

SECTION 30 GENERAL PROVISIONS AND EXCEPTIONS

All regulations in this Ordinance pertaining to the districts established in Section 4 hereof are subject to the General Provisions, Conditions and Exceptions contained in this Section.

A. AMBIGUITY

If any ambiguity arises concerning the appropriate classification of a particular use within the meaning and the intent of this Ordinance, or with respect to matter of height, area requirements or zone requirements as set forth herein, the Planning Commission shall ascertain all pertinent facts, and by resolution set forth its findings and interpretations and thereafter such interpretation shall govern. Similar use, as used in this Ordinance, means the same character of use and no less restricted in nature, i.e., generates no more traffic, parking, dust, noise, etc., and if retail uses are specified, "similar" means retail.

B. USE

All of the uses listed in this Section, and all matters directly related thereto are declared to be uses possessing characteristics of such unique and special classification as making practical their inclusion in any class of use set forth in the various districts defined herein, and therefore the authority for and location of the operation of any of the uses designated shall be subject to the issuance of a Use Permit in accordance with the provisions of Section 32 hereof.

1. When any of the following uses are to be established closer than two-hundred (200) feet to the boundary of any residential district: Dance hall, road house, night club, commercial club, or any establishment where liquor is served, or any commercial place of amusement or recreation, or any place where entertainers are provided.
2. Circus, carnival, open-air theater, racetrack, or similar establishments involving assemblages of people and vehicles.
3. The removal of minerals and natural materials for commercial purposes. This does not include the excavation or removal of materials for a normal construction of buildings, structures, or underground facilities; or the removal of minerals, natural materials or conifers, where such removal is motivated by land leveling as its prime objective.
 1. Drilling for, and/or removal of oil or gas.
 2. Temporary operation of a portable asphalt or concrete batch plant, portable rock screening unit or crusher and/or similar uses as determined by the Planning Commission.

3. Examples of such projects include, but are not limited to: the construction, maintenance or repair of roads, bridges, airports, flood control facilities, utilities, bicycle or pedestrian paths; and improvement projects for fish and wildlife habitat. The use permit shall specify the length of time the temporary use is permitted to operate, but shall not exceed two (2) years without further additional review by the Planning Commission.
4. Directional and informational signs in any district. The location, copy and design of said signs shall be subject to approval of the Planning Commission. No one sign shall exceed a maximum area of four-hundred (400) square feet. Such sign shall be permitted only on property adjacent to freeways approaching communities and within one mile of said communities and which State highways and freeways pass through or near said communities.
5. Juvenile holding facility and related uses not otherwise addressed in this Ordinance or exempted by State law.
6. Guest Ranches, Boarding Schools, Foster Homes, Summer Schools or similar uses in any district where permitted and having an occupancy of seven (7) or more guest students, mentally retarded or needy children on any parcel of land under one ownership shall require a use permit before any use or extension of the present use may be permitted. (Ord. 315-16)
7. Family Care Mobile Homes
 - A. One mobile home in addition to a dwelling otherwise permitted under this ordinance may be temporarily placed on a parcel if all of the following criteria are met:
 1. The temporary mobile home is for the exclusive use and temporary home to provide in-home care to a grandparent or grandparents, parent or parents, siblings or children, of the occupant of the principal dwelling unit; or the principal dwelling unit may be designated as the family care residence, in which case the temporary mobile home shall be utilized by the relative providing the care; and
 2. A Director's Use Permit is first secured, pursuant to Section 32 of this Ordinance; and
 3. The Adult Services division of the County Department of Health and Human Services has provided written verification to the Planning Director confirming that there is an existing medical need for temporary in-home care.

The written verification shall include a specific description of the in-home care services currently required to be provided to the person, such as medication monitoring and management, pain and symptom management, home safety evaluation, IV therapy, blood draws for lab work, tube feeding and management, and end of life care.

The written verification shall be in sufficient detail so that the Planning director, or the Planning Commission, can determine what services are required to enable the person to be maintained in his or her home, rather than being placed in a skilled nursing facility or similar high cost out of home care facility. The assets or income of the person or the family shall not be a factor determining the need for in-home care.

