

## ARTICLE 8

### SEC. 21-8 REGULATIONS FOR THE RURAL RESIDENTIAL OR “RR” DISTRICT.

- 8.1 Purpose:** To provide for single-family residential development in a semi-rural setting along with limited agriculture. The following regulations shall apply in all “RR” districts.
- 8.2 Performance standards:** All uses permitted within this district shall be subject to the performance standards set forth in Article 41.
- 8.3 Uses permitted:**
- (a) One (1) single-family dwelling or mobilehome which shall be constructed according to the residential construction standards of Section 10.20.
  - (b) Agricultural uses, including crop and tree farming, livestock grazing, animal husbandry, apiaries, aviaries, except the uses indicated in Section 8.4 and Section 8.5.
  - (c) Agricultural and residential accessory uses and accessory structures.
  - (d) One (1) foster or small family home, family care home, supportive housing, transitional housing or small family day care home not to exceed six (6) persons in addition to the resident family. **(Ord. No. 3021, 12/16/2014)**
  - (e) Greenhouses, hothouses and incidental structures not exceeding a use area of six thousand (6,000) square feet.
  - (f) Agriculture processing such as fruit dehydrators and packaging sheds not exceeding a use area of two thousand (2,000) square feet.
  - (g) One (1) produce stand for the display and sale of agricultural products subject to the requirements of Section 27.3 (1).
  - (h) One (1) granny unit or one (1) residential second unit subject to the requirements of Section 27.3 (h), or Section 27.3 (m), respectively.
  - (i) Home occupations subject to the requirements of Section 27.3 (j).
  - (j) Farm labor quarters or one (1) guest house subject to the requirements of Section 27.3 (g), or Section 27.3 (i), respectively.
  - (k) Those uses permitted in the “RR” district with a zoning permit in Table A, Article 27.

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

- (a) Uses permitted in Section 8.3 when not in compliance with the performance standards set forth in Article 41.
- (b) Greenhouses, hothouses and incidental structures with a use area between six thousand (6,000) and ten thousand (10,000) square feet.
- (c) Small kennels. **(Ord. No. 2128, 1/14/1993)**
- (d) Commercial worm farm and aquaculture.
- (e) Wholesale nurseries with incidental retail sales; retail nurseries. **(Ord. No. 2172, 8/12/1993)**
- (f) Commercial aquaculture.
- (g) 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)**
- (h) Animal densities in excess of those permitted by Section 8.17. **(Ord. No. 2172, 8/12/1993)**
- (i) 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 wine tasting facilities may include winery and wine-related promotional events as defined in Section 68.4(s)17, and 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; Ord. No. 3077, 11/20/2018)**
- (j) Uses which are minor additions or alterations to existing uses or structures permitted by Section 8.5, limited to an increase of twenty (20) percent of the use area or gross floor area of the structure(s).
- (k) Those uses permitted in the “RR’ district with a minor use permit in Table B, Article 27.

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

- (a) Uses permitted in Sections 8.3 and 8.4 when not in compliance with the performance standards set forth in Article 41.
- (b) Agricultural processing such as fruit dehydrators, packing plants, canneries, polishing and packaging plants exceeding a use area of two thousand (2,000) square feet.
- (c) **REPEALED (Ord. No. 1749, 7/7/1988; Ord. No. 2172, 8/12/1993 )**
- (d) Small and large animal veterinary clinics on sites not less than five (5) acres; large and commercial kennels on sites not less than five (5) acres. **(Ord. No. 2128, 1/14/1993)**
- (e) Greenhouses, hothouses and incidental structures exceeding a use area of ten thousand (10,000) square feet.
- (f) Small wineries and wine tasting facilities as defined in Section 8.4(i) 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.
- (g) 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. 3077, 11/20/2018)**
- (h) Dairies, stables and riding academies on parcels not less than ten (10) acres.
- (i) Private and public campgrounds.
- (j) **REPEALED (Ord. No. 2172, 8/12/1993)**
- (l) Those uses permitted in the “RR” district with a major use permit in Table B, Article 27.

