

## ARTICLE 7

### SEC 21-7. REGULATIONS FOR THE RURAL LANDS OR “RL” DISTRICT.

- 7.1 Purpose:** To provide for resource related and residential uses of the County’s undeveloped lands that are remote and often characterized by steep topography, fire hazards, and limited access. The following regulations shall apply in all “RL” districts.
- 7.2 Performance standards:** All uses permitted within this district shall be subject to the performance standards set forth in Article 41.
- 7.3 Uses permitted:**
- (a) Prospecting, claiming, and preliminary geophysical investigations for natural resources including oil, gas, geothermal, or other mineral resources.
  - (b) Agricultural uses, including crop and tree farming, livestock grazing, animal husbandry, apiaries, aviaries, except those uses indicated in Sections 7.4 and 7.5.
  - (c) One (1) single-family dwelling or mobile home which shall be constructed according to the residential construction standards of Section 10.20.
  - (d) One (1) granny unit or one (1) residential second unit which shall be subject to the requirements of Section 27.3 (h), or Section 27.3 (m), respectively.
  - (e) Commercial worm farming.
  - (f) One (1) produce stand for the display and sale of agricultural products subject to the requirements of Section 27.3 (1).
  - (g) Agricultural processing such as fruit dehydrators and packing sheds not exceeding a use area of two thousand (2,000) square feet.
  - (h) Greenhouses, hothouses and incidental structures not exceeding a use area of ten thousand (10,000) square feet.
  - (i) Game preserves. **(Ord. No. 1897, 12/7/1989)**
  - (j) Farm labor quarters and one (1) guest house subject to the requirements of Section 27.3 (g), or Section 27.3 (i), respectively.
  - (k) Home occupations subject to the requirements of Section 27.3 (j).
  - (l) Agricultural and residential accessory uses and accessory structures; small kennels. **(Ord. No. 2128, 1/14/1993)**
  - (m) Those uses permitted in the “RL” district with a zoning permit in Table A, Article 27.

**7.4 Uses permitted subject to first obtaining a Minor Use Permit in each case:**

- (a) Uses permitted in Section 7.3 when not in compliance with the performance standards set forth in Article 41.
- (b) Commercial dairies, large and small animal veterinary clinics. **(Ord. No. 2947, 5/3/2011)**
- (c) Private fishing and hunting clubs on parcel(s) containing not less than forty (40) acres; and commercial fishing and hunting clubs on parcel(s) containing not less than one hundred (100) acres. **(Ord. No. 1897, 12/7/1989)**
- (d) Small wineries with an annual production capacity of fifteen thousand (15,000) cases or less, including an incidental retail sales area of up to seven hundred and fifty (750) square feet for wine produced and/or bottled on the premises; Wine tasting facilities with up to seven hundred and fifty (750) square feet of retail sales area on sites with a minimum of ten (10) acres of planted vineyards, with or without a small winery. A restaurant up to seven hundred and fifty (750) square feet in size may be permitted accessory to a wine tasting room. Small wineries and tasting facilities may include winery and wine-related promotional events as defined in Section 68.4(s)17, non-promotional events as defined in Section 68.4(s)16. Non-promotional events shall be subject to Departmental review after one year of operation. **(Ord. No. 2947, 5/3/2011)**
- (e) Agricultural processing such as fruit dehydrators, packing plants, canneries, polishing and packaging plants with a use area between two thousand (2,000) and ten thousand (10,000) square feet.
- (f) Greenhouses, hothouses and incidental structures with a use area exceeding ten thousand (10,000) square feet.
- (g) Wholesale nurseries with incidental retail sales; retail nurseries. **(Ord. No. 2172, 8/12/1993)**
- (h) Commercial aquaculture.
- (i) Large and commercial kennels; commercial stables or riding academies. **(Ord. No. 2128, 1/14/1993)**
- (j) Display and sale of agricultural products, limited to one stand, exceeding six hundred (600) square feet in size per parcel. **(Ord. 1749, 7/7/1988)**
- (k) Commercial wood yards.
- (l) Agricultural service establishments primarily engaged in performing animal husbandry or horticultural services, including, but not limited to, blacksmiths, farriers, small equipment repair, irrigation services, custom meat cutting, and other ag-dependant uses which are of a similar character and not materially different to those uses listed above, with a total use area not exceeding five thousand (5,000)

square feet, including an incidental retail sales area not exceeding five hundred (500) square feet. **(Ord. No. 2947, 5/3/2011)**

