

**ZONING CODE AMENDMENT CA 22-01 (STRIKETHROUGH)
HOUSING OPPORTUNITIES OVERLAY DISTRICT AND TECHNICAL REVISIONS**

~~Deleted language is struck and new language is underlined~~

(Contains portions of Zoning Code sections.)

Subarticle 3. Overlay, Combining, and Other Districts

Sec. 7-9-44. H "Housing Opportunities" Overlay District.

All references to this section shall include sections 7-9-44.1 through 7-9-44.8.

Sec. 7-9-44.1. Purpose and intent.

The purpose of the H "Housing Opportunities" Overlay District (H) is to provide for the development of affordable rental housing within commercial and/or industrial districts, and on building sites zoned for high density residential uses in which all of the housing units are reserved for households which earn eighty (80) percent or less of the County median income as verified by the County of Orange, and seventy (70) percent of the units are reserved for low income households and thirty (30) percent of the units are reserved for very low income households. This section also provides regulations intended to facilitate the establishment of emergency shelters, ~~and~~ multi-service centers, ~~for~~ and low-barrier navigation centers for the homeless for persons experiencing homelessness pursuant to applicable State law. The intent is to facilitate the realization of affordable housing objectives presented in the Orange County Housing Element of the General Plan.

Sec. 7-9-44.2 Application.

(a) These H overlay district regulations apply to residential rental projects that are one hundred percent (100%) affordable and, emergency shelters, ~~and~~ multi-service centers, and low-barrier navigation centers for persons experiencing homelessness for the homeless that are located in one of the following base commercial or industrial zoning districts.

- (1) C1 "Local Business "District.
- (2) C2 "General Business" District.
- (3) CC "Commercial Community" District.
- (4) CH "Commercial Highway" District.
- (5) CN "Commercial Neighborhood" District.
- ~~(6) PA "Professional and Administrative Office" District.~~
- (6) ~~(7)~~ M1 "Light Industrial" District.

- (b) The H overlay district regulations apply to residential rental projects that are one hundred percent (100%) affordable that are located on building sites without an existing multifamily residential use in one of the following multifamily zoning districts.
 - (1) R2 "Multifamily Dwellings" District.
 - (2) R3 "Apartment" District.
 - (3) R4 "Suburban Multifamily Residential" District.
- (c) Residential rental projects ~~and~~, emergency shelters, and low-barrier navigations centers to which this section applies include the following.
 - (1) Projects located on building sites and/or within structures without existing residential, commercial and/or industrial uses.
 - (2) Projects located on building sites and/or within structures that include residential, commercial and/or industrial uses.
 - (3) Projects wherein residential uses replace residential, commercial and/or industrial uses in a pre-existing structure.
- (d) In all cases, residential projects, emergency shelters, multi-service centers, and low-barrier navigation centers ~~emergency shelter uses~~ shall conform to all of the regulations in this section, including the site development standards.
- (e) Any commercial, and/or industrial uses shall satisfy the base district regulations.

Sec. 7-9-44.3. Site Development Permit.

The residential projects, emergency shelters, ~~and~~ multi-service centers, and low-barrier navigation centers for persons experiencing homelessness ~~for the homeless~~ allowed herein shall be subject to the approval of a Site Development Permit unless otherwise stated.

Sec. 7-9-44.4. Temporary uses permitted.

Certain temporary uses, permitted per section 7-9-117, are allowed.

Sec. 7-9-44.5. Accessory uses permitted.

The following accessory uses and structures are permitted when associated with, and subordinate to, a permitted residential use on the same building site and when consistent with the approved Site Development Permit for the project and any other regulations in this Zoning Code that apply.

- (a) Garages and carports.
- (b) Fences and walls.
- (c) Patio covers.
- (d) Swimming pools.
- (e) Signs per section 7-9-114 except no roof signs or projecting signs.
- (f) Noncommercial keeping of pets and animals.
- (g) Home occupations.

- (h) Manager's unit, which is exempt from affordability requirements.
- (i) Child day care center/early education facility per the Housing Opportunities Manual.
- (j) Accessory uses and structures that the Director finds are consistent with the design of the project and the purpose and intent of these overlay regulations.