4. Written verification by Adult Services that the intended occupant(s) of the mobile home cannot reasonably be housed in the principle dwelling unit. Said written verification shall state the limitations of the principle dwelling and the needs of the proposed occupant that establish the mobile home is necessary; and
 5. Requirements of the Health Department, the Building Department and other public agencies have been met.
- B. The placement, installation, and maintenance of the mobile home shall comply with the following:
1. The Family Care Mobile home shall be limited in size to a singlewide unit not to exceed 800 square feet in total area.
 2. Running gear, including tires, shall remain operable at all times.
 3. Skirting may be affixed to the mobile home for energy conservation, but no skirting or other improvements (including, but not limited to, a cabana, ramada, or deck) shall be affixed or placed adjacent to the mobile home that may limit its immediate mobility. A porch may be placed adjacent to the unit so long as the construction of the porch allows for the immediate separation and removal of the porch from the unit to allow for the mobile home's immediate mobility.
 4. The mobile home shall be currently registered pursuant to Chapter 4.7 (commencing with Section 18075) of Part 2 of Division 13 of the California Health and Safety Code.

The term of any use permit issued pursuant to this subsection shall be two years, provided that notwithstanding the provisions of Section 32(E)(4) of this ordinance, the permit may be renewed annually. Application for renewal shall be made prior to expiration of the permit; shall not require a public hearing, unless specified by the Planning Director; shall be subject to a filing fee as specified by resolution of the Board of Supervisors; and shall include confirmation by adult services of the medical need for continuing the temporary in-home care.

- a. If the party who qualified for the health care mobile home dies, or does not reside in the mobile home for 30 consecutive days, then the use permit issued pursuant to this subsection shall automatically terminate.
- b. In case of expiration of the permit or termination of use of the mobile home by other than expiration of the term, the mobile home shall be removed from the property within 30 days of the date of expiration or termination and the mobile home shall not be occupied during that period.
- c. A memorandum of the use permit shall be issued by the Planning Department and recorded in the Office of the County Recorder, of Trinity County, setting forth the expiration date and the terms and conditions of the permit.

C. UTILITIES:

1. Transmission Facilities.

- a. Purpose: It is the intent of this Section to implement with a single procedure Section 12808.5 of the California Public Utilities Code and Sections 53091 and 53096 of the California Government Code which authorizes the County to review and to approve or disapprove the location and construction of facilities for the transmission of electrical energy, operating at 13,000 volts or more (13KVA), such as substations, transmission lines and poles, and accessory structures.

It is the purpose of this Section to provide for these facilities in the County's communities in the most compatible and least obtrusive manner, while insuring that electrical energy is made available to every part of the County. The procedural rules set forth here in are designed to insure that sufficient information is provided in decision on applications submitted.

b. Definitions. For purposes of this Section, the following definitions shall apply:

1. Direct impact shall mean interference with the use of enjoyment of a person's property, real or personal, such as visual impacts, noise impact and interference.
2. Feasible shall mean capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.
3. High voltage transmission facilities shall mean electrical transmission lines, poles, and accessory structures operated at the electrical potential of 13,000 volts or greater, and substations where at least one of the transmission lines connecting with the facility is operated at the electrical potential of 13,000 volts or greater.
4. Substation shall mean a facility which transforms electrical energy to a lesser voltage for the purposes of sub-regional or localized distribution, or which functions as a transition point from overhead to underground acts as the point of convergence for two or more transmission lines.

c. Procedure:

1. Location. High voltage transmission facilities may be located in any zone subject to the provisions of this Section.
2. Permit Required. A use permit is required to construct and locate a high voltage transmission facility in any zone. Application for a transmission facility permit shall be filed with the Planning Commission and shall be subject to a filing and investigation fee.
3. Information to Accompany Permit Application. An application for a use permit shall be accompanied by plans and the environmental document prepared and certified pursuant to the California Environmental Quality Act Public Resources Code Section 21000 et seq., sufficient in detail to allow the Planning Commission to determine the exact nature and extent of the use. The application shall include at a minimum the following information:
 - a. The expected electrical requirements of the areas within the District or area which will be affected by the project;

