10. Placer County Code Chapter 17, article 17.54, section 17.54.140 is hereby amended as follows:

17.54.140 Exceptions to front, side and rear setbacks.

~~—D.— Watercourse Setbacks. All proposed structures shall be set back from any stream, creek, canal, pond, lake or river, as follows. The watercourse setbacks required by this subsection shall be measured~~

from the centerline of the stream. These setbacks may be modified by a finding of good cause (including verified map errors, etc.) by the appropriate hearing body.

~~—1.— Permanent Streams and Man-Made Canals. The required setback from the centerline of a permanent stream shown on a United States Geological Survey (USGS) topographic map, or man-made canal shall be one hundred (100) feet.~~

~~—2.— Intermittent Streams, Ponds and Lakes. The required setback from the centerline of an intermittent stream shown on a USGS topographic map shall be fifty (50) feet. The required setback from any pond or lake whether man-made or natural shall be fifty (50) feet measured from the high water line.~~

~~—3.— Exceptions for Community Plan and Special Zoning Areas. Within the areas covered by Community Plans (e.g., Dry Creek West Placer, Granite Bay, Auburn/Bowman and others adopted by the county) required watercourse setbacks shall be as specified in those community plans. Watercourse setbacks in areas of the county which have special watercourse setbacks identified on adopted zoning maps or shown on subdivision final maps recorded prior to the effective date of this chapter shall be considered exceptions to the requirements of this section.~~

~~—4.— Discretionary Land Use Permit Projects. Projects required by Sections 17.06.050 and 17.06.060 et seq., to have discretionary land use permit approval may be required by conditions of approval to provide greater or lesser setbacks than those required by this section and/or be required to provide setbacks from watercourses that are not shown on the USGS maps.~~

DE. Pumphouses, Small Utility Structures, and Structures for the Harvesting and/or Storage of Water. Pumphouses, small utility structures, and structures for the harvesting and/or storage of water, which are permanent in nature and have no more than one hundred twenty (120) square feet of area and do not require a building permit may be constructed within otherwise prescribed setbacks, subject to the zoning clearance procedure. (Ord. 5824-B § 13, 2016; Ord. 5126-B, 2001)

SECTION 11. Placer County Code Chapter 17, article 17.54, section 17.54.145 is hereby created as follows:

17.54.145 Watercourse setbacks and stream system boundary standards

A. Watercourse Setbacks Outside of the Placer County Conservation Plan (PCCP) Boundary. For all areas outside the PCCP boundary (Chapter 19, Section 19.10.050) all proposed structures shall be set back from any stream, creek, canal, pond, lake or river, as follows. The watercourse setbacks required by this subsection shall be measured from the centerline of the stream. These setbacks may be modified by a finding of good cause (including verified map errors, etc.) by the appropriate hearing body.

1. Permanent Streams and Man-Made Canals. The required setback from the centerline of a permanent stream shown on the National Hydrography Dataset (NHD), or man-made canal shall be one hundred (100) feet.

2. Intermittent Streams, Ponds and Lakes. The required setback from the centerline of an intermittent stream shown on the NHD shall be fifty (50) feet. The required setback from any pond or lake whether man-made or natural shall be fifty (50) feet measured from the high water line except as authorized by Section 17.54.140(D).

3. Exceptions for Community Plan and Special Zoning Areas. Within the areas covered by community plans (e.g., Dry Creek-West Placer, Granite Bay, Auburn/Bowman and others adopted

by the county) required watercourse setbacks shall be as specified in those community plans. Watercourse setbacks in areas of the county which have special watercourse setbacks identified on adopted zoning maps or shown on subdivision final maps recorded prior to the effective date of this chapter shall be considered exceptions to the requirements of this section.

4. Discretionary Land Use Permit Projects. Projects required by Sections 17.06.050 and 17.06.060 et seq., to have discretionary land use permit approval may be required by conditions of approval to provide greater or lesser setbacks than those required by this section and/or be required to provide setbacks from watercourses that are not shown on the NHD.

B. Stream system boundary. The stream system boundary standards apply to all creeks, streams, and rivers listed in Table 1) within the PCCP boundary (Chapter 19, Section 19.10.050). In addition to natural streams, the stream system boundary standards apply to artificial watercourses such as canals, channels, and flood water conveyances if the watercourse serves in lieu of a natural stream to maintain hydraulic continuity with the watershed above and where the channel is in an unlined, earthen condition. The stream system boundary standards also apply to any unnamed streams that are shown as “blue line” streams on United States Geological Survey (USGS) Quad maps as specified in California Public Resources Code Section 4528 and as located on the NHD. All streams shown on the NHD will be truncated at the point where the watershed falls below 40 acres. Small streams located above the point where the stream is truncated are not considered streams subject to the standards of this section but may be aquatic resources subject to the permitting requirements of the CARP.

To avoid and minimize impacts to the stream system boundary, the following requirements apply to construction of new structures and other ground disturbance activities.

1. Structural setbacks. For areas within the PCCP boundary, all proposed structures shall be set back from any stream, creek, or river, as described in Table 1. For unnamed streams in the NHD, the default minimum is 50 feet. These setbacks may be modified by an administrative approval as defined in Section 17.60.105 of this code by the planning director or his or her designee.

2. Non-structural ground disturbance requiring the excavation or deposition of 25 or more cubic yards within the stream system. If ground disturbance within the stream system boundary exceeds 25 cubic yards a grading permit or stream system grading permit is required (Sections 15.48.055 and 15.48.060(C)).

3. Vegetation removal. Any removal of riparian and other vegetation within the stream system, that is associated with a land conversion authorization, requires a take authorization consistent with the requirements of the PCCP (Chapter 19, Article 19.10).

4. Aquatic resources of Placer County. Any discharge of fill into an aquatic resource within the stream system will require an aquatic resources authorization and a grading permit (Section 15.48.060(C)).

5. PCCP Covered Activities. All covered activities (structural and otherwise) that occur within the stream system boundary, irrespective of the amount of ground disturbance and vegetation removal, are subject to the standards, requirements, best management practices and mitigation measures of the PCCP (Chapter 19, Article 19.10, Section 19.10.070).

6. Exceptions. The following exceptions apply to land disturbance within the stream system boundary.

a. Removal of invasive species consistent with the requirements of the PCCP.

b. Habitat restoration activities consistent with the requirements of the PCCP.