Sec. 7-9-44.6. Housing Opportunities Manual.

The Planning Commission shall adopt such guidelines, design criteria, and procedures as may be necessary or convenient to administer this section in compliance with the Housing Element. The Director shall revise these guidelines, design criteria, and procedures as necessary to administer this section. If the subject revisions are substantial or significant as determined by the Director, the proposed revisions may be referred to the Planning Commission for adoption. Such guidelines, design criteria, and procedures shall be referred to as the "Orange County Housing Opportunities Manual."

Sec. 7-9-44.7. Residential ~~Site~~ development standards for residential uses.

- (a) The site development standards for residential uses shall be as follows.
 - (1) For sites located within a multifamily residential zoning district, the base district site development standards shall apply except that the base density shall be 70 dwelling units per acre (net development area).
 - (2) For sites located within a commercial or industrial zoning district, the site development standards for the R3 "Apartment" District shall apply except that the base density shall be 70 dwelling units per acre (net development area) and maximum building height shall be ~~sixty-five (65) thirty five (35)~~ feet.
 - (3) The number of off-street parking spaces required shall be calculated using one of the following:
 - a. The parking requirements set forth in State Density Bonus Law or other applicable State law.
 - b. The County's residential off-street parking requirements for affordable housing pursuant to section 7-9-70.
 - (4) Other standards as may be provided in the Orange County Housing Opportunities Manual.
- (b) Density bonuses, development incentives, and/or waivers of development standards may be granted pursuant to section 7-9-87.
- (c) A graduated density incentive shall be granted when parcels smaller than one-half (0.5) acre are consolidated as part of a project. The increased density shall be in addition to any other density bonus available under this Zoning Code, to a maximum of forty-five percent (45%) total, and shall be calculated as follows.

Project Size (after lot consolidation)	Base Density (per net development area)
Less than 0.50 acre	70 ⁴³ units/acre
0.50 to 0.99 acre	77 ⁴⁸ units/acre (10% increase)
1.00 acre or more	84 ⁵² units/acre (20% increase)

Sec. 7-9-44.8. Emergency shelter and multi-service center for persons experiencing homelessness ~~the homeless~~ (multi-service center) site development standards and operational requirements.

- (a) One (1) County-sponsored multi-service center may be permitted in the unincorporated area with a maximum of two hundred (200) beds. The County-sponsored multi-service center may be granted a waiver from the standards and requirements of this section by the Director.
- (b) An emergency shelter or multi-service center shall not be allowed on parcels or building sites which share a side parcel line with a residential use.
- (c) An emergency shelter or multi-service center shall comply with the site development standards of the base district.
- (d) In addition to the base district site development standards, an emergency shelter or multi-service center shall comply with the following standards and requirements.
 - (1) A management and operations plan shall be submitted for review and approval prior to operation of the emergency shelter and/or multi-service center. The management and operations plan shall comply with the Orange County Housing Opportunities Manual.
 - (2) No facility shall be permitted less than three hundred (300) feet from another emergency shelter or multi-service center, measured from the nearest property lines.
 - (3) Emergency shelters may have a maximum of fifty (50) beds. Larger emergency shelters, up to a maximum of one hundred fifty (150) beds, may be permitted subject to approval of a Use Permit per section 7-9-126.2.
 - (4) Multi-service centers shall be associated with an emergency shelter and shall be subject to the same limitations as section 7-9-44.8 (d)(3) above unless co-sponsored by the County.
 - (5) Off-street parking shall be provided at a rate of one (1) space per four (4) beds, plus one (1) space for each staff person (paid or volunteer) on duty.
 - (6) An intake and waiting area shall be provided with a minimum floor area of ten (10) square feet per bed. Exterior waiting area shall be physically separated and visually screened from the public right-of-way and be of sufficient size to prevent queuing in public right-of-way.

