

CALAVERAS COUNTY
Code of Ordinances
Title 17 ZONING
Article 3. Residential Zones

Chapter 17.22 RURAL RESIDENTIAL (RR) ZONE

§ 17.22.010. Purpose

The RR zone is intended to provide lands for personal ranches in which residential use is the primary land use. The RR zone is established to permit small-scale farming primarily for personal use and not as the primary use for the property.

(Ord. 1782 § 1(part), 1986).

§ 17.22.020. Permitted uses.

Uses marked with a superscript (#) are subject to additional requirements as set forth in [Section 17.22.060](#) of this chapter.

A. The following uses are permitted in the RR zone :

1. Agricultural operations;
2. Incidental and accessory structures;
3. Processing and manufacturing:
 - a. Winery (small), oil press or cider mill ^{3, 10} ;
4. Residential uses:
 - a. Residential accessory use or structure,
 - b. Residential care facility, six or fewer clients,
 - c. Rural home business,
 - d. Single-family dwelling (one per legal parcel),
 - e. Yard or garage sales, maximum six events per year,
 - f. Accessory dwelling pursuant to [Chapter 17.66](#) of this title.
5. Retail trade:
 - a. Agricultural product sales,

b. Tasting room ^{3, 10} ;

6. Recreational and educational:

a. Agritourism activities not otherwise specified (less than seventy-five persons on-site at one time) ^{3, 10} ,

b. Educational and interpretive seminars, clinic, walks,

c. Equestrian facility, personal,

d. Special events, subject to the provisions of [Chapter 17.87](#).

7. General services, business:

a. Child day care, twelve or fewer children.

(Ord. 2859 § 7(part), 2005; Ord. 2614 § 3 Exh. A(part), 2000; Ord. 1872 § 1(part), 1987; Ord. 1782 § 1(part), 1986).

(Ord. No. 3020, § I, 2-12-2013; Ord. No. 3021, 3-12-2013)

§ 17.22.030. Conditional uses.

Uses marked with a superscript (#) are subject to additional requirements as set forth in [Section 17.22.060](#) of this chapter.

A. The following uses are permitted in the RR zone upon the approval and validation of a temporary use permit:

1. Temporary outdoor sales, other than agricultural product sales already permitted.

B. The following uses are permitted in the RR zone upon the approval and validation of an administrative use permit:

1. Processing and manufacturing:

a. Agricultural accessory structures;

2. Retail trade:

a. Flea market;

3. Recreational and educational:

a. Agritourism activities not otherwise specified (more than seventy-five persons on-site at one time) ^{7, 10} ,

4. General services, business:

a. Lodging, bed and breakfast;

5. Transportation, communications, infrastructure:
 - a. Power generation (on-site residential or agricultural use) ^{5, 6},
 - b. Public utility buildings, structures, facilities,
 - c. Telecommunications facility.

C. The following uses are permitted in the RR zone upon the approval and validation of a conditional use permit:

1. Processing and manufacturing:
 - a. Wood yard;
2. Residential uses:
 - a. Residential care facility, seven or more clients;
3. Recreational and educational:
 - a. Equestrian facility, public or private,
 - b. Picnic area, park, playground,
 - c. Recreation center;
4. Agricultural services, business:
 - a. Rural veterinary clinic,
 - b. Incidental agricultural support uses ^{2, 3}
 - c. Greenhouse and wholesale nursery;
5. General services, business:
 - a. Child day care, more than twelve children,
 - b. Church,
 - c. School, public or private (K-12);
6. Transportation, communications, infrastructure:
 - a. Heliport,
 - b. Public safety facility,
 - c. Small wind energy system on parcels of ten acres or more,
 - d. Personal landing field.

(Ord. 2859 § 7(part), 2005; Ord. 2818 § 5(part), 2004; Ord. 2691 § 3 Exh. A(part), 2002; Ord. 2614 § 3 Exh. A(part), 2000; Ord. 2017 § 3 Exh. A(part), 1989; Ord. 1872 § 1(part), 1987; Ord. 1782 § 1(part), 1986).

(Ord. No. 3020, § I, 2-12-2013; Ord. No. 3021, 3-12-2013)

§ 17.22.040. Temporary uses.