Table 1
Basic Boundary Widths for Specified Stream Reaches

<u>Stream Name</u> <u>Listed from North to South and</u> <u>from West to East</u>	<u>Basic Boundary in feet</u> <u>Measured from OHWM*</u>
<u>Bear River downstream of Camp Far West Dam</u>	<u>600</u>
<u>Bear River upstream of Camp Far West Reservoir</u>	<u>400</u>
<u>Yankee Slough downstream of Sheridan Lincoln Blvd. crossing</u>	<u>200</u>
<u>Yankee Slough upstream of Sheridan Lincoln Blvd. crossing</u>	<u>100</u>
<u>Yankee Slough North Fork to Riosa Road</u>	<u>100</u>
<u>Raccoon Creek downstream of the Doty Ravine Confluence</u>	<u>600</u>
<u>Raccoon Creek between the Doty Ravine Confluence and McCourtney Road</u>	<u>300</u>
<u>Raccoon Creek between McCourtney Road and Garden Bar Road</u>	<u>200</u>
<u>Raccoon Creek upstream of Garden Bar Road</u>	<u>100</u>
<u>Orr Creek</u>	<u>100</u>
<u>Dry Creek tributary to Raccoon Creek</u>	<u>100</u>
<u>Rock Creek</u>	<u>100</u>
<u>Deadman Canyon</u>	<u>100</u>
<u>Doty Ravine downstream of Caps Ravine</u>	<u>300</u>
<u>Doty Ravine upstream of Caps Ravine</u>	<u>100</u>
<u>Caps Ravine</u>	<u>100</u>
<u>Sailors Ravine</u>	<u>100</u>
<u>Markham Ravine downstream of Dowd Road</u>	<u>200</u>
<u>Markham Ravine between Dowd Road and Sheridan-Lincoln Blvd</u>	<u>100</u>
<u>Markham Ravine North Fork</u>	<u>100</u>
<u>Auburn Ravine downstream of Moore Road crossing</u>	<u>600</u>
<u>Auburn Ravine between Moore Road and Lincoln Blvd</u>	<u>400</u>
<u>Auburn Ravine between Lincoln Blvd and Fowler</u>	<u>300</u>

<u>Stream Name</u> <u>Listed from North to South and</u> <u>from West to East</u>	<u>Basic Boundary in feet</u> <u>Measured from OHWM*</u>
<u>Road</u>	
<u>Auburn Ravine between Fowler Road and Auburn WWTP</u>	<u>200</u>
<u>Auburn Ravine upstream of Auburn WWTP</u>	<u>100</u>
<u>North Ravine</u>	<u>100</u>
<u>Dutch Ravine</u>	<u>100</u>
<u>Orchard Creek downstream of State Route 65</u>	<u>200</u>
<u>Orchard Creek upstream of State Route 65</u>	<u>100</u>
<u>Ingram Slough</u>	<u>100</u>
<u>King Slough</u>	<u>100</u>
<u>Pleasant Grove Creek – West of Reason Farms</u>	<u>400</u>
<u>Curry Creek downstream of Baseline Road</u>	<u>200</u>
<u>Curry Creek upstream of Baseline Road</u>	<u>100</u>
<u>Dry Creek downstream of Cook-Riolo Road</u>	<u>400</u>
<u>Dry Creek from Cook-Riolo to Roseville City Limits</u>	<u>300</u>
<u>Secret Ravine</u>	<u>200</u>
<u>Secret Ravine North Tributary</u>	<u>100</u>
<u>Secret Ravine South Tributary</u>	<u>100</u>
<u>Secret Ravine along Boardman Canal</u>	<u>100</u>
<u>Miners Ravine downstream of King Road</u>	<u>200</u>
<u>Miners Ravine upstream of King Road</u>	<u>100</u>
<u>Linda Creek downstream of Barton Road</u>	<u>200</u>
<u>Linda Creek upstream of Barton Road</u>	<u>100</u>
<u>Strap Ravine</u>	<u>100</u>
<u>Antelope Creek upstream of Loomis Town Limits</u>	<u>100</u>
<u>Mormon Ravine</u>	<u>100</u>
<u>Stream Reaches not Specified Above</u>	<u>50</u>

C. Modification to stream system boundary width requirements. The standard stream system boundary widths described in Section 17.54.145(B) may be modified by averaging or reduction as follows:

1. Boundary width averaging. Boundary width averaging may be proposed through submittal of a habitat assessment study or report. Boundary width averaging shall be allowed only when the applicant demonstrates all of the following:

a. The decrease in the stream system boundary width is minimized by limiting the effects of the proposed land use along the boundary.

b. Boundary width averaging will not adversely impact the water body.

c. Boundary width averaging is consistent with other stream system boundary requirements set forth under this Code including stormwater requirements, direct and indirect impacts to aquatic resources of Placer County and direct and indirect impacts to covered species under the HCP/NCCP.

d. Boundary width averaging will not increase the risk of slope failure or downslope stormwater drainage impacts.

e. The total stream system boundary area after averaging is no less than the boundary area prior to the averaging.

f. The minimum stream system boundary width after averaging will not be less than 50 percent of the widths established in Section 17.54.145(B).

g. The averaging must be accomplished within the project boundaries.

h. The applicant demonstrates one or more of the following conditions:

i. The proposed stream system boundary area contains a diversity of native vegetation distributed within at least two stratum (i.e., groundcover, shrub, sapling, tree); or

ii. The project includes a stream system enhancement plan as part of the mitigation required by Chapter 18 (Environmental Review) or the design/site review process required by Section 17.52.070. If the project is ministerial and does not require environmental review and/or design/site review, the stream system enhancement plan shall be submitted to the development review committee (Section 17.60.060) for review and approval. The stream system enhancement plan shall use plant species, which are native and non-invasive to the project area. The plan must substantiate that the enhanced stream system will improve the functional attributes of the stream system to provide additional protection for habitat functional values.

2. Stream system boundary width reduction. The approval of a boundary width reduction shall be processed through an administrative approval as defined in Section 17.60.105 of this code by the planning director or his or her designee. Boundary width reduction shall be allowed only when the applicant demonstrates all of the following:

a. Boundary width reduction is unavoidable.

b. Boundary width reduction has been minimized by limiting the degree or magnitude of the regulated activity adjacent to the stream.

c. The proposed boundary width reduction is consistent with other buffer requirements set forth under this code including stormwater requirements, direct and indirect impacts to aquatic resources of Placer County and direct and indirect impacts to covered species under the HCP/NCCP.

d. Boundary width reduction will not adversely impact the water body.

e. The boundary width will not be reduced more than 50 percent below the provisions of Section 17.54.145(B).

f. The boundary width reduction will not result in structures being placed within the 100 year floodplain or result in non-structural modifications to the 100-year floodplain.

g. A stream system enhancement plan is provided as required by Section 17.54.145(C)(1)(h)(ii). The stream system enhancement plan shall use plant species, which are native and non-invasive to the project area. The plan must substantiate that the enhanced stream system will improve the functional attributes of the stream system to provide additional protection for habitat functional values.

h. The stream system has less than 15 percent slopes.