- (7) One (1) toilet and shower shall be provided for each ten (10) beds. Separate facilities shall be provided for men and women.
 - (8) Bike racks shall be provided on site for use by staff and clients.
 - (9) The following may be provided inside the facility, kitchen, dining hall, laundry facilities and storage lockers.
 - (10) On-site management shall be required at all times that the shelter is in operation and the number of staff on duty shall be addressed in the approved management plan.
 - (11) An on-site covered trash enclosure shall be provided.
 - (12) An emergency shelter or multi-service center shall be open twenty-four (24) hours a day, unless an exemption is granted.
 - (13) Maximum consecutive length of stay shall be one hundred eighty (180) days.
 - (14) Facility operator shall remove any trash from the premises daily and ensure there is no loitering.
- (e) In the event of a conflict between the base district regulations and these standards, the provisions of this section shall control.

Sec. 7-9-44.9. Low-Barrier Navigation Center site development standards and operational requirements.

A Low-Barrier Navigation Center is a housing-first, low-barrier, service-enriched shelter focused on moving people experiencing homelessness into permanent housing that provides temporary living facilities (i.e., emergency shelter) while case managers connect persons experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low-barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

- (1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
 - (2) Pets.
 - (3) The storage of possessions.
 - (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.
 - (5) Eligibility and intake requirements should be minimal and simple to promote access, and should not exclude persons who are experiencing mental health and substance use concerns, and/or medical issues, or establish requirements that these areas be address prior to entry.
- a) A County-sponsored Low-Barrier Navigation Center may be granted a waiver from the standards and requirements of this section by the Director.
- (b) A Low-Barrier Navigation Center shall be permitted in nonresidential zones permitting multifamily uses.

- (c) A Low-Barrier Navigation Center shall not be allowed on parcels or building sites which share a side parcel line with a residential use.
- (d) A Low-Barrier Navigation Center shall meet the following requirements.
 - (1) It shall offer services to connect people experiencing homelessness to permanent housing.
 - (2) It shall be linked to a coordinated entry system and the Homeless Management Information System.
 - (3) It shall implement the use of "Housing First" pursuant to Welfare and Institutions Code section 8255.
- (e) Within 30 days of receipt of an application for a Low-Barrier Navigation Center, the County shall notify a developer whether the developer's application is complete pursuant to Section 65943.
- (f) Within 60 days of receipt of a completed application for a Low-Barrier Navigation Center development, the County shall act upon its review of the application.
- (g) A Low-Barrier Navigation Center shall comply with the site development standards of the base district.
- (h) In addition to the base district site development standards, Low-Barrier Navigation Center shall comply with the following standards and requirements.
 - (1) A management and operations plan shall be submitted for review and approval prior to operation of the Low-Barrier Navigation Center. The management and operations plan shall comply with the Orange County Housing Opportunities Manual and the County of Orange Standards of Care for Emergency Shelter Providers (Standards of Care).
 - (2) No facility shall be permitted less than three hundred (300) feet from another Low-Barrier Navigation Center, emergency shelter, or multi-service center, measured from the nearest property lines.
 - (3) The emergency shelter portion of the Low-Barrier Navigation Center shall have a maximum of two-hundred (200) beds.
 - (4) Off-street parking shall be provided at a rate of one (1) space per four (4) beds, plus one (1) space for each staff person (paid or volunteer) on duty.
 - (5) An intake and waiting area shall be provided with a minimum floor area of ten (10) square feet per bed. Exterior waiting area shall be physically separated and visually screened from the public right-of-way and be of sufficient size to prevent queuing in public right-of-way.
 - (6) One (1) toilet and shower shall be provided for each ten (10) beds. Separate facilities shall be provided for men and women.
 - (7) Bike racks shall be provided on site for use by staff and clients.
 - (8) The following may be provided inside the facility, kitchen, dining hall, laundry facilities, and storage lockers.

- (9) On-site management shall be required at all times that the shelter is in operation and the number of staff on duty shall be addressed in the approved management plan.
- (10) An on-site covered trash enclosure shall be provided.
- (11) The Low-Barrier Navigation Center shall be open twenty-four (24) hours a day, unless an exemption is granted.
- (12) Maximum consecutive length of stay in the Low-Barrier Navigation Center shall be one hundred eighty (180) days.
- (13) Facility operator shall remove any trash from the premises daily and ensure there is no loitering.
- (i) In the event of a conflict between the base district regulations and these standards, the provisions of this section shall control.

Subarticle 7: General Terms

Sec. 7-9-134. Use Classifications.

