

1                   **PLANNING COMMISSION, COUNTY OF LAKE, STATE OF CALIFORNIA**

2                                   **RESOLUTION NO. 18-\_\_\_\_\_**

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4                   **RESOLUTION OF INTENT OF THE PLANNING COMMISSION OF THE COUNTY**  
5                   **OF LAKE DECLARING ITS INTENTION TO CONSIDER RECOMMENDING TO**  
6                   **THE BOARD OF SUPERVIORS TO AMEND CHAPTER 21 OF THE LAKE**  
7                   **COUNTY ZONING ORDINANCE TO ALLOW A RESTAURANT UP TO 750**  
8                   **SQUARE FEET ACCESSORY TO A PERMITTED TASTING ROOM IN THE “APZ”**  
9                   **“A” “RL” “RR” AND “SR” DISTRICTS; ALLOW A RESTAURANT EXCEEDING**  
10                  **750 SQUARE FEET IN SIZE ACCESSORY TO A PERMITTED TASTING ROOM**  
11                  **SUBJECT TO OBTAINING A MAJOR USE PERMIT IN THE “APZ, “A”, “RL”,**  
12                  **“RR,” AND “SR” DISTRICTS; ALLOW A REDUCTION OF THE MINIMUM**  
13                  **RESIDENTIAL CONSTRUCTION STANDARDS IN THE “R1” DISTRICT FROM A**  
14                  **MINIMUM DWELLING SIZE OF 720 SQUARE FEET TO 360 SQUARE FEET, A**  
15                  **MINIMUM WIDTH REDUCTION FROM 15 FEET TO 12 FEET AND A MINIMUM**  
16                  **EAVE REDUCTION FROM 12 INCHES TO 6 INCHES; ESTABLISH A PERMIT**  
17                  **PROCESS TO ALLOW EMERGENCY TEMPORARY DWELLINGS AFTER A**  
18                  **CATASTROPHIC OR NATURAL DISASTER; MODIFY THE COLLECTORS**  
19                  **PERMIT CONDITIONS TO ALLOW A TWO CAR GARAGE UP TO 500 SQUARE**  
20                  **FEET ACCESSORY TO A PERMITTED DWELLING; ALLOW A REDUCTION IN**  
21                  **THE MINIMUM RESIDENTIAL CONSTRUCTION STANDARDS OF THE “MH”**  
22                  **MOBILE HOME COMBINING DISTRICT FROM A MINIMUM DWELLING SIZE**  
23                  **OF 560 SQUARE FEET TO 360 SQUARE FEET.**

24                  **Whereas,** the Planning Commission of the County of Lake, State of California, desires  
25 to amend the Lake County Ordinance Code, Chapter 21, Zoning Ordinance, to allow a  
26 restaurant up to 750 square feet accessory to a permitted tasting room in the “APZ,” “A,”  
27 “RL,” “RR,” and “SR” Districts; allow a restaurant exceeding 750 square feet in size  
28 accessory to permitted tasting room subject to obtaining a Major Use Permit in the “APZ,”  
“A,” “RL,” “RR” and “SR” Districts; allow a reduction of the Minimum Residential  
Construction Standards in the “R1” District from a minimum dwelling size of 720 square feet  
to 360 square feet, a minimum width reduction from 15 feet to 12 feet and a minimum eave  
reduction from 12 inches to 6 inches; establish a permit process to allow Emergency  
Temporary Dwellings after a catastrophic or natural disaster; modify the Collectors Permit  
conditions to allow a two car garage up to 500 square feet in size accessory to a permitted

dwelling; allow a reduction in the Minimum Residential Construction Standards of the "MH" Mobile Home Combining District from a minimum dwelling size of 560 square feet to 360 square feet to protect the public health, safety and welfare; and

**Whereas**, it is the intention of the Planning Commission of the County of Lake to recommend approval of the changes as set forth below to the Board of Supervisors.

**NOW, THEREFORE, BE IT RESOLVED BY THE LAKE COUNTY PLANNING COMMISSION IT HEREBY FINDS, ORDERS, DETERMINES AND DECLARES THAT:**

**Section 1.** It is the intention of the Planning Commission to recommend to initiate the proposed zoning ordinance text amendment to recommend the modification of the existing regulations to allow a restaurant up to 750 square feet accessory to a permitted tasting room in the "APZ," "A," "RL," "RR," and "SR" Districts; allow a restaurant exceeding 750 square feet in size accessory to permitted tasting room subject to obtaining a Major Use Permit in the "APZ," "A," "RL," "RR" and "SR" Districts; allow a reduction of the Minimum Residential Construction Standards in the "R1" District from a minimum dwelling size of 720 square feet to 360 square feet, a minimum width reduction from 15 feet to 12 feet and a minimum eave reduction from 12 inches to 6 inches; establish a permit process to allow Emergency Temporary Dwellings after a catastrophic or natural disaster; modify the Collectors Permit conditions to allow a two car garage up to 500 square feet in size accessory to a permitted dwelling; allow a reduction in the Minimum Residential Construction Standards of the "MH" Mobile Home Combining District from a minimum dwelling size of 560 square feet to 360 square feet as set forth below for the following reasons:

- (a) Reduction of the Minimum Residential Construction Standards would provide for more affordable housing opportunities.

- (b) Modification of the Collectors Permit conditions would permit construction of a two car garage up to 500 square feet in size accessory to a permitted primary dwelling regardless of the size of the dwelling.
- (c) During disasters whether they be catastrophic or natural, establishing a permit process for Emergency Temporary Dwelling would allow applicants to reside on their property while they prepare to submit for their rebuild permits.
- (d) Restaurants accessory to a permitted tasting room would increase economic development opportunities.