SECTION 12. Placer County Code Chapter 17, article 17.56, section 17.56.020, subsection (C) is hereby amended as follows:

17.56.020 Accessory buildings and uses.

C. Accessory Structures for Habitat Management. For purposes of this chapter, accessory structures for habitat management include, but are not limited to, outbuildings, sheds, barns, garages, workshops, etc. which are primarily intended for the storage of equipment and supplies associated with the management of wildlife habitat and aquatic resources on the same site.

DC. Animal Enclosures. For purposes of this chapter, animal enclosures include, but are not limited to, pens, paddocks, corrals, stalls, stables, barns, feeding/protective shelters or any other facilities within which animals are permanently kept or which are intended primarily for the keeping of animals, and which are five thousand (5,000) square feet or less in gross area

SECTION 13. Placer County Code Chapter 17, article 17.56, section 17.56.090 is hereby amended as follows:

17.56.090 Caretaker and employee housing.

When allowed by Section 17.06.050 (Land use and permit tables) in the applicable zone, caretaker and employee housing is subject to the requirements of this section. (Note. Except as provided by subsection F, caretaker and employee housing shall consist of permanent-type construction.)

A. Eligibility. Caretaker and employee housing may be established on the site of another use only as follows:

1. Caretaker Housing. Caretaker housing shall be allowed only where the principal commercial, industrial, **habitat management**, or institutional use of the site involves operations, equipment or other resources that require twenty-four (24) hour oversight.

SECTION 14. Placer County Code Chapter 17, article 17.58, section 17.58.015, subsections (B) and (C) are hereby amended as follows:

17.58.015 Pre-development meeting.

B. Elective Meeting. A pre-development meeting may be requested by any applicant for any new development project subject to CEQA (reference Section 18.08.010 of Environmental Review Ordinance) **and/or the PCCP (Chapter 19, Article 19.10)** that requires the following discretionary approvals: variances, minor use permits, and design site review.

C. Purpose. The purpose of the pre-development meeting is to advise and inform applicants of the procedural and substantive requirements of attaining a permit for a new development project. The applicant and/or project representative will meet with staff from various county departments to discuss the project. It is the applicant's responsibility to gather all required information discussed at the pre-development meeting to be submitted at the time of EQ filing **or applications for PCCP authorizations (Article 19.10, Section 19.10.080)**.

SECTION 15. Placer County Code Chapter 17, article 17.58, section 17.58.030 is hereby amended as follows:

17.58.030 Required application contents.

Applications for approval of any permit or amendment pursuant to this chapter shall include the following:

A. An initial project application ("IPA") and any other form(s) required by the planning department, and all information specified on the "required application contents" list furnished by the planning department with all permit applications.

B. The signature(s) of the owner(s) of the real property that is the subject of the application, or an owner authorization allowing the person signing the application to act as agent for the property owner.

C. An environmental questionnaire (EQ), if required by Chapter 18 of this code (Environmental Review), or an exemption verification form, if applicable (See Chapter 18).

D. The nonrefundable filing fee(s) required by the most current Planning Department fee schedule.

1. Note. Where multiple applications for the same type of permit are requested on two or more adjoining parcels, or where the same use is proposed on multiple parcels which are not in close proximity (e.g. setback variance applications on three adjacent parcels where the circumstances are identical or cellular antennae installations at several different locations throughout the county), the planning director is provided by this section with the authority to determine an appropriate combination of application filing fees rather than a separate filing fee for each application.

E. For all applications for subdivisions, conditional use permits, zoning text amendments, rezoning or general plan amendments and any other application determined by the planning director to be appropriate, the applicant is required to execute an indemnification agreement to indemnify and hold harmless the county from any defense costs, including attorney's fees or other loss connected with any legal challenge brought as a result of approval of the project.

F. For all applications for a winery activity that requires the issuance of an administrative review permit pursuant to Section 17.56.330 for a property which is accessed by a private road, the applicant is required to provide the names and mailing addresses of all property owners who have access rights to or share use of the private road. The applicant shall exercise all reasonable efforts to identify and use due diligence to ascertain the names and addresses of all such property owners and shall include a summary of all such efforts with the list of names and addresses as part of the application. (Ord. 5526-B § 20, 2008; Ord. 5373-B, 2005; Ord. 5126-B, 2001)

G. For land conversion authorizations subject to review under the HCP/NCCP and/or the CARP it will be necessary to submit the necessary forms and background data required by Article 19.10 (Placer County Conservation Program), Section 19.10.080.

SECTION 16. Placer County Code Chapter 17, article 17.58, section 17.58.040 is hereby amended as follows:

17.58.040 Filing of applications.

Applications for the permits required by this chapter **and the Placer County Conservation Plan (Chapter 19, Article 19.10)** shall be filed with the planning department. No application for approval of a use of land, building or structure, land division, or other permit required by this chapter **or Chapter 19, Article 19.10** shall be accepted for processing by the planning department or approved, unless:

A. The proposed use is allowed on its site by Articles 17.06 through 17.52 (Zone Districts and Allowable Uses of Land), or is governed by the provisions of Section 17.56.300 (Temporary uses and events), 17.60.120 (Nonconforming uses), or Section 17.60.130 (Nonconforming lots of record); and

B. The proposed use of land, building or structure, or division of land satisfies all applicable standards and requirements of this chapter, or such standards are the subject of a simultaneously filed variance application that will, if approved, achieve such compliance; and

C. Neither the proposed site nor any building or land use thereon is being maintained in violation of the Subdivision Map Act, this chapter, **Chapter 19, Article 19.10**, the grading ordinance, or any condition of approval of an applicable land use entitlement, except where the application incorporates measures proposed by the applicant to correct the violation, and correction will occur before establishment of the new proposed use, or recordation of a final or parcel map in the case of a subdivision; and

SECTION 17. Placer County Code Chapter 17, article 17.58, section 17.58.050 is hereby amended as follows:

17.58.050 Initial review of applications.

In addition to the review required by Section 17.58.040, the planning department shall review all applications for completeness and accuracy before the applications are accepted as being complete and officially filed.

A. Determination of Completeness. Within thirty days of filing, the department shall determine whether an application includes the information required by this chapter, as follows:

1. Notification of Applicant. The applicant shall be informed in writing that either:

a. The application is complete and has been accepted for processing; or

b. That the application is incomplete and additional information, specified in writing, must be provided. When an application is incomplete, the time used by the applicant to submit the required additional information shall not be considered part of the time within which the determination of completeness must occur. The time available to an applicant for submittal of additional information is limited by subsection (A)(3) of this section.

2. Appeal of Determination. Where the planning department has determined that an application is incomplete, and the applicant believes that the application is complete and/or that the information requested by the department is not required by this chapter, other provisions of this code or the policies of the general plan or any applicable community plan, the applicant may appeal the determination to the planning commission as set forth in Section 17.60.110.

3. Expiration of Application. If a pending application is not completed by the applicant (i.e., not accepted as complete by the county) within one year after the first filing with the department, the application shall expire and be deemed withdrawn. A new application may then be filed as set forth by this chapter.

