

## **Chapter 3**

### **Special Zone Districts**

#### **18.03.010 PLANNED UNIT DEVELOPMENT (PUD) ZONE DISTRICT**

Provisions are made in this section for the adoption by ordinance of more specific plans for the regulation of building, structures and the uses of land, in certain areas herein designated as planned unit developments (PUD). When adopted by the Board of Supervisors in conformance to the procedures and subject to the limitations herein set forth, the zoning regulations governing the area included in a PUD shall be those contained directly or by reference in the ordinance adopting the same, in lieu of any differing regulations imposed by this chapter upon the district or districts in which the PUD is located.

##### **1. Intent**

The objective of these provisions is to secure a fuller realization of the General Plan of the County and of the purposes of this title than that which would result from the application of the district regulations. It is intended to be applied only to areas, under single or unified ownership or control, which are sufficiently large to allow for overall planning and design in detail so as to secure to the community, the future occupants and the developer, values and amenities greater than those likely to be achieved by the relatively inflexible provisions necessary to regulate the successive development of individual lots by numerous different owners.

##### **2. Limitation of Application.**

The procedure set forth in this chapter for the adoption of a PUD shall not apply to any site having a gross area of less than four acres, being either in one ownership or the subject of a joint application filed by all the owners or agents of property therein. The procedure shall not be used unless the proposed development is properly related to the General Plan. Where concurrent subdivision or subparceling into individual lots or the dedication of any streets is involved, conformity to related ordinances of the county is required, and this procedure shall be concurrent with and supplementary thereto.

##### **3. Preapplication Conference**

Before filing any application for a PUD, the prospective applicant shall submit to the Planning Director preliminary plans and sketches and basic site information for consideration and advice to the applicant as to the relation of the proposal to general developmental objectives to be attained in the area, and as to the policies of the Planning Commission with reference thereto.

##### **4. Stage Development**

The preapplication conferences shall be related to and include an exchange of information concerning the whole of the area owned or controlled and intended by the applicant to be developed under the PUD procedure, even though such development is intended to proceed by

stages with separate sections being made the subject of separate and successive applications for adoption as PUDs.

## 5. Application

Every application for a PUD shall be filed in conformance to this section and shall be accompanied by the following:

- a. A general development plan showing the proposed land ownerships, the uses, dimensions and locations of all proposed structures and of areas reserved for vehicular and pedestrian circulation, open spaces, landscaping, recreation, schools or other public uses;
- b. Architectural drawings and sketches showing the design and character of the proposed uses and their relation to one another;
- c. Tables showing the total number of acres and their distribution by use, and the percentage of the whole designated for dwellings of different types, nonresidential uses, streets, off-street parking, public uses and usable open spaces;
- d. A time schedule for the proposed development, with evidence of the intent and ability of the applicant to carry out the plan;
- e. Evidence of the concurrent submission of a tentative subdivision map, where either is involved, as required by this code;
- f. Such other pertinent information as the Commission may require to complete its evaluation of the intent and impact of the proposal.

## 6. Findings Required

After the conclusion of the hearing on an application for a PUD, the Planning Commission shall not recommend approval of the proposal unless it finds that the PUD as applied for is or may be conditioned to be in full conformance to the general purposes of this Title, and in particular that:

- a. The location, design and proposed uses are compatible with the character of existing development in the vicinity;
- b. The plan will produce internally an environment of stable and desirable character, and minimize traffic congestion on surrounding or access streets;
- c. The proposed development will be well integrated into its setting, without excessive earth moving or grading or the destruction of desirable natural features;
- d. Provision is made for both public and private open spaces, at least equivalent to that required by the superseded district regulations;

- e. Suitable provision is made, where appropriate, for schools, parks and playgrounds, and for the protection and maintenance of private areas reserved for common use; and
- f. There is reasonable assurance that the applicant intends and will be able to proceed with the execution of the project without undue delay.

7. Limitation of Residential Density.

Any increase in the number of dwelling units beyond that which would be permitted under the superseded district regulations shall be limited to that which the commission finds to be fully compensated for by the quality and distinction of various elements of the architecture and the site plan, including:

- a. The character and magnitude of the provision for both undeveloped and developed common open spaces;
- b. The reduction through efficient design of the total acreage needed for adequate vehicular circulation;
- c. Dedications for public use, if any; and
- d. The general excellence of the design as a whole, including among other criteria, the provisions for landscaping, the treatment of pedestrian ways and areas for recreational use, optimum relation to topography and other natural features, and variety of building form and location.

8. Commission Action

At the public hearing on an application for a PUD, the Commission shall review the plan and supporting information and may disapprove the application or may make a report to the Board of Supervisors, recommending that the subject area be reclassified as submitted, or subject to additional conditions. The Commission may, before disapproving the application, take action permitting the applicant to revise and resubmit the plan for further review. A final order of disapproval by the Commission shall also be reported to the board of supervisors.

