

Article 1: Base Zones

Division 2: Open Space Base Zones

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0201 Purpose of Open Space Zones

The purpose of the open space zones is to protect lands for outdoor recreation, education, and scenic and visual enjoyment; to control urban form and design; and to facilitate the preservation of *environmentally sensitive lands*. It is intended that these zones be applied to lands where the *primary uses* are parks or open space or to private land where *development* must be limited to implement open space policies of adopted *land use plans* or applicable federal and state regulations and to protect the public health, safety, and welfare.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0202 Purpose of the OP (Open Space--Park) Zones

(a) The purpose of the OP zones is to be applied to *public parks* and facilities, once they are dedicated as park land pursuant to City Charter Section 55 in order to promote recreation and facilitate the implementation of *land use plans*. The uses permitted in these zones will provide for various types of recreational needs of the community.

(b) The OP zones are differentiated based on the uses allowed as follows:

- OP-1-1 allows developed, active parks
- OP-2-1 allows parks for passive uses with some active uses

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0203 Purpose of the OC (Open Space--Conservation) Zone

The purpose of the OC zone is to protect natural and cultural resources and *environmentally sensitive lands*. It is intended that the uses permitted in this zone be limited to aid in the preservation of the natural character of the land, thereby implementing *land use plans*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0204 Purpose of the OR (Open Space--Residential) Zones

- (a) The purpose of the OR zones is to preserve privately owned property that is designated as open space in a *land use plan* for such purposes as preservation of public health and safety, visual quality, *sensitive biological resources*, *steep hillsides*, and control of urban form, while retaining private *development* potential. These zones are also intended to help implement the habitat preservation goals of the City and the *MHPA* by applying development restrictions to lands wholly or partially within the boundaries of the *MHPA*. *Development* in these zones will be limited to help preserve the natural resource values and open space character of the land.
- (b) The OR zones are differentiated based on the uses allowed as follows:
 - OR-1-1 allows open space with limited private residential *development*
 - OR-1-2 allows open space with limited private residential *development* and to implement the *MHPA*

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0205 Purpose of the OF (Open Space--Floodplain) Zone

The purpose of the OF zone is to control *development* within *floodplains* to protect the public health, safety, and welfare and to minimize hazards due to *flooding* in areas identified by the FIRM on file with the City Engineer. It is the intent of the OF zone to preserve the natural character of *floodplains* while permitting *development* that will not constitute a dangerous condition or an impediment to the flow of *flood* waters. It is also the intent to minimize the expenditure of public money for costly *flood* control projects and to protect the functions and values of the *floodplains* relating to groundwater recharge, water quality, moderation of *flood* flows, wildlife movement, and habitat.

(Amended 4-22-2002 by O-19051 N.S.; effective 10-8-2002.)

§131.0215 Where Open Space Zones Apply

On the effective date of Ordinance O-18691, all open space zones that were established in Municipal Code Chapter 10, Article 1, Division 4 were amended and replaced with the base zones established in this division.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 11-13-2008 by O-19801 N.S.; effective 12-13-2008.)

§131.0220 Use Regulations of Open Space Zones

The regulations of Section 131.0222 apply in the open space zones unless otherwise specifically provided by footnotes indicated in Table 131-02B. The uses permitted in any zone may be further limited if the *premises* is located within the Airport Land Use Compatibility Overlay Zone (Chapter 13, Article 2, Division 15), or if *environmentally sensitive lands* are present, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

- (a) Within the open space zones no *structure* or improvement, or portion thereof, shall be constructed, established, or altered nor shall any *premises* be used or maintained except for one or more of the purposes or activities listed in Table 131-02B. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity inconsistent with this section or Section 131.0222.
- (b) All uses or activities permitted in the open space zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
- (c) *Accessory uses* in the open space zones may be permitted in accordance with Section 131.0125.
- (d) Temporary uses may be permitted in the open space zones for a limited period of time with a Temporary Use Permit in accordance with Chapter 12, Article 3, Division 4 (Temporary Use Permit Procedures).
- (e) For any use that cannot be readily classified, the City Manager shall determine the appropriate use category and use subcategory pursuant to Section 131.0110.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 10-25-2011 by O-20047 N.S.; effective 1-1-2012.)

[Editors Note: Amendments as adopted by O-20047 N. S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.)

§131.0222 Use Regulations Table for Open Space Zones

The uses allowed in the open space zones are shown in Table 131-02B.

Legend for Table 131-02B

Symbol in Table 131-02B	Description of Symbol
P	Use or use category is permitted. Regulations pertaining to a specific use may be referenced.
L	Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
N	Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
C	Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
-	Use or use category is not permitted.