Sec. 7-9-134.3. - Public/semi-public uses.

- (e) *Emergency shelters.* As defined by Section 50801 of the California Health and Safety Code, as may be amended, housing with minimal supportive services for ~~homeless~~ persons experiencing homelessness that is limited to occupancy of one-hundred eighty (180) consecutive days or less ~~by a homeless person~~ and from which no individual or household may be denied emergency shelter because of an inability to pay. This classification includes facilities that provide temporary shelter, meals, showers, and other related services to persons experiencing homelessness ~~who are homeless~~ and where on-site supervision is provided whenever the shelter is occupied.
- (f) *Government buildings.* Administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, together with incidental storage and maintenance of vehicles. This classification includes law enforcement stations, fire stations, corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment.
- (g) *Health care facility.* Health care facilities are licensed by the State and include facilities that provide outpatient treatment to patients and those facilities that provide care to patients admitted for a 24-hour stay or longer.
 - (1) Pursuant to Health and Safety Code Section 1200, as may be amended, a "clinic" means an organized health facility that provides direct medical, surgical, dental, optometric, or podiatric services, or treatment, to patients who remain less than 24 hours. This includes primary care clinics such as community clinics and free clinics, and specialty clinics such as surgical clinics, chronic dialysis clinics, rehabilitation clinics, and alternative birth centers.

- (2) Pursuant to Health and Safety Code Section 1250, as may be amended, a "health facility" means a facility, place, or building that is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness for one (1) or more persons, and to which persons may be admitted for a 24-hour stay or longer. This includes general acute care hospitals ("hospitals"), skilled nursing facilities, hospices, congregate living health facilities, and intermediate care facilities.

(h) *Low-Barrier Navigation Center.* Pursuant to Government Code Section 65660, as may be amended, a "Low Barrier Navigation Center" means a Housing First, low-barrier, service-enriched shelter focused on moving people experiencing homelessness into permanent housing that provides temporary living facilities while case managers connect persons experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low Barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

- (1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
- (2) Pets.
- (3) The storage of possessions.
- (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.
- (5) Eligibility and intake requirements should be minimal and simple to promote access, and should not exclude persons who are experiencing mental health and substance use concerns, and/or medical issues, or establish requirements that these areas be address prior to entry.

Pursuant to Government Code Section 65662, as may be amended, a Low-Barrier Navigation Center shall:

- (1) Offer services to connect people to permanent housing through a services plan that identifies services staffing.
- (2) Be linked to a coordinated entry system, so that staff in the interim facility or staff who collocate in the facility may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- (3) Comply with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- (4) Have a system for entering information regarding client stays, client demographics, client income, and exit destination as well as a service provision occurring within the Low-Barrier Navigation Center through the local Homeless

Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

- (i) Multi-service center for ~~people experiencing homelessness~~ ~~the homeless~~. A facility which serves as a regional resource hub that provides emergency shelter beds and supportive services, and is operated under the auspices of a government or non-profit agency. A multi-service center for people experiencing homelessness ~~the homeless~~ shall have an emergency shelter component and a resource/services component that provides supportive services to individuals and families experiencing homelessness. These supportive services include intake, assessment, and linkages to public benefits, mental health, behavioral health, physical health, and employment and housing resources. Services provided by the emergency shelter component shall address basic and immediate necessities, such as overnight shelter, showers, food, medical attention and mental health services, as well as higher level needs including, but not limited to, computer access, job training and placement, life skills coaching, and legal assistance.
- (j) Park. An area of outdoor natural, semi-natural, or planted space set aside for enjoyment and recreation by the general public, or for the protection of wildlife or natural habitats.
- (1) *Passive*. Parks that are designed for activities that require only minimal disruption of natural sites with limited vehicle access and may include riding and hiking trails, viewpoints, and wildlife corridors.
 - (2) *Active*. Parks developed with attractions that are intended to facilitate active and/or team play such as playgrounds, playing fields, swimming pools, outdoor fitness stations, golf courses, and sport courts. These parks may also offer picnic areas, community centers, and a variety of concessions.
- (k) Park and recreation facilities. Typically located in public parks, this classification includes playing fields, sport courts, gymnasiums, swimming pools, picnic facilities, golf courses, bicycle rentals, community centers, and botanical gardens, as well as food concessions. These facilities may also provide access to historical, archeological, and paleontological sites, wildlife preserves, or marine preserves.
- (l) Parking, vehicle, public or private. Surface lots and structures for use of occupants, employees, or patrons on the subject site or offering automobile parking to the public when such use is not incidental to another on-site activity.

