Section 131 - Landscaping: The following requirements shall apply to all projects which require design review approval under Section 102.14 of this Ordinance except single-family detached units.

131.10 - A detailed landscaping plan which identifies the placement, quantity, size, and type of plant materials to be used shall be submitted to the decision making body for review and approval. The landscape plan shall be implemented concurrent with project construction.

131.14 - Any development contiguous to a residential district shall provide landscaping which will, within a reasonable amount of time, screen its parking lots, loading docks, or similar areas from the residential area.

131.18 - All areas of a building site disturbed by construction activity and not identified on an approved site plan for a specific use or purpose, shall be landscaped except where enclosed and blocked from the view of public streets and adjoining parcels by solid fencing and/or buildings. (Advisory Note: This section does not waive the requirement for revegetation or stabilization of disturbed areas as required in Section 118.)

Section 132 - Forest Management: Where projects which require Design Review approval per Section 102.14 are to be developed in forested areas a Forest Management Plan prepared by a Registered Forester shall be submitted for review and approval and implemented as a part of the project.

132.10 - No commercial logging shall be undertaken in either residential or commercial Land Use Districts as identified in the Squaw Valley General Plan until a master plan for the development of the site has been approved by the County. (Advisory Note: The construction of logging roads and improper tree removal can significantly reduce the potential aesthetic values which the site may afford a future development project.)

132.12 - Approved logging activities and vegetation removal shall be accomplished consistent with the following standards:

a) Cleared areas shall be irregular in shape.

b) Vegetation which serves to hold snow in areas which may be subject to avalanche must be retained.

c) Transitional zones between wooded and open areas must be preserved; harsh or abrupt edges must be avoided.

d) In order to minimize visual impacts, approved ski trails shall be constructed with alignments which are not parallel to the line of sight from significant observation points.

SECTION 135 - SIGNS

135.10 - Free Standing Signs

a) Each lot in a commercial district shall be permitted one freestanding sign. The total area of the sign(s) on any one building may not constitute more than ten percent (10%) of the area of the side of said building on which the sign appears regardless of the number of businesses occupying the building. The total area of an outdoor free standing sign shall not exceed one square foot of sign area for each five (5) feet of street frontage occupied by the business or enterprise. However, no one free standing sign may exceed a maximum of thirty-six (36) square feet unless it is a valley-wide directory available for general use. Each lot in a subdivision shall be permitted one freestanding sign. The maximum permissible aggregate sign area is 50 square feet for all freestanding, directional, and projecting, building signs.

b) The area of a sign shall include the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure, or character. The area of the sign having the perimeter or border shall be computed by enclosing the entire area within a parallelogram, circle, or triangle of the smaller size sufficient to cover the entire area of the sign and computing the area of the parallelogram, circle, or triangle. The area of the second side of a two sided sign shall only count as fifty percent (50%) of the sign area of the second face and all additional faces shall be included in determining the area of the sign.) Conforming and/or non-conforming signs in existence at the time of the enactment of this Ordinance shall be counted in establishing the permitted area of size of all new signs to be allowed on the property, unless it is a valley-wide directory available for general use.

c) Signs shall not be placed in the setback area as defined for the zone in which the sign is located. The Design Review Committee may decrease the setback to a minimum of 5 feet if it is determined that the public will be better served with a sign located otherwise, due to site specific conditions such as steep terrain, heavy vegetation, or existing structures on the site or adjoining properties.

Section 135.12 - Building Signs

a) Buildings, or clusters of buildings having more than one tenant, shall provide a signage plan for the entire structure. The signage plan must be designed so that it establishes a common theme or design, uses similar construction methods, has identical or compatible colors, lettering, lettering style,

symbols, scale and size of signs and/or common background. Signage plans for office buildings must focus on the identification of the building. Individual tenants may be recognized by using small lettering on a window or door. Total signage area within the plan is subject to the maximum size.

b) Signs may be constructed of wood, metal, glass, stone, concrete, or brick and in some circumstances, cloth. Plastic may be used in conjunction with back-lit, cut-out letters only.

c) Light fixtures should be simple in form and mounted so they do not obscure ornamentation. The light fixtures should emphasize, the continuity of the building surface and should not clutter the building in an unorganized manner. In any zone, no spotlight, floodlight, or lighted sign shall be installed in any way which will permit the rays of such sign light to penetrate beyond the property on which such light or lighted sign is located.

Section 135.14 - Permits: Permits are required for the following signs which are allowed provided they meet the specified conditions:

a) Free standing signs are limited to low profile signs which may not exceed a height of twelve (12) feet and shall be limited to a maximum of thirty-six (36) square feet in area unless it is a valley-wide directory available for general use. They must be incorporated into a landscape design theme or planter area having minimum dimensions of five feet by five feet (5' X 5').

b) An entrance/exit sign is allowed at each approved driveway opening provided that each sign is no larger than two (2) square feet, no taller than three (3) feet.

c) Changeable copy signs may only be used in conjunction with theaters or master address identification signs in conjunction with a signage plan.

d) Window signs may be placed in or upon any window, provided that no more than twenty percent (20%) of the total transparent area of the window is obscured. This will be counted in the signage area.

e) Cut-out, back-lit illuminated letters are allowed, provided that the letters are no higher than eighteen (18) inches.

f) Directional or guide signs may be a maximum of sixteen (16) square feet.

g) Projecting signs may not project more than thirty-six (36) inches from the face of the building to which they are attached. They must have at least eight (8) feet of ground clearance and cannot be higher than the building to which they are attached. Projecting signs may not extend beyond the applicants' property.

h) Signs promoting events sponsored by civic, charitable, educational, or other non-profit organizations may be erected up to three (3) weeks in advance of the event being promoted. These signs shall be removed within five (5) days following the conclusion of the event. No such signs shall be permitted on public property or within public rights of way.

i) Hanging signs may be placed anywhere underneath an approved canopy, awning, or colonnade, as long as it does not project beyond the same. They must have at least eight (8) feet of ground clearance and cannot be higher than the building to which they are attached.

j) Neighborhood identification - not more than two (2) permanent (non-tract) signs containing appurtenant sign copy of not more than fifty (50) square feet in aggregate sign area and not more than six (6) feet in height shall be allowed to identify a neighborhood or other residential area comprising not less than three (3) acres in size.

Section 135.16 - Signs Prohibited: No person shall erect, alter, maintain, or relocate any sign specified in Section a) - n) as follows, in any zone.

a) Signs Creating Traffic Hazards. No sign shall be erected at or near any public street or the intersection of any streets in such a manner as to create a traffic hazard by obstructing vision or at any location where it would interfere with, obstruct the view of, or be confused with any authorized traffic sign.

b) Hazardous Signs. No sign shall be erected or maintained which, due to structural weakness, design defect, or other reason, constitutes a threat to the health, safety, and welfare of any person or property.

c) Signs Resembling Traffic Signals or Signs. No sign shall be constructed, erected, or maintained which purports to be or resembles an official traffic sign or signal except those signs officially authorized and installed by Placer County.

d) A-frame Signs. Any portable sign or structure composed of two (2) sign surfaces mounted or attached back to back in such a manner as to form a basically triangular vertical cross section through the faces.

e) Flashing Signs. Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. Automatic changing signs, such as public serve time, temperature and date signs, or electronically controlled message centers are not classified as flashing signs.

f) Electronic Message Signs. A permanent free-standing roof, wall, or other sign which changes copy electronically using switch and electric lamps.

g) Off-premise Signs and Billboards. Out-door advertising sign which advertises goods, products, or services not sold on the premises on which said sign is located.

h) Roof Signs. Any sign erected partly or wholly on or over the roof of a building, including ground signs that rest on or overlap a roof.

i) Animated Signs. A rotating or revolving sign, all or a portion of which moves in some manner.

j) Wind Signs. Any propeller, whirling, or similar device which is designed to flutter, rotate, or display other movement under the influence of the wind. This shall not be construed to include flags or banners.

k) Illuminated Signs. Standard "cabinet" illuminated signs.

l) Mobile or Portable Signs. A sign not permanently attached to the ground or building.

m) Video Signs. Animated visual messages which are projected on a screen.

n) Tree Sign. Any type of sign whatsoever attached to a tree.

Section 135.18: The following signs are not regulated and no permit shall be required if the following standards are met. They shall be regulated by the following and shall not be included when calculating permitted sign area for any parcel, use or development.

a) Nameplates (Residential). One nameplate shall not exceed one square foot in area.

b) Political Signs. Signs relating to nomination or election of any individual for public office or advocacy or any measure to be voted upon at a scheduled special or general election. Political signs are temporary and shall be removed within five (5) days following the election. Political signs may not be placed on or posted on any public property or structure, including lamp or sign posts.

c) Vacancy Signs. Vacancy signs are allowed only for those buildings which are permitted for nightly rentals. Vacancy signs may be a maximum of two (2) square feet.

d) Solicitation Sign. One "no solicitors" sign not to exceed one square foot, is allowed per major entrance to any building or apartment complex.

e) Hours of Operation Sign. One hours of operation sign is allowed per entry way. Each sign may not exceed one square foot in area.

f) Trespassing Signs. Trespassing signs may be posted on doors, windows or other property entrances, or on fence or property lines. They may not exceed one square foot in area.

g) Addressing Numbers. Addressing numbers may be no higher than twelve (12) inches. When placed on commercial buildings, they may be taken into account in the review of the signage plan.

h) Interior Signs. Signs which are on the interior of buildings not intended for display to persons outside the building, or signs on privately owned walls or plazas that are located as to be oriented to the signage plan.

i) Flags, Symbols, or Insignia. The flag of the United States, the California or other flags or insignia of governmental entities or agencies may be displayed.

j) Real Estate Signs. One four square foot real estate sign per property for sale, except that when one brokerage has a listing for more than one condominium unit in the same complex, only one sign shall be used. The sign must be completely located within the property lines of the property for sale.

k) Real Estate Signs for Vacant Land. One four foot by four foot (4' x 4') two-sided "for sale" sign may be used on parcels of land greater than one acre, however, this would not be applicable to single family lots in platted subdivisions. Such signs must maintain the required setbacks for structures in that zone. Parcels smaller than one acre may use only one four (4) square foot standard real estate sign.

l) Special Sale Sign. Merchants may advertise special sales with temporary window signs that do not cover more than twenty percent (20%) of the total transparent area of any window for a maximum of seven (7) days in any thirty (30) day period.

Section 135.20 - Temporary Signs: Temporary signage is to be used only in conjunction with the original sale of units and the identification of a project which is under construction. Permits for temporary signs will only be approved if a Planning Department approval has been issued for the construction being performed. Complete applications for temporary signs will be reviewed by the Design Review Committee.

a) The amount of signage each project is allowed is dependent upon the number of units or amount of commercial space initially for sale. The amount of signage allowed will be applied on a project by project basis with six (6) square feet allowed per unit or six (6) square feet per one thousand (1,000) square feet of commercial space. However, the maximum amount of temporary signage allowed for any one project is sixty-four (64) square feet.

b) All temporary signs must be set back at least ten (10) feet from the property line.

c) Temporary signs may be allowed for a period of one year.

Section 135.22 -"Sign Programs": "Sign programs" should be prepared for multiple occupancy buildings such as shopping centers and office complexes. Such programs promote design compatibility, ensure equitable sign allowance between tenants, and facilitate sign permit processing.

Section 135.24 - When possible, signs should not be high intensity and glaring in nature. The larger the sign, the lower the level of illumination should be. Illumination of the letters is preferred over illumination of the sign background. Light bulbs shall not be exposed.

Section 135.26- Signs should be located to respect pedestrian and driver safety. Projecting signs shall clear sidewalks by eight (8) feet and shall project no closer than two (2) feet from the curbline. Height allowance over driveways, alley and parking areas shall be a minimum of 13'6". Signs should be placed to avoid conflicts with door openings. Signs are not permitted in the road right-of-way.

Section 137 - Height Restrictions

137.10 - The maximum permitted height of structures within the LDR, FR and C.P. Land Use Districts shall be 30 feet; measured as the vertical distance from the highest point of the structure (excluding chimneys) to the average of the highest and lowest points where the exterior walls touch the natural grade.

137.12 - The maximum average height of a building within the HDR, EC, AC, and HC Land Use Districts shall not exceed 35'. To encourage sloped roofs, the average height shall be measured at the mid-point between the eave and ridge. The height shall be measured from the average finished grade under the building and parking levels contained within a structure shall not be counted in calculating height. (Advisory Comment: The intent of this regulation is to encourage sloping roofs, normally with a pitch greater than 5:12, it is not intended to permit tall, flat-roofed structures with low portions of the building used to average the overall height. The design review process can result in lower height limits being established where the intent of this section is not being met).

137.13 - For Planned Unit Development projects, the maximum permissible height limit shall be set as a condition on the required Conditional Use Permit. In most cases, the 35 foot height limit shall prevail, however, where the applicant can demonstrate:

1) That the establishment of a greater height limit will result in a reduction in land area disturbed by such development;
2) That the project, as proposed, will reduce the visual impact of a similarly sized project which would meet the normally required 35 foot height limit;
3) That the additional height requested will not create additional adverse impacts on public services nor on the environment;
4) That the buildings proposed will not adversely affect the view from adjoining development, nor adjoining developable land; and
5) That the buildings proposed will not interrupt adjoining properties potential for solar access.

137.14 - Chimneys, vents, and other architectural or mechanical appurtenances may be constructed to a 15% greater height than the limit otherwise established for the district.

Section 139 - Setbacks

139.10 - All residential structures shall conform to minimum setbacks of 20' from the front property line, 5' from the side property lines and 10' from the rear property line.

139.12 - All commercial structures shall conform to minimum setbacks of 10' from the front property line, 5' on the sides and 10' in the rear. The design review process (Section 102.14) can result in the establishment of greater setbacks than those specified above.

139.14 - All structures shall be located outside the limits of the stream environment zone and 100 year flood plain, except as provided in Section 115.23 above. Where the 100 year flood plain has not been established, structures shall not be located within 100' of the center line of a stream or waterway.

139.16 - Additional special setbacks for all buildings and structures shall apply in areas shown on the Plan map.

Section 145 - Public Services

145.10 - Water: All developments must be served with adequate water in accordance with requirements of the Placer County Health Department. Fire flow requirements as determined by the Squaw Valley Fire Department and the Uniform Fire Code must be provided without reducing the level of service to existing development.

145.12 - Sewer: All new development shall be required to connect to the existing public sewer system operating in the Valley. Where the Health Department determines that the environmental degradation anticipated from the construction of sewer lines exceeds the potential degradation from an on-site disposal system, such on-site systems may be permitted.

145.14 - Fire Protection Fees: New development shall contribute fees for capital improvements for fire protection according to the following schedule. One-half (1/2) of such fees shall be paid prior to the issuance of building permits for any portion of the project, and one-half (1/2) shall be paid prior to the issuance of certificates of occupancy.

a) $350 per 1,000 sq. ft. of gross floor area of commercial space.

b) $160 per bedroom for residential uses (including hotels). (Reference Ordinance No.2904-B, Board of Supervisors)

145.16 - Solid Waste Disposal: Solid waste shall be disposed of in a manner consistent with requirements of the Placer County Air Pollution Control District. All developments shall be required to submit a solid waste disposal plan for review and approval, which provides for regular mandatory trash pick-up service.