Table 131-02B
Use Regulations Table of Open Space Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones					
	1st & 2nd >>		OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹¹⁾ -
	3rd >>		1-	2-	1-	1-		1-
	4th >>		1	1	1	1	2	1
Open Space								
Active Recreation	P	P ⁽²⁾	-	-	-	-	-	P ⁽⁷⁾
Passive Recreation	P	P	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾	P ⁽⁶⁾
Natural Resources Preservation	P	P	P	P	P	P	P	P
Park Maintenance Facilities	P	P ⁽²⁾	-	-	-	-	-	-
Agriculture								
Agricultural Processing	-	-	-	-	-	-	-	P ⁽⁵⁾
Aquaculture Facilities	-	-	-	-	P	P	P	P ⁽⁷⁾
Dairies	-	-	-	-	-	-	-	-
Horticulture Nurseries & Greenhouses	-	-	-	-	-	-	-	-
Raising & Harvesting of Crops	-	-	-	-	P	P	P	P
Raising, Maintaining & Keeping of Animals	-	-	-	-	P ⁽⁴⁾	P ⁽⁴⁾	P ⁽⁴⁾	P ⁽⁴⁾
Separately Regulated Agriculture Uses								
Agricultural Equipment Repair Shops	-	-	-	-	-	-	-	-
Commercial Stables	-	C	-	-	C	C	C	C
Community Gardens	-	N	-	-	N	N	N	L
Equestrian Show & Exhibition Facilities	-	-	-	-	-	-	-	-
Open Air Markets for the Sale of Agriculture-Related Products & Flowers	-	-	-	-	L	L	L	L
Residential								
Mobilehome Parks	-	-	-	-	-	-	-	-
Multiple Dwelling Units	-	-	-	-	-	-	-	-
Rooming House [See Section 131.0112(a)(3)(A)]	-	-	-	-	-	-	-	-
Single Dwelling Units	-	-	-	-	P	P	P	-

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones					
	1st & 2nd >>		OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹¹⁾ -
	3rd >>		1-	2-	1-	1-		1-
	4th >>		1	1	1	1	2	1
Separately Regulated Residential Uses:								
<i>Boarder & Lodger Accommodations</i>								
	-	-	-	-	L			-
<i>Companion Units</i>								
	-	-	-	-	C			-
<i>Employee Housing:</i>								
<i>6 or Fewer Employees</i>								
	-	-	-	-	-			-
<i>12 or Fewer Employees</i>								
	-	-	-	-	-			-
<i>Greater than 12 Employees</i>								
	-	-	-	-	-			-
<i>Fraternities, Sororities and Student Dormitories</i>								
	-	-	-	-	-			-
<i>Garage, Yard, & Estate Sales</i>								
	-	-	-	-	L			-
<i>Guest Quarters</i>								
	-	-	-	-	L			-
<i>Home Occupations</i>								
	-	-	-	-	L			-
<i>Housing for Senior Citizens</i>								
	-	-	-	-	-			-
<i>Live/work Quarters</i>								
	-	-	-	-	-			-
<i>Residential Care Facilities:</i>								
<i>6 or Fewer Persons</i>								
	-	-	-	-	P			-
<i>7 or More Persons</i>								
	-	-	-	-	C			-
<i>Transitional Housing:</i>								
<i>6 or Fewer Persons</i>								
	-	-	-	-	P			-
<i>7 or More Persons</i>								
	-	-	-	-	C			-
<i>Watchkeeper Quarters</i>								
	-	-	-	-	-			-
Institutional								
Separately Regulated Institutional Uses								
<i>Airports</i>								
	-	-	-	-	-			-
<i>Botanical Gardens & Arboretums</i>								
	P	P	-	-	-			-
<i>Cemeteries, Mausoleums, Crematories</i>								
	-	-	-	-	-			-
<i>Churches & Places of Religious Assembly</i>								
	-	-	-	-	C			-

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones					
	1st & 2nd >>		OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹⁾ -
	3rd >>		1-	2-	1-	1-		1-
	4th >>		1	1	1	1	2	1
Correctional Placement Centers	-	-	-	-	-	-	-	-
Educational Facilities:								
Kindergarten Through Grade 12	-	-	-	-	-	-	-	-
Colleges / Universities	-	-	-	-	-	-	-	-
Vocational / Trade Schools	-	-	-	-	-	-	-	-
Energy Generation & Distribution Facilities	-	-	-	-	-	-	-	-
Exhibit Halls & Convention Facilities	P ⁽²⁾	-	-	-	-	-	-	-
<i>Flood Control Facilities</i>	-	-	-	-	-	-	-	L
<i>Historical Buildings</i> Used for Purposes Not Otherwise Allowed	-	-	-	-	-	-	-	-
Homeless Facilities:								
Congregate Meal Facilities	-	-	-	-	-	-	-	-
Emergency Shelters	-	-	-	-	-	-	-	-
Homeless Day Centers	-	-	-	-	-	-	-	-
Hospitals, Intermediate Care Facilities & Nursing Facilities	-	-	-	-	-	-	-	-
Interpretive Centers	P	P ⁽²⁾	C	-	-	-	-	-
Museums	P	-	-	-	-	-	-	-
Major Transmission, Relay, or Communications Switching Stations	-	-	-	-	-	-	-	-
<i>Satellite Antennas</i>	L	L	L	L	L	L	L	L
<i>Social Service Institutions</i>	-	-	-	-	-	-	-	-
<i>Wireless Communication Facility:</i>								
<i>Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a non-residential use</i>	L	L	-	L	L	L	L	L
<i>Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a residential use</i>	N	N	N	N	N	N	N	N
<i>Wireless communication facility in the public right-of-way with above ground equipment</i>	C	C	C	C	C	C	C	C