Sec. 7-9-33. Commercial Districts.

Sec. 7-9-33.1. Purpose and intent.

The purpose of the Commercial Districts is to accommodate a range of retail, office and community uses and services to serve surrounding neighborhoods, the larger community, and the region and are sited at appropriate locations and compatible with surrounding development. Commercial development and other non-residential uses and services shall be sited at locations accessible to all transportation modes where a safe means of travel can be provided to users along the right-of-way. Residential rental projects that are one hundred percent (100%) affordable and emergency shelters, multi-service centers, and low-barrier

navigation centers that provide services for persons experiencing homelessness, are also permitted in Commercial Districts, pursuant to section 7-9-44, "Housing Opportunities" Overlay District.

- (a) The C1 "Local Business" District is established to provide for the development and maintenance of medium-intensity commercial uses serving the needs of both the surrounding neighborhood and the local community. All commercial uses and their related products in the C1 districts shall be contained entirely within a completely enclosed structure, except for parking and loading areas, and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.
- (b) The C2 "General Business" District is established to provide for the development and maintenance of high-intensity commercial uses which serve the local community but which may not be compatible with surrounding residential uses or certain commercial uses.
- (c) The CC "Community Commercial" District is established to provide for the development and maintenance of high-intensity commercial uses which serve the local community and regional area and are compatible with surrounding residential uses. All commercial uses and their related products in the CC district shall be contained entirely within a completely enclosed structure, except for parking and loading areas and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.
- (d) The CH "Commercial Highway" District is established to provide for the development and maintenance of medium-intensity commercial uses which serve the needs of the motoring public in the local community and the regional area. It is intended to provide an environment which shall take advantage of the superior access afforded by freeways and highways without undue detrimental effects on traffic flow or safety.
- (e) The CN "Commercial Neighborhood" District is established to provide for the development and maintenance of low-intensity commercial uses which serve the immediate needs of the surrounding neighborhood. Such uses are to be grouped in small areas of three (3) to eight (8) acres and designed so that adverse impacts on residential properties are minimized. Business hours in the CN District shall be limited to the hours between 6:00 a.m. and 10:30 p.m. unless otherwise provided for by a Use Permit approved by the Zoning Administrator. All commercial uses and their related products in the CN district shall be contained entirely within a completely enclosed structure, except for parking and loading areas and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.

Sec. 7-9-33.2. Land Use Regulations.

TABLE 7-9-33.2: LAND USE REGULATIONS—COMMERCIAL DISTRICTS						
	C1	C2	CC	CH	CN	Additional Regulations
RESIDENTIAL						
Congregate Living Health Facility	UP	UP	UP	UP	-	Per section 7-9-134/135
Multifamily Dwelling – Affordable Only	SDP	SDP	SDP	SDP	SDP	Per section 7-9-44
Short-Term Rentals	p ¹	p ¹	p ¹	p ¹	p ¹	Applicable if located within a continuing permitted residential use Per section 7-9-93

Sec. 7-9-34. Employment Districts.

Sec. 7-9-34.1. Purpose and Intent.

The Employment Districts are areas intended for use by employment generators, which are usually light and service industries or professional-administrative uses that have few nuisance or hazard problems. The uses shall be compatible with one another and with surrounding development. Locations shall be transit accessible and provide opportunities for transportation demand management measures to reduce the potential for congestion and facilitate access to transit. Sites shall be designed to promote safe and comfortable travel by pedestrians, bicyclists, and public transportation riders.