- (m) Uses which are minor additions or alterations to existing uses or structures permitted by Section 7.5, limited to an increase of twenty (20) percent of the use area or gross floor area of the structure(s).
- (n) Those uses permitted in the “RL” district with a minor use permit in Table B, Article 27.

**7.5 Uses permitted subject to first obtaining a Major Use Permit in each case:**

- (a) Uses permitted in Sections 7.3 and 7.4 when not in compliance with the performance standards set forth in Article 41.
- (b) Cattle and hog feed yards, veal calf feeders, and animal sales yards.
- (c) Large wineries with an annual production capacity exceeding fifteen thousand (15,000) cases including incidental retail sales of wine produced or bottled on the premises, which may include winery and wine-related promotional events as defined in Section 68.4(s)17, non-promotional events as defined in Section 68.4(s)16, and amplified outdoor public events as defined in Section 68.4(s)15. Non-promotional events and amplified outdoor public events shall be subject to Departmental review after one year of operation. A restaurant may be permitted when accessory to incidental retail sales of wine. **(Ord. No. 2947, 5/3/2011)**
- (d) Agricultural processing such as fruit dehydrators, packing plants, canneries, polishing and packaging plants exceeding a use area of ten thousand (10,000) square feet.
- (e) Private and public campgrounds, resorts or retreats. **(Ord. No. 2706, 01/06/2005)**
- (f) Farm labor camps.
- (g) Small wineries and wine tasting facilities as defined in Section 7.4(d) that include amplified outdoor public events as defined in Section 68.4(s)15. Amplified outdoor public events shall be subject to Departmental review after one year of operation. **(Ord. No. 2947, 5/3/2011)**
- (h) Those uses permitted in the “RL” district with a major use permit in Table B, Article 27.
- (i) Off-road vehicle course when developed on property consisting of at least 100 acres. Off-road vehicle courses shall not be located in mapped serpentine soils areas, and shall not be developed in areas containing more than 10 residences within 1,200 feet, as measured from the project area boundary. **(Ord. No. 2716, 02/03/2005)**

- (j) Green waste composting facilities on parcels not less than 10 acres. (Ord. No. 2947, 5/3/2011)

**SEC. 21-7.10. DEVELOPMENT STANDARDS.**

**7.11 Maximum permitted density:** The number of lots which can be created from a parcel in this district shall be determined through Table 20. Unless modified by any “B” district, maximum permitted density is the sum of all values derived from Categories 1 through 4, but in no case shall the density exceed one (1) unit per twenty (20) acres. The maximum permitted density may be calculated based on the entire parcel or each proposed lot as long as all parcels conform to the density of Table 20. (Ord. 1749, 7/7/1988; Ord. No. 2402, 7/12/1997)

**Table 20. Land Capacity/Capability**

<b>Category 1 AVERAGE CROSS SLOPE (%)</b>	<b>BASE DENSITY</b>	<b>Category 2 FUEL LOADING</b>	<b>Category 3 LANDSLIDE RISK</b>	<b>Category 4 DISTANCE</b>
<b>0-19</b>	<b>20</b>	<b>--</b>	<b>--</b>	<b>5</b>
<b>20-29</b>	<b>30</b>	<b>5</b>	<b>3</b>	<b>5</b>
<b>30-34</b>	<b>40</b>	<b>7</b>	<b>5</b>	<b>5</b>
<b>35 +</b>	<b>45</b>	<b>8</b>	<b>7</b>	<b>5</b>