145.18 - Other Utilities - Will-serve letters shall be required from each of the utilities serving all development regulated by Section 102.

145.20 - All utility extensions shall be underground.

Section 146 - Energy Conservation: A bonus in the permitted floor area ratio and density factor shall be granted for projects which use active or passive solar applications to reduce space heating demand. The bonus shall be equal to one percent of the floor area ratio and/or density factor for each 10% reduction in space heating demand.

Section 156 - Ordinance & Codes: Compliance with this ordinance and issuance of project approval does not release the applicant from compliance with the following regulations, or others referenced herein, as adopted by Placer County or other public entities and amended from time to time.

156.11 - Uniform Building Code

156.13 - Uniform Plumbing Code

156.15 - National Electrical Code

156.17 - Uniform Fire Code

156.19 - Title 24 - California Administrative Code (Energy Regulations)

156.21 - Placer County Grading Ordinance

156-23 - Lahontan Water Quality Control Board Regulations

156.15 - Placer County Air Pollution Control District Regulations

156.27 - Fish and Game Code

156.29 - Placer County Land Development Manual

156.31 - Placer County Subdivision Ordinances and the State Subdivision Map Act

156.32 - Satellite Antennas (see Chapter 30, Sec. 15.170)

Section 158 - Severability: If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 160 - Conflicts: If requirements of this Ordinance conflict with other applicable ordinances contained in chapter 30 of the Placer County Code, these requirements shall apply.

Section 200 - Land Use Districts

General Statement: Sections 200 - 300 of this Ordinance establish a number of Land Use Districts as a part of the 1983 Squaw Valley General Plan. The Land Use District on any given parcel in the Plan area shall also be the General Plan Designation for that parcel. Only those uses listed under each Land Use District are allowed in such district. Any question about a proposed use falling within the allowed uses shall be resolved by the decision-making body. Where a use is permitted that is not specifically listed in a given Land Use District, the decision making body shall find that the proposed use is consistent with the expressed intent of the Land Use District in question.

Section 220 - Village Commercial District: The intent of creating a "Village Commercial" land use district is to allow for and guide the development of an environment that will be interesting to people on foot, that would promote interaction between people, and that would remove or reduce pedestrian competition with the automobile. As the focal point of a destination ski resort, development occurring within this district must be

equally oriented to the ski hill and the major pedestrian/vehicular access points. Commercial and tourist residential uses are encouraged to be provided within the same structure. The area so designated in the Squaw Valley General Plan has strong potential for complementary development, attracting both residents and visitors to the village core and thus promoting the social and economic vitality of the entire area.

It is the intent of these regulations to preserve existing attractions in this district and to encourage new cultural and recreational facilities as well as hotel, restaurant, commercial and office uses. In view of the compact nature of the district, its principal functions, its relationship to adjoining districts to the east, west and south, and the high concentrations of pedestrian traffic anticipated, it is intended that there shall be ample, safe, and convenient pedestrian circulation both within the core area, and to principal destinations in adjoining areas. A coordinated pedestrian network should be formed among buildings, plazas, and landscaped open spaces thereby avoiding conflicts with automotive traffic to the maximum extent possible.

Since hotels are an essential element in this district, it is intended to permit higher floor area ratios for hotel uses than apply generally. Because of the difficulty of constructing new day-skier parking lots in the core area, and the probability of a decrease in the future supply of day-skier parking spaces as a result of public and private actions, plus a recognized continuing need for day-skier parking areas, it is intended that off-street parking requirements shall be strictly applied within this district.

The existing ski-tourist-commercial facilities located in this district have established a focal point for the ultimate development of a village core. The presence of the extensive parking lots, the tram building, and Blyth Arena, as well as the proximity to the mountains on three sides and the limited land available for urban-type development, appear to justify high density on private lands within the district. At the same time, the maintenance of the principal views of the mountain peaks and

hillsides must be retained to the maximum degree possible. It is therefore intended that these regulations establish pedestrian open space requirements, floor area ratios, and open space ratios which provide the framework for a pedestrian and view oriented urban design.

220.10 - Permitted Principle Uses and Structures

a) Amusement and recreational enterprises
b) Churches
c) Clubs and Lodges
d) Employee housing in conjunction with commercial and hotel structures and projects.
e) Financial institutions without drive up windows
f) Hotels
g) Multi-family residential projects
h) Offices
i) Parking garages; parking lots
j) Planned Unit Developments
k) Restaurants without drive up windows, nightclubs and taverns.
l) Retail establishments, except new or used automotive, trailer or motorcycle sales or service; or establishments dealing primarily with second hand merchandise other than antiques.
m) Schools - public or private
n) Service establishments, including personal and repair services other than those for appliance, or heavy equipment.
o) Service stations
p) Structures and uses required for the operation of a public utility or performance of a governmental function, except uses

involving more than 2,500 sq. ft. of outdoor storage of equipment or materials.

q) Timeshare condominiums

r) Helicopter skiing

220.12 - Permitted Accessory Uses and Structures: Uses and structures which are customarily accessory and clearly incidental to permitted principle uses and structures shall be permitted in this district, subject to the general restrictions on principle uses and structures.

220.14 - Planned Unit Development: The standards contained in Chapter 30, Subchapter 10, Section 10.060 of the Placer County Zoning Ordinance shall apply in this district except where the requirements noted in this Ordinance are more restrictive.

220.16 - Height Restrictions: There shall be no specific height limitations in this district, but height limits shall be set for particular developments through the design review process where other developed or developable parcels are affected by a proposed building.

220.20 - Pedestrian Open Space: Pedestrian open space shall be provided in an amount equal to at least 20% of the gross lot area, except in the case of parking lots and parking garages for which the minimum pedestrian open space shall be 10% of the gross lot area. The term "pedestrian open space" shall mean walkways, plazas, and the like which are designed, improved, and maintained for use by pedestrians, and open to general use by occupants of the premises or the public; hallways or lobbies designed for access to hotel rooms or offices, are not within the scope of this definition; accessible landscaped or natural areas may be included. Pedestrian open space shall not be used by vehicles for purposes other than public transit, service, or maintenance.

Pedestrian open space need not be at ground level and may include pedestrian ways which are sheltered by independent roofs or by projections from buildings above them.

Pedestrian open space shall be so oriented, proportioned, and improved as to serve as part of a coordinated general

pedestrian system connecting principal origins and destinations and supplementing public sidewalks along streets.

220.22 - Floor Area Ratios: The gross floor area of buildings shall not exceed 300 percent of the gross lot area for hotel uses nor 100 percent of the gross lot area for other uses. Parking structures shall not be included in the calculations of floor area ratio.

220.24 - Density Factor (Land Use Intensity): The density factor of this district shall not exceed 50 bedrooms/acre.

220.26 - Parking Requirements

a) Parking spaces shall be provided in this district according to the following formulas: Commercial uses - 1 per 300 sq. ft. of gross floor area; hotels - 1 per bedroom; other residential uses - 3/4 space per bedroom;

b) If a given project or structure requires 67 or more parking spaces, at least half of those spaces shall be provided in a parking structure.

c) For each additional 10% of required parking which is provided in a structure, a credit of an additional 5% shall be added to the floor area ratio and density factor otherwise established on the building site.

d) Parking may be provided on adjoining lands where easements, deed restrictions or other acceptable legal mechanisms guarantee the continued availability of such spaces. Such spaces shall be conveniently located for use by patrons of the project for which it is provided (See also Sections 125.34 & 220.22).

220.30 - Minimum Lot Area: The minimum permissible lot area within this Land Use District shall be 6,000 square feet.

Section 224 - Entrance Commercial District: A portion of the commercial activity in the plan area will occur at the entrance to the valley along Squaw Valley Road. It is therefore the intent of this Ordinance to create an "Entrance Commercial Land

Use District" to establish commercial uses compatible with the destination resort concept, the scenic corridor concept, and the adjoining residential areas. This district has the unique opportunity of not only serving most needs of the resident and some needs of the visitor, but also providing a vital, interesting and attractive entrance to the valley.

A basic goal of the General Plan is to establish a focal point within the core area for the development of a destination resort. The commercial facilities built away from that core area, such as in the "Entrance Commercial" Land Use Districts, must not detract from the development of an active, viable village center by including commercial facilities which are primarily tourist-oriented and, therefore, fragmenting, detracting from, and reducing the liklihood of Squaw Valley developing this so-called focal point. For this reason, large restaurants or nightclubs or large commercial complexes designed to attract and serve the tourist population will not be considered to be a compatible use in the "Entrance Commercial" Land Use District. The establishment of such uses is discouraged and considered to be detrimental to the general welfare of the Squaw Valley area. At the same time, there exists a need for professional office space, service-oriented commercial space, and retail space, which is located away from the core area in order to best serve the valley. Therefore, all of these uses are encouraged within these areas.

The entrance to Squaw Valley is important because it will provide the visitor with their first impression of the quality of development and the activities and opportunities that lie within. For this reason, design requirements must apply to development in this area with particular attention to the view of the development from Squaw Valley Road and adjoining residential properties. It is the intent of these regulations to establish guidelines relative to height, open space, and other visual impacts which will result in high quality development consistent with the goals of the General Plan.

224.10 - Permitted Principle Uses and Structures

1) Amusement Center
2) Auto Part Stores
3) Bakery
4) Bed and Breakfast Inns
5) Book Stores
6) Camera Stores
7) Churches
8) Clothing and Apparel Stores
9) Delicatessen
10) Drug Stores
11) Financial Institutions
12) Florist
13) Food Stores, Grocery Stores
14) Gift Store
15) Hardware Store
16) Home Furnishings
17) Hotels and Motels
18) Instruction Studios
19) Laundromat
20) Liquor and Tobacco Stores
21) Multi-family dwellings, apartments with densities not to exceed 25 bedrooms per acre.
22) Parking facilities
23) Pet Store
24) Planned Unit Developments/Condominiums with densities not to exceed 25 bedrooms per acre.
25) Post Office
26) Professional Offices
27) Radio, Television, and Music Stores
28) Restaurants (not to include nightclubs or taverns) without drive-up windows.
29) Schools - private or public
30) Service Stations

31) Service establishments, except those involving more than 2,500 sq. ft. outdoor storage of equipment or materials.

32) Sporting Goods Stores

33) Structures and uses required for the operation of a public utility or performance of a governmental function.

34) Condominiums, including timeshare projects, with densities not to exceed 30 bedrooms per acre.

35) Helicopter Skiing

224.12 - Permitted Accessory Uses and Structures: Uses and structures which are customarily accessory and clearly incidental to permitted principle uses and structures shall be permitted in this district, subject to the general restrictions on principle uses and structures.

224.18 - Open Space Ratio: Required open space shall not be less than 33% of the gross lot area. Required landscaping and snow storage areas may be counted as open space for the purpose of calculating open space ratios.

224.22 - Floor Area Ratios: Gross floor area of buildings shall not exceed 50% of the gross lot area for all permitted structures.

224.26 - Parking Requirements: Parking spaces shall be required in this district at the ratio of one space per 300 square feet of gross floor area in a building; for residential uses, parking shall be provided as required in Section 242.26.

224.30 - Minimum Lot Area: The minimum permissible lot area within this Land Use District shall be 6,000 square feet.

Section 226 - Heavy Commercial District: It is the County's intent in creating this district to establish areas within Squaw Valley where primarily service oriented commercial uses and uses specifically related to the operation of a major ski resort can be carried out.

This district is necessary to provide areas specifically for heavy equipment maintenance and storage as well as construction-related shop space. Such uses should not be visually obtrusive. The land in this district is not located adjacent to major travelled ways, but is located to conveniently serve the ski area and adjoining developed areas.

Uses in this district should not adversely affect adjoining properties when developed pursuant to the standards contained in the land use ordinance.

226.10 - Permitted Principle Uses and Structures

a) Employee housing
b) Equipment maintenance and storage facilities.
c) Offices
d) Outdoor equipment maintenance and storage which does not exceed 25% of the gross floor area within an enclosed building on the same site and used for the same purpose.
e) Parking facilities.
f) Structures and uses required for the operation of a public utility on performance of a governmental function.
g) Helicopter Skiing

226.12 - Permitted Accessory Uses and Structures: Uses and structures which are customarily accessory and clearly incidental to permitted principle uses and structures shall be permitted in this district, subject to the general restrictions on principle uses and structures.

226.18 - Open Space Ratio: Required Open Space shall not be less than 20% of the gross lot area. Required landscaping and snow storage areas may be counted as open space for the purpose of calculating the open space ratio.

226.22 - Floor Area Ratio: Gross floor area of buildings shall not exceed 33% percent of the gross lot area for all permitted structures.

226.26 - Parking Requirements: Parking spaces shall be required in this district at the ratio of one space per 300

square feet of gross floor area in a building and one space per 1,000 spare feet of lot area devoted to outdoor storage or maintenance. Parking for permitted residential uses shall be provided at the ratio of 3/4 space per bedroom.

226.30 - Minimum Lot Area: The minimum permissible lot area within this Land Use District shall be 10,000 square feet.

Section 228 - Alpine Commercial Land Use District: This Land Use District is intended to provide lands for commercial use as a part of ski-related recreation uses on the ski mountain. It recognizes existing commercial uses at the Ski Corporation's Gold Coast and High Camp Restaurants, and designates potential new commercial area on Juniper Ridge, to be developed as a part of the new downhill ski development on the north-facing slope above the Squaw Valley meadow.

228.10 - Permitted Principle Uses and Structures:

a) Hotels - with densities not to exceed that density permitted in the VC Land Use District.
b) Living quarters for emergency personnel employed by the operator of the ski facilities.
c) Offices - where necessary as an accessory use to the operation of the surrounding ski area.
d) Restaurants, including nightclubs and taverns.
e) Retail sales of recreational equipment and accessories not to exceed 1,000 sq. ft. nor 10% of the gross floor area in the building.
f) Structures and uses required for the operation of a public utility or performance of a governmental function.
g) Helicopter Skiing

228.12 - Permitted Accessory Uses and Structures: Uses and structures which are customarily accessory and clearly incidental to permitted principle uses and structures shall be permitted in this district, subject to the general restrictions on principle uses and structures.

228.26 - Parking Requirements: Parking spaces shall not be required for uses in this district as they are all permitted

only in relation to, and as a part of, the larger recreation use of the surrounding lands.

228.30 - Minimum Lot Area: The minimum permissible lot area within this Land Use District shall be 5 acres. The lands designated as Alpine Commercial shall not be divided and sold separately from the ski and recreation lands which the commercial uses, permitted in the District, serve.

Section 242 - Low Density Residential: The intent of this district is to create areas within which land uses are restricted to single-family dwellings and related uses. The district provides for the traditional lot and block subdivisions containing single-family detached homes as well as low-density Planned Unit Developments (condominiums). This designation has been used primarily to provide for the in-fill development of existing single-family subdivisions. However, it also applies to small undeveloped areas adjoining the existing subdivisions. The design of new subdivisions must avoid access, snow removal, slope, and avalanche problems such as are apparent in the upper areas of existing subdivisions on the Valley's north side.

242.10 - Permitted Principle Uses and Structures

a) Community care homes for not more than 6 persons
b) Condominiums
c) Home occupations
d) Private recreation facilities for use by residents of the subdivision of which the recreation facilities are a part.
e) Public recreation facilities
f) Rooming and boarding of not to exceed 4 persons
g) Single-family dwellings
h) Structures and uses required for the operation of a public utility or performance of a governmental function.