- b. The locations and capacities of the high voltage transmission facilities proposed, together with a description of basic technical and design concepts that favor the selection of the chosen locations and list of feasible alternative sites;
- c. An assessment of the type and magnitude of the direct impacts of the proposed project and of each alternative;
- d. Mitigation measures:
 - 1. The measures to be implemented to compensate for or mitigate the direct impacts of the project;
 - 2. Where any portion of a proposed project is adjacent to residentially zoned or residentially used property, or an environmentally sensitive area, a discussion of feasible routing alternatives;
- e. Any other information the Planning Director deems necessary to allow the Planning Commission to determine the exact nature and extent of the proposed project and any impacts of the project.

4. Hearings:

- a. Within 30 days after an application for a use permit is filed and accepted as complete the Planning Commission shall hold a public hearing thereon. The procedural requirements for the hearing shall be governed by Section 32 of this Ordinance; provided, that said hearing may be initiated only by the permit applicant.
- b. Mailed notice of the hearing shall be provided at least 10 days prior to the hearing to the owners of all property within 300 feet of the property subject to the permit; provided, that if such mailed notice would result in notice to more than 250 persons, as an alternative to such mailed notices, notice may be given by placing an advertisement in a newspaper of general circulation within the area affected by the proposed facilities.
- c. The Planning Commission shall approve, approve an alternative, or deny the permit.
- d. Review Criteria and Findings. The Planning Commission shall evaluate applications for such use permits in accordance with intent and purpose statement contained in Subsection A of this Section and any applicable land use plans and policies adopted by the Board of Supervisors.

- e. Any decision of the Planning Commission on a transmission facilities permit application shall be based on findings concerning:
 1. The consistency of the proposed facilities with the County's General Plan and Specific Plans.
 2. Whether there are feasible alternatives to the proposal.
 3. Such other factors related to the public health, safety and welfare.
 4. Environmentally sensitive areas.
2. Other Public Utilities. Other public utilities including, but not limited to, water, telephone, and Cable TV systems, may be permitted in any district upon first obtaining a use permit, provided that a use permit shall not be required for underground gas, water, telephone or Cable TV systems located within a special district formed for such purposes. Also, a use permit shall not be required for individual service connections or extension.
3. Power Generation and Transmission Facilities. All power generating or transmitting facilities shall conform to the following development and performance standards:
 - a. Noise. All power generating facilities shall be constructed, adjusted or insulated to conform with the noise standards established in Subsection J (3) of this Section.
 - b. Enclosures. All power generating equipment shall be completely enclosed within a building or a fence at least six (6) feet in height. Plans for such enclosures shall be submitted with the permit application.

D. SPECIAL REGULATIONS:

1. Regulations for Private Stables.
 - a. The following regulations shall apply in all cases where a use permit has been issued for the maintenance of a private stable:
 1. Minimum building site area for the first two horses - one (1) acre; each additional horse twenty thousand (20,000) square feet in addition to the one acre.
 2. Stables and paddocks shall not be less than fifty (50) feet from the front property line, nor less than twenty (20) feet from any side or rear property lines, nor closer than forty (40) feet from any dwelling on the same or contiguous property.

2. Temporary Keeping of Livestock in Residential Zoning Districts. (Ord. No. 315-648)

The Planning Director shall establish a waiver process in conjunction with 4H, FFA or student livestock projects in residential zoning districts where animal rearing is prohibited. Such waivers shall include but not be limited to the notification of neighbors, annual renewal and provide for adequate setbacks to reasonably protect neighboring uses. An approved waiver shall be for less than one year and will terminate at the completion of the Trinity County Fair. The Planning Director shall consult with the County Agriculture Commissioner, high school agricultural advisors and the county 4H advisor in developing standards for the waiver process.