The following uses are permitted in the RR zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

- A. Continued use of an existing building during construction of a new building on the subject property;
- B. Temporary use of a mobile home in conformance with [Section 17.04.130](#) of this code;
- C. Temporary storage of contractor's equipment during construction of new structures on-site.

(Ord. 1782 § 1(part), 1986).

§ 17.22.050. Accessory uses.

The following accessory uses consistent with the definition of [Section 17.06.0080](#) of this code are permitted in the RR zone:

- A. Residential garages and/or carports;
- B. Swimming pool, located not closer than ten feet to any property line or within the front setback;
- C. Fences, walls;
- D. Business in the home, in conformance with [Chapter 17.68](#) of this code:
 - 1. Residential occupation,
 - 2. Rural home business,
 - 3. Rural home medical clinic on parcels of five acres or more,
 - 4. Rural veterinarian clinic on parcels of five acres or more;
- E. Signs in conformance with [Chapter 17.72](#) of this code;
- F. Usual and customary accessory structures and uses associated with a residence;
- G. Private kennel.

(Ord. 2576 § 2(part), 1999; Ord. 1872 § 3(part), 1987; Ord. 1782 § 1(part), 1986).

§ 17.22.060. Performance standards.

The RR zone, the following performance standards shall apply in addition to any other standards in this title:

- A. The parking standards of [Section 17.70.030 \(C\)](#) of this title shall apply.
- B. The following standards shall be imposed for small wind energy systems:
 - 1. "Tower height" means the height above grade of the fixed portion of the tower, excluding the wind turbine.
 - 2. Tower height shall be restricted to no more than eighty feet, provided that the proposed height does not exceed the height recommended by the manufacturer or distributor of the system.
 - 3. The tower shall be set back from the property line at a distance equal to the height of the tower.
 - 4. The system's turbine must have been approved by the California Energy Commission as qualifying under the Emerging Renewables Fund of the commission's Renewables Investment Plan or certified by a national program recognized and approved by the energy commission.
 - 5. The system shall comply with all applicable Federal Aviation Administration requirements, including Subpart B (commencing with [Section 77.11](#)) of Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports, and State Aeronautics Act (Part 1 (commencing with Section 21001) of Division 9 of the Public Utilities Code).
 - 6. The system shall be used primarily to reduce on-site consumption of energy.
 - 7. A bond shall be posted to cover the cost of removing the system in the event the system has not been operational for a period of time exceeding three years.
- C. Agriculture uses shall comply with federal, state and local regulations in relation to the storage, handling, application and disposal of toxic and hazardous materials.
- D. Uses listed in [Sections 17.22.020](#) and [17.22.030](#) of this chapter identified with a numeric superscript are subject to the following:
 - 1. The use is allowed as a primary commercial use.

2. The use is permitted subject to the following limitations:
 - a. When carried on as clearly secondary use/occupation in conjunction with a bona fide agricultural operation;
 - b. Where no more than three percent of the total land or ten acres, whichever is less, is used;
 - c. Where no more than three persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises.
3. The use is allowed only on a parcel of twenty acres or contiguous parcels totaling twenty acres or more.
4. The use is allowed only on a parcel of one hundred acres or contiguous parcels totaling one hundred acres or more.
5. Although the use is primarily intended for on-site consumption, the facility is permitted to tie into the main power grid.
6. The use is allowed only on a parcel of five acres or larger.
7. The use requires an administrative permit only on parcels of less than twenty acres, the use is a permitted use on parcels of twenty acres or more, but is not allowed on parcels of less than five acres.
8. Road Maintenance.
 - a. Any permitted use, beyond that legally existing at the time of adoption of the ordinance codified in this chapter, having legal access on or over roads maintained by a county service area, a community service district, a recorded road maintenance agreement or pursuant to Civil Code Section 845, may, to the extent allowed by the grant of access, generate additional traffic on those roads. Prior to commencing any nonresidential permitted use, the proponent of the nonresidential permitted use shall secure an administrative use permit to address the permitted use's road impacts only, unless the proponent can demonstrate that the proposed use will not generate traffic in excess of permitted residential uses. To demonstrate the absence of any additional traffic, the proponent shall estimate the average daily traffic

(ADT) averaged over a one-month time period that will be generated by the permitted use. If this estimate indicates that traffic generated by such use is less than the ADT generated by a single-family residence (currently seven and one-half ADT), then an administrative use permit will be not required.