242.12 - Permitted Accessory Uses and Structures: Uses and structures which are customarily accessory and clearly incidental to permitted principle uses and structures shall be permitted in this district, subject to the general restrictions on principle uses and structures.

242.14 - Planned Unit Development: The standards contained in Chapter 30, Subchapter 10, Section 10.060 of the Placer County Zoning Ordinance shall apply in this district except where the requirements noted herein are more restrictive.

242.24 - Density Factor (Land Use Intensity): The land use intensity of this district shall not exceed the density factor, expressed in bedrooms per acre, shown on the plan map. The maximum density used in the Low-Density Residential District in the Squaw Valley General Plan shall not exceed 10 bedrooms per acre. The density factor shall not apply to residential subdivision lots legally created prior to January 1, 1983.

242.26 - Parking Requirements: Parking spaces shall be provided in this district at the ratio of 3/4 space per bedroom. Such parking required to meet the requirements of this ordinance must be located on the building site, not within County road rights-of way.

242.30 - Minimum Lot Area: The minimum permissible lot area within this Land Use District shall be 10,000 square feet.

Section 246 - High-Density Residential: In creating this district it is the intent of the County to provide for a variety of residential development relying on the planned unit development concept to create desirable living environments. The majority of residential construction outside of the "Village-Commercial" areas is expected to take place in this district. This district allows the greatest flexibility in the design of residential projects.

The Planned Unit Development concept is required as a means of minimizing the geographic area affected by development activity and in order to reduce adverse impacts related to vegetation removal, erosion, and reduction of wildlife habitat.

The PUD Concept reduces the cost of extending public services and utilities; lowers energy consumption; and increases the feasibility of providing mass transit services. This district includes a number of existing or previously approved residential projects. Traditional, small parcel, lot and block subdivisions shall not be permitted within this district.

246.10 - Permitted Principle Uses and Structures

a) Bed and Breakfast Establishments
b) Child Care Facilities
c) Churches
d) Condominiums, including time-share units
e) Home occupations
f) Multi-family dwellings, apartments
g) Private recreation facilities for use by residents of the subdivision of which the recreation facilities are a part.
h) Public recreation facilities
i) Schools - public and private
j) Single-family dwellings
k) Structures and uses required for the operation of a public utility or performance of a governmental function.

246.12 - Permitted Accessory Uses and Structures: Uses and structures which are customarily accessory and clearly incidental to permitted principle uses and structures shall be permitted in this district, subject to the general restrictions on principle uses and structures. Commercial uses shall be considered accessory uses and, therefore, permitted if all of the following conditions are present:

a) The use is located within a project containing 50 or more dwelling units;
b) The use is located within a building or within a complex of buildings containing residential units as well;
c) The principal entrance to the commercial use is from the inside of the building in which

the dwelling units are located or from a courtyard, plaza, or similar space within the project;

d) Floor area used for such use does not exceed 10% of the gross floor area of the building occupied by the dwelling units; and

e) Signs for such permitted accessory commercial uses shall not exceed 24 sq. ft. in aggregate area for all commercial uses within a project, and shall not be permitted outside of or on the exterior of the development.

246.14 - Planned Unit Developments: The standards contained in Chapter 30, Subchapter 10, Section 10.060 of the Placer County Zoning Ordinance shall apply in this district except where the requirements noted herein are more restrictive.

246.18 - Open Space Ratio & Building Space Ratio: Open space and building space ratio in this district shall conform to the standards as set forth in Chapter 30, Subchapter 10, Section 1006 of the Placer County Zoning Ordinance. Common parking structures shall not be included as building area for calculating the building space ratio.

246.24 - Density Factor (Land Use Intensity): The land use intensity in this district shall not exceed the density factor expressed in bedrooms/acre shown on the plan map. The maximum density used in the High Density Residential District in the Squaw Valley General Plan shall not exceed 25 bedrooms/acre.

246.26 - Parking Requirements: Parking spaces shall be provided in this district at the ratio of 3/4 space per bedroom. Such parking required to meet the requirements of this Ordinance must be located on the building site, not within County road rights-of-way.

246.30 - Minimum Lot Area: The minimum permissible lot area within this Land Use District shall be 3 acres.

Section 250 - Forest Recreation District: This land use district is intended to retain the general character of the forest environment while at the same time permitting active recreational development. With few exceptions, lands in this district are too remote, too steep, or contain serious development constraints which would prohibit development of commercial or residential land uses. It is the further intent of the County in creating such a district to establish areas wherein public or private recreation facilities, either commercial in nature or publicly funded, can be developed to meet the year round recreation needs of the residents and visitors in Squaw Valley.

Ski facilities have been developed in Squaw Valley much more intensely than the support facilities necessary for a successful destination resort. New ski lifts shall be limited to those shown on the General Plan Map. Further, these new ski lifts can be developed only when parking, circulation,and transit can adequately accommodate the increased capacity thus made available.

Uses and structures within this district must not adversely affect the general character of any adjoining Conservation Preserve district. Structures allowed in the Forest-Recreation District shall be setback a reasonable distance (as determined through the design review process) from the closest "Conservation Preserve" Land Use District.

250.10 - Permitted Principal Uses and Structures

a) Forest stations and look outs
b) Grazing
c) Growing and harvesting of timber and other forest products.
d) Outdoor amphitheater
e) Picnic areas
f) Public and private playgrounds and parks
g) Riding and hiking trails
h) Stables and corrals
i) Ski lifts and ski trails

j) Structures and uses required for the operation of a public utility or performance of a governmental function.

k) Tennis courts.

l) Helicopter Skiing.

250.12 - Permitted Accessory Uses and Structures: Uses and structures which are customarily accessory and clearly incidental to permitted principle uses and structures shall be permitted in this district, subject to the general restrictions on principle uses and structures.

This land use district is not intended to allow commercial uses permitted in V.C., E.C., H.C. or A.C. Land Use Districts.

250.26 - Parking Requirements

a) Parking for Ski Facilities - As established by the Minor Use Permit or Conditional Use Permit for the project.

b) Parking for other permitted uses shall be provided as follows: outdoor amphitheater, 1 space per ten seats; picnic areas, 1 space per table; public and private playgrounds or parks, 1 space per 5,000 square feet of land area; stables, 1 space per 3 horses; tennis courts, 1 space per court.

c) Where recreation facilities (except ski facilities) are provided as a part of a subdivision or hotel, parking requirements shall be considered to have been met by the parking otherwise required for the principle use.

250.30 - Minimum Lot Area: The minimum permissible lot area within this Land Use District shall be 20 acres.

Section 260 - Conservation Preserve Land Use District: In order to accomplish the goals of the Squaw Valley General Plan it is necessary to recognize areas within the plan where the intent is

to maintain the land in as near its natural state as is reasonable and to carefully regulate the use of these areas. The main attraction of Squaw Valley, in all seasons--directly or indirectly--is the natural environment (i.e. the topography, vegetation, water resources etc.). The protection of these resources is essential to the creation of a destination resort and the related year-round recreation opportunities.

The intent of the "Conservation Preserve" Land Use District is to identify lands which should remain in, or be restored to, a natural or near-natural state. This district is necessary to preserve the existing aesthetic character of the area, provide a natural area along watercourses, provide a buffer area along major roadways, preserve natural areas for recreation uses and prohibit development on lands with severe constraints such as steep slopes, unstable soils and/or flood plains. The meadows (both wet and dry) and stream environment zones covered by this Land Use District serve as important ground water recharge areas, natural filtration mechanisms, storm drainage facilities, and fish and wildlife habitat.

Shirley Canyon serves as an important access for summer recreation use in the Granite Chief Roadless Area (possibly a future wilderness area) as well as a buffer for the public lands in the area.

This Plan intends to retain the natural characteristics of these areas while allowing recreation developments consistent with adopted standards. Uses allowed in such areas shall be limited to those which are compatible within the natural open space characteristics of the areas and generally do not require grading, large impervious surfaces, or significant alteration of the land.

The preservation of all of these areas, while primarily done to preserve the aesthetic and ecological character of the areas, will also serve to retain future options for the use of these lands by future generations.

260.10 - Permitted Principal Uses and Structures

a) Accessory buildings with less than 200 square feet of gross floor area where they are screened from view by vegetation or natural topography.

b) Fences that do not obscure the view of open spaces and are not greater than 20% opaque nor over 7 feet in height.

c) Grazing of animals provided no more than one animal shall be kept for each 1/2 acre of area.

d) Growing and havesting of timber and other forest products.

e) Other recreational uses which do not require structures or impervious surfaces in excess of 200 square feet (not including golf courses).

f) Picnic areas

g) Riding, hiking, and cross-country ski trails (not to include trails intended for alpine or downhill skiing).

h) Stables and corrals with accessory buildings not limited to 200 sq. ft. of gross floor area.

i) Structures and uses required for the operation of a public utility or performance of a governmental function.

260.12 - Permitted Accessory Uses and Structures: Uses and structures which are customarily accessory and clearly incidental to permitted principle uses and structures shall be permitted in this district, subject to the general restrictions on principle uses and structures.

260.26 - Parking Requirements: Due to the nature of this district parking facilities shall not be provided within the district except in those areas where parking presently exists. Any parking area necessary for permitted uses shall be provided

on adjoining lands in other districts where parking is permitted. Specific parking requirements shall be established by the decision making body on a project-by-project basis.

260.30 - Minimum Lot Area: The minimum permissible lot area within this Land Use District shall be 20 acres.

260.32 - Landscaping: Any landscaping or revegetation projects undertaken in this district shall utilize native species of plants indigenous to the Squaw Valley area.

APPENDICES

(Excerpts from Chapter 30,

Placer County Zoning Ordinance)

SUBCHAPTER 1

PURPOSE AND EFFECT OF ZONING ORDINANCE

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1.010 - Title and Purpose

This chapter shall be known and may be cited as the Placer County Zoning Ordinance, Chapter 30 of the Placer County Code. This ordinance is enacted to protect and promote the public health, safety, peace, comfort, convenience and general welfare; and more particularly to:

A. Carry out the goals and objectives of the Placer County General Plan and the community plans adopted pursuant to the general plan, and to guide and manage the future growth of the county in accordance with those plans;

B. Manage land use in a manner that will assure the orderly development and beneficial use of the unincorporated areas of Placer County for residential, commercial, industrial, agricultural, forestry, open space and other purposes;

C. Manage the distribution of population in accordance with the availability of the natural resources, and public facilities and services necessary to support a growing population;

D. Protect and preserve important features of the Placer County natural environment and the natural beauty of the area;

E. Reduce hazards to the public resulting from the inappropriate location, use or design of buildings and land uses in relation to natural and built hazards, and the county highway system;

F. Attain the physical, social, and economic advantages resulting from comprehensive and orderly land use and resource planning.

1.020 - Authority and General Plan Consistency

This ordinance is adopted based on the authority vested in Placer County by the State of California, including but not limited to the State Constitution; § 65800 *et seq.* of the California Government Code; the California Environmental Quality Act (CEQA), the Housing Act, the Subdivision Map Act, the Health and Safety Code, and the Surface Mining and Reclamation Act (SMARA).

It is the intent of the Placer County Board of Supervisors that this zoning ordinance be adopted and maintained so as to be consistent with the Placer County General Plan and applicable community plans, and that any land use or development approved according to the requirements of this ordinance will also be consistent with the Placer County General Plan and any applicable community plan.

1.030 - Applicability of Zoning Ordinance

This zoning ordinance 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 [see Section 1.050(D) below] 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, Chapter 40 of the Placer County Code;

2. Tahoe City Community Plan or the Tahoe City Area General Plan, Chapter 41 of the Placer County Code;

3. North Tahoe Community Plan, Chapter 42 of the Placer County Code.

A. **New land uses and changes to existing uses.** It shall be unlawful, and a violation of the Placer County Code, for any person or public agency to establish, construct, reconstruct, alter, replace or allow any use of land, building or structure, or divide any land, unless:

1. The proposed use of land is allowed by Subchapter 5 (Zone Districts and Allowable Uses of Land) within the zone district and any combining districts that apply to the subject site; and;

2. The proposed use of land, building or structure, or division of land satisfies all applicable requirements of this zoning ordinance, including but not limited to minimum parcel size, height limits, required setbacks, parking standards, residential density, sign standards, specific use requirements; and,

3. Any land use permit or other approval required by Subchapter 5 (Zone Districts and Allowable Uses of Land) is first obtained as provided by Subchapter 20 (Discretionary Land Use Permit Procedures), and any applicable conditions of approval are first satisfied.

B. **Issuance of building permits.** No building permit shall be issued by the Building Official pursuant to Chapter 4 of this code unless the proposed land use and/or construction satisfies the provisions of this chapter.

C. **Continuation of an existing use.** It shall be unlawful and a violation of this code for any person to operate or maintain a land use established according to the requirements of this zoning ordinance in any manner that violates any provisions of this ordinance. However, the requirements of this zoning ordinance are not retroactive in their effect on a use of land that was lawfully established before this ordinance 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 25.200, *et seq.* (Nonconforming Uses).

D. **Effect of zoning ordinance changes on projects in progress.** The enactment of this ordinance 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 ordinance 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 zoning ordinance apply to development project in progress at the time requirements are changed.

1. **Projects with pending applications.** All land use permit applications that have been determined to be complete as provided by California Government Code §65943 before the effective date of this zoning ordinance or any amendment, shall be processed according to the regulations and requirements in effect at the time the application was accepted as complete. Applications for land use permit extensions of time shall be consistent with the requirements of the zoning ordinance in effect when the time extension application is accepted as complete (see BOS Minute Order #93-02).

2. **Approved projects not yet under construction.** Any use authorized by an administrative review permit, minor use permit, conditional use permit or variance, for which construction has not begun as of the effective date of this chapter, or any amendment, may still be constructed as provided by the approved permit, as long as the permit is exercised before the expiration of the permit pursuant to Section 20.160 (Permit Time Limits and Extensions), or, where applicable, before the expiration of any time extension granted under Section 20.160.

3. **Completion of projects under construction.** A building or structure that is under construction as of the effective date of this chapter or any amendment, need not be changed to satisfy any new or different requirements of this chapter as long as the building permit remains valid and current.

E. **Other requirements may still apply.** Nothing in this zoning ordinance shall eliminate the need for obtaining any other required permits, including but not limited to those required by Chapters 4, 19, and 29 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 streambed alteration agreements from the California Department of Fish and Game. 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 §51200 *et seq.* of the California Government Code also apply.

1.040 - Responsibility for Administration

This zoning ordinance shall be administered by the Planning Director and the Placer County Planning Department, Board of Supervisors, Planning Commission, Zoning Administrator, Development Review Committee, Design Site Review Committee and Parcel Review Committee, as provided in sections 25.010 *et seq.* of this chapter.

1.050 - Interpretation

The Planning Director is assigned the responsibility and authority to interpret the requirements of this zoning ordinance. Questions about the meaning or applicability of any part of this zoning ordinance 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 of the particular feature used as a boundary.

4. Where a zoning boundary crosses a parcel rather than following a property line, so that a single parcel is covered by two separate zone districts, the larger of the minimum parcel sizes required in the two zones by Chapter 5 (Zone Districts and Allowable Uses of Land) shall apply to any proposed parcel within more than one zone district.