**SEC. 21-8.10. DEVELOPMENT STANDARDS.**

**8.11 Maximum permitted density:** The number of lots which can be created from a parcel in this district shall be determined through Table 5. 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 five (5) acres, nor shall the required density be less than the values in Category 5. (Ord. No. 1749, 7/7/1988; Ord. No. 2402, 7/12/1997)

**Table 5. Land Capacity/Capability**

<b>Category 1</b>		<b>Category 2</b>	<b>Category 3</b>	<b>Category 4</b>	<b>Category 5</b>
<b>AVERAGE CROSS SLOPE (%)</b>	<b>BASE DENSITY</b>	<b>FUEL LOADING</b>	<b>LANDSLIDE RISK</b>	<b>DISTANCE</b>	
<b>0-20</b>	<b>5</b>	<b>--</b>	<b>5</b>	<b>5</b>	<b>10</b>
<b>21-25</b>	<b>6</b>	<b>1</b>	<b>5</b>	<b>5</b>	<b>13</b>
<b>26-30</b>	<b>7</b>	<b>2</b>	<b>5</b>	<b>5</b>	<b>16</b>
<b>31 +</b>	<b>10</b>	<b>3</b>	<b>5</b>	<b>5</b>	<b>20</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:

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

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 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. 1749, 7/7/1988; Ord. No. 2402, 7/12/1997)**
- (f) Category 5: The maximum permitted density shall not be less than the value shown in Category 5 regardless of the total of values derived by adding the values from Columns 1 through 4. **(Ord. No. 1749, 7/7/1988; Ord. No. 2402, 7/12/1997)**
- (g) 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)**
- (h) The Review Authority may increase the maximum permitted density permitted by Table 5 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 five (5) acres.
5. The site is not adjacent to any “TPZ”, “APZ”, “A” or “AI” zoning districts.
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**)

#### **8.12 Minimum lot size:**

- (a) Five (5) acres, except when conditions exist as set forth in Subsection (b).
- (b) Minimum lot sizes of two and one half (2.5) to five (5) acres when, as a result of physical features of the property, it is determined that adherence to the five (5) acre minimum parcel size would result in significant environmental impacts, loss of agricultural efficiency of physical separation of proposed parcels by physical features. Physical features may include, but are not limited to:
  1. “Blue line” creek 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 when a reduction would allow retention of prime soils in a single agricultural unit.
- (c) All subdivisions created pursuant to Section 8.12(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 8.11 is not exceeded.

**8.13 Minimum average lot width:** Two hundred (200) feet.

**8.14 Maximum length to width ratio:**

- (a) Parcels five (5) acres or less: Three (3) to one (1).
- (b) Parcels more than five (5) acres: Four (4) to one (1).

**8.15 Minimum yards:**

- (a) Front yard: Thirty (30) feet from the 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.

**8.16 Maximum height:**

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

**8.17 Animal density:**

- (a) Parcels shall be limited to the raising, feeding, maintaining and breeding of animals and bees at the following permitted densities:
  1. One (1) hog or pig per forty thousand (40,000) square feet of area; or

2. One (1) horse, mule, cow, steer or similar animal per twenty thousand (20,000) square feet of area; or
  3. Three (3) goats, sheep, or similar animals per twenty thousand (20,000) square feet of area; or
  4. Twenty-four (24) chickens or similar animals per twenty thousand (20,000) square feet of area; or
  5. Ten (10) ducks, rabbits or similar animals per twenty thousand (20,000) square feet of area; or
  6. Unlimited density except that no more than two (2) beehives are permitted per parcel when within one (1) mile of a populated area (defined as ten (10) or more dwelling units established within a one-quarter (1/4) mile diameter area); or **(Ord. No. 1897, 12/7/1989)**
  7. Any combination of the above units which is determined to be of the same approximate density as (1) through (6) above. Parcels of less than twenty thousand (20,000) square feet are allowed animals in proportion to the square footage of the parcel.
- (b) The offspring of animals are allowed and shall not be counted until they are six (6) months of age.
  - (c) Animal densities exceeding standards set forth in Subsection (a) above shall be subjected to first obtaining a minor or major use permit, as determined by the Planning Director.
  - (d) 4-H, FFA and similar animal husbandry projects are permitted without limitation of parcel size, provided that the parcel contains at least twenty thousand (20,000) square feet, and a letter of project authorization shall be submitted to the Planning Department by the project advisor upon request. **(Ord. 1749, 7/7/1988)**

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

- (a) Residential use: two (2) spaces. **(Ord. 1749, 7/7/1988; Ord. No. 2128, 1/14/1993; Ord. No. 2305, 10/19/1995)**
- (b) Other uses: As provided for in Article 46. **(Ord. No. 2128, 1/14/1993; Ord. No. 2305, 10/19/1995)**



- 8.19** 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)**
- 8.20 Signs:** As provided in Article 45.
- 8.21 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)**
- 8.22 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.
- 8.23 DEVELOPMENT STANDARDS EXCEPTIONS: FOR EXCEPTIONS TO THE DEVELOPMENT STANDARDS OF THIS ARTICLE, SEE ARTICLE 42. (Ord. 1749, 7/7/1988)**