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones				
	1st & 2nd >>	OP-		OC-	OR ⁽¹⁾ -	OF ⁽¹¹⁾ -
	3rd >>	1-	2-	1-	1-	1-
	4th >>	1	1	1	1 2	1
<i>Wireless communication facility outside the public right-of-way</i>		C	C	C	C	C
Retail Sales						
Building Supplies & Equipment		-	-	-	-	-
Food, Beverages and Groceries		-	-	-	-	-
Consumer Goods, Furniture, Appliances, Equipment		-	-	-	-	-
Pets & Pet Supplies		-	-	-	-	-
Sundries, Pharmaceuticals, & Convenience Sales		-	-	-	-	-
Wearing Apparel & Accessories		-	-	-	-	-
Separately Regulated Retail Sales Uses:						
Agriculture Related Supplies & Equipment		-	-	-	-	-
Alcoholic Beverage Outlets		-	-	-	-	-
Plant Nurseries		-	-	-	-	-
Swap Meets & Other Large Outdoor Retail Facilities		-	-	-	-	C ⁽⁷⁾
Commercial Services						
Building Services		-	-	-	-	-
Business Support		-	-	-	-	-
Eating & Drinking Establishments		P ⁽²⁾	-	-	-	-
Financial Institutions		-	-	-	-	-
Funeral & Mortuary Services		-	-	-	-	-
Instructional Studios		-	-	-	-	-
Maintenance & Repair		-	-	-	-	-
Off-site Services		-	-	-	-	-
Personal Services		-	-	-	-	-
Assembly & Entertainment		P ⁽²⁾	-	-	-	-
Radio & Television Studios		-	-	-	-	-
Visitor Accommodations		-	-	-	-	-

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones				
	1st & 2nd >>	OP-		OC-	OR ⁽¹⁾ -	OF ⁽¹¹⁾ -
	3rd >>	1-	2-	1-	1-	1-
	4th >>	1	1	1	1	2
Separately Regulated Commercial Services Uses						
Adult Entertainment Establishments:						
Adult Book Store	-	-	-	-	-	-
Adult Cabaret	-	-	-	-	-	-
Adult Drive-In Theater	-	-	-	-	-	-
Adult Mini-Motion Picture Theater	-	-	-	-	-	-
Adult Model Studio	-	-	-	-	-	-
Adult <i>Motel</i>	-	-	-	-	-	-
Adult Motion Picture Theater	-	-	-	-	-	-
Adult Peep Show Theater	-	-	-	-	-	-
Adult Theater	-	-	-	-	-	-
Body Painting Studio	-	-	-	-	-	-
Massage Establishment	-	-	-	-	-	-
Sexual Encounter Establishment	-	-	-	-	-	-
Bed & Breakfast Establishments:						
1-2 Guest Rooms	-	-	-	N	-	-
3-5 Guest Rooms	-	-	-	N	-	-
6+ Guest Rooms	-	-	-	C	-	-
Boarding Kennels/ Pet Day Care	-	-	-	-	-	-

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones					
	1st & 2nd >>		OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹¹⁾ -
	3rd >>		1-	2-	1-	1-		1-
	4th >>		1	1	1	1	2	1
Camping Parks	C	C	-	-	-	-	C ⁽⁷⁾	
<i>Child Care Facilities:</i>								
Child Care Centers	C ⁽²⁾	-	-	-	-	-	-	
Large Family Child Care Homes	-	-	-	-	L	-	-	
Small Family Child Care Homes	-	-	-	-	L	-	-	
Eating and Drinking Establishments Abutting Residentially Zoned Property	-	-	-	-	-	-	-	
Fairgrounds	-	-	-	-	-	-	C ⁽⁷⁾	
Golf Courses, Driving Ranges, and Pitch & Putt Courses	C	C	-	-	C ⁽⁹⁾	-	C ⁽¹⁰⁾	
Helicopter Landing Facilities	-	-	-	-	-	-	C ⁽¹⁰⁾	
Massage Establishments, Specialized Practice	-	-	-	-	-	-	-	
Nightclubs & Bars over 5,000 square feet in size	-	-	-	-	-	-	-	
<i>Parking Facilities as a primary use:</i>								
Permanent Parking Facilities	-	-	-	-	-	-	-	
Temporary Parking Facilities	-	-	-	-	-	-	-	
Private Clubs, Lodges and Fraternal Organizations	-	-	-	-	-	-	-	
Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size ⁽³⁾	C ⁽²⁾	-	-	-	-	-	-	
<i>Pushcarts:</i>								
Pushcarts on Private Property	L	-	-	-	-	-	-	
Pushcarts in Public-Right-of-Way	N	-	-	-	-	-	-	
<i>Recycling Facilities:</i>								
Large Collection Facility	-	-	-	-	-	-	-	
Small Collection Facility	-	-	-	-	-	-	-	
Large Construction & Demolition Debris <i>Recycling Facility</i>	-	-	-	-	-	-	-	
Small Construction & Demolition Debris <i>Recycling Facility</i>	-	-	-	-	-	-	-	
Drop-off Facility	L	L	-	-	-	-	-	