- (a) The RP "Residential Professional" District is established to provide for the development and maintenance of moderate density/intensity residential and office uses to produce an integrated mixed-use neighborhood of superior quality. All commercial uses and their related products in the RP district shall be contained entirely within a completely enclosed structure, except for parking and loading areas, and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.
- (b) The M1 "Light Industrial" District is established to provide for the development and maintenance of light industrial uses and industry-supporting activities. Industry-supporting activities are those activities which tend to promote the vitality of light industrial areas by providing a convenient location for services incidental to the conduct of business of the permitted uses, thus internalizing vehicle trips for such services. Industry-supporting activities are typically those which naturally locate in an industrial area because the principal part of their business activity is derived from such areas. It is intended that these regulations promote the effective operation of light industrial uses

by site design and by excluding incompatible uses. It is also intended that potentially significant adverse environmental impacts on the surrounding community be prevented. In those areas of the district where a wide mix of older general retail commercial uses have been established, a secondary intent shall be to support appropriate new uses of high quality over simple consistency with these older, established uses.

[Residential rental projects that are one hundred percent \(100%\) affordable and emergency shelters, multi-service centers, and low-barrier navigation centers that provide services for persons experiencing homelessness, are also permitted in the M1 “Light Industrial” District, pursuant to section 7-9-44, “Housing Opportunities” Overlay District.](#)

Sec. 7-9-34.2 Land Use Regulations.

TABLE 7-9-34.2: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS			
	RP	M1	Additional Regulations
RESIDENTIAL			
Multifamily Dwelling	UP	-	Shall have no more than four (4) dwelling units
<u>Multifamily Dwelling – Affordable Only</u>	-	<u>SDP</u>	<u>Per section 7-9-44</u>
Single-Room Occupancy (SRO)	-	-	Per section 7-9-88

Sec. 7-9-25. Zones and districts.

Sec. 7-9-25.2. Establishment of districts and interpretation of district boundaries.

(c) Designation of base zoning districts.

Table 7-9-25.2(c) lists the base zoning districts into which the County is divided with their map symbols and corresponding General Plan land use designations.

TABLE 7-9-25.2(c) - BASE ZONING DISTRICTS		
<i>Map Symbol</i>	<i>Full Name</i>	<i>General Plan Land Use Designation</i>
Agriculture/Open Space Districts		
A1	General Agricultural	Rural Residential
B1	Buffer	Open Space
OS	Open Space	Open Space
Single-Family Residential Districts		
AR	Agricultural Residential	Suburban Residential

E1	Estates	Suburban Residential
E4	Small Estates	Suburban Residential
RE	Residential Estates	Suburban Residential
RHE	Residential Hillside Estates	Suburban Residential
RS	Residential, Single-Family	Suburban Residential
R1	Single-Family Residence	Suburban Residential
Multifamily Residential Districts		
R2D	Two-Family Residence	Suburban Residential
R4	Suburban Multifamily Residential	Suburban Residential
R2	Multifamily Dwelling	Urban Residential
R3	Apartment	Urban Residential
Mixed-Use and Commercial Districts		
C1	Local Business	Community Commercial
CC	Commercial Community	Community Commercial
CN	Commercial Neighborhood	Community Commercial
C2	General Business	Regional Commercial
CH	Commercial Highway	Regional Commercial
RP	Residential Professional	Suburban Residential
Employment Districts		
PA	Professional and Administrative	Employment
M1	Light Industrial	Employment
Other District		
SG	Sand and Gravel Extraction	Open Space

Sec. 7-9-70.9. Alternatives to off-street parking regulations.

- (d) *Required Findings for Approval.* In addition to the required findings for approval of any Use Permit in section [7-9-125.6](#) ~~TBD~~-Required Findings, an application for a Use Permit for a parking reduction shall only be approved if the decision-making body makes all of the findings of this section that are applicable to the particular project, as stated.

Sec. 7-9-40.5. Exemptions.