5. Where the Planning Director determines through review of the public record of the Board of Supervisors hearing and action on a rezoning that a zoning boundary, line, or other information on an official zoning map has been drafted in error, the Planning Director shall have the authority to correct the error to make the official map consistent with the action of the Board of Supervisors.

C. **Allowable uses of land.** If a proposed use of land is not specifically listed in Subchapter 5 (Zone Districts and Allowable Uses of Land), the use shall not be allowed, except as follows:

1. The Planning Director may determine that a proposed use not listed in Subchapter 5 is allowable if the director finds all of the following:

   a. The proposed use will be consistent with the goals, objectives and policies of the general plan;

   b. The proposed use will meet the purpose and intent of the zoning district that is applied to the site;

   c. The proposed use will share characteristics common with those listed in the zoning district, and will not be of greater intensity, density, or generate more environmental impact than the uses listed in the district.

2. When the Planning Director determines that a proposed unlisted use is equivalent to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required and what other standards and requirements of this chapter apply.

3. Determinations that specific unlisted uses are equivalent to listed uses will be recorded by the Planning Department, and will be incorporated into the land use definitions of the zoning ordinance when amendments to the ordinance are next considered.

4. The Planning Director may forward questions about equivalent uses directly to the Planning Commission for determination at a public hearing. Notice of such hearing shall be provided by posting at least 72 hours prior to the hearing, and by the matter being listed on the commission agenda.

D. **Conflicting provisions:**

1. **Other code provisions.** If conflicts occur between different requirements of this chapter, or between this chapter and other provisions of the Placer County Code or between the Placer County Code and any applicable state law, the most restrictive shall apply.

2. **Community plan standards.** When conflicts occur between the provisions of this chapter and standards adopted by ordinance in any applicable community plans (including those areas within the jurisdiction of the Tahoe Regional Planning Agency {TRPA}, the provisions of the community plans shall apply.

3. **Specific plans.** When conflicts occur between the provisions of this chapter and standards adopted as part of any specific plan, the provisions of the specific plan shall apply.

4. **Private agreements.** The requirements of this chapter are not intended to interfere with, repeal, abrogate or annul any easement, covenant, or other agreement that was in effect when this zoning ordinance became effective. Where this chapter imposes a greater restriction on the development or use of structures or land than a private requirement, the provisions of this chapter shall apply. Where a covenant or private agreement imposes a greater restriction than this chapter, the provisions of this chapter shall still apply (without diminishing any private agreements or restrictions). The county will not enforce any private covenant or agreement unless it is a party to the covenant or agreement.

5. **Tahoe Basin.** Within the Lake Tahoe Basin, in any area covered by a TRPA "Plan Area Statement", any use not specifically listed within this chapter may be permitted if such use is allowed by the applicable Plan Area Statement and a conditional use permit (CUP) is first obtained.

E. **Record of interpretations.** Whenever the Planning Director determines that the applicability or meaning of any of the requirements of this zoning ordinance are unclear generally or as applied to a specific case, the Planning Director may issue an official interpretation. Official interpretations shall be:

1. In writing, and shall quote the provisions of this chapter being interpreted, together with an explanation of their meaning or applicability in the particular or general circumstances that caused the need for interpretation; and

2. Distributed to the Board of Supervisors, Planning Commission, Development Review Committee, and members of the Planning Department staff.

Any zoning ordinance provisions that are determined by the Planning Director to be unclear will be corrected by amending the zoning ordinance as soon as is practical. Until amendments can occur, the Planning Director shall maintain a complete record of all official interpretations, available for public review, and indexed by the number of the zoning ordinance section that is the subject of the interpretation.

F. **Appeal and referral.** Any determinations or interpretation by the Planning Director may be appealed as provided by Section 25.140 (Appeal). The Planning Director may refer any interpretation of this chapter to the Planning Commission for a decision.

1.060 - Partial Invalidation of Zoning Ordinance

If any chapter, section, subsection, paragraph, subparagraph, sentence, clause, phrase or portion of this zoning ordinance is for any reason held to be invalid, unconstitutional or unenforceable, such decisions shall not affect the validity of the remaining portions of this zoning ordinance. It is hereby declared that this zoning ordinance and each chapter, section, subsection, paragraph, subparagraph, sentence, clause, phrase and portion thereof would have been adopted irrespective of the fact that one or more of such portions of the zoning ordinance be declared invalid, unconstitutional or unenforceable.

SUBCHAPTER 25

ZONING ORDINANCE ADMINISTRATION

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25.010 - Administrative Responsibility

This chapter shall be administered by the Planning Director under the policy direction of the Board of Supervisors, working with the Planning Commission, the Zoning Administrator and the Development Review Committee, as the duties of each are described by this subchapter. As provided by California Government Code §65100, the functions of a planning agency shall be performed by the Placer County Board of Supervisors, the Placer County Planning Commission and/or the Placer County Planning Department.

25.020 - Planning Director and Planning Department

The Planning Director shall head the Planning Department, shall be appointed by the County Executive Officer and shall serve at the discretion of the County Executive Officer. The Planning Director is designated as the Appointing Authority for personnel purposes pursuant to Chapter 14 of this Code. The Planning Director shall have the responsibility and authority to perform all the functions described by California Government Code §65103, and also to carry out any other responsibilities assigned by the Board of Supervisors, including but not limited to the administration and enforcement of the provisions of this chapter, and the review of projects pursuant to the California Environmental Quality Act and Chapter 31 of this Code. Except where otherwise provided by this chapter, the responsibilities of the Planning Director may also be carried out by Planning Department employees under the supervision of the Director.

25.030 - Zoning Administrator

The Planning Director or a designee shall serve as the Zoning Administrator pursuant to the authority established by California Government Code §65900 *et seq.*, and as follows:

A. **Appointment.** The Planning Director shall have the authority to appoint a qualified Planning Department employee as Zoning Administrator, who shall serve in that capacity at the discretion of the Planning Director.

B. **Duties and supervision of Zoning Administrator:**

1. The Zoning administrator shall serve as a hearing officer and is assigned the authority and original jurisdiction to investigate, consider, and approve or deny applications for administrative review permits, minor use permits, variances, and any other matters as specifically provided by this chapter.

2. When the Planning Director assigns the duties of the Zoning Administrator to a designee, that staff person shall also perform any additional duties in the Planning Department assigned by the Director as appropriate to the personnel title of the designee. The designee shall be subordinate and directly responsible to the Planning Director and/or any intermediate supervisory staff in the performance of all duties other than those of Zoning Administrator, but shall not be subordinate to, nor under the direction or control of the Planning Director when performing the duties of Zoning Administrator.

C. **Referral to Planning Commission.** The Planning Director or Zoning Administrator may transfer original hearing jurisdiction from the Zoning Administrator to the Planning Commission at his/her discretion when it is deemed necessary because of policy implications, unique or unusual circumstances, or the magnitude of the project.

D. **Appeal.** Decisions of the Zoning Administrator may be appealed as provided by Section 25.140.

25.040 - Planning Commission

The Planning Commission is hereby established for Placer County pursuant to California Government Code §65101. The Planning Commission shall be appointed and shall serve as follows:

A. **Appointment and terms of office.** The Planning Commission shall consist of seven members who are not otherwise officials of the county. Five (5) commissioners shall each be residents of different supervisorial districts, shall be nominated by the Supervisor of their district of residence and shall be appointed by a majority of the Board of Supervisors. These five commissioners shall serve terms concurrent with the Supervisor of their district of residence.

Two commissioners shall be at-large members of the Planning Commission. The at-large members shall be residents of the unincorporated area of the County and can be nominated by any Supervisor but require approval by a majority vote of the Supervisors. One At-Large Commissioner shall reside east of the Sierra Crest in an unincorporated area of the County and will be appointed to recognize the unique nature of that region. The term of this commissioner will commence January 1, 1998 and run for one year to January 1, 1999 and then a new term will continue on four year intervals thereafter. If a vacancy occurs during any term, any appointee will only complete the unexpired balance of the then current term. The other At-Large Commissioner shall reside west of the Sierra Crest in an unincorporated part of then County. The term of this At-Large Commissioner will commence January 1, 1998 and run for three years. Starting January 1, 2001, this At-Large Commissioner's term will become a four year term and continue on four year intervals thereafter. A vacancy in this appointment during the period January 1, 1998 and January 1, 2001 shall be filled only for the unexpired balance of the short term. Thereafter, a vacancy in this appointment will be filled only for the unexpired balance of the then current four year term.

B. **Procedure.** Any Supervisor may nominate a candidate for an at-large vacancy. However, any such nomination must be provided in writing by the Supervisor to County staff and to other Supervisors at least 30 days before the vote on the nomination. Any nomination for any unscheduled vacancy may only occur after compliance with the posting requirements of Government Code Section 54974. For purposes of continuity the current At-Large Commissioners shall remain voting member of the Commission until replaced pursuant to this amended ordinance. However, effective with the approval of this amended ordinance after its second reading, the Clerk of the Board is directed to post the vacancies of the at-large appointments pursuant to Government Code Section 54974 and then follow the procedures adopted herein. The Board may adopt by resolution further procedures for the review and approval of candidates nominated for these At-Large seats.

C. **Authority.** The Planning Commission shall have the authority to perform the duties and functions assigned to them by this chapter and other chapters of this Code.

D. **Compensation.** Planning Commission members shall receive such compensation as the Board of Supervisors approves for their attendance at each commission meeting, in addition to being reimbursed for reasonable and necessary expenses incurred in attending such meetings and performing the other duties of office. When a member serves on a committee, he/she shall receive compensation for each day or portion thereof when performing such duties. Commission members shall also receive compensation for each day or portion thereof needed for travel and attendance at a planning or zoning conference, in addition to actual expenses, when such travel and attendance is first authorized by the County Executive Officer.

25.050 - Decisions of the Planning Commission and Board of Supervisors

Decisions of the Planning Commission require a vote of not less than 51% of a quorum (*i.e.* 4 members) of the Commission. Decisions of the Board of Supervisors require 3 votes. Tie votes (*i.e.* 3-3 or 2-2) shall result in a denial of the motion under consideration. Where the Commission or the Board is the original hearing body, a failure to approve or deny a project which is before them for consideration shall constitute a denial of the application for said project. In the case where an appeal of a lower hearing body's decision is being considered by the Planning Commission or the Board of Supervisors, a failure of the hearing body to act affirmatively means that the decision of the lower hearing body which is the subject of the appeal hearing is upheld.

[**EXAMPLE:** If a variance request was approved by the Zoning Administrator, appealed to the Planning Commission by an adjacent property owner and the appeal was denied on a 6-1 vote by the Commission, then a 2-2 vote on an appeal of the Commission's decision to the Board of Supervisors (one member of the Board being absent for the vote) would result in the denial of the appeal and an affirmation of the ZA's original decision.]

25.060 - Development Review Committee

A. **Appointment and duties.** A Development Review Committee (DRC) is hereby established to perform the following duties:

1. To review all administrative review, minor and conditional use permit, variance, rezoning, zoning ordinance amendment applications, specific plans, general plan amendments, and development agreements as a staff project review group to advise the Planning Director, Zoning Administrator, Planning Commission and Board of Supervisors on such applications.

2. To serve as the Parcel Review Committee established by Section 19.10(2) of the Subdivision Ordinance, Chapter 19 of this Code, and to perform any duties specified by Chapter 19.

B. **Composition of committee.** The Development Review Committee shall consist of the Planning Director, the Director of Public Works, and the Director of Environmental Health, or their respective designees. The committee shall be chaired by the Planning Director or a designee. At the discretion of the Planning Director, the committee may also include such other technical or professional persons determined by the Planning Director to be necessary for a full and thorough examination of any applications and/or supplementary documents submitted to the Zoning Administrator, the Planning Commission or the Board of Supervisors for consideration.

C. **Decisions of the committee.** Decisions by the Development Review Committee (DRC) on the recommendations it forwards to the Zoning Administrator, the Planning Commission and/or the Board of Supervisors shall be unanimous to enable a recommendation for approval of the application. Where one member of the DRC opposes a recommendation for approval of an application, the recommendation of the Committee shall be for denial of the application. [Ref. Section 20.060 (Staff Report and Recommendations) for requirements regarding report content and reasoning for recommendation.]

25.070 - Design/Site Review Committee

A. **Citizen committees.** The Board of Supervisors may establish and appoint one or more citizen Design/Site Review Committees to review and comment on all design review applications within the Design Review districts established pursuant to Section 5.540 of this chapter. The number of members, lengths of members' terms and area of jurisdiction shall be specified by the Board of Supervisors at the time of committee appointment. Such committee(s) shall provide advisory comments to the Planning Director for use in decisions on applications within the Design Review combining district (Section 5.550).

B. **Staff committee.** A staff Design/Site Review Committee (D/SRC) shall be established by the Planning Director to review and approve, deny, or approve with conditions all applications for design review approval as provided by Section 5.550 (Design Review). The staff Design/Site Review Committee shall consist of a representative from each of the following departments: the Planning Department, the Department of Public Works, the Health Department (Environmental Health Services Branch), and the Building Department.

10.060 - Planned Residential Developments (PDs)

A. **Purpose and intent.** It is the purpose of this section and Sections 10.062 through 10.066 to further the public health, safety, peace, morals, comfort, and general welfare by addressing the simultaneous needs of the County, including, but not limited to: the protection of environmentally sensitive areas; the preservation of natural, cultural, and historical resources; the conservation of visual and aesthetic resources; the maintenance of a given area's existing quality of life; the need to provide for an increasing variety of housing types, designs, and layouts; the efficient use of land; and the effective development and use of public facilities and services. It is the intent of this section to respond to such needs by encouraging innovations in residential development and renewal through regulations that will:

1. Reflect changes in the technology of land development so that resulting economies may be passed on to those who need housing.

2. Provide a procedure that can relate the type, design, and layout of residential development to the particular site on which it is proposed in a manner consistent with the preservation of important environmental characteristics and the property values in the area and is compatible with existing adjacent land uses and land use districts as shown on the General Plan or any applicable Specific or Community Plans.

3. Provide a procedure whereby the planning and design of residential development may involve the developer proposing to transfer permitted dwelling units to locations that are more appropriate in terms of: preserving specific environmental, cultural, or historical features; providing or protecting natural corridors and wildlife habitat; preserving areas most suitable for the production of food and fiber; preserving quality of life characteristics; significantly increasing the opportunities for the public to enjoy trails and recreational facilities; or affording substantially more efficiency in providing infrastructure and public services.

4. Furnish a more flexible mechanism for land development to be used in the implementation of the applicable policies of the General Plan or Community Plans. All planned residential developments (PDs) shall be consistent with the goals and policies of the Placer County General Plan and/or any applicable Community Plan.

5. Where specified in the Placer County General Plan or applicable Community Plans, encourage compact communities with adequate affordable housing and permanent open spaces.

The use of the planned residential development (PD) as an effective planning tool to achieve the above purposes is encouraged and supported by Placer County; however, it is not the purpose to: confer special privileges to any land owner; provide a means to protect an investment; or compensate a land owner for areas of their property that are unbuildable under standard development policies and procedures due to existing features and/or constraints on the property.