3. Second Dwelling Units. (Ordinance No. 315-726)

- a. Purpose. It is the intent of this subsection to provide a procedure whereby one additional dwelling unit can be located on a lot already developed with one dwelling unit. Furthermore, it is also the intent of this section to require that such units only be located on parcels, which are physically capable of accommodating an additional dwelling unit.
- b. Definitions. As used in this Section, the following terms mean:
 1. "Second dwelling unit" is either a detached or attached dwelling unit, which provides complete, independent living facilities for one or more persons, located on the same lot as the existing dwelling. It shall include permanent provisions for living, sleeping, eating, cooking, sanitation, and other such utilities.
 2. "Living area" means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.
- c. Development Standards. The development standards shall be as follows:
 1. The second dwelling unit may be rented but may not be sold independent of the primary dwelling unit unless the original parcel upon which it is located is subdivided in accordance with the rules and regulations of the California Subdivision Map Act and the Trinity County Subdivision Ordinance.
 2. Second dwelling units may only be located on parcels zoned Single Family, Rural Residential, Duplex and Multiple Family. Second dwelling units are prohibited from being located in other zoning districts unless expressly authorized in other Sections of this Ordinance.

3. The increased floor area of an attached second unit shall not exceed 30 percent of the existing living area.
4. The total floor area of a detached second dwelling unit shall not be less than 256 square feet, or as defined by the California Uniform Building Code as a minimum dwelling unit.
5. The second dwelling unit shall conform to the development standards for the zoning district in which it is located, including, but not limited to setback, height, lot coverage, and density standards (these are based on the minimum parcel size per dwelling unit, as indicated in the land use designation chart of the General Plan), except a minimum ten (10) foot setback is required between detached dwelling units. This setback shall be increased to 60 feet for those parcels where the zoning requires a minimum density of one (1) acre or more per dwelling unit, or the “same practical effect” if approved by the California Department of Forestry and Fire Protection (CDF), in accordance with CCR 1270-1276.
6. The second dwelling unit shall be individually serviced by a sewer hook-up or individual on-site sewage disposal system approved by the Environmental Health Division of the Building and Development Services Department. The Environmental Health Division shall also evaluate the existing system to ensure compliance, sanitary operation and future repair area.
7. Both the primary and the second dwelling unit may utilize a common water supply provided that a minimum flow of 3 gallons per minute per unit is available for domestic use in addition to meeting water supply requirements for fire protection, and the system has been approved by both the Environmental Health Division and the appropriate fire protection agency.
8. A Building permit is required. The second dwelling unit shall be constructed in accordance with the local building code requirements.
9. The second dwelling unit shall meet the requirements of the Trinity County Fire Safe Ordinance #1162 for new structures and/or any applicable local fire code.
10. If the second dwelling unit or main dwelling or main dwelling will be a manufactured home, and is to be located on a parcel with Mobile Home Standards overlay (MHS) zoning, then the manufactured home shall meet all codes required by the MHS overlay.

E. HEIGHT:

1. Where chimneys, silos, cupolas, flag poles, monuments, gas storage holders, radio and other towers, water tanks, church steeples and similar structures and mechanical appurtenances are permitted in the district, height limits may be exceeded upon securing a use permit in each case. Local distribution poles for public utilities shall be allowed in all districts and to greater heights than permitted for the districts without receiving a use permit.
2. In any district with a height limit of less than fifty (50) feet, public buildings, schools, churches, hospitals, and other institutions permitted in each district may be erected to a height exceeding that permitted in the district, provided that the gross floor area ratio to building site ratio shall not be increased unless specifically permitted in the district, and provided that the light angle of 70 degrees shall be established and maintained.
3. Upon securing a use permit, any building in any C, R-3, or M District may be erected to a height exceeding that herein specified for such district provided that the floor area ratio to building site area does not exceed that specified in the district.
4. Upon the securing of a use permit as provided herein any building may be erected to a height exceeding that herein, before specified for the respective districts, provided that the gross floor area of such buildings shall not exceed that possible for a building in such respective district erected within the height limit herein before specified for such district.
5. Accessory buildings in R, A, H, and RR Districts shall be limited to a maximum height of twenty-five (25) feet, provided that additional height may be permitted upon securing a use permit; and provided further, that this provision shall not apply to heights of agricultural structures in A, RR, or SC Districts.
6. Where the average slope of a lot is greater than the ratio of one foot rise or fall in seven feet of distance from the established street elevation at the property line, one story in addition to the number permitted in the district in which said lot is situated shall be permitted on the downhill side of any building, provided that the height of the building shall not be increased above the limit specified for said district.