9. Board Action

The Board of Supervisors, upon receipt of a report from the Planning Commission relating to an application for a PUD, shall take action thereon either approving the application with or without conditions or denying the application. The adoption of the PUD shall constitute a reclassification of the subject property, pursuant to this section. Concurrently with its adoption, the Board shall require of the applicant such guarantees as may be appropriate to ensure the accomplishment of any public improvements, such grants of easement and development rights, and such arrangements for maintenance of common open spaces as are relevant in the case.

10. Conformance required.

After adoption, and prior to the issuance of any building permit, a final development plan shall be prepared, and a final subdivision map or lot split map recorded, if either is involved, as required by this code. The final development plan shall conform to the ordinance adopting the PUD and shall show to scale all buildings, off-street parking facilities, landscaping, finished grades and such other detail as will suffice to indicate conformance to all the features, conditions and characteristics upon which the approval was predicated. The final plan shall be recorded, and a notation of reference thereto shall be made forthwith upon the zoning map. No permit shall thereafter be issued for any building, structure or use except in substantial conformance to the said final plan. A violation of any part of the plan or of any condition of the approval shall constitute a violation of this title. The Board may, however, by resolution extend any specified time limit, for starting or completing the development of any stage thereof, upon the showing of good faith and effort to comply therewith and failure to so comply by reason of conditions beyond control of the applicant for such extension.

**18.03.020 PUBLIC (P) DISTRICT**

1. Purpose and Intent

It is the purpose of this Section to provide regulations that implement those goals, objectives and policies of the General Plan and to assure the availability and adequacy of lands suitable for future public, quasi public and institutional facilities, uses and activities.

2. Use Regulations

Table 3.A identifies those land uses or activities that may be permitted or conditionally permitted in each P zone district.

**Table 3.A  
Permitted/Conditionally Permitted Use Within Public Zone District**

Legend

- P Permitted subject to Consistency Assessment
- C Permitted Subject to approval of a Conditional Use Permit

**Table**

3. Accessory Uses

Accessory structures and uses customarily incidental to any permitted or conditionally permitted use are permitted when located on the same parcel subject to other relevant regulations in this

Title. These accessory structures and uses include, but are not limited to, outbuildings, signs, swimming pools, fences, hedges, walls, mechanical equipment, storage, and animal maintenance.

#### 4. Site Development Standards

The minimum property development standards for all land, buildings, and structures constructed or placed within the P zone district shall be equivalent to the requirements of the zone district(s) of adjacent properties. When there is a conflict between adjacent zone districts and the P zone district, the Planning Director shall make the final determination as to the applicable development standards to be applied. Structures and buildings that do not meet the development standards may be approved with a Conditional Use Permit.

### **18.03.030 Open Space (OS) Zone District**

#### 1. Purpose and Intent

- a. The purpose of this Section is to provide a zone classification for those areas designated by the County General Plan for agricultural uses, State and federal lands, recreation, and other similar designations in order to encourage the protection of mountainous, hilly upland, valley, agricultural, potential agricultural, fragile desert areas, and other mandated lands from fire, erosion, soil destruction, pollution, and other detrimental effects of intensive and incompatible land use activities.
- b. It is the intent of this Section to establish standards for land uses that will protect and preserve the environmental resources, scenic, natural features, and open space character of the County, while also providing for agricultural development and protection of existing agricultural areas from urban development or residential subdivisions.
- c. It is also the intent of this Section to preserve agricultural areas and open space around the more intensive urban areas of the County, while providing for compatible multiple uses of nonagricultural lands which are principally held by federal and other public agencies.

#### 2. Use Regulations

Table 3.A identifies those land uses or activities that may be permitted or conditionally permitted in each C zone district.

### **Table 3.B Permitted/Conditionally Permitted Uses within the Open Space Zone District**

#### Legend

P Permitted subject to Consistency Assessment

C Permitted Subject to approval of a Conditional Use Permit

**Table**

3. Accessory Uses

Accessory structures and uses customarily incidental to any permitted or conditionally permitted use are permitted when located on the same parcel subject to other relevant regulations in this Title. These accessory structures and uses include, but are not limited to, outbuildings, barns, corrals, garages, signs, swimming pools, fences, hedges, walls, mechanical equipment, solar and geothermal energy systems for onsite use, storage, home occupations, agricultural structures and uses, and animal maintenance.

Roadside stands, not exceeding four hundred (400) square feet in gross floor area in total, for the sale of agricultural produce grown on the parcel or adjacent properties under the same ownership may be permitted as an accessory use in the OS zone district.

3. Development Standards

Table 3.C lists the specific development standards in the OS zone district.

**Table 3.C  
Development Standards in Open Space Zone District**

<b>Minimum Parcel Area</b>	40 acres or a quarter-quarter section, unless a greater minimum is depicted on the official Zoning Map
<b>Minimum Parcel Width</b>	500 feet
<b>Front Yard Setback</b>	50 feet
<b>Side Yard Setback</b>	50 feet
<b>Rear Yard Setback</b>	50 feet
<b>Maximum Height (Primary Structures)</b>	2 ½ stories of 30 feet
<b>Maximum Building Height (Farm and Ranch Buildings)</b>	60 feet
<b>Maximum Height (Accessory Structures)</b>	2 stories or 25 feet
<b>Minimum Distance Between Buildings</b>	10 feet