- (d) Repair or maintenance activities that do not result in any addition to, enlargement, or expansion of, the object of such repair or maintenance activities, with the exception of the following.
- (1) Repair or maintenance of a sea wall revetment, bluff retaining wall, breakwater, groin, culvert, outfall or similar shoreline work which involves substantial alteration of the foundation, including pilings and other surface and subsurface structures.
 - (2) The placement, whether temporary or permanent, of riprap, or artificial berms of sand, or any other form of solid material, on a beach or in coastal waters, streams, wetlands, estuaries, or on shoreline protective works.
 - (3) The replacement of twenty (20) percent or more of the materials of an existing structure with materials of a different kind.
 - (4) The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area or, coastal bluff or within twenty (20) feet of coastal waters or streams.
 - (5) Any method of routine maintenance dredging that involves.
 - a. The dredging of one hundred thousand (100,000) cubic yards or more within a twelve (12) month period.
 - b. The placement of dredged spoils of any quantity on any sand area, within fifty (50) feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within twenty (20) feet, of coastal waters or streams.
 - c. The removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the Coastal Commission has declared by resolution to have a critically short sand supply that shall be maintained for protection of structures, coastal access or public recreational use.
 - (6) Any repair or maintenance to facilities or structures or work located in any sand area, within fifty (50) feet of the edge of a coastal bluff or environmentally sensitive habitat area; or within twenty (20) feet of any coastal waters or streams that include.
 - a. The placement or removal, whether temporary or permanent, of riprap, rocks, sand or other beach materials or any other forms of solid materials.

b. The presence, whether temporary or permanent, of mechanized equipment or construction materials.

~~(e)(7)~~ The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this district.

~~(f)(8)~~ The replacement of any structure, other than a public works facility, destroyed by natural disaster, provided any such replacement structure conforms to applicable current zoning regulations, is designed and intended for the same use as the destroyed structure, does not exceed the floor area, height, or bulk of the destroyed structure by more than ten (10) percent, and is sited in the same location on the same building site as the destroyed structure.

~~(g)(9)~~ Development projects on tidelands, submerged lands, or on public trust lands, whether filled or unfilled, when such projects are permitted pursuant to a Coastal Development Permit issued by the Coastal Commission.

~~(h)(10)~~ Projects normally requiring a Coastal Development Permit but which are undertaken by a public agency, public utility or person performing a public service as emergency measures to protect life and property from imminent danger or to restore, repair or maintain public works, utilities and services during and immediately following a natural disaster or serious accident, provided the Director, and the Executive Director of the Coastal Commission are notified within three (3) days after the disaster or discovery of the danger regarding the type and location of the emergency measures to be performed. This exemption does not apply to the erection, construction, or placement of any structure with an estimated cost or market value in excess of twenty-five thousand dollars (\$25,000.00) in a permanent location.

~~(i)(11)~~ Ongoing routine repair and maintenance activities of local governments, state agencies, and public utilities (such as railroads) involving shoreline works protecting transportation roadways, as specified in Board of Supervisors' Resolution No. 82-1917, adopted on December 22, 1982.

Sec. 7-9-66. Grading and excavation.

(a) Grading and excavation regulations adopted in a planned community text or a specific plan shall supersede this section.

(b) A Site Development Permit issued pursuant to section 7-9-125 shall be required if any grading operation involves:

(1) More than ~~ten thousand (10,000)~~ ~~five thousand (5,000)~~ cubic yards on a building site;
or

(2) More than five hundred (500) cubic yards on a slope greater than thirty percent (30%).

Sec. 7-9-61.12. Building line on shallow building site.

When a building site has an average depth of less than one hundred (100) feet ~~or less~~ but more than seventy-five (75) feet, any required front and rear building line setbacks need not be more than twenty percent (20%) of such average depth; and when a building site has an average depth of seventy-five (75) feet or less, any required front and rear building line setbacks need not be more than fifteen percent (15%) of such average depth, but in no event shall any required front or rear building line setback be less than five (5) feet.

Sec. 7-9-114.10. Permits required.

- (e) *Site Development Permit.* Signs in other than public road right-of-way areas and not part of a master sign program may be allowed subject to a Site Development Permit approved per section 7-9-125, subsections a. through f. above, and the following additional regulations.
- (1) Each sign structure shall require a separate Site Development Permit and Sign Permit per the Sign Code.
 - (2) The Site Development Permit shall have a time limit of three (3) ~~two (2)~~ years maximum.
 - (3) The application for the Sign Permit shall be accompanied by financial security meeting the approval of the Director for the purpose of covering the cost of removing the sign structure. If the sign structure is not removed when the permit expires, the County shall have the right to remove the sign structure.