(Note: All numbers on the chart are in acres)

- (a) Category 1: The average cross slope of the parcel shall be determined by plotting the parcel on the appropriate U.S.G.S. quad sheet or other topographical map with a reliable scale prepared by a registered civil engineer or surveyor. The combined length of the contour lines, in scale feet, will be measured within the plotted area. The average cross slope is calculated utilizing the following formula:

$$S = \frac{.0023(I)(L)}{A}$$

- where:
- S = Average cross slope in percent
  - .0023 = Converts square feet to acres
  - I = Contour interval in feet
  - L = The combined length of the contour lines in linear feet
  - A = The gross area in acres of the parcel

The result of the above formula will be rounded down to the nearest whole percentage point.

- (b) Category 2: The fuel loading for the parcel shall be determined using the Lake County General Plan Wildfire Hazard Map on file at the Lake County Planning Department or any updated map indicating fuel load and/or fire hazard as approved by the Planning Commission. The maximum density shall be adjusted according to the parcel’s average cross slope and the corresponding line of Category 2 if the map

indicates either a “high” or “extreme” rating for more than fifty (50) percent of the parcel. Alternative data establishing fuel load and wildfire hazard may be prepared by a registered forester.

- (c) Category 3: The landslide risk for the parcel shall be determined using the Lake County General Plan Landslide Risk Map on file at the Lake County Planning Department, or any updated map indicating geologic hazards and slope stability as approved by the Planning Commission. The maximum density shall be adjusted according to the parcel’s average cross slope and corresponding line of Category 3 if the map indicates either an “unstable” or “existing unconsolidated to moderately consolidated landslide debris” rating for more than fifty (50) percent of the parcel. Alternative data establishing land stability may be prepared by a registered geologist with professional training in structural geology, or a certified engineering geologist.
- (d) Category 4: The distance shall be measured in air miles between the edge of the parcel and the location, on the effective date of this Ordinance, of the fire station of the nearest community designated in the 1981 Lake County General Plan’s Rural Lands policy and from the Hidden Valley substation of the South Lake Fire Protection District. The maximum density shall be adjusted according to Category 4 if the parcel is over five (5) air miles from a designated community. **(Ord. 1749, 7/7/1988; Ord. No. 2402, 7/12/1997)**
- (e) The maximum permitted density shall be determined by adding any assigned values in Categories 1, 2, 3, or 4. To determine the number of lots which can be created, divide the parcel’s gross acreage by the calculated maximum permitted density. The maximum permitted density may be calculated based on the entire parcel or each proposed lot as long as all parcels meet the minimum required density. **(Ord. No. 2402, 7/12/1997)**
- (f) Alternative data sources may be substituted for data sources identified in Categories 1 through 4 above, subject to approval by the Planning Commission. **(Ord. No. 2402, 7/12/1997)**
- (g) The Review Authority may increase the maximum permitted density permitted by Table 20 by up to fifty (50) percent when the Review Authority finds all of the following: **(Ord. 1749, 7/7/1988)**
  - 1. Surrounding parcel sizes are substantially similar in size to those proposed.
  - 2. All parcels to be created front on or will front on a publicly-maintained road, or all parcels front on or will front on a privately-maintained road where maintenance is insured by a homeowner’s association(s) declaration of conditions, covenants and restrictions (CC&R’s) or legal, binding road maintenance agreements across the subdivision site and to a county-maintained road.
  - 3. All proposed parcels front on maintained roads without utilizing flag lot design.