F. YARDS:

1. In any case where an official building line has been established as a part of the Circulation Element of the General Plan, the required yards on the street side shall be measured from such official plan lines, and in no case shall the provisions of this ordinance be construed in permitting any structure to extend beyond such official plan line.

2. In any case where building lines have been established on any Sectional District Map for the purpose of determining building locations with respect to street or highway right-of-way lines, the required yards on the street side shall be measured from such building lines.

For the purpose of determining building locations with respect to street and highway right-of-way lines, building lines are hereby established as shown on the Sectional District Maps adopted under Section 9 of this Ordinance.

3. For the purpose of promoting the public health, safety and general welfare, a fifty (50) foot building setback line is hereby established on all Federal Aid Secondary, and all State highways in the County.

No building or structure (excluding open fences or solid fences less than three (3) feet in height) shall hereafter be erected, constructed or moved so that any portion of the structure is located within the right-of-way of any public road within a public road easement, and no existing structure shall be added to or enlarged so that the addition or enlargement is located within the right-of-way of any public road or within a public road easement.

No building or structure (excluding open fences and solid fences less than three (3) feet in height) shall hereafter be erected, constructed or moved so that any portion of same shall be closer than fifty (50) feet to the center line and no existing building or structure shall be added to or enlarged so that such addition or enlargements shall be closer than fifty (50) feet to the center line of the Federal Aid Secondaries and all State highways.

4. Architectural features such as cornices, eaves and canopies may extend a maximum of thirty (30) inches into any required side yard. Eaves and canopies may extend a maximum of thirty (30) inches into any required front or rear yard. Fire places, not exceeding eight (8) feet in breadth may extend not more than thirty (30) inches into any required front, side or rear yard.

Open, uncovered, raised porches, landing places or outside stairways may project not more than three (3) feet into any required side yard; and not exceeding six (6) feet into any required front or rear yard.

In any R or R-R District, where 50% or more of the building sites on any one block or portion thereof in the same districts have been improved with buildings, the required front yard shall be a depth equal to the average of the front yards of the improved main buildings, to a maximum of that specified for the district in which such building site is located.

5. In case a dwelling is to be located so that the front or rear thereof faces any side lot line, such dwelling shall not be less than ten (10) feet from such lot line.
6. In case a building site is less than sixty (60) feet in width, side yards equal to 10% of the lot width, but no less than four (4) feet, shall be required, except in C or M Districts.
7. In the case of a corner lot adjacent to a key lot, the required side yard on the street side for any building within twenty-five (25) feet of the side line of the key lot shall be equal to the front yard required on the key lot, and if more than twenty-five (25) feet from such side line, the required side yard shall be 50% of the front yard required on the key lot.
8. RESERVED
9. In case of a lot abutting upon two or more streets, the main and accessory buildings shall not be erected so as to encroach upon the front yard required on any of the streets.
10. RESERVED.
11. Nothing contained in the General Provisions shall be deemed to reduce the special yard requirements as set forth in the regulations for any "R", "C-H", "R-R" or "A" Districts.
12. Structures, except utility poles and utility equipment appurtenant thereto, shall not be located so as to encroach on any utility or road easement or right-of-way.