B. Referral of Application. At the discretion of the planning director or where otherwise required by this code, state or federal law, any land use permit application filed pursuant to this article may be referred for review and comment to any public agency that may be affected by or have an interest in the proposed land use.

C. Assessment of Changes in the Baseline Land-Cover Site Conditions. If Article 19.10 applies to the proposed use of land, building or structure, land division, during the initial review for a complete application, the county will compare current site conditions against the baseline conditions referenced in Section 17.58.030(G) and make a finding regarding whether or not significant changes have occurred. If an apparent significant change in baseline land-cover is detected, the county will review the changes to determine if the baseline land-cover information is inaccurate (based on a review of the data sources used to develop the baseline land-cover map) or if land-cover conditions have in fact been substantially degraded. "Substantial degradation" is defined as land where the micro-topography and hydrology of the property are substantially changed from baseline conditions, resulting in any the following:

1. Creeks, swales, and other drainages are no longer in the same location (within 100 feet);

2. At least 30 percent of ponded water and/or other wetlands are no longer present on the property; or

3. The entire tree canopy of riparian vegetation has been diminished by more than 20 percent.

When current on-site land-cover differs significantly (based on the criteria described above) from the verified baseline land-cover map, the county will provide the applicant with information regarding the project baseline. The project applicant must use the data to document (e.g., quantify acreages, qualitatively describe) the extent of change to the baseline land-cover type(s) and the type of activity that caused the change when such a determination can be made. The project applicant must also re-calculate the proposed project effects using the baseline land-cover map. This information must be submitted to the county and the revised information will be used to determine the effects of the project and any Placer County Conservation Plan (PCCP) fees owed. If impacts and fees are calculated for a project based on baseline land-cover (2011 conditions in the valley portion of the PCCP), the applicant will still use the current site conditions to evaluate the need for and apply any applicable conditions as required by the PCCP. A finding of non-consistency does not establish responsibility for changes to the land-cover type.

SECTION 18. Placer County Code Chapter 17, article 17.58, section 17.58.065 is hereby created as follows:

17.58.065 Placer County Conservation Program Review.

A. Placer County Conservation Program Review Procedure. If the proposed use of land, building or structure is a covered activity, after acceptance of a complete application as provided by Section 17.58.050, Section 18.04.070(B) and/or Section 19.10.080(C), the application shall undergo a review as required by Section 19.10.050 (Applicability) of this code in order to determine what effects the project may have on covered species or aquatic resources .

B. Additional Information. After an application has been accepted as complete pursuant to Section 17.58.050, the planning services division may require the applicant to submit additional information needed for the PCCP compliance review of the project subject to the provisions of Section 19.10.080(C) of this code.

SECTION 19. Placer County Code Chapter 17, article 17.58, section 17.58.140, subsection (B) is hereby amended as follows:

17.58.140 Permit issuance.

B. Conditions of Approval. In conditionally approving an administrative review permit, minor or conditional use permit, the granting authority shall adopt conditions of approval as necessary to accomplish the following objectives, consistent with the requirements of state law:

1. Specify the period of validity of the permit and/or the allowed duration of the proposed use. The permit may be issued and/or the use allowed for a revocable, permanent, temporary or otherwise limited term, as deemed appropriate by the granting authority. If no period of validity is specified, the permit shall be subject to the time limits specified by Section 17.58.160 (Permit time limits and extensions).

2. Ensure that the proposed project will be consistent with all applicable requirements of this chapter, the Placer County general plan, and any applicable community plan or specific plan.

3. Enable all the findings required by subsection A of this section to be made by the granting authority.
4. Mitigate environmental impacts identified in environmental documents prepared pursuant to Chapter 18 of this code (Environmental Review), or adopt overriding findings pursuant to Section 15091 et seq., of the CEQA Guidelines.
5. Require the dedication of rights-of-way determined by the granting authority to be necessary as a result of the proposed use.
6. Require the installation, or participation in the cost of installation, of specified on-site or off-site improvements determined by the granting authority to be necessary as a result of the proposed use.
7. Supersede, replace, or modify conditions of approval applicable to the site as a result of a previous permit approval, where determined by the granting authority to be appropriate.
8. Limit the size of the project or intensity of the use to a level approved by the granting authority.
- 9. If the Placer County Conservation Plan (PCCP) applies to the proposed use, the development review committee (DRC) shall require the application of avoidance and minimization measures, payment of fees, purchase of in lieu fee credits, purchase of mitigation or conservation bank credits, dedication of land in lieu of fees, or other measures as required to comply with the PCCP for covered activities that impact covered species or aquatic resources within the PCCP plan area boundary.**

910. The granting authority may also adopt any other conditions of approval as the authority determines are necessary to protect the public health, safety, and general welfare.

SECTION 20. Placer County Code Chapter 17, article 17.58, section 17.58.160 is hereby amended as follows:

17.58.160 Permit time limits, exercising of permits, and extensions.

A. Time Limits for Action by County. As provided by California Government Code Section 65950, an administrative review, minor or conditional use permit shall be approved or disapproved by the granting authority within the following time limits:

1. If a negative declaration is adopted or if the project is exempt from regulation under the California Environmental Quality Act (CEQA) pursuant to Chapter 18 of this code, the project shall be approved or disapproved within three months from the date of adoption of a negative declaration, or, for those projects which are exempt from regulation under CEQA, within three months from the date that the application is determined to be complete pursuant to Section 17.58.050 (Initial review of applications), unless the project proponent requests an extension of the time limit (see subsection (A)(3)).
2. If an environmental impact report is prepared for the project pursuant to the provisions of Chapter 18 of this code, the project shall be approved or disapproved within six months from the date of certification by the hearing body of the environmental impact report, unless the project proponent requests an extension of the time limit (see subsection (A)(3)).

3. If a project proponent requests, in writing, an extension of the time limits specified in subsections (A)(1) and (A)(2), the agency director may grant or deny such a request for good cause. A request for a decision by the agency director to grant an extension of the time limits specified above shall be made prior to the expiration of such time limits. The agency director may grant an extension for such a reasonable additional time period as is deemed appropriate.

4. If the county fails to approve or disapprove a development project within the time limits specified by this section, the failure to act shall be deemed approval of the permit application for the development project. However, the permit shall be deemed approved only if the public notice required by law has occurred. (See California Government Code Section 65956(b).)

5. Except that where the land use permit application is accompanied by an application for a general plan amendment, rezoning or zoning text amendment that is needed to allow the processing of the land use permit, the above time limits shall commence as of the effective date of the general plan amendment, rezoning or zoning text amendment, whichever is chronologically later in time.

B. Permit Expiration. An approved administrative review permit, minor use permit, conditional use permit or variance is subject to the following time limits. It shall be the responsibility of the applicant alone to monitor the time limits and make diligent progress on the approved project, so as to avoid permit expiration.