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones				
	1st & 2nd >>	OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹⁾ -
		3rd >>	1-	2-	1-	1-	1-
		4th >>	1	1	1	1	2
Green Materials Composting Facility	-	-	-	-	-	-	-
Mixed Organic Composting Facility	-	-	-	-	-	-	-
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic	-	-	-	-	-	-	-
Large Processing Facility Accepting All Types of Traffic	-	-	-	-	-	-	-
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic	-	-	-	-	-	-	-
Small Processing Facility Accepting All Types of Traffic	-	-	-	-	-	-	-
Reverse Vending Machines	-	-	-	-	-	-	-
Tire Processing Facility	-	-	-	-	-	-	-
Sidewalk Cafes	-	-	-	-	-	-	-
Sports Arenas & Stadiums	-	-	-	-	-	-	-
Theaters that are outdoor or over 5,000 square feet in size	P ⁽²⁾	-	-	-	-	-	-
Urgent Care Facilities	-	-	-	-	-	-	-
Veterinary Clinics & Animal Hospitals	-	-	-	-	-	-	-
Zoological Parks	C	-	-	-	-	-	-
Offices							
Business & Professional	-	-	-	-	-	-	-
Government	-	-	-	-	-	-	-
Medical, Dental, & Health Practitioner	-	-	-	-	-	-	-
Regional & Corporate Headquarters	-	-	-	-	-	-	-
Separately Regulated Office Uses:							
Real Estate Sales Offices & Model Homes	-	-	-	L	-	-	-
<i>Sex Offender</i> Treatment & Counseling	-	-	-	-	-	-	-
Vehicle & Vehicular Equipment Sales & Service							

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones					
	1st & 2nd >>		OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹¹⁾ -
	3rd >>		1-	2-	1-	1-		1-
	4th >>		1	1	1	1	2	1
Commercial Vehicle Repair & Maintenance	-	-	-	-	-	-	-	
Commercial Vehicle Sales & Rentals	-	-	-	-	-	-	-	
Personal Vehicle Repair & Maintenance	-	-	-	-	-	-	-	
Personal Vehicle Sales & Rentals	-	-	-	-	-	-	-	
Vehicle Equipment & Supplies Sales & Rentals	-	-	-	-	-	-	-	
Separately Regulated Vehicle & Vehicular Equipment Sales & Service Uses:								
Automobile Service Stations	-	-	-	-	-	-	-	
Outdoor Storage & Display of New, Unregistered Motor Vehicles as a <i>Primary Use</i>	-	-	-	-	-	-	-	
Wholesale, Distribution, Storage								
Equipment & Materials Storage Yards	-	-	-	-	-	-	-	
Moving & Storage Facilities	-	-	-	-	-	-	-	
Warehouses	-	-	-	-	-	-	-	
Wholesale Distribution	-	-	-	-	-	-	-	
Separately Regulated Wholesale, Distribution, and Storage Uses:								
Impound Storage Yards	-	-	-	-	-	-	-	
Junk Yards	-	-	-	-	-	-	-	
Temporary Construction Storage Yards Located Off-site	-	-	-	-	-	-	-	
Industrial								
Heavy Manufacturing	-	-	-	-	-	-	-	
Light Manufacturing	-	-	-	-	-	-	-	
Marine Industry	-	-	-	-	-	-	-	
Research & Development	-	-	-	-	-	-	-	
Trucking & Transportation Terminals	-	-	-	-	-	-	-	
Separately Regulated Industrial Uses:								