B. **Applicability and development standards:**

1. **Where permitted.** A planned residential development (PD) consistent with the provisions of this section may be permitted only on a site to which the Planned Residential Development (-PD) combining district is applied (Section 5.600).

2. **Development standards.** Within a planned residential development, lot size, bulk or type of dwelling, density, lot coverage and required open space shall be subject to the provisions of this section rather than to the requirements of the applicable zone district established by Subchapter 5 of this chapter. The number of dwelling units to be permitted shall be determined by considering a number of factors related to the specific site, the specific content of the proposed project, the base zoning, and the provisions of this section. All other features of PD development shall comply with requirements of the applicable zone district and other applicable provisions of this chapter.

3. **Community plan consistency.** All PDs shall be consistent with the goals and policies of the Placer County General Plan, or any applicable Specific or Community Plan.

4. **PD Guidelines.** All PDs should also be designed to comply with the Planned Residential Development Guidelines and Rural Design Guidelines where applicable.

C. **Allowable land uses.** The following land uses may be allowed in a planned residential development, provided that the conditional use permit authorizing the PD (see Section 10.062) may restrict the uses allowed to one or more of the uses allowed in the underlying zone to which the -PD combining district is applied.

1. Any use permitted in the zone applicable to the site.

2. Any of the land uses identified by Section 5.060(D) (Land Use and Permit Tables) as Residential Uses or Recreational Uses, except for farm labor housing.

10.062 - PD Permit and Processing Requirements

A proposed PD shall require conditional use permit approval pursuant to Section 20.130, and the approval of a subdivision tentative map or vesting tentative map pursuant to Chapter 19 of this code, with the following additional requirements:

A. **Application contents.** In addition to the application information required by Section 20.020 (Required Application Contents) and Chapter 19 (Subdivisions) of this code, the applicant shall furnish the following information:

1. **Project description information:**

a. Type of residences to be constructed (e.g., detached single-family dwellings, condominiums, duplexes, etc.) including elevations, floor plans, etc, as deemed necessary by the Development Review Committee (DRC).

b. Proposed staging of construction, by units, if the PD is to be constructed in stages.

c. Location and proposed uses of open spaces, location and layout of recreational facilities and parking areas, general location of trees and other vegetation, hydrologic, geologic, topographic, cultural, and historic features on the site, and a specific identification of any features that are proposed to be removed or disturbed.

2. **Computations.** The developer shall prepare a computation exhibit that demonstrates how the project will satisfy the requirements of Section 10.064 regarding permitted density and required parking, building coverage and open space ratios. The following is a sample computation for a single-family dwelling planned residential development on a 40-acre tract of land designated on the zoning map as RS-B-20 with a -PD combining district of 3.0 (a maximum residential intensity factor of 3.0 dwelling units per acre).:

SAMPLE COMPUTATION
PD ORDINANCE DENSITY AND DEVELOPMENT STANDARDS

Permitted Density

Base zone = RS-B-20

Parcel size is 40 acres less existing road easements of 2 acres = 38 acres, less 85% x 5 acres of floodplain area = 33.75 acres net buildable area

Standard deduction for subdivision roads = 20% of buildable area = 6.75 acres 33 ac -

6.75 acres = 26.25 acres

26.25 ac x 43,560 sq. ft. per ac = 1,143,450 sq. ft.

1,143,450 sq. ft. ÷ 20,000 sq. ft. per unit = 57 units permitted by the base zoning.

Maximum units permitted by -PD designation:

Net buildable area from above = 33.75 acres

33.75 ac x the PD designation of maximum 3 dwelling units per acre = 101 units

With a 50% cap on the permitted density over the base zoning, the maximum permitted number of units = 57 x 1.50 = 85 units

Number of units proposed = 80 units

80 units = 40% increase over base zoning

Required open space = 20%, 7.6 acres (5% density increase)

Proposed open space = 35%, 13.3 acres (15% density increase)

Proposed recreation facilities = 3 acres public park (1 acre required minimum 3 times proposed = 20% density increase)

Total density increase proposed = 40%

Required parking = 2 spaces/unit x 80 units = 160 parking spaces

Proposed parking = 160 garage spaces

The computations required above shall be formatted in a manner similar to the example, and shall be clearly shown on the proposed tentative map or vesting tentative map.

3. **Legal documents.** The legal requirements and documents required by Section 10.066.

B. **Required findings.** In addition to the findings required for approval of a conditional use permit by Section 20.130 (Permit Issuance), the approval or disapproval of a PD by written action shall include not only conclusions, but also findings of fact related to the specific proposal. The findings of the hearing body shall explain the specific reasons for approval or denial, and shall specifically explain how the plan would or would not be in the public interest including, but not limited to, findings and conclusions on the following, where applicable:

1. The consistency or inconsistency of the PD proposal with any applicable Community Plan, the extent to which the PD proposal is or is not consistent or inconsistent with the general land use district and characteristics of the area, and the degree to which the PD proposal is or is not compatible with adjacent properties and their existing or allowed land uses, including minimum lot sizes proposed.

2. In what respects the PD is or is not consistent with the purposes of a planned residential development as specified in Section 10.060.

3. The extent to which the PD varies from otherwise applicable zoning and subdivision regulations, including, but not limited to, density (as defined in Section 10.064 A.), bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.

4. The purpose, location and amount of the common open space in the PD, the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.

5. The physical design of the PD and the manner in which the design does or does not make adequate provision for public services, control over vehicular traffic, and the amenities of light and air, recreation and visual enjoyment.

6. The relationship, beneficial or adverse, of the proposed PD to the neighborhood wherein it will be located.

7. In the case of a phased PD project, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the PD throughout the phased project's construction period.

8. The extent to which the PD proposal does or does not identify and protect the environmental, cultural, or historical features of the site.

9. A summary of the benefits or adverse impacts to the community as a result of density increases realized by the PD project by using this process, and a conclusion regarding the appropriateness of any increased density in the project based upon specific features of the PD proposal.

10. A comparison of the benefits or adverse impacts of the PD proposal versus traditional lot and block development of the property, and a conclusion that the PD proposal is or is not the superior method of development for the site in question.

C. **Approval of PD.** If the proposed PD is approved, the Planning Commission shall, as part of its action, specify the drawings, specifications and form of security that shall accompany such approval.

D. **Expiration of approval.** A conditional use permit for a planned residential development shall be subject to the same time limits and provisions for extension as are established for the PD tentative map by Chapter 19 of this code (Subdivisions) instead of Section 20.160 (Permit Time Limits and Extensions). **[NOTE:** When any subdivision tentative map approved in conjunction with the establishment of a -PD designation expires or such approval is otherwise revoked by the Planning Commission or the Board of Supervisors, the -PD designation established for the project shall either revert to the -PD density which existed prior to the project approval, or shall no longer be effective (if no -PD designation existed prior to project approval). {see also Sections 5.600(E) and 25.110(E)3}]

E. **Modifications of PD after Final Map recordation.** In PDs, changes to lot lines can be accomplished through the MBLA process (without a CUP modification), described in Chapter 19 of this code, where all of the following conditions are found:

1. The change affects no more than four lots in the PD;

2. The density of the project is not increased;

3. The total open space area of the subdivision is not reduced;

4. The boundary change does not reduce minimum development standards, such as lot width, lot size, setbacks, etc.

5. Such a change does not alter the approved building site on a given lot.

6. The proposed change does not alter a lot line placed in a specific location, due to a natural feature of the site (i.e., a lot line placed along a drainage course, ridge line, etc.) to the extent that equal protection for such a resource is no longer provided.

Also in PDs, **changes to lot coverage, height and setback standards** may be processed by the Zoning Administrator as a CUP modification if such changes meet all of the following criteria:

7. Such a modification does not result in a larger structure (*i.e.* no larger building footprint) than could otherwise be constructed pursuant to the limitations shown in subsections 10.064(A)2(e) or 10.064(A)3 below, ***or*** the basic standards listed as being applicable to the use/property in question in the basic zone district wherein that use/property is located, whichever is the least restrictive; and,

8. The proposed structure does not violate any applicable CC&Rs; and,

9. The required findings for approval of a use permit are made.

If the above criteria are not applicable to the modifications proposed, such modifications must be considered by the Planning Commission pursuant to the processes discussed in Section 20.180 (Changes to an Approved Project) and in Section 20.130 (Conditional Use Permits).

[**NOTE:** An application to modify any aspect of a PD which affects the common area, roadways and/or more than four (4) lots must contain the signatures of all property owners in the PD.]

10.064 - 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 5.600).

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 (10.064 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 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 30% 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 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 public use including but not limited to recreation, fire or police stations, public schools, or environmental protection by a public or non-profit 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.

Guarantees of public use may include irrevocable offers of dedication, open space, or similar easements, development agreements, or comparable methods.

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.

(1) The extent of public use to be allowed in conjunction with the facility.

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

(3) 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.).

(4) 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.

[**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 5% if the minimum 20% open space is provided, unless the following standards (Section 10.064 A.2.b.-e.) are met. The maximum number of units that can be allowed, even with the increases described above and in Section 10.064 A.2.b.-e., is governed by Section 10.064 A.1.

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

(1) Determine the net buildable area of the site as described in Section 10.064 A.1.

(2) Take any deductions required by Section 10.064 A.1.(a), (b), or (c).

(3) 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 of larger	0%
*Deduction is taken from net area	

(4) Divide the area established by (1), (2), and (3) above 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 50% 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.

(1) Open Space, beyond the minimum required by d. below, that protects significant ecological resources, or agricultural land, as defined in the Placer County General Plan. The increase in density for additional open space may not exceed 30% (i.e. 10% for 10% more than the minimum required open space, 20% for 20% more than the minimum, etc.) and may result in up to a 1% increase in density for each 1% increase in open space [plus a 5% increase in density for the minimum 20% open space required (See Section 10.064 A.2.a.)].

(2) Additional public recreation land and/or facilities, beyond the minimum required by Section 10.064 D., that meets a County recognized and documented need, in the area proposed. A maximum increase of 30% may be granted for such additional facilities (i.e. 10% for twice the required recreational land or facilities, 20% for triple, 30% for quadruple).

(3) At the Planning Commission's discretion additional density/units may be permitted, not to exceed a 20% 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.

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 10.062 B. or Section 20.130 (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:

(1) a significant buffer of common area open space is provided between the project lots and neighboring properties of larger lot sizes;

(2) 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

(3) an amount of additional open space, over that amount credited to the project under Section 10.064 A.2.b.(1), is provided which protects a significant ecological resource as identified in the Placer County General Plan.

d. **Minimum open space area:** Every single-family PD shall include a minimum of 20 percent of the site dedicated for use as open space. Such open space cannot include existing public road rights-of-way, dedications for frontage improvements along such public road rights-of-way, other road easements, or major electrical transmission line easements for facilities which carry 60kv or greater. The open space may include common areas, recreational improvements (*i.e.* those owned and operated by a public entity, those owned and operated by a private party but available to the general public and/or residents of the PD, and any owned by a homeowners' association), areas transferred to public or non-profit land trusts for the preservation of environmental, cultural, or historical resources, and other areas subject to easements created by the PD that restrict residential development and which are left as open space or recreational land. Open space does not include roads, or undeveloped portions of subdivision lots held in the ownership of private individuals.

e. **Maximum coverage.** The maximum coverage (area covered by buildings - see Section 40.030 *et seq.*) permitted for each residential lot in the subdivision shall be as calculated from the following chart, expressed as a percentage of the total lot area. The term "Buildings" includes all land covered by residential buildings, garages and carports, covered decks, and other enclosed and covered areas, but not uncovered decks or paved areas such as walkways, driveways, patios, uncovered parking areas or roads. All areas of coverage are computed at ground level.

Lot Size	Maximum Coverage
>29,999 sq. ft.	20%
27,000 - 29,999 sq. ft.	21%
24,000 - 26,999 sq. ft.	22%
21,000 - 23,999 sq. ft.	23%
18,000 - 20,999 sq. ft.	24%
15,000 - 17,999 sq. ft.	25%
10,000 - 15,000 sq. ft.	30% (one story) 25% (two or more stories)
<10,000 sq. ft.	40% (one story) 35% (two or more stories)

3. **Other residential developments.** Planned residential developments proposing subdivision of air space or only the land under the footprint of each dwelling unit shall provide the minimum open space area and maximum area of building coverage shown on the following table, expressed as percentages of the total site area.

Dwelling Units per Acre	Minimum Open Space Area (%)	Maximum Coverage (%)
0.1	90	2
0.2	90	2
0.5	85	4
1.0	80	8
2.0	75	12
3.0	70	16
4.0	65	18
5.0	60	20
6.0	55	22
7.0	45	24
8.0	45	26
9.0	40	28
10.0 and more	35	30

B. **Setbacks.** Front, side and rear setback requirements, and height requirements for structures shall be those of the district with which the Planned Residential Development (-PD) designation is combined, unless different standards are specifically established by the project conditional use permit.

C. **Circulation and parking:**

1. **Roads.** Street design shall satisfy the following criteria:

a. Dwelling areas shall only have limited access to major traffic arteries, but adjacent properties/communities shall be linked by an interior street or streets without creating an unintended and convenient detour for through-traffic, whenever possible.

b. Collector streets of appropriate width and flowing alignment shall feed traffic between the arterial streets and to a network of minor streets on which most of the homesites are located.

c. Where terrain permits, short loop streets and short cul-de-sacs should be used for minor streets.

d. At least two vehicle entry/exit points shall be provided or planned for adequate circulation and emergency purposes unless otherwise determined by the Planning Commission. If two vehicle entry/exit points are required by the Commission, these entrances shall be constructed and available for use with the first and all stages of a phased project, unless otherwise determined by the Planning Commission.

2. **Parking.** Parking shall satisfy the criteria of Sections 10.050 (Off-Street Parking Standards) and 10.052 (Parking Standards Requirements by Land Use), or, at the hearing body's discretion, shall comply with special parking provisions established by the conditions of approval of the project conditional use permit. Condominium-style PD developments shall provide the same parking as required of apartment projects [see subsection 10.052(B)5(b)] unless otherwise determined by the hearing body by way of the conditional use permit approval.

3. **Pedestrian ways.** Walkways (i.e., paths or sidewalks) shall be designed to provide convenient access to recreation, service, parking, common areas, and adjacent properties. Pedestrian corridors should be designed to encourage walking rather than the use of motor vehicles.

D. **Recreation facilities.** Because a PD is also a subdivision and is, therefore, governed by the Subdivision Ordinance (Chapter 19 of the Placer County Code) as well as the Subdivision Map Act (§66410 *et seq.* of the California Government Code), the recreation facilities requirements are those of both this Chapter (the Zoning Ordinance is adopted pursuant to the authority of California Government Code §65000 *et seq.*) as well as the "Quimby Act" (California Government Code §66477 *et seq.*). The authority for the recreation facilities requirements derives from two different sources, and these requirements are separately listed below. A proposed PD shall provide recreational facilities as follows:

1. In order to foster the unique sense of community associated with planned residential developments, the PD recreation facilities requirements shall include in-tract recreation improvements that will meet at least that proportion of the total park and recreation demand for such facilities created by the residents of the project. The total recreation facilities requirement for the PD project shall be the combination of the standards specified in this subsection and subsection (D)2 below, and shall not be less than that needed to accommodate the total demand for such facilities created by residents of the project, as determined by the Planning Commission in consultation with the Placer County Department of Facilities Services, Parks Division. These facilities are intended to provide in-tract neighborhood recreational amenities to the residents of the PD in excess of those required by the Subdivision Ordinance (Chapter 19, Placer County Code). For projects of 20 or fewer dwelling units, or for projects with more than 20 dwelling units where each unit is on a lot/parcel that is five acres or larger in size, funding to offset the cost to the County of providing other nearby recreational facilities, in an amount determined by the Planning Commission to be equivalent to the cost of satisfying the requirements of this subsection for such facilities, may be approved by the Commission.