1. Time Limit for Permit Implementation. An approved permit is valid for twenty-four (24) months from its effective date (Section 17.58.140(D)), or for any other period specified by the granting authority in conditions of approval, or other provision of this chapter. At the end of twenty-four (24) months, the permit shall expire and become void unless by that time:

a. The permit has been implemented because conditions of approval prerequisite to construction have been satisfied, any required building or grading permits have been issued, and a foundation inspection has been conducted and approved by the building official or a designee; or

b. The permit has been implemented because a use not requiring construction permits has been established on the site and is in operation as approved, and all conditions of approval prerequisite to establishment of the use have been satisfied; or

c. The permit has been implemented for a multiple building or multiple structure project because conditions of approval prerequisite to construction have been satisfied, any required building or grading permits have been issued, and foundation inspections for each and every building or structure have been conducted and approved by the building official or a designee (Note: for multiple phase projects which require a discretionary permit, the conditions of approval for that permit can provide for extended dates of expiration); or

d. A conditional use permit granted for a planned residential development (Section 17.54.080) has been implemented through the recordation of the final subdivision map pursuant to the approved PD; or

e. An extension of time has been granted according to subsection C of this section; or

f. The holder of the permit requests tolling of the term due to litigation challenging the county's issuance of said permit. The tolling request must be submitted in writing to the planning division prior to the expiration of the term of the permit. The request must establish to the satisfaction of the planning director that the subject litigation challenges the county's grant of the underlying permit and has been filed by a plaintiff/petitioner other than the permit holder. In response to this request, the planning director may grant a one-time litigation tolling period not to exceed five years. The tolling period shall be calculated from the date the action is filed with a court of competent jurisdiction until the court of final

jurisdiction enters its final disposition of the case, such as entry of an order, judgment or final decision or the expiration of five years, whichever is sooner.

2. Lapse of Permit After Implementation. Once a project has been implemented as set forth in Section 17.58.140(E), the permit that authorized the use shall remain valid and in force and shall run with the land, including any conditions of approval adopted with the permit, unless one of the following occurs:

a. Work under an approved construction permit toward completing the project and complying with the permit conditions of approval ceases such that the construction permit expires pursuant to Chapter 15 of this code (Construction Requirements), and one additional year elapses after the expiration of the construction permit.

b. After a use has been established and/or operated as approved, the use (if no appurtenant structure is required for its operation) is discontinued for more than twelve (12) consecutive months, or (if an appurtenant structure is required for the conditionally-permitted use) the structure is removed from the site for more than twelve (12) consecutive months. If a structure associated with the operation of a conditionally permitted use is issued a certificate of occupancy and all other conditions of approval of the conditional use permit are satisfactorily completed, the entitlement remains in effect even if the structure is vacant for more than twelve (12) consecutive months; however, no use may be reestablished in the structure and/or on the site unless the use is determined by the planning director to be substantially the same as the original conditionally permitted use.

c. The time limit set for the duration of the use by a condition of approval expires.

3. If one of the foregoing events occurs, the permit shall be deemed to have lapsed. No use of land, building or structure for which a permit has lapsed shall be reactivated, re-established or used unless a new permit is first obtained as provided by this article. The site of a lapsed permit shall be used only for uses allowed in the applicable zone district by Articles 17.06 through 17.52 (Zone districts and allowable uses of land) without a permit pursuant to this chapter.

C. Extensions of Time. The time limit established by subsection (B)(1) of this section for the implementation of an approved administrative review permit, minor use permit, conditional use permit or variance may be extended by the granting authority for a total of no more than six years as provided by this section:

1. Time for Filing an Extension Request. The applicant for an approved permit shall request an extension of time not later than the date of expiration of the permit established by subsection B of this section. The request shall be in writing, shall explain the reasons for the request, and shall be accompanied by the nonrefundable filing fee established by the most current planning department fee schedule. Upon the filing of an extension request as required by this subsection, the time limit for expiration of the permit established by subsection B of this section shall be suspended until a decision is made by the appropriate hearing body regarding the extension request.

2. Notice of Requested Extension. The planning department shall send notice of the requested extension by mail to all individuals and entities (or their legal successors in interest) which were provided notice of the hearing that preceded the approval of the permit requested for extension, and to all members of the development review committee. The notice shall state that any person who objects to the requested extension of time shall notify the planning director, in writing, of the objection within fifteen (15) days from the date of mailing of the notice.

3. Hearing on Objections to Extension. If any objection to the time extension is received, the granting authority that approved the original permit shall follow the entire procedure set forth in Section 17.58.140 (Permit issuance) to consider and approve or disapprove the requested extension, as well as the following subsection.

4. Approval of Extension. After a public hearing, or if no objection to an extension is received, without a public hearing, the granting authority may extend the expiration date of the approved administrative review permit, minor use permit, conditional use permit or variance by no more than a total of three years, provided that the granting authority first finds that:

- a. No change of conditions or circumstances has occurred that would have been grounds for denying the original application;
- b. The applicant has been diligent in pursuing implementation of the permit; and
- c. Modified conditions have been imposed which update the permit to reflect current adopted standards and ordinance requirements.

D. Permit Coordination with the Placer County Conservation Program. If Chapter 19, Article 19.10 applies to the proposed project, any authorization for the take of covered species and/or impacts to aquatic resources (Section 19.10.120), shall run concurrent with the time limits imposed on the administrative review, minor or conditional use permit or variance. PCCP take authorizations or authorizations to impact aquatic resources will expire when the administrative review permit, minor use permit, conditional use permit or variance has expired. When an extension of time has been granted for an administrative review permit, minor use permit, conditional use permit or variance, the PCCP authorizations shall also be automatically extended as originally approved unless those authorizations are modified by the hearing body.

SECTION 21. Placer County Code Chapter 17, article 17.58, section 17.58.180 is hereby amended as follows:

17.58.180 Changes to an approved project.

A new land use authorized through an administrative review permit, minor use permit, conditional use permit or variance shall be constructed or otherwise established only as approved by the granting authority and subject to any conditions of approval, except where changes to the project are approved as set forth in this section. An applicant shall request any desired changes in writing, and shall also furnish appropriate supporting materials and an explanation of the reasons for the request. Changes may be requested either before or after construction or establishment and operation of the approved use.