**Section 2.** Subsection (b) of Section 4.4 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

“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. A restaurant up to seven hundred and fifty (750) square feet in size may be permitted accessory to a wine tasting room. In each case, only winery and wine-related promotional events may be permitted as defined in Section 68.4(s)17”.

**Section 3.** Subsection (c) of Section 4.5 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

“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, and which may only include winery and wine-related promotional events as defined in Section 68.4(s)17. A restaurant may be permitted when accessory to incidental retail sales of wine.

**Section 4.** Subsection (c) of Section 5.4 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

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 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.

**Section 5.** Subsection (c) of Section 5.5 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

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.

**Section 6.** Subsection (d) of Section 7.4 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

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 tasting facilities 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. Non-promotional events shall be subject to Departmental review after one year of operation.

**Section 7.** Subsection (c) of Section 7.5 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

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.

**Section 8.** Subsection (i) of Section 8.4 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

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.

**Section 9.** Subsection (g) of Section 8.5 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

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.

**Section 10.** Subsection (d) of Section 9.5 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

Small wineries with an annual production capacity of fifteen thousand (15,000) cases or less on parcels not less than five (5) acres, 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. Small wineries 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. A restaurant may be permitted when accessory to incidental retail sales of wine.

**Section 11.** Subsection (e) of Section 9.5 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

Large wineries with an annual production capacity exceeding fifteen thousand (15,000) cases on parcels not less than five (5) acres, 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.

**Section 12.** Subsection (a) of Section 10.20 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

All dwelling units must be at least twelve (12) feet in width or diameter (excluding eaves) and at least three hundred sixty (360) square feet in gross floor area, except "Granny Units" and "Guest Houses" permitted in Article 27.

**Section 13.** Subsection (h) of Section 10.20 of Chapter 21 of the Lake County Code is hereby amended, and shall read as follows:

All units shall have a perimeter roof overhang on all sides extending not less than six (6) inches measured from the vertical side of the home, not including rain gutters.

**Section 14.** Sections 27.3 (aa) of Chapter 21 of the Lake County Code are hereby added to read as follows:

**Emergency Temporary dwelling:**

1. One (1) trailer coach, recreational vehicle, mobile home or single-family dwelling may be used as an emergency temporary dwelling unit for a period of time not to exceed six months (6) during the recovery process due to a catastrophic or natural disaster.
2. Applicants for an emergency temporary dwelling zoning permit shall, prior to issuance of a zoning permit:
  - Obtain building and health permits for the inspection of the water supply, waste discharge system and electrical installation for the temporary dwelling.
  - Obtain a demolition permit from the County for the removal of the prior dwelling that was damaged.
3. The emergency temporary dwelling zoning permit will be redefined as a standard temporary dwelling zoning permit once a building permit for construction of an onsite dwelling has been applied for and issued.
4. An emergency temporary dwelling shall meet the performance standards of Article 41 and all development standards of the zoning district except for the minimum residential construction standards.

**Section 15.** Section 27.2 Table A of Chapter 21 of the Lake County Code is hereby added, and shall read as follows:

“(aa) Emergency Temporary Dwelling”

A solid dot shall be inserted in the “APZ”, “A”, “TPZ”, “RR”, “SR”, “R1”, “R2”, “PDR” and “U”, columns.

**Section 16.** Section 27.11 (ak) of the Lake County Code is hereby amended to read as follows:

1. A collector's permit shall be a residential accessory use. A two car garage up to 500 square feet in size accessory to a permitted dwelling shall not be counted toward total accessory square footage.
2. All outdoor storage shall be completely screened to a height of six (6) feet by a solid wood or masonry fence, when not completely enclosed in a building unless alternative screening is specifically authorized by this use permit.
3. Outdoor storage areas shall be fully screened from public view from exterior property lines and from public roadways within one-half (1/2) mile of the open storage area.
4. There shall be no outdoor storage in any required yard area.
5. There shall be no outdoor storage in any front yard in the "SR", "R1", "R2" or "R3" districts.
6. Storage shall only occur in those areas shown on the approved plot plan.
7. A collector's permit may also permit the open and outdoor storage of no more than two (2) unoccupied recreational vehicles on property not possessing a principal use, subject to the following provisions:
  - i. The minor use permit application shall be accompanied by proof that the applicant owns the property where the storage is to be located.
  - ii. The registered owner of the vehicle(s) must own a dwelling unit on a lot abutting the property where the storage is to be located.
  - iii. There shall be no storage of vehicles permitted within any required front yard.
  - iv. The permit holder shall agree to maintain the property where the storage is located free of debris, junk, or overgrown weeds.
  - v. Any recreational vehicle stored pursuant to this Section shall be currently registered and maintained in a condition to be legally operated on a public street or highway within the State of California.  
(Ord. No. 1974, 12/20/1990)

**Section 17.** Article 32.11 (a) of Chapter 21 of the Lake County Code is hereby amended



to read as follows:

All dwelling units must be at least twelve (12) feet in width or diameter (excluding eaves) and at least three hundred sixty (360) square feet in gross floor area.

**Section 18.** The Community Development Department is directed to prepare the report to effectuate this zoning ordinance text amendment.

This Resolution was passed by the Planning Commission of the County of Lake at a regular meeting held on the 27th day of September, 2018, by the following vote:

AYES: HESS, MALLEY, CRANDELL, SUENRAM

NOES: 0

ABSENT OR NOT VOTING: CAMACHO

SO ORDERED:

APPROVED AS TO FORM:

  
SHANDA HARRY

Deputy County Counsel

COUNTY OF LAKE

  
Chair, Planning Commission

APPROVED AS TO FORM:

Community Development Department

By: 