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st & 2nd >>	OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹¹⁾ -
	3rd >>	1-	2-	1-	1-		1-
	4th >>	1	1	1	1	2	1
<i>Hazardous Waste</i> Research Facility		-	-	-	-	-	-
<i>Hazardous Waste</i> Treatment Facility		-	-	-	-	-	-
Marine Related Uses Within the Coastal Overlay Zone		-	-	-	-	-	-
Mining and Extractive Industries		-	-	-	C ⁽⁸⁾		C ⁽⁷⁾
Newspaper Publishing Plants		-	-	-	-	-	-
Processing & Packaging of Plant Products & Animal By-Products Grown Off-Premises		-	-	-	-	-	-
Very Heavy Industrial Uses		-	-	-	-	-	-
Wrecking & Dismantling of Motor Vehicles		-	-	-	-	-	-
Signs							
Allowable Signs		P	P	P	P	P	P
Separately Regulated Signs Uses:							
Community Entry Signs		-	-	-	-	-	-
Neighborhood Identification Signs		-	-	-	-	-	-
Reallocation of Sign Area Allowance		-	-	-	-	-	-
Revolving Projecting Signs		-	-	-	-	-	-
Signs with Automatic Changing Copy		-	-	-	-	-	-
Theater Marquees		-	-	-	-	-	-

Footnotes for Table 131-02B

- ¹ All uses in the OR zone, except passive recreation and natural resource preservation, shall be located within the allowable development area in accordance with Section 131.0250.
- ² This use is permitted only if consistent with an approved park general development plan or master plan and is subject to any requirements identified in the plan.
- ³ The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- ⁴ Excluding the maintaining, raising, feeding, or keeping of swine. The maintaining, raising, feeding, or keeping of more than 10 domestic animals requires a *premises* of at least 5 acres.

(12-2011)

- 5 Excluding storage of vehicles, containers, chemicals, and other items that may be hazards during or after a *flood*.
- 6 The City Manager will determine if a particular use is appropriate as a passive use in conformance with an approved development plan, park plan, or other plans applicable to the property.
- 7 No *structures*, except portable *structures*, are permitted within a *floodway*.
- 8 This use is only allowed in the OR-1-2 zone subject to the regulations in Section 141.1001 and the regulations in Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).
- 9 No driving ranges or night use are permitted within the *MHPA*.
- 10 No fill or permanent structures shall be authorized for such development in the Coastal Overlay Zone.
- 11 Within the Coastal Overlay Zone, no structures are permitted within a floodway.

(Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)

(Amended 3-1-2006 by O-19467 N.S.; effective 8-10-2006.)

(Amended 8-10-2004 by O-19308 N.S.; effective 4-11-2007.)

(Amended 4-23-2008 by O-19739 N.S.; effective 5-23-2008.)

(Amended 11-13-08 by O-19799 N.S.; effective 12-13-2008.)

(Amended 11-13-08 by O-19803 N.S.; effective 12-13-2008.)

(Amended 11-13-08 by O-19804 N.S.; effective 12-13-2008.)

(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)

[Editors Note: Amendments as adopted by O-20081 N. S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.]

§131.0230 Development Regulations of Open Space Zones

- (a) Within the open space zones no *structure* or improvement shall be constructed, established, or altered, nor shall any *premises* be used unless the *premises* complies with the regulations and standards in this division and with any applicable development regulations in Chapter 13, Article 2 (Overlay Zones) and Chapter 14 (General and Supplemental Regulations).
- (b) A Neighborhood Development Permit or Site Development Permit is required for the types of *development* identified in Table 143-03A.
- (c) The regulations in this division apply to all *development* in the open space base zones whether or not a permit or other approval is required except where specifically identified.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§131.0231 Development Regulations Table for Open Space Zones

The following development regulations apply in the open space zones as shown in Table 131-02C.

**Table 131-02C
Development Regulations of Open Space Zones**

Development Regulations [See Section 131.0230 for Development Regulations of Open Space Zones]	Zone Designator	Zones					
	1 st & 2nd >>	OP-		OC-	OR-		OF ⁽¹⁾ -
	3rd >>	1-	2-	1-	1-	1-	1-
	4th >>	1	1	1	2	1	
Max Permitted Residential Density (DU Per Lot)	--	--	1 ⁽²⁾	1 ⁽⁵⁾	--	--	
Min Lot Area (ac)	--	--	10	10	10	--	
Allowable Development Area (%)	--	--	25 ⁽³⁾	25 ⁽⁴⁾	--	--	
Min Lot Dimensions							
Lot Width (ft)	--	--	200	200	500		
Street Frontage (ft)	--	--	200	200	500		
Lot Depth (ft)	--	--	200	200	500		
Setback Requirements							
Min Front Setback (ft)	--	--	15 ⁽⁶⁾	25	--		
Min Side Setback (ft)	--	--	8 ⁽⁷⁾	20	--		
Min Street Side Setback (ft)	--	--	10 ⁽⁷⁾	25			
Min Rear Setback (ft)	--	--	20 ⁽⁸⁾	25	--		
Max Structure Height (ft)	--	--	30	30	--		
Max Lot Coverage (%)	--	--	--	10	--		
Max Floor Area Ratio	--	--	0.45	0.10	--		
Refuse and Recyclable Material Storage [See Section 142.0805]	applies	applies	applies	applies	applies		

Footnotes for Table 131-02C

¹ Refer to Section 143.0146 for supplemental development regulations for the OF zone.