A. The planning director may authorize changes to an approved site plan, architecture, or the nature of the approved use if the changes:

1. Are consistent with all applicable provisions of this chapter; and
2. Do not involve a feature of the project that was specifically addressed or was a basis for findings in a negative declaration or environmental impact report for the project; and
3. Do not involve a feature of the project that was specifically addressed or was a basis for conditions of approval for the project or that was a specific consideration by the granting authority in the approval of the permit; and
4. Do not result in a significant expansion of the use; and

5. Do not substantially alter the original approval action-; **and**
6. **Do not result in any new direct or indirect effect on an aquatic resource or habitat for species covered by the habitat conservation plan / natural community conservation plan (HCP/NCCP); and**
7. **If Chapter 19, Article 19.10 applies to the approved project, the change cannot increase the amount of land cover impacted by the project.**

SECTION 22. Placer County Code Chapter 17, article 17.58, section 17.58.200 is hereby amended as follows:

17.58.200 Specific plans.

When required by this chapter or by state law to systematically implement the Placer County general plan for any part of the area covered by the general plan, a specific plan shall be prepared, processed, approved or disapproved and implemented as set forth in this section.

A. When Required. A specific plan shall be prepared and adopted when required by:

1. Articles 17.06 through 17.52 of this chapter to enable development within a particular zone or combining district; or
2. Section 66474.5 of the California Subdivision Map Act before the approval of a land project as defined by Section 11000.5 of the California Business and Professions Code.
3. Note. The county may require a specific plan to be combined with a development agreement.

B. Mandatory Pre-Application Meeting. Before preparing a draft specific plan pursuant to this section, the project applicant shall contact the planning director to request a pre-application meeting with the development review committee. The purpose of the meeting shall be for the members of the committee to review with the applicant the requirements of this section and the provisions of Articles 17.06 through 17.52 that require preparation of the specific plan, to discuss possible issues associated with development within the specific plan area that should be addressed by the plan, and to respond to questions from the applicant about the proper procedure for preparing the plan, its processing, and issues associated with its implementation if it is ultimately approved. The agency director or designee shall convene the committee to meet with the applicant at a mutually acceptable time.

C. Preparation and Content. An applicant for specific plan approval shall prepare a draft plan for review by the county that includes the following detailed information in the form of text and diagrams, organized according to an outline furnished by the planning department:

1. Proposed Land Uses. The distribution, location and extent of land uses proposed within the area covered by the plan, including open space areas.
2. Infrastructure. The proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities to be located within the specific plan area and needed to support the proposed land uses.
3. Land Use and Development Standards. Standards and criteria by which development will proceed, and standards for the conservation, development and utilization of natural resources, where

applicable. Note: If the specific plan is adopted by a resolution rather than by an ordinance, this requirement may be delayed until later permit applications are processed.

4. Implementation Measures. A program of implementation measures, including regulations, programs, public works projects, and financing measures necessary to carry out the proposed land uses, infrastructure, and development and conservation standards and criteria.

5. Relationship to General Plan. A statement of the relationship of the specific plan to the Placer County general plan and any applicable community plan.

6. Placer County Conservation Program. If Chapter 19, Article 19.10 applies to the proposed specific plan, the applicant shall prepare a plan for compliance with the habitat conservation plan / natural community conservation plan (HCP / NCCP) and, if applicable, the county aquatic resource program (CARP) pursuant to Section 19.10.070.

76. Additional Information. The specific plan shall contain any additional information determined to be necessary by the planning director because of the characteristics of the area to be covered by the plan, applicable policies of the general plan or a community plan, or any other issue determined by the planning director to be significant.

SECTION 23. Placer County Code Chapter 17, article 17.58, section 17.58.280 is hereby amended as follows:

17.58.280 Required application contents.

Applications for approval of any land use entitlement in this transition area shall include the following:

- A. Original copy of completed Placer County planning department application form, with all required signatures;
- B. Processing fees as required by the most current Placer County planning department fee schedule;
- C. A draft specific plan document that includes the following detailed information in the form of text and diagrams:
 1. Proposed Land Use. The distribution, location and extent of land uses proposed within the area covered by the plan, including open space.
 2. Infrastructure. The proposed distribution, location, extent and intensity of major components of public and private transportation, water, wastewater, reclaimed water, drainage, solid waste disposal, energy, schools, parks, police, fire, libraries, and other essential facilities to be located within the specific plan area and/or needed to support the proposed land use.
 3. Land Use and Development Standards. Standards and criteria by which development will proceed including permitted uses, affordable housing provisions, design concepts and requirements, flood plain protection, open space maintenance, development and conservation standards and criteria.
 4. Implementation Measures. A program of implementation measures, including regulations, programs, public works projects, phasing, and financial measures necessary to carry out the proposed land use, infrastructure, services, landscape and open space maintenance, and development and conservation standards and criteria.

5. Placer County Conservation Program Compliance Chapter 19, Article 19.10. The applicant shall prepare a plan that demonstrates compliance with the habitat conservation plan / natural community conservation plan (HCP / NCCP) and, if applicable, the county aquatic resource program (CARP), pursuant to Section 19.10.070.

SECTION 24. Placer County Code Chapter 17, article 17.60, section 17.60.105 is hereby amended as follows:

17.60.105 Administrative approvals—Relief from standards

The County recognizes that its geographic diversity makes the application of uniform standards for setbacks, height, lot size, and accessory building size limitations occasionally illogical and overly restrictive. In order to create a simplified process for obtaining relief from these standards, where specific topographic, vegetative, geographic, and/or pre-existing conditions warrant relief, the county has created an administrative approval process.

A. Administrative Approval. An administrative approval may be granted to allow partial relief from the below-mentioned types of standards unless such relief is sought after a violation of the standard is willfully and illegally created.

1. Up to a 50% reduction in the required setback from any road easement where the minimum setback for the applicable zone district (without consideration of the necessary adjustment related to road easement width) is met;

2. Up to a 50% reduction in the minimum setback from any ~~man-made canal~~ **artificial watercourse such as canals, channels, and flood water conveyances that are lined with impervious materials (e.g., gunite, shotcrete or rock lined);**

3. An increase of not more than 5 feet or 10%, whichever is less, in the height of any structure, fence or other feature to which a height limit applies;

4. Up to a 10% reduction in parking standards;

5. Up to a 50% increase in the permitted size of a residential or agricultural accessory structure;

6. Any signing proposal where the new sign is closer to conforming with the current applicable standards than the sign that is being replaced.

7. Up to a 50% structural setback reduction in the stream system boundary (Section 17.54.145(B)(1)).

B. Application and Processing. A request for an administrative approval shall be filed with the Planning Department and processed as provided by Sections 17.58.020 - 17.58.050.

C. Action on Administrative Approval. The Planning Director, or his designee, shall approve, deny, or conditionally approve each request made under this section.