G. REGULATIONS FOR SWIMMING POOLS

Swimming pools in any "R" District shall be constructed on the rear half of the lot, or fifty (50) feet from the front lot line, whichever is the less, or unless a different location is approved by the Planning Commission upon the securing of a use permit. Such pool shall not be located closer than five (5) feet from any rear lot line or side line. On the street side of any corner lot, where the rear of a lot line abuts a side lot line. The Planning Commission may reduce these requirements by fifty percent (50%) upon securing a use permit in each case.

Filter and heating systems for such pools shall not be located closer than twenty (20) feet to any dwelling other than the owner's.

No pool shall occupy over forty percent (40%) of the required rear yard. Coverage by a swimming pool shall not be considered in measuring maximum lot coverage. All such swimming pools shall be completely enclosed by a fence at least six (6) feet in height, and all gates shall be self-latching.

H. RESERVED

I. OFF-STREET PARKING REQUIREMENTS:

1. Location of parking spaces, common facilities.

- a. All off-street parking spaces, whether in a garage, or open area, shall be so located as to be accessible and usable for the parking of motor vehicles.

Common parking facilities may be provided in lieu of individual requirements; provided the common parking facilities have a total number of parking spaces not less than the total number of individual requirements, less any individual requirements actually provided, and meet the requirements of the zone in which they are located.

- b. "Accessible", as used above, in reference to a garage not having an entrance on an alley, means that there shall be an unobstructed surfaced area extending from the garage entrance directly away therefrom for a distance of thirty (30) feet for a residential development. Such surfaced area shall be the full width of the garage for the entire footage required, and shall be connected by a surfaced area of twelve (12) feet minimum width with the public thoroughfare for single-family development; and fifteen (15) feet minimum width for any development exceeding three units.
- c. Improvements for driveways or access to garages shall be developed and maintained as provided in Ordinance No.238, or any amendments thereto.

2. Minimum Requirements. The following garage and off- street parking requirements shall apply to all buildings erected, and new or extended uses commenced after the effective date of this Ordinance. For any use not specifically mentioned herein, the Planning Commission shall determine the amount of parking required. All facilities shall be on-site unless specified differently.

Single Family homes	1 garage, carport or parking space per unit. 1 additional parking space per guest house.
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Duplexes	1 garage, carport or parking space per unit.
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Three or more dwelling units per parcel	Two parking spaces per unit with a maximum credit of .75 spaces per dwelling units for enclosed garages. (Ord. No. 315-425)
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Hotels, Motels	1 parking space per unit, 2 parking spaces per Manager's Office.
Rooming and Boarding Houses	1 parking space per guest up to 20 - over, add 1 space per each 2 guests.
Church	1 parking space for each four seats.
Lodges, clubs, community centers, mortuary, chapels	1 parking space for each 3 □ fixed seats, but not less than one space for each 15 sq. ft. of the largest meeting hall.
Schools	1 parking space for each classroom and office.
Retail stores, services and office in "C-1", "C-2" and "C-H" Districts	5 parking spaces for each 1500 sq. ft. of gross leasable area; may be off-site within 300 ft. when approved by Planning Commission.
Drive-in Restaurants any district	1 space for each car to be served, plus 1 space for each three seats
Restaurants, Bars	1 space for each 3 seats but not less than 1 space for each 30 sq. ft.
Service Stations	3 spaces for each working bay, plus 1 space for each employee on the largest shift.
Hospitals	
1 space per bed plus 1 space per doctor, plus 1 space for each employee on the largest shift.	1 space for each 8 patients plus 1 space for each 2 employees on the largest shift.
Convalescent Hospitals	
Sanitariums, Rest Homes	1 space for each 8 patients or guests plus 1 space per employee.
Public Building- Administrative	1 parking space for each 200 sq. ft. of work space.