(12-2011)

- 2 See Section 131.0240(a).
 3 See Section 131.0250(a).
 4 See Section 131.0250(b).
 5 See Section 131.0240(b).
 6 See Section 131.0260(a).
 7 See Section 131.0260(b).
 8 See Section 131.0260(c).

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

(Amended 11-13-08 by O-19799 N.S; effective 12-13-2008.)

(Amended 11-13-08 by O-19805 N.S; effective 12-13-2008.)

§131.0240 Maximum Permitted Residential Density in Open Space Zones

- (a) Within the OR-1-1 zone, an exception to the permitted residential density of one *single dwelling unit per lot* may be requested as a rural cluster development through a Planned Development Permit in accordance with Process Four subject to the following:
- (1) The proposed *development* shall comply with Chapter 14, Article 3, Division 4 (Planned Development Permit Regulations).
 - (2) Dwelling units shall be clustered within the allowable development area as described in Section 131.0250(a) and need not be located on individual *lots* provided the overall *density* does not exceed one dwelling unit per 10 acres.
 - (3) The remainder of the *premises* shall be maintained in its natural state.
- (b) Within the OR-1-2 zone, an exception to the permitted residential *density* of one *single dwelling unit per lot* may be requested as a rural cluster development through a Planned Development Permit in accordance with Process Four subject to the following:
- (1) The proposed *development* shall comply with Chapter 14, Article 3, Division 4 (Planned Development Permit Regulations).
 - (2) Dwelling units shall be clustered within the allowable development area as described in Section 131.0250(b) and need not be located on individual *lots* provided the overall *density* does not exceed one dwelling unit per 10 acres, except as described in Section 131.0240(b)(4).

- (3) The remainder of the *premises* shall be maintained in its natural state.
- (4) Within *Proposition A Lands* an increase in *density* of up to one *dwelling unit* per 4 acres of *lot* area may be requested through a Planned Development Permit in accordance with Process Five subject to the regulations in Section 143.0402. The remainder of the *premises* shall be left undeveloped in perpetuity.

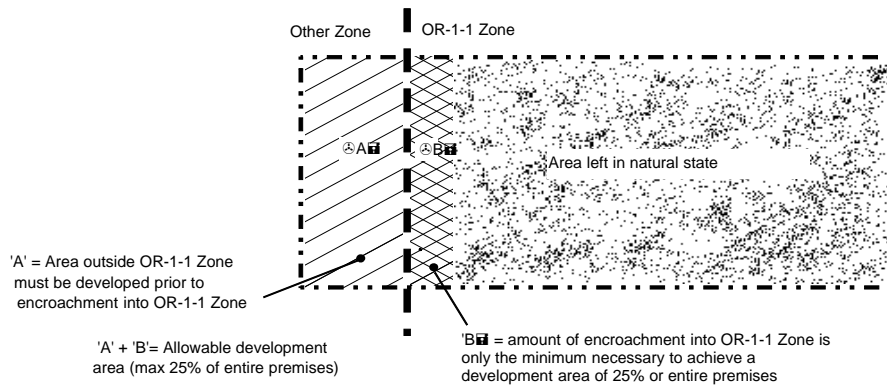
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 4-8-2008 by O-19734 N.S; effective 5-8-2008.)

§131.0250 Allowable Development Area in OR Zones

- (a) Within the OR-1-1 zone, up to 25 percent of the *premises* may be developed subject to the following:
 - (1) If 25 percent or more of the entire site is not in its natural state due to existing *development*, any new *development* proposed shall occur within the disturbed portion of the site and no additional development area is permitted.
 - (2) If the OR-1-1 zone applies only to a portion of a *premises*, the following regulations apply:
 - (A) If less than 25 percent of the *premises* is outside the OR-1-1 zone, the portion that is outside the OR-1-1 zone shall be developed before any *encroachment* into the OR-1-1 zoned portion. *Encroachment* into the OR-1-1 zone may be permitted to achieve a maximum development area of 25 percent of the entire site. See Diagram 131-02A.