1. In order to authorize relief from the standards noted above the Planning Director must determine that the following circumstances exist:

a. Relative to A.1. above. It is unlikely that in the foreseeable future the affected roadway will be widened such that the structure authorized at the reduced setback will be an obstruction of any type and

the minimum setback applicable in the base zone is still met and that a new structure built at the new setback is not incompatible with surrounding improved properties.

b. Relative to A.2. above. The reduced setback from the canal is not likely to jeopardize the canal structure, nor threaten the quality of ~~waste~~ **water** in the canal, nor inhibit access to the canal.

c. Relative to A.3. above. The increased height is essentially de minimus due to elevation differences between properties, or so small a change as to be unnoticeable.

d. Relative to A.4 above. The required number of parking spaces is unreasonable given the specific development proposed on a site and the likelihood of a change in use that would require more parking, is remote.

e. Relative to A.5. above. The property is proportionately larger than the minimum parcel size upon which the standard is based and the property is located in an area of generally larger (than the minimum) parcels and the larger accessory building has setbacks which are proportionately greater than the minimum.

f. Relative to A.6. above. The new proposed sign is substantially closer to meeting the current standards than the sign being replaced and is considered to be an improvement over the current situation.

g. Relative to A.7. above. The placement of a structure within the stream system cannot directly impact aquatic resources or habitat for species covered by the Placer County Conservation Plan (PCCP) (Article 19.10).

2. Conditions of approval. In approving relief from the above mentioned standards, conditions shall be placed on the approval to ensure that the conditions which justified the action are maintained over time, or are necessary to eliminate or minimize any adverse affect on a neighboring property, or are necessary to ensure compliance with the intent of the standard being modified.

DC. Effective date, time limits, and extensions. The administrative approval shall become effective on the 11th day after approval by the Planning Director, or his designee. An applicant may seek review by the agency director. An appeal may be filed pursuant to Section 17.60.110(A)(2). The decision shall be set aside and of no effect until resolved by the agency director or the appeal body.

Administrative approvals shall be subject to the time limits, extension criteria and other provisions of Section 17.58.160 of this chapter.

SECTION 25. Placer County Code Chapter 17, article 17.62, section 17.62.030 is hereby amended as follows:

17.62.030 Enforcement administration.

It shall be the duty of the Placer County sheriff, the agency director, the chief building official, county fire warden, the health officer, and any employee designated by the sheriff, the agency director, the chief building official, the county fire warden, or the health officer to act as a code compliance and enforcement officer (which person shall hereinafter in this article be referred to as a “code official”) to enforce the provisions of the Placer County Code as specified by this article. A code official has the following responsibilities and authorities in the enforcement and administration of the provisions of this chapter:

A. To review with affected individuals the provisions of the Placer County Code through initiation of administrative hearings and other methods to support voluntary compliance with its provisions;

- B. To issue citations for violations of this chapter, and for violations of Chapter 5, Chapter 8, Chapter 9, Chapter 12, Chapter 15, Chapter 16, Chapter 17, including Appendices A (Squaw Valley General Plan and Land Use Ordinance), B (Tahoe City Area Land Use Ordinance) and C (North Tahoe Area General Plan), (including the Community Plans of: Kings Beach, Tahoe Vista, North Stateline, Carnelian Bay and Kings Beach Industrial), ~~and~~ Chapter 18 of the Placer County Code, **and Chapter 19, Article 19.10** and to issue stop work orders pursuant to the provisions of the California Building Code;
- C. To initiate necessary proceedings to forfeit bonds or cash deposits;
- D. To initiate proceedings to revoke land use permits, **authorizations** and other entitlements granted under this chapter and Chapters 5, 8, 9, 12, 15, 16, 17, ~~or 18,~~ **or 19** of this code;
- E. To initiate and conduct nuisance abatement proceedings and to carry out additional abatement responsibilities regarding violations of this code;
- F. To work with the chief building official in administering substandard building abatement programs;
- G. To carry out any other special enforcement programs initiated by ordinance, order or resolution of the board of supervisors, and any other responsibilities and authorities specified by this subchapter or this code;
- H. To recover enforcement investigation and processing costs.

SECTION 26. Placer County Code Chapter 17, article 17.62, section 17.62.040 is hereby amended as follows:

17.62.040 Penalties.

Unless a different penalty is prescribed for violation of a specific provision of Chapters 5, 8, 9, 12, 15, 16, 17, ~~or 18,~~ **or 19** of this code, any person violating any such provisions or failing to comply with the requirements of this code is guilty of an infraction and is subject to penalty for infractions as provided by Section 1.24.010 of this code; provided, however, that any person who violates any of the provisions or fails to comply with any of the requirements of this code, and who has previously been convicted and/or has plead guilty on two or more occasions (regardless of the number of separate counts on each occasion) during any twelve-month period for any crime made punishable by this chapter shall be guilty of a misdemeanor, and subject to penalty for misdemeanors as provided by Section 1.24.010 of this code.

SECTION 27. Placer County Code Chapter 17, article 17.62, section 17.62.100 is hereby amended as follows:

17.62.100 Additional processing fees.

Any person who establishes a use of land or erects, constructs, allows, enlarges, moves or maintains any building or structure without first having obtained any permit **or authorization** required by Chapter 15, ~~or 17,~~ **or 19** of this code, shall pay the additional permit processing fees established by the conditions of approval of such permit(s) or by the most current community development resource agency fee schedule for the correction of violations, whichever is appropriate, before any permit for any building, structure or use on the site is issued.

SECTION 28. Placer County Code Chapter 17, article 17.62, section 17.62.120 is hereby amended as follows:

17.62.120 Initiation of enforcement action—Notice of violation.

The code official shall employ the procedures of this section in the initiation of enforcement action in cases where he or she has determined that real property within the unincorporated areas of the county is being used, maintained, or allowed to exist in violation of the provisions of Chapters 5, 8, 9, 12, 15, 16, 17, ~~or 18,~~ 19 of this code. It is the objective of these provisions to encourage the voluntary cooperation of responsible parties in the prompt correction of violations of this code, so that the other enforcement measures provided by this chapter may be avoided where prompt correction occurs.

SECTION 29. Placer County Code Chapter 17, article 17.62, section 17.62.130 is hereby amended as follows:

17.62.130 Judicial citation.

The code official is authorized to issue a judicial citation in the form of a “Notice to Appear” to any person who violates any of the provisions of Chapters 5, 8, 9, 12, 15, 16, 17, ~~or 18,~~ or 19 of the Placer County Code or who violates any conditions that apply to a land use permit issued by the county. Issuance of a judicial citation shall be pursuant to Article 1.16 of the Placer County Code. Penalties for violation are established by Section 17.62.040 (Penalties) of this article.

SECTION 30. Placer County Code Chapter 17, article 17.62, section 17.62.150 is hereby amended as follows:

17.62.150 Injunction.

The code official may work with county counsel and/or the district attorney to secure injunctive relief to terminate a violation of any of the provisions of Chapters 5, 8, 9, 12, 15, 16, 17, ~~or 18,~~ or 19 of this code.