Public, including high school and colleges, auditoriums, theaters or assembly halls	1 space for each 5 seats but not less than 1 space for each 30 sq. ft.
Bowling Alley, Billiard Parlors	5 spaces per lane, 2 spaces per table, plus 1 space for each 2 employees.
Warehousing, Wholesale Stores, any District	1 space for each 2000 sq. ft. of gross floor area off-site within 500 ft. on approval of Planning Commission or 1 space per employee plus 1 space for company vehicle, whichever produces the greatest number of spaces.
Manufacturing and Industrial uses, Lumber Mills and yards, cabinet shops, plumbing, heating, electrical shops, bottling plants, distribution centers, data processing, storage, warehousing or processing, research and development, Administrative Offices	Minimum of 2 spaces for every three employees on the shift having the largest number of employees, but not less than 1 space for each 2000 sq. ft. of gross area of building used for any of the allowed uses; off-site within 500 ft. on approval of Planning Commission.

3. Additional Requirements:

- a. Parking required in any district must be on-site, except as provided in this Section.
- b. Joint use of parking facilities may be allowed under the following conditions:
 - (1) When there is no conflict in time of use.
 - (2) When there is sufficient parking for all uses.
- c. Parking required in "C" Districts may be reduced to 1/2 of the stated requirements in any portion of such district included within a public parking district or assessment district for financing off- street parking facilities.

- d. Any off-street parking space for any use wherein three (3) or more spaces are proposed shall be designed so as to provide sufficient maneuvering room for vehicles on-site so that they may leave the site to enter into any street in a forward direction.
- e. Parking in setback areas is permissible in the rear and interior side yard areas. Parking in the front or street side yard areas is not permissible unless all the following requirements are satisfied:
 - (1) A landscaped area equal to the front yard setback is provided within the same development; and
 - (2) A minimum setback of four (4) feet is provided along the effected yard area.

J. PERFORMANCE STANDARDS:

1. Fire and Explosion Hazards:

All activities involving, and all storage of, flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate fire fighting and fire- suppression equipment and devices standard in industry and as approved by the Fire Department. All incineration is prohibited, except by permit.

2. Radioactivity or Electrical Disturbance:

Devices which radiate radio-frequency energy shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located.

Further, no radiation of any kind shall be emitted in quantities which is dangerous to humans.

3. Noise:

At the lot line the maximum sound pressure level radiated in each standard octave band by any use or facility (other than transportation facilities or temporary construction work) shall not exceed the values for octave bands lying within the several frequency limits given in Table I, after applying the correction shown in Table II.

The sound pressure level shall be measured with a Sound Level Meter and associated Octave Band Analyzer, conforming to standards prescribed by the United States of America Standards Institute criteria relating to noise and sound measurements. Measurements shall be made using the flat or "C" network using unweighted octave band sound pressure levels.

TABLE 1.

<u>Octave Bands Frequency in Cycles Per Second</u>	<u>Maximum Noise Level Permitted in Industrial Districts</u>
20- 75	79
75- 150	74
150- 300	60
300- 600	59
600-1200	53
1200-2400	47
2400-4800	41
4800-9600	39

If the noise is not smooth and continuous and is not radiated between the hours of 10:00 p.m., and 7:00 a.m., one or more of the corrections in Table II shall be applied to the octave band levels given in Table I.

TABLE II.

<u>Type of Location of Operation of Noise</u>	<u>Correction in Decibels or Character</u>
a. Daytime operation only	Plus 5
b. Noise source operate less than:	
(1) 20% of any one-hour period	Plus 5
(2) 5% of any one-hour period	Plus 10
(Apply one of these corrections only)	
(3) Noise of impulsive character	Minus 5
such as hammering	
(4) Noise of periodic character	Minus 5
such as hammering or screeching	

4. Vibration:

No vibration shall be permitted so as to cause a noticeable tremor, measurable without instruments at the lot line.

5. Smoke:

No emission shall be permitted at any point from any chimney or otherwise of visible gray smoke or of a shade equal to or darker than No. 2 on Power's Micro-Ringlemann Chart published by the McGraw-Hill Publishing Co., Inc. and copyright 1954 (being a direct facsimile reduction of a standard Ringlemann Chart as issued by the United States Bureau of Mines) except that visible gray smoke of a shade equal to No. 3 on said chart may be emitted for four (4) minutes in any thirty (30) minutes.