2. In addition to the recreational facilities requirements enumerated in subsection (D)1 above, the PD project applicant shall also meet all requirements for public park and recreation facilities as required by the Subdivision Ordinance (Section 19.107, Chapter 19 of the Placer County Code).

3. As an alternative to (D)1 and (D)2 above, the applicant may propose to develop and dedicate to Placer County, or an appropriate recreation district serving the area of the project, a neighborhood park, consistent with the park needs of the community in which the PD is located (subject to the approval of and in coordination with the Placer County Parks Division) in lieu of creating commonly owned, on-site park and recreational improvements and/or as a credit toward the required park and recreation fees, as deemed appropriate by the Planning Commission.

4. If none of the above alternatives are determined by the Planning Commission to be feasible in a specific instance and after the Commission adopts findings to that effect, the applicant may pay a fee equivalent to the value of the park and recreation improved land required by subsections (D)1 and (D)2 above to the Placer County Parks Division to be used to provide public park and recreation facilities in the vicinity of the PD. The value of the park and recreation land improvements shall be as determined by the Placer County Parks Division.

5. In-tract amenities shall reflect the design of the PD project. For example, rural PD's should provide trails and other such amenities consistent with the project's lot sizes, surroundings and location. Urban and suburban PD's should provide active recreation facilities such as ball fields, tennis and basketball courts, picnic areas, bicycle paths, etc.).

E. **Open space areas:**

1. **Environmentally sensitive areas:**

a. Environmentally sensitive areas should be designated as open space on the PD site plan or tentative map based upon the site sensitivity and the environmental feature(s) to be preserved or protected, and the project should be designed in such a way as to avoid adversely affecting the open space areas.

b. Efforts should be made to avoid the crowding together of buildings and parking areas. The project shall be designed such that a majority of dwellings should have visual contact with the open space areas in order to convey a sense of being adjacent to a significant open area.

c. The design of the PD proposal should include open space for the preservation of woodlands, wetlands, meadows, and riparian corridors and the habitat they provide. The corridors should be linked with adjacent habitat areas whenever possible.

d. Equestrian and pedestrian trails may be placed within open space corridors so long as the environmentally sensitive feature being preserved or protected is not adversely impacted.

2. **Other open space areas.** If no environmentally sensitive features are identified within the project, the open space areas should be situated such that the crowding together of building and parking areas is avoided. In addition, the open space should provide a demonstrable aesthetic amenity to the PD.

F. **Staged development.** If the sequence of construction of various portions of the development is to occur in stages, then the open spaces and the recreational facilities proposed for the entire development shall be developed, or committed thereto, in proportion to the number of dwelling units constructed, or sooner if specified in the PD approval. At no time during the construction of the project shall the number of constructed dwelling units per acre of developed land exceed the overall density per acre established by the applicable land use intensity factor.

10.066 - Legal Documents

In planned residential developments with areas of common ownership, the subdivision map, dedications, covenants, and other recorded legal agreements shall provide for the following:

A. **Requirements to be included.** The required legal documents shall:

1. Legally create an automatic membership non-profit home owners' association or similar instrument.

2. Place title to any common property with the association, a non-profit land trust, or an appropriate public agency (e.g. Placer County, the State of California, etc.), or give definite assurance that any such common property will be so placed within a reasonable and specific time period.

3. Appropriately and permanently limit the use of the common property, including but not limited to prohibiting the further subdivision of such common area.

4. Give each lot owner the right to the use and enjoyment of the common property, subject to any applicable limitations established by the County, state, or others.

5. Assign responsibility for the operation and maintenance of the common property to the homeowners' association, an alternative entity approved by Placer County, or a designee acceptable to Placer County.

6. Place an association charge on each lot in a manner that will:

   a. Assure sufficient funds for the perpetual maintenance and upkeep of common areas, such charge to be a lien on the property (normally including an inflation factor); and

   b. Provide adequate safeguards for the lot owners against undesirably high charges.

7. Restrict the use of the property to the uses permitted by the conditional use permit if the uses are restricted pursuant to Section 10.060(C).

B. Approval and enforceability of documents. All legal documents required pursuant to this section shall not be acceptable until they are approved as to legal form and effect by the County Counsel or an authorized designee. Wherever the County has a direct interest and/or where required by the project conditions of approval, deed restrictions and association rules shall be enforceable by the County of Placer, as well as by the association. As an alternative, an instrument approved by Placer County or a designee acceptable to Placer County may serve as an enforcement mechanism for such restrictions and rules.

SUBCHAPTER 20

DISCRETIONARY LAND USE PERMIT PROCEDURES

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20.005 - Purpose

This subchapter provides procedures for the preparation, filing, processing by the Planning Department, and the approval or disapproval of discretionary permits that authorize specific land uses on specific sites. The types of land uses allowed in each zone district and the type of land use permit required for each are determined by Subchapter 5 (Zone Districts and Allowable Land Uses). Procedures for changing or obtaining relief from the requirements of this zoning ordinance (such as rezonings, variances and appeals) are in Subchapter 25 (Zoning Ordinance Administration).

20.010 - Applications: Filing and Processing

Applications for administrative review permits (Section 20.110), minor use permits (Section 20.120), conditional use permits (Section 20.130), variances (Section 25.130), and amendments (Section 25.110) shall be prepared and filed by the property owner or an authorized agent (applicant), and shall be accepted by the Planning Department and processed as provided by Sections 20.020 through 20.060 of this chapter. Subdivision application and processing requirements are contained in Chapter 19 of the Placer County Code (Subdivisions).

20.020 - 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 Impact Assessment Questionnaire (EIAQ), if required by Chapter 31 of this code (Environmental Review Ordinance), or an Exemption Verification Form, if applicable (See Chapter 31).

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

[**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.

20.030 - Filing of Applications

Applications for the permits required by this chapter 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 shall be accepted for processing by the Planning Department or approved, unless:

A. The proposed use is allowed on its site by Subchapter 5 (Zone Districts and Allowable Uses of Land), or is governed by the provisions of Section 15.810 (Temporary Uses and Events), 25.200 (Nonconforming Uses), or Section 25.210 (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 zoning ordinance, 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 zoning ordinance, 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,

D. No application for the same use on the same site was denied by the Zoning Administrator or Planning Commission within one year prior to the date of filing, unless permission to re-file has been granted pursuant to Section 20.150 (Effect of Denial), or unless the previous application was denied without prejudice by the hearing body; and,

E. The property taxes due on the proposed site as determined by the county Tax Collector are not delinquent, or, if the property taxes are determined to be delinquent, a payment schedule agreement has been authorized in writing by the Placer County Tax Collector and has been agreed to, in writing, by the property owner.

20.040 - Initial Review of Applications

In addition to the review required by Section 20.030 above, 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 30 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 25.140.

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 subchapter 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.

20.050 - Environmental Review

A. **Environmental review procedure.** After acceptance of a complete application as provided by Section 20.040, the application shall undergo environmental review as required by Chapter 31 of this code (Environmental Review Ordinance) and the California Environmental Quality Act (CEQA), in order to determine whether the proposed project is exempt from the requirements of CEQA or is not a project as defined by CEQA, whether a negative declaration shall be issued, or whether an environmental impact report (EIR) must be prepared. Such determinations and, where required, the preparation of EIRs shall be as provided by Chapter 31. [**Note:** Chapter 31 (Environmental Review Ordinance) is not included within the Zoning Ordinance and is separately available from the Planning Dept.]

B. **Additional information.** After an application has been accepted as complete pursuant to Section 20.040, the Planning Department may require the applicant to submit additional information needed for the environmental review of the project subject to the provisions of Chapter 31 of this code (Environmental Review Ordinance).

20.060 - Staff Report and Recommendations

A. **Staff evaluation.** The Development Review Committee (DRC) [see Section 25.010, *et seq.*] or other appropriate departmental staff as directed by the DRC or the Planning Director shall review all discretionary applications filed pursuant to this chapter to determine whether they comply and are consistent with the provisions of this chapter, other applicable provisions of this code, and the general plan. The DRC shall formulate a recommendation to the Zoning Administrator or Planning Commission (as applicable) on whether the application should be approved, approved subject to conditions, or denied.

B. **Staff report preparation.** A staff report shall be prepared by the Planning Department that describes the conclusions of the Development Review Committee and/or other appropriate staff about the proposed land use and any accompanying development as to its compliance and consistency with the provisions of this chapter, other applicable provisions of this code, applicable Community Plans, and the General Plan. The staff report shall include the recommendations of the DRC on the approval, approval with conditions, or denial of the application, based on the evaluation and consideration of any environmental documents, any material which accompanied the application(s) and any other pertinent information available to the DRC.

C. **Report distribution:**

1. **Zoning Administrator items.** Staff reports for matters reviewed by the Zoning Administrator shall be available for public review in the Planning Department no less than 48 hours before the meeting at which the report will be considered.

2. **Planning Commission items.** Staff reports for matters reviewed by the Planning Commission shall be furnished to applicant and shall be available to the public no later than one week prior to the scheduled public hearing on the application.

20.100 - Permit Approval or Disapproval

The procedures for the completion of processing, approval or disapproval of administrative review, minor use and conditional use permits shall be as provided by Sections 20.110 through 20.190. Procedures for completion of the processing of variances are in Section 25.130.

20.105 - Additional Building Site Applications

The procedures and requirements for the filing and approval of applications for approval of an additional single-family dwelling building site are established by Section 15.740 (Single-Family Dwellings, Additional Building Site).

20.110 - Administrative Review Permits

When an administrative review permit (ARP) is required by Sections 5.610(B)1.b, 5.610(B)1d or 15.600(B)1 to authorize a proposed land use, the permit shall be processed as set forth in Sections 20.010 *et seq.* (Applications: Filing and Initial Processing), except as follows:

A. **Notice not posted and public hearing not held.** Notice to the public shall be provided as set forth in Section 25.300(A), except for the requirement to post a notice on the property which is the subject of the permit application, and a public hearing is not conducted.

B. **Final action.** After completion of a staff report pursuant to Section 20.060, the Zoning Administrator shall take action on an administrative review permit application as follows:

1. The Zoning Administrator shall consider information presented about the project proposed in the administrative review permit application, in the staff report, in any accompanying environmental documents and comments received on such documents, in any correspondence received, from any field review, and from any other information made part of the record.

2. Within the time limits specified by Section 20.160(A) (Time Limits for Action by County), the Zoning Administrator shall, approve any proposed negative declaration, or other appropriate environmental document required by Chapter 31 of this code, and shall approve, approve subject to conditions, or disapprove the administrative review permit.

3. Approval or conditional approval shall be granted only where the Zoning Administrator can make the findings required by 20.140(A) (Permit Issuance - Findings required for approval), and the permit shall be denied where the findings cannot be made. The Zoning Administrator may approve an administrative review permit subject to conditions, as set forth in Section 20.140(B).

4. The decision of the Zoning Administrator shall be in writing, including all findings that were made as the basis for the decision.

C. **Appeal.** Decisions of the Zoning Administrator on administrative review permits may be appealed to the Planning Commission, in accordance with Section 25.140 (Appeals).

D. **Referral to Planning Commission.** As provided by Section 25.030(C), the Planning Director or Zoning Administrator may refer an administrative review permit to the Planning Commission for a public hearing, consideration, and approval or disapproval pursuant to the procedures specified by Section 20.130 (Conditional Use Permits). Such referral may occur at the discretion of the Planning Director or Zoning Administrator when it is deemed necessary because of policy implications, unique or unusual circumstances, the size of the project, or other factors determined by the Planning Director or Zoning Administrator to be significant enough to warrant Planning Commission review.

20.115 - Design Review Approval

When a design review approval is required by Section 5.550 to authorize a proposed land use, the permit shall be processed as set forth in Section 5.550(D) (Procedure for Design Review Approval).

20.120 - Minor Use Permits

When a minor use permit is required by Section 5.030 *et seq.* (Allowable Uses and Permit Requirements) to authorize a proposed land use, the permit shall be processed as set forth in Sections 20.010 *et seq.* (Applications: Filing and Initial Processing), and as follows:

A. **Public hearing.** After completion of a staff report pursuant to Section 20.060, the Zoning Administrator shall conduct a public hearing on the requested minor use permit. The hearing shall be scheduled, provided public notice and conducted in accordance with Section 25.300 (Public Hearings).

B. **Final action:**

1. The Zoning Administrator shall consider information presented about the project proposed in the minor use permit application in the staff report, in any accompanying environmental documents and comments received on such documents, in public testimony at the hearing, in any correspondence received at or before the hearing, and in any other information made a part of the record.

2. After the public hearing, and within the time limits specified by Section 20.160(A) (Time Limits for Action by County), the Zoning Administrator shall approve or not approve any proposed negative declaration or other appropriate environmental document required by Chapter 31 of this code, and shall approve, approve subject to conditions, or disapprove the minor use permit.

3. Approval or conditional approval shall be granted only where the Zoning Administrator can make the findings required by 20.140(A) (Permit Issuance - Findings required for approval), and the permit shall be denied where the findings cannot be made. The Zoning Administrator may approve a minor use permit subject to conditions, as set forth in Section 20.140(B).

4. The decision of the Zoning Administrator shall be in writing, including all findings that were made as the basis for the decision.

C. **Appeal.** Decisions of the Zoning Administrator on minor use permits may be appealed to the Planning Commission, in accordance with Section 25.140 (Appeals).

D. **Referral to Planning Commission.** As provided by Section 25.030(C), the Planning Director or the Zoning Administrator may refer a minor use permit to the Planning Commission for a public hearing, consideration, and approval or disapproval pursuant to the procedures specified by Section 20.130 (Conditional Use Permits). Such referral may occur at the discretion of the Planning Director or the Zoning Administrator when it is deemed necessary because of policy implications, unique or unusual circumstances, or the magnitude of the project. Referral of a minor use permit to the Planning Commission pursuant to this subsection shall occur when an environmental impact report or subsequent environmental impact report (but <u>not</u> an addendum EIR) is required for the project.

20.130 - Conditional Use Permits

When a conditional use permit is required by Section 5.030 (Allowable Uses and Permit Requirements to authorize a proposed land use, the permit shall be processed as set forth in Sections 20.010 *et seq.* (Applications: Filing and Initial Processing), and as follows:

A. **Planning Commission hearing.** After completion of a staff report pursuant to Section 20.060, the Planning Director shall schedule and the Planning Commission shall conduct a public hearing on the requested conditional use permit. The hearing shall be scheduled, provided public notice and conducted in accordance with Section 25.300 (Public Hearings).

B. **Final action:**

1. The Planning Commission shall consider information presented about the project proposed in the conditional use permit application in the staff report, in any accompanying environmental documents and comments received on such documents, in public testimony at the hearing, in any correspondence received at or before the hearing, and in any other information made a part of the record.

