

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA  
ORDINANCE NO.**

**AN ORDINANCE AMENDING CHAPTER 21, ARTICLE 58 and CHAPTER 21, ARTICLE 68  
OF THE LAKE COUNTY ZONING ORDINANCE PERTAINING TO APPEALS**

**WHEREAS**, the Lake County Board of Supervisors and Planning Commissions regularly receive documentary evidence the day before or day of hearings on agenda items; and

**WHEREAS**, receiving voluminous documentation immediately prior to or during a public meeting is disruptive of the meeting, causes delays, and prevents the Board of Supervisors and Planning Commission from conducting business; and

**WHEREAS**, in order to allow the Board of Supervisors and Planning Commission to conduct business without disruption and review documentary evidence in a timely manner prior to a hearing on an agenda item, it is necessary to amend Chapter 21 of the Lake County Ordinance to allow for a reasonable time frame in which documentary evidence is to be submitted for review; and

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:**

Section One: The above recitals are true and correct, are incorporated herein by reference.

Section Two: Subsections 58.17, 58.27, and 58.36 of Article 58 of Chapter 21 of the Lake County Code are hereby added.

A. Section 58.17 shall be added to read as follows:

“58.17 Submission of Documentary Evidence and/or Written Argument. Any party wishing to provide documentary evidence and/or written argument shall submit such documentation to the Secretary of the Planning Commission no later than 96 hours prior to the date at the time of the Public Hearing. Documentary evidence and/or written argument submitted after that time shall not be considered by the Planning Commission.”

B. Section 58.27 shall be added to read as follows:

“58.27 Submission of Documentary Evidence and/or Written Argument. Any party wishing to provide documentary evidence and/or written argument shall submit such documentation to the Secretary of the Planning Commission no later than 96 hours prior to the date at the time of the Public Hearing. Documentary

evidence and/or written argument submitted after that time shall not be considered by the Planning Commission.”

C. Section 58.36 shall be added to read as follows:

“58.36 Submission of Documentary Evidence and/or Written Argument. Any party wishing to provide documentary evidence and/or written argument shall submit such documentation to the Clerk of the Board of Supervisors no later than 96 hours prior to the date at the time of the Public Hearing. Documentary evidence and/or written argument submitted after that time shall not be considered by the Board of Supervisors.”

Section Three: Subsection 68.4(d) of Article 68 of Chapter 21 of the Lake County Code is hereby amended to read as follows:

“(d) DEFINITIONS (D)

1. Dams, small, medium, and large: An earthen, concrete, or stone wall to confine a flow of water, as a stream, and raise its level. Small dams do not exceed six (6) feet in height from the natural bed of the stream or watercourse at the downstream toe of the barrier. Medium dams are of seven (7) to fifteen (15) feet in height from the natural bed of the stream or watercourse at the downstream toe of the barrier. Large dams are those exceeding fifteen (15) feet in height from the natural bed of the stream or watercourse at the downstream toe of the barrier. The height of a dam shall be measured to the highest level of water that may be impounded. (Ord. No. 1749, 7/7/1988)

2. Day care: Has the same meaning as in Section 1596.76 of the California Health and Safety Code. (Ord. No. 3079, 12/11/2018)

3. Density: The total number of dwelling units permitted per acre of land.

4. Density bonus: A density increase over the otherwise maximum permitted density for residential dwelling units as specified by the zoning district and land use category of the Lake County General Plan.

5. Design professional: As defined in the California Civil Code, Division 4 General Provisions, Part 6 Works of Improvement, Title 1 Works of Improvement Generally, Article 1 Definitions. (Ord. No. 3079, 12/11/2018)

6. Detached: Not sharing a common wall or roof.

7. Development: On land, in or under land or water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or

1 extraction of any materials; change in the density of intensity of use of land, including,  
2 but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with  
3 Section 66410 of the Government Code), and any other division of land except where  
4 the land division is brought about in connection with the purchase of such land by a  
5 public agency for public recreational use; change in the intensity of use of water, or of  
6 access thereto; construction, reconstruction, demolition, or alteration of the size of any  
7 structure, including any facility of any private, public, or municipal utility; and the removal  
8 or harvesting of major vegetation other than for agricultural purposes, and timber  
9 harvesting operations.