4. The proposed density is not more than one (1) unit per twenty (20) acres.
5. The site is not adjacent to any “TPZ”, “APZ”, “A” or “AI” zoning district.
6. The site does not contain any area identified in the Lake County General Plan as “Wetlands Protected”, Figure V-13; or “Natural Areas”, Figure V-5; or “Critical Resource and Conservation Areas”, Figure V-6.
7. The proposed density increase will not conflict with any specific policy or objective of the Lake County General Plan.
8. Any subdivision approval pursuant to this Subsection has been conditioned so that a building envelope(s) is located on each parcel meeting the following criteria:
  - i. Is one (1) acre in size or larger.
  - ii. Will accommodate a typical dwelling, access road, and leach field with one hundred (100) percent expansion area.
  - iii. Has a cross slope of less than fifteen (15) percent.
  - iv. Can be served by an access road or driveway of less than fifteen (15) percent grade.
  - v. Is rated as low or moderate fire hazard.
  - vi. Construction within the building envelope and along the access route will not adversely affect geological stability. (**Ord. 1749, 7/7/1988**)

**7.12 Minimum lot size:**

- (a) Twenty (20) acres except when the conditions exist as set forth in Subsection (b).
- (b) Minimum lot sizes of five (5) to twenty (20) acres may be approved when, as a result of physical features of the property, it is determined that adherence to the twenty (20) acre minimum parcel size would result in significant environmental impacts, or loss of agricultural efficiency, or physical separation of proposed parcels by physical features. Physical features may include, but are not limited to:
  1. “Blue line” creeks as indicated on U.S.G.S. topographic maps; or
  2. An existing publicly maintained road; or
  3. A “ridge”; or

4. Prime soils, Classes I through IV, may be the basis for reduction in minimum lot size where a reduction would allow the retention of prime soils in a single agricultural unit.
- (c) All subdivisions created pursuant to Section 7.12(b) shall include as a condition of approval rezoning to add a “B-Frozen”, “B-4” or “B-5” district of Article 30 to insure that the permitted density of Section 7.11 is not exceeded.

**7.13 Minimum average lot width:**

- (a) Parcels twenty (20) acres or less: Two hundred (200) feet.
- (b) Parcels more than twenty (20) acres: Four hundred (400) feet.

**7.14 Maximum length to width ratio:**

- (a) Parcels twenty (20) acres or less: Four (4) to one (1).
- (b) Parcels more than twenty (20) acres: Five (5) to one (1).

**7.15 Minimum yards:**

- (a) Front yard: Thirty (30) feet from lot line, or fifty-five (55) feet from centerline of roadway, whichever is greater. Yards abutting streets are front yards.
- (b) Rear yard: Twenty-five (25) feet from lot line.
- (c) Side yard: Fifteen (15) feet from lot line.
- (d) Accessory uses: The above yards shall apply.

**7.16 Maximum height:**

- (a) Principal structure: Thirty-five (35) feet.
- (b) Accessory structure: Twenty (20) feet. **(Ord. 1749, 7/7/1988)**
- (c) Agricultural accessory structures: Forty-five (45) feet. **(Ord. 1749, 7/7/1988)**

**7.17 Parking:** The following minimum parking requirements shall apply except as provided in Article 46.

- (a) Residential use: two spaces.
- (b) Other uses: As provided for in Article 46. **(Ord. No. 2128, 1/14/1993; Ord. No. 2305, 10/19/1995)**

- 7.18** Projects proposing four or fewer parcels less than 30 acres in size shall have access via an existing publicly maintained road or via a new road improved at a minimum with a processed gravel road consistent with county standards. **(Ord. No. 2402, 7/12/1997)**
- 7.19 Signs:** As provided in Article 45.
- 7.20 Notice of farming practices:** Shall be required as set forth in Section 4.18 for all single-family dwellings and farm labor quarters. **(Ord. 1749, 7/7/1988)**
- 7.21 Minimum residential construction standards:** All single-family dwellings except “Temporary Dwellings” and “Farm Labor Quarters” shall meet the minimum residential construction standards of the “R1” district, Section 10.20.
- 7.22 DEVELOPMENT STANDARDS EXCEPTIONS:** FOR EXCEPTIONS TO THE DEVELOPMENT STANDARDS OF THIS ARTICLE, SEE ARTICLE 42. **(Ord. 1749, 7/7/1988)**