SECTION 31. Placer County Code Chapter 17, article 17.62, section 17.62.160, subsection (D) is hereby amended as follows:

17.62.160 Nuisance abatement.

D. Abatement Proceedings. When a notice of nuisance abatement has been prepared and served pursuant to subsection C of this section, nuisance abatement shall proceed as follows:

1. Hearing. A hearing on nuisance abatement shall be conducted by the building board of appeals for violations of Chapter 15 of this code, and by the planning commission for violations of Chapters 17 and 19 of this code. A decision to abate a nuisance shall be at the discretion of the applicable hearing body after a hearing is conducted pursuant to Section 17.62.070.

SECTION 32. Placer County Code Chapter 17, article 17.62, section 17.62.170 is hereby amended as follows:

17.62.170 Permit revocation.

The code official may initiate proceedings as provided by this section to revoke the approval of any land use permit issued pursuant to any provision of Chapters 5, 8, 9, 12, 15, 16, 17, ~~or 18~~, **or 19** of this code, in any case where it is determined that the permit was obtained through misrepresentation, or where a use of land has been established or is conducted in a manner that violates or fails to comply with the provisions of this code or a condition of approval, or where the use of land is undertaken in violation of any local, state or federal law which affects the health, safety, peace, morals or general welfare of the public.

A. Notice of Revocation. The code official shall notify the permittee of the intended revocation of the approval of a land use permit at least twenty-one (21) days before a revocation hearing (Section 17.62.070, Enforcement hearings). Such notice shall contain the following:

1. A heading reading, "Notice of Revocation Hearing";
2. The provisions and/or conditions violated and the means to correct the violation(s), if any;
3. The date and place of the revocation hearing.

B. Revocation Hearing. Before any action is taken to revoke an approved land use permit, a hearing shall be conducted pursuant to Section 17.62.070. If the land use permit to be revoked is a conditional use permit, the revocation hearing shall be conducted by the planning commission. If revocation of a minor use permit, an administrative review permit or zoning clearance is being considered, the hearing shall be conducted by the agency director or designee acting as zoning administrator. **If revocation of one or more Placer County Conservation Plan (PCCP) authorizations is being considered, the hearing shall be conducted by the planning commission.**

C. Action to Revoke. If, after the revocation hearing has been conducted, the hearing body finds that grounds for revocation have been established, the hearing body may:

1. Allow the permitted additional time to correct the violation or noncompliance; or
2. Modify conditions of approval on the basis of evidence presented at the hearing; or
3. Revoke the approved land use permit **or land conversion authorization** and order the discontinuance or removal of the approved use within a time specified by the hearing body. In the absence of an appeal pursuant to subsection D of this section, the revocation shall become effective fourteen (14) days after the action of the hearing body. Upon the effective date of revocation, the code official shall initiate nuisance abatement proceedings by preparing and serving a notice of nuisance pursuant to Section 17.62.160(B), with the time limit for action by the permittee specified in the notice being that set by the hearing body in the revocation order.

D. Appeal. The permittee may appeal the decision of the hearing body to the board of supervisors. Upon appeal, revocation shall not take effect until affirmed by the board. After the hearing, the board may affirm, modify or reverse the decision to revoke the permit.

E. Use after Revocation. When an approved land use permit has been revoked, no further development or use of the property authorized by the revoked permit shall be continued, except pursuant

to approval of a new land use permit and any other authorizations or permits required by Chapters 5, 8, 12, 15, 16, 17, ~~18~~, or 19 of this code.

SECTION 33. Placer County Code Chapter 17, article 17.62, section 17.62.180 is hereby amended as follows:

17.62.180 Administrative citation.

This section provides for the issuance of administrative citations and imposition of fines as authorized by state law, and is in addition to all other legal remedies, criminal or civil, which may be pursued by the county. The code official is authorized by the board of supervisors to employ the provisions of this section and issue an administrative citation to any person who violates any provision of Chapters 5, 8, 9, 12, 15, 16, 17, ~~18~~, or 19 of this code and for nuisances defined in Section 17.62.160(A).

SECTION 34. Placer County Code Chapter 17, article 17.64, section 17.64.010 is hereby amended as follows:

17.64.010 Establishment of Williamson Act Lands Program.

The Placer County Williamson Act Lands Program is established in compliance with Chapter 7, Part 1, Division 1 of Title 5 of the Government Code (Section 51200 et seq.), otherwise known as the California Land Conservation Act of 1965 and referred to in this article as the “Williamson Act” or as the “Act.” The purposes of the Program are to protect agricultural lands for the continued production of agricultural commodities, and to protect certain other lands devoted to open-space uses, in compliance with the Williamson Act. The county does not intend for the placement of a Williamson Act contract on land within the county to preclude the placement of conservation easements on that same land, as long as such easements recognize the agricultural and/or open space character nature of the property and for agricultural lands, does not preclude agricultural such activities.

SECTION 35. Placer County Code Chapter 17, article 17.64, section 17.64.020 is hereby amended as follows:

17.64.020 Definitions.

“Open space use” (as defined by Subsection (o) of Section 51201 of the Act) means the use or maintenance of land in such a manner as to preserve its natural characteristics, beauty, or openness for the benefit and enjoyment of the public, to provide ~~essential habitat for wildlife, or for the protection of significant ecological resources~~, if the land is within ~~one of the following defined areas~~:

1. A “scenic highway corridor” which is an area adjacent to, and within view of, the right-of-way of:
 - a. An existing or proposed state scenic highway in the state scenic highway system established by the State Legislature in compliance with Streets and Highways Code Sections 260 et seq., and which has

been officially designated by the State Department of Transportation as an official state scenic highway;
or

b. A county scenic highway established in compliance with Streets and Highways Code Sections 260 et seq., or a county scenic highway referenced in the general plan, community plan, or applicable specific plan.

2. A “wildlife habitat area” is a land or water area that would be designated by the Placer County board of supervisors or Placer Conservation Authority, after consulting with and considering the recommendation of the Department of Fish and ~~Game~~**Wildlife**, as an area of great importance for the protection or enhancement of the wildlife resources of the state.

3. A “managed wetland area” is an area, which may be an area diked off from the ocean or any bay, river or stream to which water is occasionally admitted, and which, for at least three consecutive years immediately prior to being placed within the Williamson Act Program was used and maintained as a waterfowl hunting preserve or game refuge or for agricultural purposes.

4. An area enrolled in the United States Department of Agriculture conservation reserve program or conservation reserve enhancement program.

45. Open space land need not be open to public use in order to be considered for entry into this program.

SECTION 36. Placer County Code Chapter 17, article 17.64, section 17.64.070, subsection (C) is hereby amended as follows:

17.64.070 Application filing and review.

C. Application Review and Staff Report. A properly completed application shall be processed as follows.

1. Referral of Application. The planning department shall refer applications for preserve and land contracts to the following agencies and individuals:

- a. Agricultural commission;
- b. Farm advisor;
- c. County assessor;
- d. Local agency formation commission;
- e. The planning commission, at the discretion of the planning director; and
- f. Every city within one mile of the exterior boundary of the property proposed for preserve and contract.

g. Placer Conservation Authority