10 8. Development standards: A set of regulations contained within each zoning district of  
11 this Chapter setting forth minimum requirements or specifications which must be met by  
12 all applicants for permits; including but not limited to: lot dimensions, setbacks and  
13 height limits; lot coverage; animal densities; parking and signs.

14 9. De Novo: A new hearing. The Review Authority may approve, disapprove, or modify  
15 any proposed permit without regard to any previous testimony or action by another  
16 Review Authority.

17 10. Documentary Evidence – Any document which is offered and admitted as evidence  
18 during an Administrative Appeal, Planning Commission Appeal, or a Board of  
19 Supervisors Appeal as provided in Article 58 of Chapter 21 of the Lake County Zoning  
20 Ordinance.

21 11. Domestic animal keeping: “Pets” raised by the occupants of the premises including  
22 dogs, cats, birds, fish or other such animals when, in the opinion of the Planning Director  
23 in consultation with the Animal Control Director, kept at a level not to create a habitual  
24 nuisance or endanger the health and safety of the community in accordance with this  
25 Chapter or Chapter 4, Article 1 of the Lake County Code.

26 12. Driveway: A private access for vehicles located on a single parcel, excepting that  
27 “Driveway” also includes shared, reciprocal access along both sides of a common  
28 property boundary serving no more than two (2) adjoining parcels. (Ord. No. 1897,  
12/7/1989; Ord. No. 2128, 1/14/1993)

13. Drop-off recycling center: Any premises where recyclable items such as  
newspapers, magazines, glass bottles, or aluminum cans are accepted, whether for  
compensation or not, and stored within containers until such time as the recyclable items  
are transferred to a recycling processing center. A drop-off recycling center also includes  
“reverse vending machines”, “bulk reverse vending machines”, “mobile recycling unit”,

and “small recycling center” as defined in this Article. (Ord. No. 1749, 7/7/1988; Ord. No. 1897, 11/7/1989)

14. Duplex: A two-family dwelling. (Ord. No. 1897, 11/7/1989)

15. Dwelling unit: A single unit providing independent living facilities for one or more persons, including provisions for living, sleeping, eating, cooking and sanitation, and having only one (1) kitchen. (Ord. No. 1897, 11/7/1989)

16. Dwelling, single-family: A single detached dwelling designed for and occupied exclusively by one family alone, and having but one (1) kitchen. Single-family dwelling includes “factory-built housing” as defined in Section 19971 of the Health and Safety Code. (Ord. No. 1897, 11/7/1989)

17. Dwelling, two-family: A single detached building designed for and occupied by two families alone, and having but two kitchens. “Two family dwelling” includes duplex. (Ord. No. 1897, 11/7/1989)

18. Dwelling, multi-family: A single detached building designed for and occupied exclusively by three or more families living independently of each other as separate housekeeping units, including apartment houses, condominiums, triplexes, and fourplexes. (Ord. No. 1897, 11/7/1989)

19. Dwelling group: A group of two (2) or more detached or semi-detached single-family, two-family, or multi-family dwellings occupying a parcel of land in one ownership and having any yard or court in common. (Ord. No. 1897, 11/7/1989)”

Section Four: This project is exempt under CEQA Guidelines section 15061(b)(3) in that it can be seen with certainty that there is no possibility that these amendments of and additions to the Lake County Code will have a significant impact on the environment.

Section Five: This ordinance shall take effect thirty (30) days after its adoption and before the expiration of fifteen (15) days after its passage, it shall be published at least once in a newspaper of general circulation printed and published in the County of Lake.

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1 The foregoing Ordinance was introduced before the Board of Supervisors on the XX<sup>th</sup> day of  
2 \_\_\_\_\_, 2022 and passed by the following vote of the XX<sup>th</sup> day of \_\_\_\_\_, 2022.

3 AYES:

4 NOES:

5 ABSENT OR NOT VOTING:

6  
7 \_\_\_\_\_  
8 Chair, Board of Supervisors

9 ATTEST: SUSAN PARKER, Clerk of the Board of Supervisors

10  
11 By: \_\_\_\_\_

12  
13 APPROVED AS TO FORM: Anita Grant, County Counsel

14  
15 By: \_\_\_\_\_