2. After the public hearing, and within the time limits specified by Section 20.160(A) (Time Limits for Action by County), the Planning Commission shall, as applicable, approve any proposed negative declaration pursuant to Section 31.540 of this code, certify or not certify a final environmental impact report pursuant to Sections 31.630 and 31.634, and shall approve, approve subject to conditions, or disapprove the conditional use permit.

3. Approval or conditional approval shall be granted only where the Planning Commission can make the findings required by 20.140(A) (Permit Issuance). The permit shall be denied where the findings cannot be made. The Planning Commission may approve a conditional use permit subject to conditions, as set forth in Section 20.140(B).

4. The decision of the Planning Commission shall be in writing, including all findings that were made as the basis for the decision.

C. **Appeal.** Decisions of the Planning Commission on conditional use permits may be appealed to the Board of Supervisors, in accordance with Section 25.140 (Appeals).

20.140 - Permit Issuance

The approval and issuance of an administrative review permit or minor use permit by the Zoning Administrator or a conditional use permit by the Planning Commission shall occur as set forth in this section.

A. **Findings required for approval.** No administrative review permit, minor or conditional use permit shall be approved unless the Zoning Administrator or Planning Commission (or Board of Supervisors in the event of an appeal) shall first find that:

1. The proposed use is consistent with all applicable provisions of this chapter and any applicable provisions of other chapters of this code.

2. The proposed use is consistent with applicable policies and requirements of the Placer County General Plan, and any applicable community plan or specific plan, and that any specific findings required by any of these plans are made.

3. The establishment, maintenance or operation of the proposed use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the county; except that a proposed use may be approved contrary to this finding where the granting authority determines that extenuating circumstances justify approval and enable the making of specific overriding findings.

4. The proposed project or use will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development.

5. The proposed project will not generate a volume of traffic beyond the design capacity of all roads providing access to the project, either those existing or those to be improved with the project unless a specific design deficiency is acknowledged and approved in conjunction with the adoption of a General Plan or Community Plan applicable to the area in question.

6. In a TPZ zone district (Subchapter 5), the establishment, maintenance and operation of the proposed use or building will not significantly detract from the use of the property for, or inhibit the growing and harvesting of timber.

7. Any findings required by Subchapter 5 (Zone Districts and Allowable Uses of Land) for the approval of proposed uses in specific zone districts or combining districts are made.

8. Any findings required by Subchapter 15 (Specific Use Requirements) for the approval of specific uses are made.

9. As required by Section 31.540 of this code (Environmental Review Ordinance) when a proposed negative declaration has been prepared for the project that, on the basis of the initial study and any comments received, there is no substantial evidence that the project will have a significant effect on the environment; or,

10. As required by Section 31.634 of this code (Environmental Review Ordinance) when a final environmental impact report has been prepared for the project, that the project as approved will not have a significant effect on the environment, or that the granting authority has:

    a. Eliminated or substantially lessened all of the significant effects on the environment, where feasible (as defined and used in §21061.1 of the California Public Resources Code); and,

b. Determined that any remaining unavoidable significant effects on the environment are acceptable due to specified overriding considerations; or,

11. As required by Section 31.320 of this code (Environmental Review Ordinance) when the proposed project meets the criteria discussed in the applicable section, that the project is:

    a. statutorily exempt from the provisions of CEQA; or,

    b. categorically exempt from the provisions of CEQA; or,

    c. not subject to environmental review pursuant to the provisions of Section 31.320 (D) ("General Rule").

12. The proposed use is consistent with, replaces or appropriately modifies any prior established relevant conditions of a previous entitlement, if applicable.

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 20.160 (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 31 of this Code (Environmental Review Ordinance), or adopt overriding findings pursuant to §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.

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.

C. **Effect of conditions.** It shall be unlawful, and a violation of this code, for any person to construct or otherwise establish a land use authorized by a permit pursuant to this subchapter prior to compliance with or contrary to the conditions of approval adopted as set forth in this section. See Section 35.110 (Penalties) for violations of this chapter.

D. **Effective date of permit.** An approved administrative review permit, variance, minor or conditional use permit shall become effective for the purposes of commencing the actions necessary to comply with conditions of approval and filing building permit applications, on the 11th day after approval of the permit by the granting authority, provided that approval shall be set aside and of no effect if an appeal is filed within 10 days after approval pursuant to Section 25.140 (Appeal). If no written or oral testimony is provided as a part of the official record, except for such testimony as may have been provided by the applicant and/or the Development Review Committee (DRC), the hearing body may waive the 10-day waiting period and may establish an effective date for the permit at any time following the conclusion of the public hearing, not to exceed the original 10-day waiting period.

E. **Implementation of permit.** After the effective date of an administrative review permit, minor use permit or conditional use permit, the applicant shall diligently proceed to carry out the conditions of approval and implement the permit by establishing the approved use within the time limits set forth in Section 20.160.

20.150 - Effect of Denial

If an administrative review, minor or conditional use permit application is denied by the Zoning Administrator or Planning Commission and the decision is not reversed through appeal (Section 25.140), no further application for a permit for the same use on the same property shall be filed for a period of one year from the date of denial, except where the granting authority gives permission for such filing or the permit application was denied without prejudice. Permission to re-file shall be granted only if the applicant can show a substantial change of circumstances or conditions from those existing at the time of such previous denial. A re-filed application shall be processed in the same way as a new application.

20.160 - Permit Time Limits, Exercising of Permits, and Extensions

A. **Time limits for action by county.** As provided by California Government Code §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 31 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 20.040 (Initial Review of Applications), unless the project proponent requests an extension of the time limit (see Section 20.160(A)3 below).

2. If an environmental impact report is prepared for the project pursuant to the provisions of Chapter 31 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 Section 20.160(A)3 below).

3. If a project proponent requests, in writing, an extension of the time limits specified in Sections 20.160(A)1 and 20.160(A)2 above, the Planning Director may grant or deny such a request for good cause. A request for a decision by the Planning Director to grant an extension of the time limits specified above shall be made prior to the expiration of such time limits. The Planning Director may grant an extension for such a reasonable additional time period as is deemed appropriate.

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 §65956(b).]

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 24 months from its effective date (Section 20.140(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 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 10.060) 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.

2. **Lapse of permit after implementation.** Once a project has been implemented as set forth in subsection 20.140(E) above, 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 4 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 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 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 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.

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 subchapter. The site of a lapsed permit shall be used only for uses allowed in the applicable zone district by Subchapter 5 (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 three 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 non-refundable 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 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 20.140 (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.

20.170 - Applications Deemed Approved

Any permit application deemed approved pursuant to California Government Code §65956 shall be subject to all applicable provisions of this chapter, which shall be satisfied by the applicant before any construction permit is issued or a use not requiring a construction permit is established.

20.180 - 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.

B. Changes to the project involving features described in subsections (A)2 and (A)3 above shall only be approved by the granting authority pursuant to a new permit application processed as set forth in this chapter.

20.190 - Security for Performance

A. **Security required.** When required by this chapter or by the granting authority through conditions of approval, guarantees of performance shall be provided by the applicant in the form of letters of credit, certificates of deposit, cash deposits and/or other forms specified by the granting authority. The purpose of such guarantees shall be to secure compliance with conditions of approval or the provisions of this chapter.

B. **Amount of security.** Required security shall be furnished in the amount of 110 percent of the estimated costs of improvements or other actions being guaranteed (except for environmental mitigation, which is instead covered by the Environmental Review Ordinance, Chapter 31 of this code), based on an estimate of cost prepared by a qualified professional approved by the Planning Director.

C. **Authorization for completion.** Required security shall include authorization for the county or its contractors to enter upon the property in question and undertake and complete the work being guaranteed in the event of default by the applicant.

D. **Update of security.** An annual review of the amount of the security may be required by the granting authority. If found to be outdated or insufficient, such security may be required to be increased in order to guarantee the original condition for which such security was required. If the security is not provided within 60 days of its due date, such action shall be grounds for setting aside the approval and for a hearing to revoke the permit.

25.100 - Changes to Ordinance, Relief from Standards

Sections 25.110 through 25.140 of this chapter set forth procedures for changing and/or obtaining relief from the provisions of this chapter.

25.110 - Ordinance or Plan Amendments and Rezonings

This zoning ordinance may be amended as provided by this section and California Government Code §65853 *et seq.*, whenever the Board of Supervisors determines that public necessity, convenience, or welfare would be served. Amendments may include changing the boundaries of zoning districts (rezonings), and/or other changes to the Placer County Zoning Maps (Section 5.020) affecting the use of property, or changes to the requirements of this chapter (zoning text amendments).

A. **Initiation of amendment.** An amendment to this chapter may be initiated by the Planning Director, the Planning Commission or the Board of Supervisors. Amendment requests from the public shall be filed using the forms provided by the Planning Department, shall be signed by the legal owner(s) of property affected by the proposed amendment, and shall include the filing fee set by the county fee ordinance.

B. **Planning Commission hearing.** After the completion of any environmental documents and public review periods required by the California Environmental Quality Act (CEQA) and the completion of a Planning Department staff report, the Planning Commission will provide notice and hold a public hearing pursuant to Section 25.300. The purpose of the hearing shall be to receive testimony from persons interested in the proposed amendment, to consider the recommendations of the Planning Director and/or the Development Review Committee, and to adopt a recommendation to the Board of Supervisors.

C. **Planning Commission recommendation.** The Planning Director, on behalf of the Planning Commission, shall submit a written report conveying the Commission's recommendation on the proposed amendment to the Board of Supervisors giving the reasons for the recommendation and the relationship of the proposed amendment to affected elements of the general plan and any affected community plans or specific plans.

D. **Board of Supervisors hearing and decision.** The Board of Supervisors shall provide public notice and hold a public hearing pursuant to Section 25.300. The Board of Supervisors may approve, modify or disapprove the recommendation of the Planning Commission, provided that no ordinance amendment or rezoning shall be approved unless the Board of Supervisors first finds that the proposed change is consistent with all applicable provisions of the Placer County General Plan. However, any modification of a proposed amendment by the Board of Supervisors not previously considered by the Planning Commission shall first be referred to the Planning Commission for report and recommendation. The Planning Commission is not required to hold a public hearing on such referral. As provided by California Government Code §65857, failure by the Planning Commission to report within 40 days after the referral (or longer period set by the Board) shall be deemed approval of the proposed modification to the amendment.

E. **Conditional rezonings.** The Planning Commission may recommend and the Board of Supervisors may impose reasonable conditions on the approval of any rezoning for the purposes of ensuring consistency of the proposed zoning with the general plan, mitigating environmental impacts, minimizing functional conflicts with surrounding land uses, or any other purpose that is determined by the Board of Supervisors to protect the public health, safety, or general welfare.

1. **Type of conditions.** Conditions imposed on a rezoning pursuant to this section may include, but shall not be limited to, dedication of additional road rights-of-way and requirements for participation in the cost of public improvements, reasonably related to the land uses that would be allowed by the proposed zoning, and limitations on the type and nature of land uses allowed in the new zone district.

2. **Timing of compliance with conditions.** When a zoning amendment with conditions is adopted by the Board of Supervisors, the ordinance shall specify when such conditions shall be satisfied relative to the approval by the county of any subdivision of the property, any land use or construction permits, or any actual development.

3. **Reversion of -PD designation following expiration of tentative map.** When any subdivision tentative map approved in conjunction with the establishment of a -PD designation expires or such approval is otherwise revoked by the Planning Commssion or the Board of Supervisors, the -PD designation established for the project shall either revert to the -PD density which existed prior to the project approval, or shall no longer be effective (if no -PD designation existed prior to project approval).

F. **Termination of proceedings.** The process of rezoning a property or considering another amendment to this chapter may be terminated by the Board of Supervisors before the amendment is adopted, as follows:

1. With the approval of the Planning Commission, an amendment request from the public may be withdrawn if a written application is filed by a majority of the persons who signed the original rezoning application.

2. The Board of Supervisors may abandon any amendment proceedings, either on its own motion or at the request of the Planning Commission, as long as any hearing for which public notice was given is first held.

G. **General/Community/Specific plan amendments.** Amendments to the Placer County General Plan, any adopted community plan or an approved specific plan shall be processed in the same manner as amendments to this chapter [REF: Sections 25.060(A) though (D) above], except that plan amendments, if approved by the Board of Supervisors, shall be adopted by resolution rather than by ordinance. Plan amendment applications necessary to accomplish rezonings or zoning text amendments may proceed either concurrently with or prior to other amendment applications which are processed pursuant to the provisions of this section.

25.130 - Variance

A variance from the strict application of the requirements of this chapter may be requested and granted as provided by this section.

A. **Limitations on the use of a variance.** A variance shall not be used to:

1. Reduce the minimum lot area required for a new land division by Subchapter 5 of this chapter such that the project would increase densities above those specified by the general plan or any applicable community plan; or

2. Waive any other requirement of this chapter or Chapter 19 of this code (Subdivisions) related to general plan consistency and other subdivision map requirements; or

3. Authorize land uses other than those identified as allowed in the particular zoning district by Subchapter 5, as required by California Government Code §65906.

B. **Application and processing:** A variance application shall be completed, filed with the Planning Department and processed as provided by Sections 20.010 (Applications: Filing and Initial Processing).

C. **Notice and hearing.** After acceptance of a variance application and completion of a staff report, the Zoning Administrator (or Planning Commission in the case of variances associated with projects for which the Planning Commission is the granting authority) shall conduct a public hearing on the variance request. The notice and scheduling of the hearing shall be as set forth in Section 25.300 (Public Hearing).

D. **Action on a variance.** The Zoning Administrator or Planning Commission shall approve, approve subject to conditions, or disapprove a variance as set forth in this subsection.

1. **Findings.** Approval or conditional approval may be granted only when the granting authority first determines that the variance satisfies the criteria set forth in California Government Code §65906 by finding that:

a. There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, and because of such circumstances, the strict application of this chapter would deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

b. The variance authorized does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zone district.

c. The variance does not authorize a use that is not otherwise allowed in the zoning district.

d. The granting of the variance does not, under the circumstances and conditions applied in the particular case, adversely affect public health or safety, is not materially detrimental to the public welfare, nor injurious to nearby property or improvements.

e. The variance is consistent with the Placer County General Plan and any applicable community plan or specific plan.

f. The variance is the minimum departure from the requirements of this ordinance necessary to grant relief to the applicant, consistent with subsections a. and b., above.

2. **Conditions of approval.** In approving a variance, conditions shall be adopted by the Zoning Administrator or Planning Commission as necessary to enable making the findings described in subsection (D)1 of this section.

E. **Effective date of variance.** The approval of a variance shall become final and effective for the purposes of construction permit issuance or establishment of a non-structural use, on the 11th day after approval by the granting authority, unless an appeal to the decision is filed as set forth in Section 25.140 (Appeal). In the event of an appeal, the decision of the granting authority shall be set aside and of no effect until final action by the appeal body pursuant to Section 25.140 (Appeal). If no written or oral testimony is provided as a part of the official record, except for such testimony as may have been provided by the applicant and/or the Development Review Committee (DRC), the hearing body may waive the 10-day waiting period and may establish an effective date for the variance action at any time following the conclusion of the public hearing, not to exceed the original 10-day waiting period.