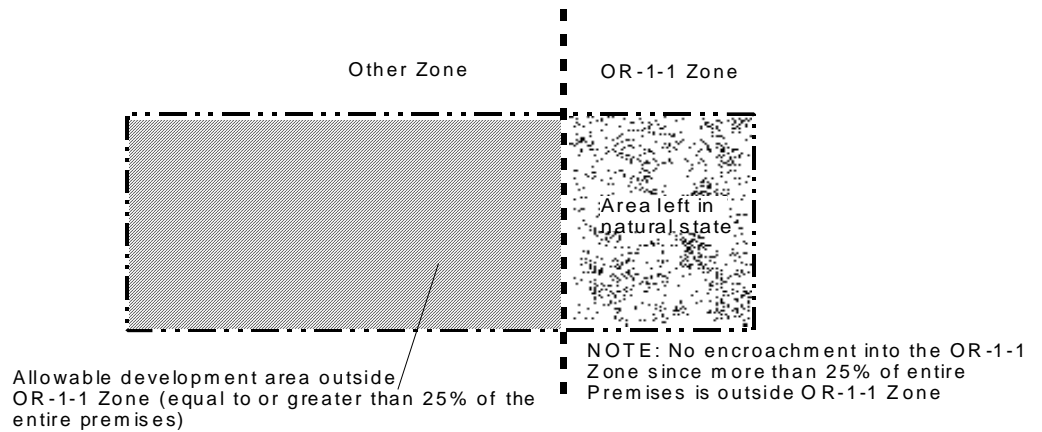
Diagram 131-02A
Allowable Development Area with Encroachment Into OR-1-1 Zone



- (B) If more than 25 percent of the *premises* is outside the OR-1-1 zone, the area outside the OR-1-1 zone may be developed and no additional development area is permitted. See Diagram 131-02B.

Diagram 131-02B

Allowable Development Area Without Encroachment into OR-1-1 Zone

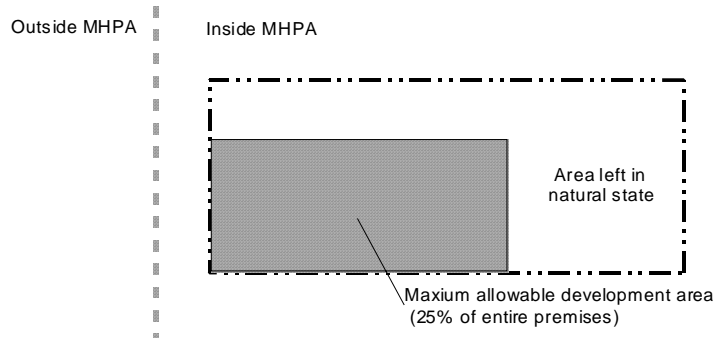


- (3) Within the Coastal Overlay Zone, only uses identified in Section 143.0130 (d) and (e) shall be permitted within *wetlands* subject to the provisions of Section 143.0141 (a) and (b).
- (4) Within the Coastal Overlay Zone, *coastal development* on *premises* with *steep hillsides* containing *sensitive biological resources*, or mapped as Viewshed or Geologic hazard on Map C-720, is subject to the encroachment limitations set forth in Section 143.0142(a).

- (b) A *premises* within the OR-1-2 zone, within or partially within the *MHPA* is subject to the following regulations:
 - (1) If the *premises* is located entirely within the boundary of the *MHPA*, a maximum of 25 percent of the site may be developed. See Diagram 131-02C.

Diagram 131-02C

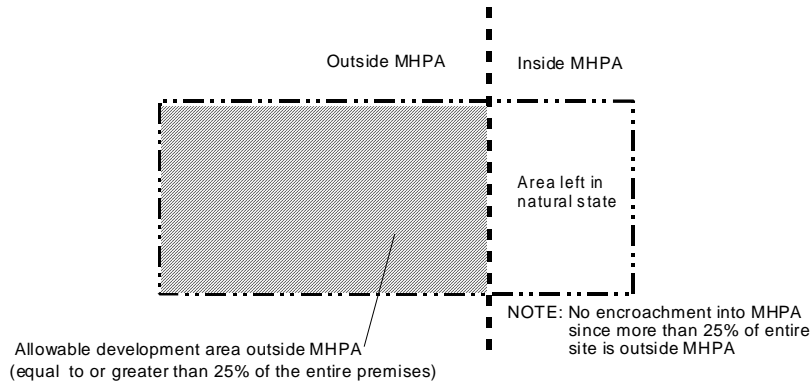
Allowable Development Area Entirely Within MHPA



- (2) If the *premises* is located partially within the boundary of the *MHPA*, any *development* proposed must occur on the portion of the *premises* not within the *MHPA*. See Diagram 131-02D. If the portion of the *premises* not within the *MHPA* is greater than 25 percent of the *premises* area, the allowable *development* area may include all of the area outside of the *MHPA*, except as limited by Sections 143.0141(b) and (g) and 143.0142(a)(2).