6. Odors:

No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air to four volumes of clean air, at the lot line. Any process, which may involve the creation or emission of any odors shall be provided with a secondary safe guard system so that control will be maintained if the primary safeguard system should fail. There is hereby established as a guide in determining such quantities of offensive odors, Table III. "Odor Thresholds", in Chapter 5, "Air Pollution Abatement Manual", copyright 1951 by Manufacturing Chemists' Association, Inc., Washington, D.C.

7. Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution:

No emission shall be permitted which can cause any damage to health, animals, vegetation, or other forms of property, or which can cause any excessive soiling at any point. No emissions shall be permitted in excess of the standards specified in Table I, Chapter 5, "Industrial Hygiene Standards, Maximum Allowable Concentration" of the "Air Pollution Abatement Manual" copyright 1951 by Manufacturing Chemists' Association, Inc., Washington, D.C. In no event shall any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations, exceed 0.3 grains per cubic foot of the conveying gas at any point. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of 500 degrees Fahrenheit and fifty percent (50%) excess air.

8. Glare:

No direct or reflected glare, whether produced by flood light, high temperature processes such as combustion or welding, or other processes, so as to be visible from any boundary line of property on which the same is produced shall be permitted. Sky-reflected glare from buildings or portions thereof shall be so controlled by such reasonable means as are practical to the end that the said sky-reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.

9. Liquid or Solid Wastes:

No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted, except in accord with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction of such activities.

K. STANDARDS FOR SERVICE STATIONS:

All automobile service stations shall be subject to the following standards.

1. In any "C-N", "C-1", or "H-C" District service stations shall be rustic or semi-rustic in design using wood, brick, stone, or other architectural features to enhance the appearance of the structure.
2. The roofs of all service stations shall be pitched or sloped and shall have a surface of shingles, colored rock, shakes, or similar material.
3. No "A" boards, "I" board signs or pennants shall be permitted on the building site where a service station is located or in any "C-N", "C-1" or "H-C" District.

B. STANDARDS FOR RESIDENTIAL CARETAKER UNIT:
(ORDINANCE NO. 315-580; 315-708 and 315-725)

One single family use who's primary purpose is to take care of and provide watchman services for C-1, C-2, C-3, H-C, PF and I properties shall be subject to the granting of a Commission issued use permit. The following special provisions must be complied with and reviewed during consideration of the use permit for such units:

1. Structural setbacks consistent with the Rural Residential Zoning District standards.
2. The caretaker unit shall be limited to no more than 1000 gross square feet.
3. The caretaker unit shall be located in such a manner so that it is not visually intrusive or highly visible from arterial or collector roads abutting the subject site.
4. The caretaker unit shall be located in such a manner so as to not interfere or adversely impact the use of the site or adjacent parcels.

M. BED AND BREAKFAST INNS:

1. Use Permit Required:

A use permit is required to establish a Bed and Breakfast Inn in all zoning districts except the Retail Commercial (C-1) and General Commercial (C-2) Zoning Districts where Bed and Breakfast Inns are allowed by right subject to compliance with development standards.

2. Development Standards:

- a. Parking:

At least two off-street parking spaces for the owner-manager and one space per each guest room shall be provided. On-street parking may be permitted for guest parking as long as the total number of spaces (parallel to the street) does not exceed the street frontage of the parcel being used as a Bed and Breakfast Inn.

3. Uses:

In addition to overnight accommodations, the use permit may authorize limited ancillary social gatherings, such as conferences, weddings, fund raisers, and similar events, attended by any non-lodger, subject to any conditions imposed by the Commission or Board, as may be necessary to satisfy Section 32, including, but not limited to, restrictions on the frequency and timing of events, and the maximum number of persons per event. Except as expressly authorized in the use permit, such activities are prohibited.

N. DELETED (ORDINANCE NO. 315-726)

O. COMMERCIAL BUILDING SIZE:

A Use Permit shall be required for the construction of any building where such construction would result in over five thousand (5,000) square feet of floor area on any parcel zoned C-1 or C-2.