F. **Time limits and extensions.** A variance is subject to the time limits, extension criteria and other provisions of Section 20.160 of this chapter.

25.140 - Appeals

Decisions of the Planning Director, the Zoning Administrator, the Environmental Review Committee, the Parcel Review Committee, the Design/Site Review Committee, the Development Review Committee and the Planning Commission may be appealed by an applicant or by any aggrieved person as provided by this section.

A. **Appeal subjects and jurisdiction.** Actions and decisions that may be appealed, and the authority to act upon an appeal shall be as follows:

1. **Administration and interpretation.** The following actions of the Planning Director and his/her staff may be appealed to the Planning Commission and then to the Board of Supervisors:

   a. Determinations on the meaning or applicability of the provisions of this chapter that are believed to be in error, and cannot be resolved with staff;

   b. Any determination that a permit application or information submitted with the application is incomplete, pursuant to California Government Code §65943.

2. **Land use permit and hearing decisions.** Rulings of the Planning Director, the zoning Administrator, the Design/Site Review Committee, or the Parcel Review committee (other than road improvement requirements) may be appealed to the Planning Commission and then to the Board of Supervisors. Rulings of the Parcel Review Committee related to road improvement requirements may be appealed to the Director of Public Works [see Chapter 19, Section 19.316 of the Placer County Code] and then to the Board of Supervisors. Rulings of the Planning Commission may be appealed directly to the Board of Supervisors. Rulings of the Development Review Committee and the Environmental Review Committee may be appealed to the hearing body having original jurisdiction in the matter being appealed. **[NOTE:** See Section 25.050 (Decisions of the Planning Commission and Board of Supervisors) for a discussion of the voting requirements of appeal bodies.]

B. **Who may appeal:**

1. An appeal may be filed by any person affected by a Planning Department administrative action or interpretation as described in subsection (A)1.

2. A hearing decision described in subsection (A)2 may be appealed by anyone who, in person or through a representative explicitly identified as such, appeared at a public hearing in connection with the decision being appealed, or who otherwise informed the county in writing of the nature of his/her concerns before the hearing.

3. A representative of a county department presenting departmental recommendations at a hearing shall not be authorized to appeal a decision reached at such hearing.

C. **Filing of appeals:**

1. **Timing and form of appeal.** An appeal must be filed within 10 days of the decision that is the subject of the appeal; appeals filed more than 10 days after the decision shall not be accepted by the Planning Department. An appeal shall be in writing, shall include any information required by the Planning Director, and may include any explanatory materials the appellant may wish to furnish. The appeal shall be accompanied by the filing fee set by the most current Planning Department Fee Schedule.

2. **Filing and processing.** An appeal shall be filed with the Planning Director, who shall process the appeal pursuant to this section, including scheduling the matter before the appropriate appeal body.

3. **Effect of filing.** In the event of an appeal, the decision being appealed shall be set aside and of no effect until final action by the appeal body pursuant to this section.

D. **Processing of appeals:**

1. **Extension of prior permit.** Where the subject of an appeal is a business or activity in continuous or ongoing seasonal operation pursuant to a previously issued permit, the Board of Supervisors may grant a temporary extension of the previously issued permit pending the outcome of the appeal, but no longer than 60 days from the date of expiration. The temporary extension may be granted only in a public meeting of which all appellants of record have been individually notified, and at which all interested parties are given an opportunity to be heard.

2. **Report and scheduling of hearing.** When an appeal has been filed, the Planning Director shall prepare a report on the matter and shall schedule the matter for consideration by the appropriate appeal body identified in subsection (A) of this section after completion of the report.

3. **Board assumption of appeal hearing authority.** In any case where a ruling of the Planning Director or Zoning Administrator has been appealed to the Planning Commission, the Board of Supervisors may determine that they shall hear and decide upon the appeal instead of the Planning Commission. A decision for the Board to assume appeal authority shall occur through the vote of three or more Board members at a regular meeting of the Board of Supervisors, either before the distribution of public notice for the Planning Commission hearing, or within 10 days after a continued hearing before the Commission.

4. **Action and findings:**

   a. **General procedure.** After an appeal has been scheduled for consideration by an appellate body, the appellate body shall conduct a public hearing pursuant to the provisions of Section 25.300 (Public Hearing). At the hearing (a hearing conducted "over again"), the appellate body shall initiate a discussion limited to <u>only</u> those issues that are the specific subject of the appeal, and, in addition, the specific grounds for the appeal. [For example, if the permit for a project approval or denial has been appealed, the entire project will be the subject of the appeal hearing; however, if a condition of approval has been appealed, then <u>only</u> that condition and issues directly related to the subject of that condition will be allowed as part of the discussion by the appellate body.]

(1) The appeal body may affirm, affirm in part, or reverse the action, decision or determination that is the subject of the appeal, based upon findings of fact about the particular case. The findings shall identify the reasons for the action on the appeal, and verify the compliance or non-compliance of the subject of the appeal with the provisions of this chapter.

(2) When reviewing a decision on a land use permit (Subchapter 20), the appellate body may adopt additional conditions of approval that may address other issues or concerns than the subject of the appeal, only if such other issues or concerns are substantially related to the subject of the appeal.

(3) A decision on an appeal by an appeal body may also be appealed as provided by subsection (A) of this section, provided that the decision of the Board of Supervisors on an appeal shall be final.

b. **Appeals to Board.** When a decision of the Planning Commission has been appealed to the Board of Supervisors, the Board may choose to not conduct a hearing on the appeal, based on their review of the report and action of the Planning Commission. Such action by the Board shall constitute affirmation of the decision being appealed.

c. **Time limits on appeals.** Upon receipt of an appeal in proper form, the Planning Director or Clerk of the Board of Supervisors, as applicable, shall schedule the matter for consideration by the appropriate appeal body. The appeal body shall commence a public hearing on the appeal within 90 days of its proper filing, or within such other time period as may be mutually agreed upon by the appellant, in writing, and the appeal body, in writing. If the public hearing is not commenced within 90 days, or an alternative time period is not agreed upon by the appellant and the appeal body, the decision rendered by the last hearing body shall be deemed affirmed. **[NOTE:** Once commenced, a public hearing on an appeal may be continued from time to time for good cause.]

5. **Withdrawal of appeal - Hearing decisions.** After an appeal of a decision has been filed, an appeal shall not be withdrawn except with the consent of the appropriate hearing body.

25.200 - Nonconforming Uses

No land use permit shall be approved pursuant to Subchapter 20 (Discretionary Land Use Permit Procedures) which results in the creation of a nonconforming use of land or building, or which makes any existing use, building or structure nonconforming as to the provisions of this chapter. A nonconforming use of land or buildings may be continued, changed or replaced only as provided by this section. Nonconforming mobile homes are covered by Section 15.460(E).

A. **Nonconforming uses of land.** A nonconforming use of land may be continued, transferred or sold, provided that no such use shall be enlarged or increased, nor be extended to occupy a greater area than that which it lawfully occupied before becoming a nonconforming use.

B. **Nonconforming buildings.** A nonconforming building may continue to be used as follows:

1. **Changes to building.** The enlargement, extension, reconstruction or structural alteration of a building that is nonconforming only as to height and setback regulations, may be permitted if such additions or improvements conform to all other applicable provisions of this chapter [Ref. Sections 10.020, 10.080, 10.082, 10.084 and 10.086], and the exterior limits of new construction do not encroach any further into the setback or the height limit than the comparable portions of the existing building.

2. **Maintenance and repair.** A nonconforming building may undergo normal maintenance and repairs, provided that the work does not exceed 15 percent of the appraised value thereof as shown in the Assessor's Records in any one year period.

C. **Nonconforming use of a conforming building.** The nonconforming use of a building that otherwise conforms with all applicable provisions of this chapter may be continued, transferred and sold, as follows:

1. **Expansion of use.** The nonconforming use of a portion of a building may be extended throughout the building provided that a minor use permit is first secured in each case where the expansion exceeds 30% of the original size of the nonconforming use.

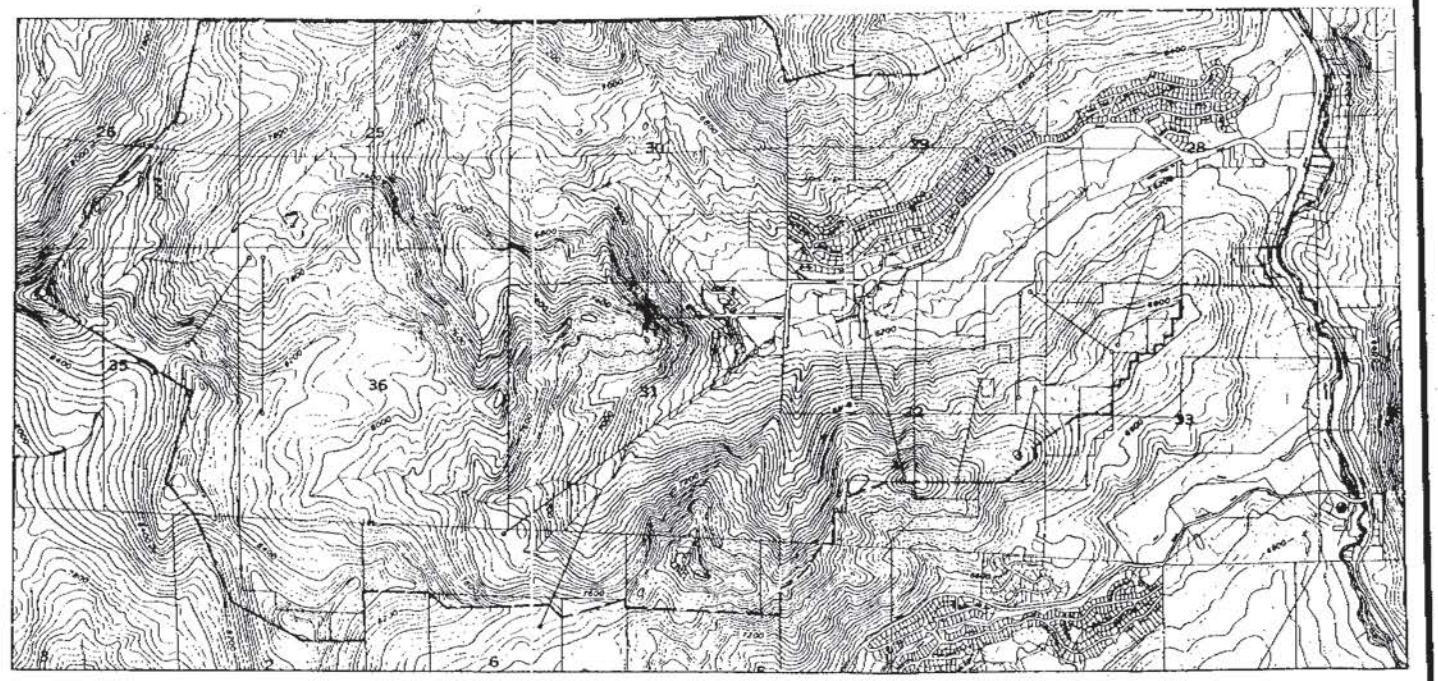
2. **Substitution of use.** The nonconforming use of a building may be changed to a use of the same or more restricted nature.

D. **Nonconforming residential uses in a commercial or industrial zone.** A nonconforming residential use located in a commercial or industrial zone may be expanded, enlarged or remodeled without regard to the limitations provided by subsections (B)2 and (C)1 above; however, the provisions of subsection (B)1 above shall apply.

E. **Industrial districts.** A nonconforming industrial or agricultural use located in an industrial district may undergo minor alterations or additions, except that such use shall be brought into conformity with all applicable provisions of this chapter if it is proposed to be altered or increased to more than 30 percent of its original size as it existed on the date the use became nonconforming, or to such an extent that the use of land is different from the initial use and the new use would require a minor or conditional use permit.

F. **Destroyed structure.** The reconstruction of a building damaged by fire or calamity which at the time was devoted to a nonconforming use may be authorized by the Zoning Administrator through minor use permit approval, provided that reconstruction shall occur within 24 months after the date of the damage and that the reconstructed building shall have no greater floor area than the one damaged.

G. **Loss of nonconforming status.** If a nonconforming use of land or a nonconforming use of a conforming building is discontinued for a continuous period of one year, it shall be presumed that the use has been abandoned. Without further action by the County, further use of the site or building shall comply with all the regulations of the zone district in which the building is located, (Sections 5.100 *et seq.*) and all other applicable provisions of this chapter.



SQUAW VALLEY GENERAL PLAN 1983

"POTENTIAL FUTURE SKI LIFTS"

Before the Board of Supervisors
County of Placer, State of California

In the matter of:

An Ordinance approving a Zoning Text Amendment (PZTA T20060328) to modify section 135.23 of the Squaw Valley Land Use Ordinance.

Ordinance No: 5434-B

The following ORDINANCE **was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held** 10/24/06**, by the following vote on roll call:**

Ayes: WEYGANDT, HOLMES, GAINES, KRANZ, SANTUCCI

Noes: NONE

Absent: NONE

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

Ann Holman

WHEREAS, the Board has considered the recommendation of the Placer County Planning Commission and finds the proposed modification to be in the best interest of the Community,

NOW, THEREFORE, BE IT ORDAINED, that the Board takes action to approve the subject Zoning Text Amendment, and that Section 135.23 is hereby amended as shown in the attached document.

Section 135.23 Squaw Valley Wayfinding Signage Project
Sign Criteria – This section describes the criteria for implementing a "Way Finding" sign program for the Community

All signage proposed for placement and use in the Squaw Valley Wayfinding Signage Project ("Project") shall be designed and implemented for the purpose of the promotion of tourism and improving the Squaw Valley visitor experience. All signage shall meet the following criteria. *traffic safety, and improving*

1. Signs shall be installed only after obtaining necessary County Entitlements including, but not limited to: Sign Permit(s), Design Review, Encroachment Permits, and Building Permits. All signs, including installation and maintenance thereof, must comply with the terms and conditions of the County Entitlements. Sign Permits and Design Review approvals shall be done in accordance with the involvement of the Squaw Valley Design Review Committee (SVDRC), and, where appropriate, the Squaw Valley Municipal Advisory Council (SVMAC).

2. The text of all signs must meet one (1) of the following criteria, prior to installation. The text on all signs shall be for the principal purpose of assisting visitors in locating attractions within the Squaw Valley area to which directions are commonly sought.

    A. The text identifies the location of a specific recreational facility such as ski lifts, cable cars, golf courses or stables.
    B. The text identifies the location of historic location, local landmark, or point of interest such as the 1960 Olympic site.
    C. The text identifies the location of specific public and visitor services such as parking, transit service, medical facilities, and emergency services.
    D. The text identifies resort properties that provide a full range of on-site guest services such as shopping, dining, fitness facilities, 24 hour registration, and concierge in addition to lodging.

3. No sign submitted for approval may do any of the following:
    A. Advertise individual businesses within a resort property.
    B. Advertise the location or availability of denominational religious institution of events.
    C. Advertise any business, facility or location which does not meet the criteria set forth above.

4. Signs proposed as part of a "Wayfinding Program" may employ special criteria different from that of other signage requirements of this chapter.

5. Appeals or decisions of this Section shall be conducted in accordance with the Appeals procedures as set forth in this Code.