Diagram 131-02D

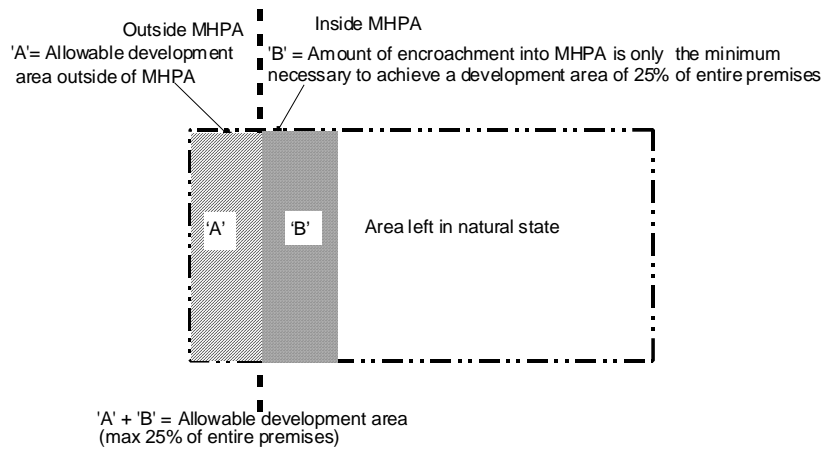
Allowable Development Area without Encroachment into MHPA



- (3) If the portion of the *premises* not within the *MHPA* boundary is less than 25 percent of the *premises* area, encroachment into the *MHPA* may be permitted to achieve a maximum development area of 25 percent of the *premises*. See Diagram 131-02E.

Diagram 131-02E

Allowable Development Area with Encroachment Into MHPA



- (4) Up to 5 percent of additional *development* area is permitted to accommodate essential public facilities only, as identified in the applicable land use plan as long as the total *development* area does not exceed 30 percent of the *premises*. This additional development area shall require mitigation.
- (5) The allowable development area shall be 1 acre for a *premises* with a total area of less than 4 acres provided the width of the *MHPA* is at least 1,000 feet where the *premises* is located. Mitigation will be required for any impacts from *development* in excess of 25 percent of the *premises* area.
- (6) The portions of the *premises* within the *MHPA* that are not included in the allowable development area shall be maintained in their natural state and may be used only for passive uses consistent with the *Multiple Species Conservation Program*.

- (7) *Development* within the OR-1-2 zone is subject to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations) and the Biology Guidelines in the Land Development Manual.
- (8) Any *development* within *the MHPA* shall occur in the least sensitive areas first, in accordance with the Biology Guidelines in the Land Development Manual.
- (9) Any exception to the allowable development area regulations in this section is subject to Section 143.0150.
- (10) Within the Coastal Overlay Zone, only uses identified in Section 143.0130 (d) and (e) shall be permitted within *wetlands* subject to the provisions of Section 143.0141 (a) and (b).
- (11) Within the Coastal Overlay Zone, *coastal development on premises with steep hillsides containing sensitive biological resources, or mapped as Viewshed or Geologic hazard on Map C-720, is subject to the encroachment limitations set forth in Section 143.0142(a).*
(Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)

EDITORS NOTE: The Land Development Manual includes:

Coastal Bluffs and Beaches Guidelines
Biology Guidelines
Historical Resources Guidelines
Submittal Requirements for Deviations within the Coastal Overlay Zone

See RR-292248 for the Coastal Bluffs and Beaches Guidelines of the Land Development Code; RR-292249 for the Biology Guidelines of the Land Development Code; RR-292250 for the Historical Resources Guidelines of the Land Development Code; RR-292251 for the Submittal Requirements for Deviations within the Coastal Overlay Zone of the Land Development Code.

§131.0260 Setback Requirements in the OR-1-1 Zone

Setbacks in the OR-1-1 Zone.

- (a) *Front Setback*
 - (1) For that portion of a *lot* that fronts a *cul-de-sac*, the minimum front *setback* may be reduced to 10 feet.

- (2) For *lots* where at least one-half of the front 50 feet of the *lot* depth has a minimum slope gradient of 25 percent, the *setback* closest to the *street frontage* may be reduced to a minimum of 6 feet.

(b) Side and *Street Side Setbacks*

- (1) For *lots* exceeding 50 feet in width, each side *setback* shall be at least 8 feet or 10 percent of the width of the *lot*, whichever is greater, except one side *setback* may observe 8 feet as long as the combined dimensions of both side *setbacks* equals at least 20 percent of the *lot* width.
- (2) For *lots* with 40 to 50 feet in width, each side *setback* is a minimum of 4 feet.
- (3) For *lots* with less than 40 feet in width, each side *setback* may be reduced to 10 percent of the *lot* width but shall not be reduced to less than 3 feet.
- (4) The *street side setback* is at least 10 feet or 10 percent of the *lot* width, whichever is greater.
- (5) For irregularly shaped *lots*, such as pie shaped *lots*, the *setbacks* are based on the average *lot* width for the first 50 feet of *lot* depth.
- (6) For consolidated *lots*, the width for determining *setback* requirements is the width of the *premises* after the consolidation.

(c) Rear *Setback*

The required rear *setback* is at least 20 feet, except as follows:

- (1) For *lots* with less than 100 feet in depth, the rear *setback* is at least 10 percent of the *lot* depth, but not less than 5 feet; and
- (2) For *lots* with greater than 200 in depth, the rear *setback* is at least 10 percent of the *lot* depth.

(Added 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)