- b. As a condition of approval of the administrative use permit, the proponent of the use shall be required to pay a road maintenance fee to mitigate the impacts caused by the use. This condition of approval is intended to protect the public health, safety and welfare, as required by [Chapter 17.83](#) of this code. Such fees shall be paid as follows:
 - i. The fee shall be calculated based on the ADT of the use divided by the ADT generated by a single-family residence (seven and one-half ADT) and multiplying the annual fee paid by a single-family residence in the area by this proportional factor. Determination of the ADT generated by the use shall be supported by substantial evidence, as approved by the public works department.
 - ii. Road maintenance fees for uses having legal access on roads maintained by a county service area shall be paid to the county auditor's office and deposited in the appropriate account, as specified in the condition of approval in the administrative use permit. Evidence of such deposit shall be provided to the planning department prior to the commencement of the use.
 - iii. Road maintenance fees for uses having legal access on roads maintained by a community service district shall be paid to the community service district, as specified in the condition of approval in the administrative use permit. Evidence of such deposit shall be provided to the planning department prior to the commencement of the use.
- c. Proponents of uses having legal access over private roads not maintained by the county, or a local agency, shall do one of the following:

- i. Enter into any existing road maintenance agreement for the road(s) providing access to the use;
 - ii. Amend any existing road maintenance agreement to which the proponent of the use is already a party to in order to provide for an additional road maintenance fee for the use;
 - iii. If there is no existing road maintenance agreement, record a road maintenance agreement for that portion of the road located on the real property where the use is located;
 - iv. Evidence of compliance with any of the above-stated options shall be provided to the planning department prior to the commencement of the use.
- d. Failure to obtain an administrative use permit under this section may result in initiation of code compliance proceedings or other remedies, including, but not limited to, the remedies specified in [Chapter 17.100](#) of this code, and may require the proponent of the permitted use to pay a road impact fee for the impact caused by the use that was conducted in violation of this section.
- e. The procedures set forth in [Section 17.98.070](#) of this code are applicable to this section.

9. Reserved.

10. When utilizing lands within this zone, this permitted use shall be an incidental or accessory use to a bona fide agricultural operation.

(Ord. 2859 § 7(part), 2005; Ord. 2691 § 3 Exh. A(part), 2002; Ord. 1872 § 3(part), 1987; Ord. 1782 § 1(part), 1986).
(Ord. No. 3020, § I, 2-12-2013)

§ 17.22.070. Site development standards.

In the RR zone, the following site development standards apply:

A. Minimum parcel size for new parcels:

- 1. With individual well and on-site sewage disposal system: five acres,
- 2. With public water and on-site sewage disposal system: one acre,

3. With public water and public sewage disposal: one acre, unless a one-half-acre parcel size is permitted under the provisions of an applicable community or special plan;

B. Maximum density:

1. With individual well and on-site sewage disposal system: one dwelling per five acres,
2. With public water and on-site sewage disposal system: one dwelling per one acre,
3. With public water and public sewage disposal: one dwelling per one acre, unless a one-half-acre parcel size is permitted under the provisions of a community or special plan;

C. Maximum lot coverage: twenty-five percent;

D. Maximum building height: thirty-five feet;

E. Lot width:

1. Average: one hundred feet,
2. At the road: twenty feet, or fifteen feet when access is shared with the adjacent parcel;

F. Lot depth:

1. Average: one hundred feet,
2. Minimum: one hundred feet;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:
 - a. Front, twenty feet from the property line, or fifty feet from the centerline of the road right-of-way or easement, whichever distance is greater,
 - b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,
 - c. Side, ten feet,
 - d. Rear, twenty feet,
 - e. Between buildings, ten feet, or the requirements of the responsible fire agency, whichever is greater,
 - f. Vision clearance, thirty-five feet,

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of [Section 8.10.120](#) of this code in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with [Sections 8.10.150 and 8.10.190](#) of this code.

(Ord. 2345 § 3 Exh. A(part), 1993; Ord. 1782 § 1(part), 1986).